Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09143

Decision Date: 19th January 2024

Applicant:	Karen Dodd White House Farm, Swindon Road, Brinkworth, Wiltshire, SN15 5DG
Particulars of Development:	Construct a purpose built area of stables and service buildings, associated hard standings, an all-weather riding arena and a lunge pen. The fields to the south of the site also require a change of use as they will be used for equestrian grazing, exercise and jumping. Partial change of use to equestrian and partially retrospective.
At:	White House Farm, Brinkworth, Chippenham, SN15 5DG

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: (8)

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 Form & Certificate Received 20th October 2023 Plans Ref:
Location Plan DWG: P1 Rev2 Received 20th October 2023

Proposed Site Layout Plan DWG: P4 rev 2 Received 20th October 2023
Proposed Barn Elevations DWG: P3 Rev 4 Received 20th October 2023
Proposed Arena Elevations DWG: P3a Rev 2 Received 20th October 2023
Proposed Block Plan DWG: P2 Rev 3 Received 20th October 2023
Proposed Lunge Pen Plans & Elevations DWG: P3L Rev 3 Received 20th October 2023
Proposed Machine Store Plans & Elevations DWG: P3G Rev 1 Received 20th October 2023
Proposed Manure Clamp Plans & Elevations DWG: P3M Received 20th October 2023
Proposed Tractor Shed Plans & Elevations DWG: P3T Rev 1 Received 20th October 2023
Proposed Arena 2 Light Spec Sheet DWG: SMAL002 Received 20th October 2023
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 those detailed on the submitted plans and application form.

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

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the buildings, hereby permitted shall not be converted to habitable accommodation.

REASON: The site is located in a non-sustainable location outside of designated settlement boundaries and further habitable accommodation would be in direct contravention of the policies contained within the local plan.

5 No development shall commence on site until a drainage strategy has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include, as a minimum, the following information:

o The applicant must provide additional details related to the drainage plan drawing, notably cover levels and inlet levels.

o The applicant must submit clear arrangements for the ownership and ongoing maintenance of the proposed drainage system (including SuDS features).

o The applicant should provide a construction management plan which demonstrates how pollution to groundwater and the adjacent watercourse will be mitigated, and how flood risk to people or property will be mitigated.

REASON: There's a statutory duty to ensure that surface water quality and quantity is managed throughout construction and as not to increase flood risk, or pollution of watercourses.

6 No further external lighting, other than those contained within the approved plans, shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication “Guidance Notes for the Reduction of Obtrusive Light” (ILE, 2021)”, have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed. (https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021)

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

7 The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

REASON: In the interests of highway safety, to manage the number of movements in an unsustainable location and to protect the living conditions of nearby residents.

8 The development will be carried out in strict accordance with the following documents:
o Preliminary Ecological Assessment. September 2023. Ellendale Environmental
o Manure Management Plan October 2023. Equestrian Blueprint

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

Informatives: (4)

9 **Protected Species**

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting.

Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

10 **Bats**

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

11 **Birds**

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period

between 1st March and 31st August but some species are known to breed outside these limits.

12 **Reptiles**

There is a residual risk that reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter, remove all waste arising from such clearance and maintain vegetation as short as possible in line with the recommendations made in (Preliminary Ecological Assessment. September 2023. Ellendale Environmental). If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk)

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