Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/07554

Decision Date: 15 February 2024

Applicant:	Mr Laurence Ovens Woolley Green Farm, Woolley Green, Bradford on Avon, BA15 1TY
Particulars of Development:	Redevelopment of former farm yard with three detached dwellings and associated works
At:	Woolley Green Farm, Bradford On Avon, BA15 1TY

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:

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:

Location Plan (2783-19); Site Sections (2783-17B); House 1 and garage elevations and floor plans (2783-11B); House 2 and garage elevations and floor plans (2783-12A); House 3 elevations and floor plans (2783-13B); Contamination Report, Arboricultural Report, Ecology Statement, Heritage Statement and Design and Access Statement - all received 5 September 2023

Site as Existing (1128.01C); and Transport Statement; and Landscape Report - all received 7 September 2023

Planning Statement - received 5 October 2023

CTM Wildlife Ecological Assessment and BNG calculation - received 9 October 2023

Site as Proposed (1128.02D -(LanDesign) - Received 13 November 2023

Site Layout Plan (2783-15H) - received 15 November 2023

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

3 Prior to the commencement of works on site, including ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g., exclusion fencing.
b) Measures to be implemented to protect habitat features e.g., dry ditch and pond.
c) Working method statements for protected/priority species, such as nesting birds and bats.
d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site, if required.
e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and Mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

4 No development of the outer finishing skin of the dwellings hereby approved shall commence until full details and samples of the stone (walls), stone and clay roof tiles and timber boarding to be used 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 and the setting of the adjacent listed building

5 Before the development hereby approved is first occupied the first-floor bathroom

velux window in the southern elevation of plot 3 shall be glazed with obscure glass only [to an obscurity level of no less than level 4] and the window shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

6 All soft landscaping comprised in the approved details of landscaping (AREA A) 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.

7 The development hereby approved shall be carried out in strict accordance with the following documents:

• Site As Proposed. Drawing no: 1128.02D. June 2023. Landesign Associates.
• Preliminary Ecological Assessment & Net Gain Calculation. V2.0. 10th October 2023. CTM Wildlife
• Small Sites Metric 4.0 completed by CTM Wildlife on 8th October 2023.

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

8 No dwelling hereby approved shall be first occupied until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP will include:

a) Long term objectives and targets in accordance with the Small Sites Metric 4.0 (completed by CTM Wildlife on 8th October 2023).
b) Management responsibilities and maintenance schedules for each ecological feature within the development as identified in Site As Proposed (Drawing no: 1128.02D)
c) The mechanism for monitoring success of the management prescriptions with reference to the appropriate Biodiversity Metric target Condition Assessment Sheet(s).
d) A procedure for review and necessary adaptive management in order to attain targets.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

9 No development hereby approved shall extend above slab level until details of the number, design and locations of features for bats and birds have been submitted to the local authority for approval. These details should be clearly shown on an enforceable plan (e.g., site plan/technical elevations drawing). The approved details shall then be implemented before occupation of each dwelling.

These features will continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity.

10 No external light fixture or fitting shall be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

11 No dwelling hereby appropved shall be first occupied, until the cycle and footpath link to BRAD11 has been fully provided as shown on "Landscape Associates Site as Proposed" plan 1128.02D.

REASON: In the interests of pedestrian safety allowing occupants a safe walking route towards the road crossing over the B3105 towards Woolley Grange Hotel and Bradford on Avon

NOTE: The site layout plan 2783-15 Rev H shows the path to be immediately adjacent to the boundary walls of Nos 6, 7, 8 and 9 Woolley Green whereas the Landscape Associates Plan shows an approximate 3 metre gap from the boundary to the inside line of the path.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the southern or eastern elevations above ground floor

ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy

13 No dwelling hereby approved shall be first occupied, until the visibility splays shown on the approved plans (2783-15 Rev H) have been provided with no obstruction to visibility at or above a height of 900mm 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

14 No part of the development shall be first occupied, until the former access is formally closed off with a stone wall built to a maximum of 900mm as shown on plan 2783-15 rev H.

REASON: In the interests of highway safety and visual amenity

Informatives:

Nesting Birds
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.

Protected Species General
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.

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.

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