Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2022/02766

Decision Date: 11 November 2022

Applicant:	Mr P Farmer c/o Simpson Hilder Associates
Particulars of Development:	New dwelling with associated drive, carport/garage and garden amenity space (As approved under planning ref 20/07065/FUL with revised access position) - Resubmission of PL/2022/02035
At:	Land rear of Caynton Lawns, Oak Drive, Alderbury, Wilts, SP5 3AJ

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: (12)

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: 9466.121 Rev P2 Site Location Plan, Proposed Block Plan, Elevations, Floor and Roof Plans Date Received 30.06.22
DWG No: 9466.130 Rev P5 Proposed Site Plan and Site Sections Date Received 05.08.22
DWG No: 2007044-TK05 Rev B Swept Path Analysis 7.5t Panel Van Plan Date Received 29.07.22
DWG No: 2007044-TK03 Swept Path Analysis 7.5t Panel Van Plan Date Received 24.05.22
DWG No: 9466.132 Rev P2 Proposed Garage Floor Plans and Elevations Date Received 01.04.22
DWG No: 20133-2 Tree Protection Plan Date Received 01.04.22

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

3 No development shall commence above DPC ground floor level of the development hereby permitted until details and sample panels of the external brickwork including the chimney and roof tile, timber cladding, doors, windows, rooflights and roof lantern to be used in the construction of the dwellinghouse and details of the external brickwork, timber cladding, oak posts and roof tiles for the detached garage have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved detail.

REASON: To preserve and enhance the appearance of the area.

4 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 extensions, alterations or further window openings inserted to the roofslopes or first floor elevations to the approved dwelling 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.

5 No part of the development hereby permitted shall be first occupied until the access, turning areas 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 and maintained free from the storage of materials.

REASON: In the interests of highway safety.

6 No development shall commence on site, until a Construction Management Statement, together with a site plan, that shall include details of the parking of vehicles of site operatives and visitors; Loading and unloading of plant and materials; Storage of plant and materials used in constructing the development; Wheel washing facilities; Measures to control the emission of dust and dirt during construction; Measures for the protection of the natural environment and; Hours of construction, including deliveries; has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

7 Prior to the commencement of construction of the development hereby permitted, details of the existing and proposed new lighting to include a site plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details must demonstrate a level of 0.5Lux

can be achieved at the boundaries of the site. The approved lighting shall be installed and maintained in accordance with the approved details.

REASON: In order to minimise unnecessary light spillage above and outside the development site and to avoid illumination of habitat used by bats.

8 No development shall commence on site to include the removal of trees, shrubs or hedgerow until full details of a Wildlife Protection and Enhancement Scheme has been submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall include:

(i) Details of proposed measures that will be taken to avoid harm to wildlife, including timing of works to avoid nesting birds and pre-commencement checks for protected species including reptiles and amphibians.
(ii) Biodiversity net gain provision to include a plan showing the location(s) and type(s) of feature(s) to enhance the site for wildlife such as bats, nesting birds and hedgehogs.

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

9 The development hereby permitted shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage). Within three months of the development first being brought into use, a post construction stage certificate certifying that this standard has been approved shall be submitted to the Local Planning Authority for its written approval.

REASON: To ensure the development is nutrient neutral.

10 The development shall be carried out in strict accordance with Section 7 of the Preliminary Ecological Appraisal by Abbas Ecology dated August 2020, the Arbroicultural Appraisal and Method Statement by Barrell Tree Consultancy dated the 4th March 2022 and the Tree Protection Plan (Barrell Plan Ref: 20133-2) by Barrell Tree Consultancy.

REASON: To protect the trees on site in the interests of visual amenity of the area and for the protection, mitigation and enhancement of biodiversity.

11 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 plant species to include species, size and density;
(iv) means of enclosure;
(v) all hard and soft surfacing materials to include details of refuse bin storage

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.

12 All soft landscaping comprised in the approved details of the landscaping scheme 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 any other planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees 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: (3)

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 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.

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).