Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/09917

Decision Date: 24 January 2024

Applicant:	Mr and Mrs Rowlands Cheyney Cottage , Rode Hill, Ditteridge, Box, SN13 8QF
Particulars of Development:	Alterations and extension of an existing garden outbuilding and erection of a new garden studio outbuilding to provide ancillary residential accommodation
At:	Cheney Cottage, Ditteridge, Box, Corsham, SN13 8QF

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: (7)

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 and documents:

Ecological Technical Report. November 2023. ACD Environmental
640/S/00 A Location Plan
640/S/01 Stable Cottage – Existing Plans and Elevations
(received 16 November 2023)

640/P/06 Existing Site Sections
640/P/05 B Proposed Site Sections
640/P/04 D Existing and Proposed Site Layout
(received 11 December 2023)

640/P/08 Site Demolition Plan
(received 2 January 2024)

640/P/02 D Stable Cottage – Proposed Plan and Elevations
640/P/03 D Proposed Garden Studio
640/P/01 H Proposed Site Layout
(received 22 January 2024)

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

3 No development shall commence on site until the approved plans have been updated to include the ecological mitigation features as outlined within the ecological report 'Ecological Impact Assessment. July 2019. Wildwood Ecology' and that these have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details before the development is first brought into use or in accordance with an agreed alternative timetable.

REASON: To ensure the protection and retention of biodiversity features.

4 No development in connection with construction of the garden studio building hereby approved shall commence on site until the existing buildings as indicated in the approved Site Demolition Plan ref: 640/P/08 have been permanently demolished and/or removed, and all of the demolition materials and debris resulting there from has been removed from the planning unit that the site.

REASON: In order to prevent the harmful proliferation of built development within the Green Belt and in order to secure the restoration of the openness which justifies approval of inappropriate development in this case.

5 All soft landscaping comprised in the approved plans and ACD Environmental Ecology Technical Report dated 13th November 2023 shall be carried out in the first planting and seeding season following the first occupation of the building(s) 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development 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 and the protection of existing important landscape features.

6 No external lighting 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 Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21), 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.

REASON: To minimise illumination of ecologically sensitive habitat and to minimise unnecessary light spillage above and outside the development site.

7 The accommodation within Stable Cottage and the Garden Studio hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Cheney Cottage, Ditteridge, Box, Corsham, SN13 8QF and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

Informatives: (6)

8 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.

9 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 landowners 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.

10 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.

11 The roof space of Cheney Cottage is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

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 Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse. An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Further guidance, forms and details of fees are available here: https://www.wiltshire.gov.uk/civil-emergencies-land-drainage-ordinary-watercourse

13 The applicant should note that separate planning permission may be required for installation of a package sewage treatment plant. An Environmental Permit may be required for the operation and discharge relating to a package sewage treatment plant. For more guidance on environmental permits, please consult the Environment Agency's website.

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