Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/10084

Decision Date: 25 March 2024

Applicant:	Mr & Mrs Ritchings Boxwood , Turners Lane , Crudwell, Wiltshire, SN16 9EL
Particulars of Development:	Retrospective amendments to planning permission reference no: 19/10217/FUL including alterations to the fenestration, gable replacing hip roof, existing part building retained and updated Flood Risk Assessment following planning refusal (reference PL/2022/06948)
At:	Boxwood, Tuners Lane, Crudwell, Malmesbury, SN16 9EL

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: (11)

1 The development hereby permitted shall be carried out in accordance with the following approved plans and details:

- Location plan, site plan, elevations and floorplans ref. 2078/01.
- Outbuilding plan ref. 2078/02.
- Flood Risk Assessment ref. 21-340-60 rev. 01, issued 14/11/23, including the mitigation measured detailed therein.

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

2 Notwithstanding the approved plans and application form, within three months of the date of this permission, exact details of the materials used for the external walls and roofs of the new dwelling and outbuilding shall be submitted for approval in writing by the Local Planning Authority.

REASON: to ensure consistent details that accord with the as-built scheme, in the interests of

visual amenity and the character and appearance of the area.

3 Notwithstanding the approved plans and application form, within three months of the date of this permission, a plan showing parking and turning arrangements shall be submitted for approval in writing by the Local Planning Authority. The approved arrangements shall thereafter be retained for the lifetime of the development.

REASON: to ensure consistent details that accord with the as-built scheme, and to ensure sufficient parking and turning space to serve the dwelling.

4 Notwithstanding the approved plans and application form, within three months of the date of this permission, a scheme of hard and soft landscaping shall be submitted for approval in writing by the Local Planning Authority, the details of which shall include:

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

REASON: to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following this grant of planning permission 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.

6 Within three months of the date of this permission, a Construction Method Statement that updates the version submitted under ref. PL/2021/04864 shall be submitted for approval in writing by the Local Planning Authority.

REASON: to ensure consistent details that accord with the as-built scheme.

7 Within three months of the date of this permission, a Construction Environmental Management Plan that updates the version submitted under ref. PL/2021/04864 shall be submitted approval in writing by in writing by the Local Planning Authority.

REASON: to ensure consistent details that accord with the as-built scheme.

8 Within three months of the date of this permission, a detailed scheme for the discharge of foul water from the site shall be submitted for approval in writing by the Local Planning Authority. This shall demonstrate that either the Environment Agency's general binding rules have been met in full, or that the applicant has received an Environmental Permit from the Environment Agency. The approved scheme shall be installed and operational within three months of this condition being discharged and it shall be retained and maintained thereafter.

REASON: to ensure that the development can be adequately drained

9 The outbuilding hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling and it shall remain within the same planning unit as the main dwelling.

REASON: the outbuilding is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

10 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), there shall be no additions to, or extensions or enlargements of 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 enlargements.

11 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 garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: to safeguard the character and appearance of the area.

Informatives: (5)

12 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.

13 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.

14 The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

The EA will not issue a permit if the proposed development is likely to adversely affect the construction and stability of a flood defence or river bank which will compromise its function, as the proposal will therefore increase the risk of flooding to the local area. The applicant should not assume that a permit will automatically be forthcoming if planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

15 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.

16 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.

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