Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/06171

Decision Date: 15 January 2024

Applicant:	. C/O Agent , ., ., ., ., .
Particulars of Development:	Ramsbury Estate Variation of Condition 2 & 8 of PL/2022/01536 (Replacement of existing dwelling together with car parking and associated works)
At:	Bridge Cottage, Stitchcombe , Marlborough , SN8 2EU

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

Conditions: (13)

1 The development hereby permitted shall be begun before 26th April 2025.

REASON: To comply with the provisions of Sections 73 and 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 drawings and details:

- Location Plan (20/3323/LOC1A);
- Proposed Site Plan (revised) 20/3323/200C;
- Proposed Floor Plans 20/3323/201A;
- Proposed Elevations 20/3323/202C.

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

3 The development hereby approved shall be implemented in accordance with the site levels details that were submitted to and approved by the local planning authority under application reference PL/2023/06172 (decision issued on 23rd November 2023) and shall be maintained in accordance with the approved details thereafter.

REASON: To ensure satisfactory finished levels on the site in the interest of flood risk and the visual amenity of the area.

4 Construction (including works of demolition) of the development hereby approved shall be implemented strictly in accordance with the details of the Construction Environmental Management Plan (Author: RW Planning, dated: October 2023) that was submitted to and approved by the local planning authority under application reference PL/2023/06172 (decision issued on 23rd November 2023).

REASON: To prevent any pollution of the adjoining River Kennet Site of Special Scientific Interest arising from the demolition or construction works and associated run-off or dust emissions, and to avoid harm to reptiles that may occupy the site.

5 The development hereby approved shall be implemented in accordance with the hard and soft landscaping details that were submitted to and approved by the local planning authority under application reference PL/2023/06172 (decision issued on 23rd November 2023).

ii) All so-approved soft landscaping shall be carried out in the first planting season following the first occupation of the dwelling or following the substantial completion of the development whichever is the sooner.

iii) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.

iv) Any trees or plants which, within a period of five years of planting, die, are removed, or become seriously damaged or diseased (including those to be retained) 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.

v) Where replacement of failed plants is carried out under part (iv) of this condition, the requirements of part (iv) are to apply to the replacement planting as from the date of it being carried out.

vi) All hard landscaping shall also be carried out in accordance with the approved details prior to the first occupation of the dwelling 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 within the North Wessex Downs National Landscape, and the protection of existing landscaping features.

6 The development hereby approved shall be implemented in accordance with the details of external materials and finishes that were submitted to and approved by the local planning authority under application reference PL/2023/06172 (decision issued on 23rd November 2023). Thereafter, the development shall be maintained in accordance with the approved details.

REASON: In order that the development is undertaken in an acceptable manner, in the
interests of visual amenity and the rural character of the National Landscape.

7 Prior to first occupation of the dwelling hereby permitted all the existing buildings on site shall have been permanently demolished and all of the demolition materials and debris resulting there from removed from the site.

REASON: In the interests of flood and contamination risks and the character and appearance of the area within the National Landscape.

8 i) The development shall be carried out in accordance with the details of the submitted Flood Risk Assessment (Author: Calibro, dated: 20 January 2023) - Revision 02 (the FRA) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 119.14 metres above Ordnance Datum (AOD);
- Compensatory storage shall be provided in accordance with Appendix E of the FRA;

ii) These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/ phasing arrangements.

iii) The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASONS: To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, and prevent flooding by ensuring the satisfactory storage of/ disposal of surface water from the site.

9 There shall be no occupation of the dwelling until surface water drainage measures have been implemented in full, in accordance with the details of the Surface Water Drainage Strategy as detailed in Section 6 of the approved Flood Risk Assessment (Author: Calibro, dated: 20 January 2023) - Revision 02 and associated approved plans. Thereafter, the development shall be maintained in accordance with the approved details.

REASON: In the interest of controlling flood risk.

10 The development shall not be carried out other than in accordance with the recommendations of Section 8 of the approved Preliminary Ecological Appraisal (Author: Chalkhill Environmental Consultants, received: 10th March 2022), including:

- ecological supervision of building demolition (roof removal);
- roof removal to avoid extreme weather, and the November-to-February period;
- ecological advice to be obtained if bats are encountered during demolition.

REASON: A precautionary approach is needed for demolition as the existing dwelling has the potential to harbour bats that could be harmed by demolition.

11 The development hereby approved shall not be occupied or brought into use until the bat and bird boxes have been installed in accordance with the details that were submitted to and approved by the local planning authority under application reference PL/2023/06172 (decision issued on 23rd November 2023). Thereafter, the development shall be maintained in accordance with the approved details.

REASON: In the interests of biodiversity net again in accordance with local and national
planning policies.

12 No external lighting shall be installed at any time at a height of more than 2.5 metres above ground level within a distance of 2 metres measured either side below any bat or bird box as approved under the condition above, nor installed at any time elsewhere unless designed, shrouded and fitted so as not to illuminate above the height of the light fittings and so as not to be directed towards the bat or bird boxes.

REASON: In the interests of the biodiversity and the amenity of the area.

13 Notwithstanding the provisions of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, there shall be no addition to or extension of the dwelling hereby permitted.

REASON: In consideration of the increased size of the dwelling above that of the existing dwelling and the scope for significant enlargement under permitted development rights, in the interests of the character of the area within the North Wessex Downs National Landscape and controlling flood risk.

Informatives: (1)

14 This decision is not a standalone planning permission and the developer must ensure they co of the original permission. In particular, the requirements of any pre-commencement condition works may continue at the site.

Any alterations to the approved plans, brought about by compliance with Building Regulations first be agreed in writing with the Local Planning Authority before commencement of work.

Environment Agency advice:
Flood resistance and resilience

We strongly recommend the consideration of additional flood resistance and resilience measu electrical fittings and special construction materials are just some of the ways you can help re

To find out which measures will be effective for this development, please contact your building like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change p guidance. Further guidance on flood resistance and resilience measures can also be found in

Government guidance on flood resilient construction
https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings

CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_pr
x

British Standard 85500 – Flood resistant and resilient construction
https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686

Environment Agency advice:
Foul Drainage

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.
Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we w
It can take up to 4 months before we are in a
position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the

development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at:

Septic tanks and treatment plants: permits and general binding rules: https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686

Environment Agency advice:
Environmental permit – Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

• on or within 8 metres of a main river

• on or within 8 metres of a flood defence structure or culverted main river

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment agency.gov.uk.
The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the ear

Natural England advice:
Use of noisy plant/ machinery

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclus

Community Infrastructure Levy
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