



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/05139

Decision Date: 02 February 2024

Applicant: Mrs S Clemence
c/o Agent, SN9 5AF

Particulars of Development: Demolition of existing garage and erection of replacement garage to serve Forest View. Erection of 2 no. new dwellings with associated access, parking, landscaping and private amenity space

At: Forest View, East Grafton, Marlborough, SN8 3DB

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: (11)

- 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:

Application Form

Preliminary Roost Appraisal Report by ABR Ecology Ltd dated 25th May 2023

Flood Risk Assessment by AAH Consultants - Job Reference 47285 dated November 2023

Arboricultural Impact Assessment by SJ Stephens Associates Report date: 15th December 2023 Project No. 2204

Location Plan - Drawing No. 200402-01

Topographical Survey

Site Plan - Drawing No. 200402-03 Rev B

Proposed Block Plan - Drawing No. 200402-02 Rev A

Design Scheme - Plot 1 - Drawing No. 200402-04 Rev A

Design Scheme - Plot 2 - Drawing No. 200402-05 Rev A

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

- 3 No development above slab level shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details and evidence demonstrating how the surface water disposal hierarchy has been applied, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

- 5 No development above slab level shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure;
- all hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings 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.

7 The development shall be carried out in strict accordance with the following document:

- Arboricultural Impact Assessment by SJ Stephens Associates -Report Date: 15th December 2023 Project No. 2204
- The contained Tree Protection Plan - Drawing No. 2204-01 within the above Impact Assessment.

The approved tree protection shall be erected prior to any site activity commencing and maintained until completion of the development.

REASON: For avoidance of doubt and for the protection, mitigation and enhancement of trees.

8 The development shall be carried out in strict accordance with the following documents:

- Preliminary Roost Assessment Report V.1 ABR Ecology Ltd - 25th May 2023.

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

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

- 10 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 11 No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 90cm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

Informatives: (3)

- 12 In relation to Condition 4 (surface water drainage scheme) the following details are expected.
- Confirmation on the SuDS features to be implemented, ensuring suitable water quality treatment is proposed due to the site overlaying a SPZ.
 - Detailed cross sectional drawings of the proposed SuDS component/s.
 - Demonstration that surface water runoff has not been increased as a result of the development so to comply with, or achieve close to, the Wiltshire Council's betterment policy for greenfield developments.
 - Finished floor levels should be set to at least 150mm above the surrounding ground level for the proposed development.
 - Identification of exceedance routes for flows in excess of the 100 year + climate change return period storm event.
 - If infiltration is proposed, evidence of soakage tests in accordance with BRE 365 to demonstrate that infiltration is feasible.
 - Evidence demonstrating how the surface water disposal hierarchy has been applied and how all other options have been exhausted,. The hierarchy is set out below:
 - a) Surface water runoff is collected for use,
 - b) Discharge into the ground via infiltration
 - c) Discharge to a watercourse or other surface water body
 - d) Discharge to surface water sewer or other drainage system, discharging to a watercourse or other surface water body.

- e) Discharge to a combined sewer.
- Details of clear arrangements in place for ownership and ongoing maintenance of SuDS over the lifetime of the development.
 - A construction management plan with details of drainage arrangements during the construction phase.
- 13 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.
- 14 Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) 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 an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

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

