Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/07831

Decision Date: 30 November 2023

Applicant:	Mr & Mrs A & D Doel c/o Brimble Lea, Unit 3 Kingsmead Business Park, Shaftesbury Road, United Kingdom, SP8 5FB
Particulars of Development:	Demolition of existing agricultural buildings and erection of 4 single storey dwellings with associated parking and landscaping (as an alternative to Class Q approval PL/2022/07278 to change the use of the existing agricultural buildings to 5 dwellings with associated development).
At:	Bremeridge Farm, Fairwood Road, Dilton Marsh, Westbury, BA13 4ED

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:

Application Forms, Design and Access Statement, Planning Statement, Ecological Impact Assessment Report, Drawing Nos. 1807/001 Rev A, 002, 003 Rev A, 030, 031,

032, 033, 040, 041, 042, 043, 044, 045, 046, 047, 070 Rev B received on 13th September 2023

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

3 Prior to the erection of any part of the dwelling houses hereby granted planning permission, the two existing barns to be demolished shown in dark grey on plan number 1807/002 entitled “Existing Site Plan” shall be demolished in full.

REASON: To ensure that the 'fall-back' position of the dwellings approved under PL/2022/07278 only results in these four dwellings being realised on the site and because the application site located in a position where the Local Planning Authority having regard to planning policies in the Wiltshire Core Strategy would not permit further residential development.

4 Prior to the first occupation of any dwelling house hereby granted planning permission, all debris associated with the demolition of the existing barns shall be completely removed from the site.

REASON: In the interests of the visual amenity of the area.

5 No development shall proceed above slab level 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 :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure;
- all hard and soft surfacing materials.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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 and the protection of existing important landscape features.

6 All soft landscaping comprised in the approved details of landscaping as shown on plan 1807/003 Rev A shall be carried out in the first planting and seeding season following the first occupation of any dwelling; 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.

7 No development shall proceed above slab level 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 be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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, in the interests of visual amenity and the character and appearance of the area.

8 The development will be carried out in strict accordance with the following documents:
• Bat Roosting Provision. Drawing no. 1807/070. Orme
• Ecological Impact Assessment Report. August 2023. Providence Ecological.
• Proposed Site Plan. Drawing no. 1807/003. March 2023. Orme.

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

9 No external light fixture or fitting will be installed within the application site unless details
of existing and proposed new lighting have been submitted to and approved by the Local

Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

10 The Bat Roost Structure will be incorporated into the development in accordance with Bat
Roosting Provision (Drawing no 1807/070) or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The construction of the structure will be completed prior to the commencement of any works, including vegetation removal and demolition. The construction of the Bat Roost Structure will be supervised by a professional ecologist and this condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the Local Planning Authority. The Bat Roost Structure will continue to be available for bats and other target species for the lifetime of the development.

REASON: To mitigate for impacts to bats arising from the development.

11 Prior to the commencement of any works, including vegetation removal and demolition,
the Bat Roosting Provision (Drawing no. 1807/070) plan should be updated to include the
locations, types and numbers of nesting features for birds to compensate for the loss of
nesting habitat and provide an enhancement for nesting birds on the site. These features
will continue to be available for the target species for the lifetime of the development.

REASON: To provide mitigation/enhancement for biodiversity.

12 Prior to the commencement of any works, including vegetation removal and demolition,
full details of a Wildlife Protection and Enhancement Scheme must be submitted to and
approved in writing by the local planning authority. These details shall include:

(i) A site plan showing:
- The identification of the proposed northwestern hedgerow as a bat
corridor

- Species composition and extent of proposed hedgerow and scrub planting.
- Details of any physical improvements and/or planting regimes for the pond.

(ii) The site plan should be supported by a management plan which provides detail on how proposed and retained habitats will be managed for biodiversity. The report must include management of the bat corridor and any monitoring and maintenance required for the Bat Roost Structure/nesting bird features.

The management plan shall be implemented in full and for the lifetime of the development
in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of biodiversity for the lifetime of
the scheme.

Informatives: (2)

13 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 https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

14 1.Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for advice on any special

precautions before continuing (including the need for a derogation licence from Natural England).

2.Please also be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

3.Barn Owls are included in Schedule 1 of the Wildlife & Countryside Act 1981. Within Part 1, Section 21 (1) the penalty for an offence involving a Barn Owl, it's nest, or egg, includes a fine of up to £5,000, or up to six months imprisonment, or both, per bird, nest or egg.

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