Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/05890

Decision Date: 13 March 2024

Applicant:	Mr & Mrs Watling Millbrook Trout Farm, Mill Lane, Fovant, Wiltshire, SP3 5JP
Particulars of Development:	Proposed agricultural access to existing field.
At:	Millbrook Trout Farm, Mill Lane, Fovant, Salisbury, SP3 5JP

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:

Existing Location Plan – Drawing no. 22035-201B, received on 12th March 2024
Proposed Location Plan – Drawing no. 22035-200A, received on 9th October 2023
Proposed Site Plan – Drawing no. 22035-202B, received on 12th March 2024

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

3 The Hedge Translocation and reinforcement shall be carried out in accordance with the details submitted in the Design and Access Statement, received on 17th July 2023, and the Hedge Translocation details set out in the letter from R and S Consultants, dated July 2023, and received on 9th October 2023. These operations shall be carried out during the planting season November to March inclusive, immediately following commencement of the development hereby approved.
All 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. The translocated and reinforced hedge shall be planted 1m back behind the visibility splay.

REASON: To ensure a satisfactory landscaped setting for the development, the protection of existing important landscape features, and to ensure the visibility splay is not encroached on.

4 The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5 No part of the development shall be brought into use, until the visibility splays shown on the approved plans 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

6 Any gates shall be set back 7.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

7

No part of the development shall be brought into use until drainage channels have been installed across the access hereby approved on the applicant's land, where the public highway meets the private property of the application site. These drainage channels shall be thereafter maintained to prevent the flow of water onto the public highway.

REASON: in the interests of highway safety.

8 The access hereby approved shall be used in connection with the agricultural use of the land shown on the Proposed Site Plan (drawing no. 22035-202B) only and for no other purpose.

REASON: The access is only suitable to serve the limited agricultural land within the applicant's control and not to serve any other purpose.

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