Wiltshire Council

# The Town and Country Planning Act 1990

## Approval of Full Planning Permission with Conditions

## Application Reference Number: PL/2023/07299

## Decision Date: 12 December 2023

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| **Applicant:** | Mr Stretch<br>c/o Agent, Raw Planning Ltd, Unit 4, Woodleys Yard, West Street, Aldbourne, Marlborough, Wiltshire, SN8 2BL |
| **Particulars of Development:** | Erection of a detached dwelling, garage, car parking, access, landscaping and proposed works. |
| **At:** | Scrub land off Ludgershall Road, Tidworth, Wilts |

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:** (15)

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:

Proposed Site Plan 10-001 Rev F dated 15.11.2023
Proposed Biodiversity Strategy 10-010 Rev D dated 25.10.2023
Proposed Floor Plans 10-100 Rev F dated 15.11.2023
Proposed Elevations 10-200 Rev E dated 17.11.2023
Swept path tracking NJC-002 dated Nov 23
Swept path tracking NJC-001 dated Nov 23

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

3 No development above slab level shall be undertaken until details of the materials to be used for the external walls and roof 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: In the interests of visual amenity and the character and appearance of the area.

4 The dwelling shall not be occupied until details of boundary treatments submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

REASON: In the interests of visual and residential amenity.

5 Before the development hereby permitted is first occupied the first floor bathroom and en-suite windows in the north-east and south-east elevations shall be glazed with obscure glass only to an obscurity level of no less than level 4 and the windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

6 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres in both directions from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

7 The development hereby permitted shall not be first occupied until the first 5m of the access, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

8 The gradient of the access way shall not at any point be steeper than that shown on the submitted drawing number 10-001 Rev F.

REASON: In the interests of highway safety.

9 No part of the development hereby permitted shall be occupied until the access,

turning area & parking spaces [3] have been completed in accordance with the details shown on the approved plans (10-001 Rev F). 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.

10 No part of the development hereby permitted shall be first brought into use until the street lighting column at the edge of the site has been relocated to a position a minimum of 1m east of the vehicle access and driveway. To arrange the relocation the applicant must contact wiltshiredcservices@atkinsglobal.com to obtain an up to date quote and estimated duration.

REASON: In the interests of the safety of the street lighting column.

11 Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

12 The biodiversity mitigation and enhancement measures detailed in the approved biodiversity strategy ( 10-010 Rev D dated 25.10.2023 shall be carried out in full prior to the first occupation of the development

REASON: To provide mitigation and enhancement of existing biodiversity and nature habitats.

13 The dwelling hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage).

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development falling within Part 1, Classes A-H, including the insertion of any window, dormer window or rooflight other than those shown on the approved plans, shall take place on the dwellinghouse hereby permitted or within its curtilage.

REASON: In order to enable the Local Planning Authority to consider individually whether planning permission should be granted for alterations, extensions or enlargements in the interests of the amenities of existing dwellings

15 The vehicle access and parking spaces shall remain ungated.

REASON: In the interests of highway safety.

**Informatives:**

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 application involves the creation of a new vehicle access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

The applicant is advised that, if it is proposed to drain this development directly into the river or carry out any work within 8 metres of the watercourse then a Land Drainage Consent is required from the Environment Agency. For further information see www.environment-agency.gov.uk

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.

**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