Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/06406
Decision Date: 22 January 2024

Applicant:	Mr Gareth Bicknell 1 Trimmels, Colerne, Chippenham, SN14 8EP
Particulars of Development:	Demolition of agricultural lean-to. Erection of agricultural building and laying of additional hardstanding.
At:	LAND SOUTH OF B4039 TIDDLY WINK, YATTON KEYNELL, CHIPPENHAM

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: (6)

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 building hereby granted planning permission shall be used for agricultural purposes and for no other use whatsoever.

REASON: For the avoidance of doubt and so as to ensure that any future proposal to use a building of this scale on a landholding of this size for any non-agricultural purpose can be assessed.

3 The development hereby permitted shall be carried out in accordance with the following approved plans and details:

- Location plan received 05/12/23.
- Existing block plan ref. A rev. 0.
- Proposed block plan ref. B rev. 0.
- Proposed ground floor ref. 1 rev. 1 received 05/12/2023.
- Proposed east and west elevations ref. drawing 2 rev. 2 received 05/12/2023.
- Proposed north and south elevations ref. Drawing 3 rev. 2 received 05/12/2023.
- Proposed roof plan ref. drawing 4 rev. 1 received 05/12/2023.
- Arboricultural report (including arboricultural constraints, AIA, TPP and AMS) prepared by Silverback Arboricultural Consultancy Ltd and received on 21/12/23.

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

4 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.

5 Notwithstanding the approved plans and details, the building hereby approved shall not be brought into first use until a bird nesting box is installed on the northern elevation of the building, at least 3m above ground level. This shall comprise a Schwegler 1SP sparrow terrace or Schwegler 10 swallow nest box.

REASON: in order to secure the delivery of ecological enhancements.

6 No new external lighting shall be installed at the site.

REASON: to protect light-averse bats that are likely to forage locally.

Informatives: (4)

7 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.

8 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.

9 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 a professional ecologist or to contact Natural England's Batline through the internet.
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.

10 The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. 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.

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