Wiltshire Council

# The Town and Country Planning Act 1990
## Approval of Householder Planning Permission with Conditions
## Application Reference Number: PL/2023/09740
## Decision Date: 08 March 2024

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| **Applicant:** | Mr James Rees<br>Serendipity Prospect, Kingsway, Box, SN13 8AY |
| **Particulars of Development:** | Erection of a building to replace four buildings (shipping containers) |
| **At:** | Serendipity, Kingsdown, Corsham, SN13 8BT |

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 development hereby permitted shall be carried out in accordance with the following approved plans:

Block Plan: DWG No. TP05 Rev A
Location Plan: DWG No. TP01 Rev A
Existing & Proposed Floor Plan: DWG No. TP02
Proposed Elevations: DWG No. TP04
Existing Elevations: DWG No. TP03

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

3 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as ‘Serendipity’ and it shall remain within the same planning unit as the main dwelling.

REASON: The building is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and its location in the open countryside where a building which is not ancillary to an existing dwelling would be inappropriate; and in light of the requirements of paragraph 154(d) to the NPPF to ensure the development is not inappropriate in the green belt.

4 In accordance with the submitted plans, the development hereby approved, shall utilise the existing building foundation. There shall be no new foundation or excavation works undertaken.

REASON: In order to protect tree root system for trees on and adjacent to the site in the interest of preserving existing biodiversity and nature habitats.

5 Prior to any construction above slab level, protective fencing meeting BS5837:2012 shall be erected around all retained trees in proximity of the site of the new building. That protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

REASON: In order to protect existing trees on and adjacent to the site in the interests of preserving existing biodiversity and nature habitats.

6 No external light fixture or fitting will 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: By reason of the application site’s sensitive location, so as to avoid illumination of habitat used by bats.

**Informatives:** (5)

7 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. Any new lighting should be for the purposes for safe access and security 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.

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 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.

10 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.

11 The applicant should satisfy themselves that the site area shown on the submitted plans is not being used for a purpose that requires the grant of a further planning permission. This decision does not grant, and cannot be inferred as agreement to, the use of the identified land for domestic garden.

*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