Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/11010

Decision Date: 11th March 2024

Applicant:	Mr and Mrs Bawden 203 Bulford Road, Durrington, Wiltshire, SP4 8HB
Particulars of Development:	Demolition of existing and construction of replacement dwelling and garage
At:	203 BULFORD ROAD, DURRINGTON, SALISBURY, SP4 8HB

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:

- Location plan received 18/12/23.
- Topographical survey ref. 23552_1_Topo.dwg.
- Existing dwelling elevations ref. 23552_2_Elevations.dwg.
- Existing garage elevations ref. 23552_3_Elevations.dwg.
- Proposed site plan, floorplans, elevations, section and existing and proposed street scene ref. P 1_B-2073-Planning1.dwg.

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

3 Notwithstanding the approved details, before their installation on the development hereby approved, the following shall be submitted for approval in writing by the Local Planning Authority:

- Details and a sample panel no less than 1 metre square of the brick and flint. The panel shall include mortar and jointing and it shall be left available for inspection by the Local Planning Authority before the brick and flint are installed, and it shall be left in a position for comparison while the development is carried out;
- Details of the fibre cement cladding; and
- Sash window specifications.

The development shall be carried out in full accordance with the approved details.

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

4 No part of the development hereby permitted shall be first occupied until the turning area and three parking spaces have been completed in accordance with the details shown on the approved site plan. These areas shall be maintained for those purposes thereafter.

REASON: in the interests of highway safety.

5 The garage and annex outbuilding hereby approved shall not be used at any time other than ancillary to the residential use of the main dwelling and it shall remain within the same planning unit as the main dwelling.

REASON: to prevent the creation of an independent unit of accommodation, which would be inappropriate for reasons of local character and residential amenity.

6 The row of three adjacent rooflights serving the bedroom, bathroom and lounge in the northwest elevation of the annex and the first-floor bathroom window in the northwest elevation of the dwelling shall be glazed with obscure glass only to an obscurity level of no less than level 3. The windows shall be maintained with obscure glazing for the lifetime of the development.

REASON: in the interests of residential amenity.

7 The ecological enhancement measures detailed in section 5 of the submitted Protected Species Survey (project number 203, prepared by Malford Environmental Consulting and dated 30/11/23) shall be installed before any aspect of the approved development is brought into first use. The enhancement measures shall be retained and maintained for the lifetime of the development.

REASON: in order to ensure the delivery of ecological enhancement measures.

8 The development hereby approved shall be undertaken in accordance with the approved tree report ref. RCB-007 rev. 1 prepared by Bawden Tree Care. This includes the accompanying tree protection plan and the method statement set out in section 5 of the report.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

REASON: to ensure the welfare of retained trees onsite and neighbouring land.

Informatives: (5)

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 landowner's 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 There is a low risk that bats may occur at the development site. 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 (Amendment) (EU Exit) Regulations 2019 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.

12 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

13 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

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