Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/06544

Decision Date: 08 November 2023

Applicant:	Tracey Hancock Testway House, , Greenwich Way, Andover, SP10 4BF
Particulars of Development:	Erection of a detached dwelling and associated works.
At:	9 The Hollow, Chirton, Devizes, Wilts, SN10 3QP

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

- Proposed New Dwelling – P1-2061 Rev.B;
- Location Plan – 2061.

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

3 3. No development shall commence on site until details of the proposed site levels

have been submitted to and approved in writing by the Local Planning Authority. As a minimum, the details shall include the ground floor slab level of the dwelling, site levels for the car parking and turning areas and full details of retaining structures to be installed (including drainage measures if required). The development shall be completed and maintained in accordance with the approved details thereafter.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences To ensure the development does not cause harm to character of the street scene and to preserve privacy to neighbouring domestic properties in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy (adopted January 2015), Policy 3 of the Chirton and Conock Neighbourhood Plan (made in August 2019) and the planning policy advice of the National Planning Policy Framework.

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4. Notwithstanding the submitted details, the dwelling hereby approved shall not be occupied or brought into use until a scheme of tree planting has been implemented in accordance with details that shall first be submitted to and approved in writing by the local planning authority.

As a minimum, the details shall include the locations, sizes, species, planting specifications, maintenance details (to ensure the trees establish). The location should favour the western area of the rear garden. If, within a period of 10 years, the tree/s is/are removed or become damaged or diseased they shall be replaced in the next planting season with the same species. If a variation in species is required due to disease, agreement must be sought in writing from the Local Planning Authority before the replacement is planted.

REASON: To secure sufficient vegetative screening between the development and wider landscape of the North Wessex Downs Area of Outstanding Natural Beauty and to ensure development provides net gains to the biodiversity value of the site in accordance with the aims of Core Policies 50 and 51 of the Wiltshire Core Strategy (adopted January 2015) and the planning policy advice of the National Planning Policy Framework.

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5. The dwelling hereby approved shall not be occupied or brought into use until the visibility splays shown on approved plan no. P1-2061 Rev.B have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

Reason: To ensure that future occupiers of the site have safe access to the public

highway in the interests of highway safety in accordance with the aims of Core Policy 61 of the Wiltshire Core Strategy (adopted January 2015) and the planning policy advice of the National Planning Policy Framework.

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6. The dwelling hereby approved shall not be occupied or brought into use until the car parking spaces, vehicle turning areas and cycle storage shed have been installed/constructed in full in accordance with the details of approved plan no. P1-2061 Rev.B and thereafter shall be kept available for their intended use, in association with the development.

REASON: To ensure that sufficient areas for off-street parking and vehicle turning are secured and to promote the use of sustainable modes of transport in accordance with the aims of Core Policies 61 and 64 of the Wiltshire Core Strategy (adopted January 2015) and the planning policy advice of the National Planning Policy Framework

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7. Notwithstanding the submitted details, the dwelling hereby approved shall not be occupied or brought into use until boundary enclosures have been installed along the side boundaries of the rear garden of the dwelling hereby approved and the neighbouring gardens to a height of 1.8 metres. No new boundary enclosures shall be installed forwards of the front building line of the new dwelling unless details of the locations, heights and materials/external finishes have first been submitted to and approved in writing by the local planning authority. The development shall be maintained in accordance with the approved details thereafter.

REASON: To ensure the development does not cause harm to character of the street scene and to preserve privacy to neighbouring domestic properties in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy (adopted January 2015), Policy 3 of the Chirton and Conock Neighbourhood Plan (made in August 2019) and the planning policy advice of the National Planning Policy Framework.

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8. The dwelling hereby approved shall not be occupied or brought into use until all hard-surfaces (including the roof of the dwelling, patio and parking/turning areas) have been connected into a surface water drainage system that has been installed in accordance with details that shall first be submitted to and approved in writing by the local planning authority.

As a minimum, the submitted details shall demonstrate how the surface water drainage system complies with the design principles of Sustainable Urban Drainage Systems (SuDS) and ensure that run-off from the site in a 1 in 100 year rainfall event (plus climate change) can be managed with a restricted outflow no greater than that of the existing site (prior to the development taking place).

Reason: To ensure the development is sufficiently served by a suitably designed surface water drainage system in the interests of preventing increased flood risk on and off-site and to ensure development provides opportunities for net gains to the biodiversity value of the site in accordance with the aims of Core Policies 50 and 67 of the Wiltshire Core Strategy (adopted January 2015) and the planning policy advice of the National Planning Policy Framework.

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9. 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 external lighting shall be installed unless full details have first been submitted to and approved in writing by the local planning authority. The external lighting shall be maintained in accordance with the approved details thereafter.

Reason: To protect the special landscape characteristics, dark skies and habitat value of the North Wessex Downs Area of Outstanding Natural Beauty in accordance with the aims of Core Policies 50, 51 and 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

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10. Notwithstanding the submitted details, construction of the dwelling hereby approved shall not continue above ground floor slab level until details of all external materials and finishes have been submitted to and approved in writing by the local planning authority. As a minimum, the details shall include manufacturer/supplier and material name, details of the colour/texture and any external finishes to be applied and a photographic sample of each material. Thereafter, the development shall be completed and maintained in accordance with the approved details.

Reason: To ensure the development does not cause harm to character of the street scene in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy (adopted January 2015), Policy 3 of the Chirton and Conock Neighbourhood Plan (made in August 2019) and the planning policy advice of the National Planning Policy Framework.

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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 windows or doors shall be installed into the north or south facing side elevations, other than those shown on the approved plans.

Reason: To preserve privacy to neighbouring domestic properties in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy (adopted January 2015),

Policy 3 of the Chirton and Conock Neighbourhood Plan (made in August 2019) and the planning policy advice of the National Planning Policy Framework.

12 12. 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 preserving the residential amenities of nearby occupiers in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

Informatives: (1)

13 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 landowner's consent before such works commence.

The applicant's attention is drawn to the fact that during the construction phase, no plant and machinery shall be installed on land outside of the applicant's land/property and at no time shall any construction/delivery vehicles related to the development be parked/left idling in a position to obstruct the public highway.

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.

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.

The is located close to an area that may contain below ground archaeology. Due to previous ground disturbing works within the site there is only a very low expectation that archaeology of any significance would be discovered during construction of the approved development. However, should any historic structures, material or artifacts be encountered during ground disturbing works, the applicant is advised to cease works and to contact the County Archaeology Department at archaeology@wiltshire.gov.uk for further advice.

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.

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