Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09594

Decision Date: 18 March 2024

Applicant:	E & V Kidner Union Farm, Church Lane, Dauntsey, Chippenham , SN15 4HW
Particulars of Development:	Change of use and alterations to 3 no. agricultural buildings to form 4 no. dwellings and associated works.
At:	Chestnut Farm, Church Lane, Dauntsey, Chippenham, SN15 4HW

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 carried out in accordance with the following approved plans and documents:
Drawing No. P-A-03 Revision A: Building A Proposed GF Floor Plan and Elevations, dated 10.03.2024 and received 11 March 2024;
Drawing No. P-A-04 Revision A: Building A Proposed FF Floor Plan and Section, dated 10.03.2024 and received 11 March 2024;
Drawing No. P-B-03 Revision A: Building B Proposed GF Plan and Elevations, dated 01.07.2023 and received 06 November 2023;
Drawing No. P-B-04 Revision A: Building B Proposed FF Plan and Section, dated 01.07.2023 and received 06 November 2023;
Drawing No. P-C-03 Revision A: Proposed GF Plan and Elevations, dated 01.07.2023 and received 06 November 2023;
Drawing No. P-C-04 Revision A: Building C Proposed FF Plan and Section, dated 01.07.2023 and received 06 November 2023;
Drawing No. P-S-02 Revision C: Proposed Site Plan, dated 01.07.2023 and received 06 November 2023;

Flood Risk Assessment Issue 3 (including Drawing No. 7889/501: Drainage Strategy), dated October 2023 and received 06 November 2023;
Ecology Report, dated 28th April 2023 and received 06 November 2023;
Planning Statement, dated October 2023 and received 06 November 2023; and
Application Form, dated 02/11/2023 and received 06 November 2023.

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

2 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.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no extensions, additions or enlargements (including by way of the construction of additional storeys) to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

4 No development shall commence on site, including vegetation removal and demolition, until a Biodiversity Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include but not be limited to a Soft Landscape Plan which also includes the location and specification of bird and bat boxes to be installed. The approved details shall be implemented before occupation of the final works.

The installation of these features detailed with in the plan will be supervised by a professional ecologist. These features will continue to be available for wildlife for the lifetime of the development.

REASON: To mitigate for impacts to biodiversity arising from the development.

5 No development 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;
• minor artefacts and structures (e.g. furniture, refuse and other storage units, signs, lighting etc); and
• proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).
REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and the amenity of the development's future occupants.

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 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 shall not be first occupied until details of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The details shall include an operation and maintenance plan confirming who is responsible for maintenance and a timetable for ongoing maintenance.

REASON: To ensure ongoing compliance with the sustainable drainage recommendations of the Flood Risk Assessment hereby approved.

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The development shall not be first occupied until an emergency plan that details the procedure for emergency access/egress from the site during a flood event, along with confirmation from the Environment Agency that the resulting dwellings will have access to the Environment Agency's early flood warning service.

REASON: To ensure the safety of residents in the case of a flooding event and to ensure compliance with the recommendations of the Flood Risk Assessment.

Informatives: (5)

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 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.

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 Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse.

An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.

Wiltshire Council's land drainage bylaws, as well as the land drainage consent application form and guidance notes can be found on the Wiltshire Council website.

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