Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/09197
Decision Date: 25th January 2024

Applicant:	Mr P Walker c/o Agent
Particulars of Development:	Change of use of agricultural land to residential to provide additional private amenity space to Farrier House, including formation of pond for ecological benefits.
At:	Farrier House, Sunton, Collingbourne Ducis, Marlborough, SN8 3DY

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
Plan Ref: 191015-01 Rev G – Location Plan. Received – 23.10.2023
Plan Ref: 191015-20 Rev B – Site Plan. Received – 08.11.2023
Plan Ref: ACLA/BTU 02 – Landscape Proposals. Received – 03.01.2024
REASON: For the avoidance of doubt and in the interests of proper planning.

3 All soft landscaping comprised in the approved details of landscaping (identified on plan ref: ACLA/BTU 02 – Landscape Proposals) 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 and of preserving the setting of the listed buildings.

4 The garden use hereby approved shall not be first used for this purpose until the granary building/machinery store conversion work is completed and the new dwelling on the site is habitable.

REASON: The site is situated in the countryside and this garden land is only required once there is a dwelling on the site.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England)Order 2015 (or any Order revoking or re- enacting or amending those Orders with or without modification), no new buildings, hard surfacing, fences or means of enclosure within Part 1, Class E, F and H; or Part 2 Class A and B shall take place within the residential curtilage hereby permitted.

REASON: In the interests of the amenity of the area and the character and setting of surrounding heritage assets and landscape designations; to prevent flooding; and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements

6 No development shall commence on site (including any vegetation removal or demolition), until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Construction Method statement shall include measures for the protection of the natural environment, including how pollution of the watercourse will be prevented during construction works

and how artificial lighting on site will be managed. Development shall be carried out in strict accordance with the approved Construction Method Statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the development avoids causing harm to sensitive ecological features.

7 No development shall commence on site (including any vegetation removal or demolition), until a Habitat Creation and Management Plan has been submitted to and approved in writing by the local planning authority. These details shall include:

i. Details of how the proposed pond will be created, planted and managed for the benefit of biodiversity. This should include restrictions on the introduction of fish and invasive plant species.
ii. Details of how the proposed hedgerow, trees and bulbs will be planted and managed to ensure successful establishment and benefit for biodiversity. This should include a marked plan showing the locations and extents of each feature.

The Habitat Creation and Management Plan shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to avoid adverse impacts on biodiversity.

8 Any new external lighting should be for the purposes for safe access and security only 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.

REASON: In the interests of conserving biodiversity.

Informatives: (4)

1 Please note, with regard condition 5, the Local Planning Authority is unlikely to agree

any form of enclosure/landscaping/or boundary treatment that serves to further reduce the open yard character of the site, which is a very important feature of the site, as its subdivision would be very harmful to the setting of all of the listed buildings

2 Please note that as the development is within 8m of a statutory main river, an Environmental Permit from the Environment Agency may be required.

3 The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (as amended) 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.

4 Please note that 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.

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

4 **CIL.** 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy