The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09746

Decision Date: 05 January 2024

Applicant:	Mrs Lisa Hammock 6 Kings Road, Easterton, DEVIZES, United Kingdom, SN10 4PT
Particulars of Development:	Demolish existing bungalow and outbuilding and erect a two-storey house with balcony and roof-mounted PV array; erect detached ancillary carport, workshop and home office outbuilding; install retaining walls; and change of use of adjacent paddock to residential curtilage
At:	Cedarwood, 6 Kings Road, Easterton, Devizes, SN10 4PT

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:

- Location plan ref. 2305_1000_P1.
- Existing site plan ref. 2305_1010_P1.
- Proposed site plan ref. 2305_1050_P2.

- Existing ground-floor plan ref. 2305_2000_P1.
- Proposed ground-floor plan ref. 2305_2050_P2.
- Proposed first-floor plan ref. 2305_2051_P1.
- Proposed roof plan ref. 2305_2052_P1.
- Proposed parking plan ref. 2305_2060_P1.
- Existing northeast elevation ref. 2305_4000_P1
- Existing northwest elevation ref. 2305_4001_P1.
- Existing southwest elevation ref. 2305_4002_P1.
- Existing southeast elevation ref. 2305_4003_P1.
- Proposed northeast elevation ref. 2305_4050_P2.
- Proposed northwest elevation ref. 2305_4051_P2.
- Proposed southwest elevation ref. 2305_4052_P1.
- Proposed southeast elevation ref. 2305_4053_P2.
- Proposed carport north and east elevations ref. 2305_4054_P1.
- Proposed carport south and west elevations ref. 2305_4055_P1.
- Proposed retaining wall ref. 2305_6050_P1.

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture to those detailed on the application form and approved plans.

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

4 No development shall commence on site (including any works of demolition), until a Construction Management Statement, together with a site plan, which shall include the following:

1. the parking of vehicles of site operatives and visitors
2. number and size of delivery vehicles/construction vehicles
3. loading and unloading of plant and materials
4. storage of plant and materials used in constructing the development
5. wheel washing facilities
6. measures to control the emission of dust and dirt during construction
7. a scheme for recycling/disposing of waste resulting from demolition and construction works
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved Statement without the prior written permission of the Local Planning Authority.

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.

5 No development above slab level shall occur 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:

- All hard surfacing materials;
- Gates, walls or other means of enclosure;
- Full details of any hedging to be retained, together with measures for its protection in the course of development; and
- A detailed planting specification showing all plant species, supply and planting sizes and planting densities.

REASON: the application contained insufficient information to enable this matter to be considered prior to granting planning permission. It is important for the development to be 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 shall be carried out in the first planting and seeding season following the first occupation of the new dwelling 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.

REASON: to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7 The specification for the bat and bird boxes shall be similar to those confirmed in the applicant's email of 20/12/23, i.e.:

- Double chamber bat box found at https://www.nhbs.com/bat-box; and
- RSPB classic nest box found at https://shopping.rspb.org.uk/bird-feeders-boxes-tables/bird-houses-nest-boxes/garden-bird-nest-boxes/rspb-classic-nestbox.html

All bat and bird boxes shall be installed across the site before the first occupation of the new dwelling hereby approved. These features shall thereafter be retained and maintained.

REASON: in order to ensure the timely delivery and retention of ecological mitigation/enhancement measures.

8 The development hereby permitted shall not be first occupied until the whole of the parking area, 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.

9 Notwithstanding the provisions of Schedule 2, Part 1, Class E and Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no ancillary domestic outbuildings, enclosures, pools or containers shall be erected anywhere on the site.

REASON: in order to safeguard landscape character and keep grade 2 agricultural land free from development.

10 The carport, workshop and home office outbuilding hereby approved shall not be used at any time other than ancillary to the residential use of the main dwelling. It shall not be converted into habitable accommodation, and it shall remain within the same planning unit as the main dwelling.

REASON: to ensure the retention of sufficient parking and in the interests of local amenity.

Informatives: (3)

11 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.
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.

12 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.

13 There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow

advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

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