

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2022/05120

Decision Date: 13 July 2023

Applicant: Mr & Mrs Winstone
22, The Beeches, Trowbridge, BA14 7HG

Particulars of Development: The erection of a five bedroom detached dwelling with attached double garage and associated private gardens with vehicular access off Ashton Rise, including the re-routing of an existing footpath.

At: Land off Ashton Rise, Hilperton, Trowbridge

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: (13)

- 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 and documents:

Location plan scale 1:500 drg no. 001
Site plan scale 1:100 drg no.003 rev C
Proposed ground floor plan scale 1:50 drg no. 004 rev C
Proposed first floor plan scale 1:50 drg no. 005 rev D
Proposed northeast elevation scale 1:50 drg no. 006
Proposed southeast elevation scale 1:50 drg no. 007 rev A

Proposed southwest elevation scale 1:50 drg no. 008
Proposed northwest elevation scale 1:50 drg no. 009
Preliminary Ecological Appraisal (Seasons Ecology, May 2022)
Proposed Landscape Plan drg no. (00) 003(Urban Fox, January 2023)
Ecological Parameters Plan (Seasons Ecology, January 2023)
Landscape and Ecology Management Plan (Seasons Ecology, January 2023)

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

- 3 No development above ground floor slab level shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

REASON: In order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area and adjacent Conservation Area.

- 4 No development shall commence on site above ground floor slab level until full details of the new fencing and wall in elevation have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

REASON: In order that the development is undertaken in an acceptable manner and to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 All the additional planting as set out within the approved landscape plans shall be carried out in the first planting and seeding season following the first occupation of the building 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 or plants which, 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.

- 6 No development shall commence on site until details of protective fencing for the protection of the mature hedgerow subject to a TPO located adjacent the western boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site.

REASON: In order that the development is undertaken in an acceptable manner and to enable the Local Planning Authority to ensure the protection of the mature hedgerow subject to a TPO.

- 7 No development hereby approved shall commence above ground floor slab level until a detailed scheme for the discharge of foul water from the site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: In order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained.

- 8 No development hereby approved shall commence above ground floor slab level until a detailed scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 and including all necessary permits, consents and permissions, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: In order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained.

- 9 The development hereby approved shall be carried out in strict accordance with all of the recommendations for on-site biodiversity mitigation and compensation as set out in the Preliminary Ecology Appraisal by Seasons Ecology dated May 2022 and in accordance with the Ecological Parameters Plan by Seasons Ecology dated January 2023.

REASON: To ensure adequate protection and mitigation for protected species through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

- 10 Before the dwellinghouse hereby approved is first occupied, the first-floor window that serves the gym/office/guest bedroom on the eastern side elevation shall be glazed with obscure glass only [to an obscurity level of no less than level 4] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 11 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The plans shall be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication GN01:21, 'Guidance Note 1 for the reduction of obtrusive light 2021' (ILP, 2021), and Guidance Note GN08-18 'Bats and artificial lighting in the UK', produced by the Bat Conservation Trust and Institution of Lighting Professionals. The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area in order to minimise unnecessary light spillage above and outside the development site and to ensure lighting meets the requirements of the Trowbridge Bat Mitigation Strategy.

- 12 No part of the development hereby permitted shall be first occupied until the turning area and parking spaces for the proposed dwelling have been provided and 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.

- 13 Prior to the commencement of works, including demolition, ground works/ excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.

- c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
- d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

Informatives: (4)

- 14 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
- 15 Dorset & Wiltshire Fire and Rescue Service advise the following -A core objective of the Dorset & Wiltshire Fire and Rescue Service is to support and encourage an increase in the provision of residential sprinklers in domestic properties. Residential sprinklers are not new and, although a British invention, significant developments have been made in the United States, Australia and New Zealand. In these countries there are whole communities with such installations and a zero fatality rate from domestic fires where a

sprinkler system is installed. The following information may be of interest to you:•
Sprinklers work from a standard main, although a 32mm connection is required • Are inexpensive to install, particularly in a new building • Do not activate by accident causing unwanted damage • Only operate through individually activated heads, not the whole system • Are not unsightly as they fit flush to the ceiling behind a flat cover • Cause less water damage in a fire than normal fire fighting operations • Significantly reduce fire and smoke damage • If you would like more information on these systems please contact this Authority.

- 16 The applicant should note that it is a criminal offence to obstruct a public right of way under section 130 of the highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way HILP30 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

If a temporary closure is required during the works this must be applied for 3 months before any work is carried out. The applicant should contact the Countryside Access Officer or email rightsofway@wiltshire.gov.uk.

- 17 The applicant should ensure that no landscape planting obstructs or encroaches the PRoW and that it is properly maintained at all times to ensure the unencumbered use of the PRoW is not compromised.

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