Wiltshire Council

The Town and Country Planning Act 1990 The Town and Country Planning (Permission in Principle) (Amendment) Order 2017

Approval of Technical Details Consent with Conditions

Application Reference Number: PL/2023/11070

Decision Date: 21 March 2024

Applicant:	Mr & Mrs Oliver and Helen Jarratt Foxhill House, Clench Common, Marlborough, United Kingdom, SN8 4DR
Particulars of Development:	Technical Details application for Permission in Principle application approved under appeal ref APP/Y3940/W/21/3266427
At:	Land adjacent Foxhill House, Clench Common, Marlborough, SN8 4DR

In pursuance of its powers under the above Act, the Council hereby **GRANTS TECHNICAL DETAILS CONSENT** 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: (12)

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 buildings floorplans ref. SC1242 01.
- Existing elevations ref. SC1242 02.
- Location plan ref. SC1242 04.
- Proposed elevations ref. 5909 dated 30/01/24.
- Proposed floorplans ref. 5909 dated 30/01/24.
- Proposed sections and roof ref. 5909 dated 30/01/24.

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

3 No development, including any site clearance, shall commence until:

a) A written programme of archaeological investigation, which shall include onsite and offsite work, such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
b) The approved programme of archaeological work has been carried out in accordance with the approved details.

The monitoring is to be carried out following the standards and guidance for such work as set out by the Chartered Institute for Archaeologists (CIfA). The costs of the work are to be borne by the applicant.

REASON: to enable the recording of any matters of archaeological interest.

4 No development shall commence on site until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of the monitoring of, and measures to retain, the existing vegetation across the site, together with details of drainage arrangements during the construction phase.

REASON: the application contained insufficient information to enable this matter to be considered prior to granting planning permission. This 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.

5 No development shall commence until a site drainage plan has been submitted to and approved in writing by the Local Planning Authority. The drainage plan shall show exceedance routes (overland flow paths) as arrows and it shall contain confirmation of finished floor levels, which will be above the maximum predicted 100 year flood level. Development shall be carried out in accordance with the approved details.

REASON: the application contained insufficient information to enable this matter to be considered prior to granting planning permission. This 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.

6 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:

i. location and current canopy spread of all existing trees and hedgerows on the land;
ii. full details of any trees and hedgerows to be retained, together with measures for their protection in the course of development;
iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
iv. means of enclosure; and
v. all hard and soft surfacing materials.

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. This is 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.

7 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 dwelling 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.

8 Notwithstanding the details shown on the submitted plans and forms, before their installation on the development hereby approved, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

i. External wall materials;
ii. External roof materials;
iii. Window specifications; and
iv. Door specifications.

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

REASON: the application contains insufficient information and the matters raised above require to be agreed with the Local Planning Authority before their use, in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

9 The dwelling hereby approved shall not be brought into first use until details of biodiversity measures to be installed at the site have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be installed before the dwelling is brought into first use and they shall be retained for the lifetime of the development.

REASON: to ensure the delivery of biodiversity enhancement measures.

10 The dwelling shall not be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting therefrom have been removed from the site.

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

11 The first-floor en-suite window in the northwest elevation shall be glazed with obscure glass only to an obscurity level of no less than level 3 and the window shall be maintained with obscure glazing in perpetuity.

REASON: in the interests of residential amenity and privacy.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no window or rooflight, other than those shown on the approved plans, shall be inserted in the northeastern (front) roof slope of the development hereby permitted.

REASON: in the interests of visual amenity.

Informatives: (4)

1 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.

2 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.

3 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.

4 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