# The Town and Country Planning Act 1990

## Approval of Full Planning Permission with Conditions

## Application Reference Number: PL/2023/05065

## Decision Date: 12 December 2023

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| **Applicant:** | Mr and Mrs S Rogers<br>57 Strathmore Potters Hill, Crockerton, Wiltshire, BA12 8AD |
| **Particulars of Development:**<br>**At:** | Erection of one dwelling and associated works<br>Strathmore, 57 Potters Hill, Crockerton, Warminster, BA12 8AD |

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:** (10)

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 and documents:

10373_P: 10.1 (proposed site plan), 11 (proposed floor plan, section and west elevation), 12 (Proposed south, east and north elevations), 13 (existing site plan), 14 (location and entrance plans) received by the Local Planning Authority on 23rd June 2023.

Site section received by the Local Planning Authority on 26th July 2023

Kingspan Bio-Air Treatment Plan Details received by the Local Planning Authority on 9th November 2023

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

3 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
a) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) wheel washing facilities;
e) measures to control the emission of dust and dirt during construction;
f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
g) measures for the protection of the natural environment.
h) hours of construction, including deliveries;
has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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.

4 Prior to the first occupation of the dwelling hereby approved, the existing septic tank that serves the existing dwelling known as Strathmore located within the blue line of the location plan (drawing number P-13) shall be removed and the proposed package treatment plant for the existing and proposed dwellings shall be installed, maintained and operated in accordance with the details submitted to the local planning authority on 9th November 2023. Any subsequent replacements shall have an equivalent or improved performance specification. The package treatment plant for the existing and proposed dwellings shall be maintained and operated thereafter for the lifetime of the development.

REASON: To provide ongoing and adequate nutrient mitigation for the nutrient neutrality water catchment for the life of the development and to ensure that any future package treatment plant is of an equivalent or improved standard.

5 Prior to any works commencing on site, a photographic pre-condition highway survey shall be carried out and submitted to the Local Planning Authority.

REASON: In the interest of highway safety

6 Prior to the first occupation of the dwelling hereby approved a photographic highway survey following the completion of the development shall be carried out and submitted to the Local Planning Authority.

REASON: In the interest of highway safety

7 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; 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, 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.

8 The visibility splays shown on drawing number 1073 P-13 shall be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway for 43metres in each direction from the centre of the access.

Reason: In the interests of highway safety

9 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces (3) have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

10 The vehicle access shown on the approved plans shall remain ungated.
REASON: In the interests of highway safety.

**Informatives:** (4)

11 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.

12 It is important for the applicant to note that deliveries should be avoided during school term time between the hours of 08:30 – 09:00 and 15:00 – 15:35 due to the volume of additional traffic and the increase in pedestrians in the immediate area associated with the school.

13 It is important for the applicant to note that the Highway Authority will pursue rectification of any defects identified by the highway condition survey which can be attributed to the site construction traffic under the provision of S59 of the Highways Act.

14 Please can the applicant try to ensure that deliveries are received outside of the school drop off and pick up times and that this is expected to be included within the construction method statement

**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