Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/05674

Decision Date: 27 September 2023

Applicant:	Pewsey Parish Council Parish Office, Bouverie Hall, Goddard Road, Pewsey, Wiltshire, SN9 5EQ
Particulars of Development:	Construction of a Pump Track.
At:	Broomcroft Road Play Park, Pewsey, Wilts, SN9 5HA

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: (8)

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 documents and plans:

Documents:
Application Form
Community Pump Track Planning Statement, June 2023
BS5837:2012 Arboricultural Report, Land At Broomcroft Play Park, Pewsey, 2 June 2022
Noise Impacr Assessment, Reference: 10247/DO
Preliminary Ecological Appraisal, Project Ref: MN2021026Av1

Plans:
PEW01, Location Plan
PEW02_1 Revision 1, Proposed Site Plan
PEW03_1 Revision 1 Pump Track Plan
PEW04_1 Revision 1, Drainage Plan
PEW05_2 Revision 2, Pump Track Formation Details

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

3 The development will be carried out in strict accordance with the following document:

• Preliminary Ecological Appraisal dated June 2022 by Wild Service.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

4 Prior to the commencement of any works, including any site clearance or vegetation removal, details of the biodiversity enhancements shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the beneficial use of the development hereby approved.

REASON: To provide mitigation /enhancement for biodiversity.

5 The development will be carried out in strict accordance with the following document:

• BS5837:2012 Arboricultural Report, Land At Broomcroft Play Park, Pewsey, undertaken by Alan Engley, 2 June 2023

REASON: In the interests of protecting existing trees.

6 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 in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be 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 and to minimise unnecessary

light spillage above and outside the development site.

7 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

Reason: In the interests of residential amenity.

8 The track hereby permitted shall be used for the purposes of informal recreation use only and shall not be used for commercial or large scale organised events or competitions.

REASON: In the interests of highway safety.

Informatives: (2)

9 There is a residual risk that reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter, remove all waste arising from such clearance and maintain vegetation as short as possible in line with the recommendations made in (Extended Phase 1 Survey by Stark Ecology dated September 2022). If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk)

10 The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding.
Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

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