Wiltshire Council

The Town and Country Planning Act 1990
Approval of Householder Planning Permission with Conditions
Application Reference Number: PL/2023/05731
Decision Date: 13th October 2023

Applicant:	Mrs Kirsty Ashley Birch House, Avon Down Road, Durrington, SP4 8JE
Particulars of Development:	We are proposing a new single-storey garage to the right side of the existing property; At the rear of the existing property we are proposing a single-storey studio space/summer room.
At:	BIRCH HOUSE, 187 AVONDOWN ROAD, DURRINGTON, SP4 8JE

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: (7)

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:

Application Form & Certificate
Ref: 00011/01 Rev P6 – Proposed Ground Floor Plan. Received – 15.09.2023
Ref: 00011/02 Rev P7 – Proposed Elevations. Received – 15.09.2023 (NB the 'heat pump' is not the subject of this application and has not been considered or approved by this decision. This element will need to be applied for separately, if necessary)

Ref: 00011/05 Rev P2 – Proposed Block Plan. Received – 15.09.2023 (NB the detached shed shown on this plan in the north eastern corner of the site; and the 'heat pump', are not the subject of this application and have not been considered or approved by this decision. These elements will need to be applied for separately, if necessary)
Ref: 00011/08 Rev P1 – Location Plan. Received – 15.09.2023

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

3 The development hereby approved shall be constructed using the roof and wall materials as set out on the approved plans.

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

4 No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:
• A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing.
• Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
• Details of all other activities, which have implications for trees on or adjacent to the site.

REASON: To ensure the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

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), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the western roof slope of the garage hereby approved; or the eastern elevation of the summer room/studio space hereby approved.

REASON: In the interests of residential amenity and privacy.

6 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

7 The garage and studio space/summer room hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the main dwelling, known as Birch House, and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a separate dwelling.

Informatives: (2)

1 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

2 Please note that the Heat Pump labelled on the plans has not been considered as part of this application as it was not included in the description of development on the application form and insufficient detail has been provided of this feature. You will need to satisfy yourself that it constitutes permitted development under Part 14, Schedule 2 of the Town & Country Planning (General Permitted Development)(England) Order 2015 (as amended) (GDPO), or apply for this feature under separate measure before installing this element.

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