Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09814

Decision Date: 05 April 2024

Applicant:	Mr & Mrs Neil & Jenni Grimes Southcroft , South Cross Lane, Worton, Devizes, SN10 5UW
Particulars of Development:	Extension and renovation of house, garage with annexe, new equestrian stables with relocated horse walker and manege, new agricultural barn, new access to highway (resubmission of PL/2023/04007)
At:	Southcroft, South Cross Lane, Worton, Devizes, SN10 5UW

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: (10)

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 and details:

- Dwelling existing and proposed ground floor plans ref. 3990-01E.
- Dwelling existing and proposed first-floor plans ref. 3990-02E.
- Dwelling existing and proposed roof plans and proposed second floor plan ref. 3990-03E.
- Dwelling existing elevations ref. 3990-04A.
- Dwelling proposed elevations ref. 3990-05E.

- Existing site plan ref. 3990-10A.
- Proposed site plan ref. 3990-11G.
- Horse walker and manege details ref. 3990-12.
- Location and existing/proposed site plans ref. 3990-13D.
- Garage/annex floorplans, sections and elevations ref. 3990-20L.
- Existing buildings for demolition, elevations and floor plans, and site plan ref. 3990-22A.
- Agricultural barn floorplan and elevations ref. 3990-30E.
- Stables floorplan and elevations ref. 3990-31E.
- Preliminary Ecological Appraisal, prepared by Stark Ecology and dated October 2023, received 24/11/23.

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

3 Before the new stable block hereby approved is brought into first use, details of the arrangements for the storage and/or disposal of manure from the keeping of horses shall be submitted to and approved in writing by the Local Planning Authority. The details are to include a plan illustrating where the material will be stored and details of the construction and design of the structure/enclosure within which the material will be stored. The storage of manure from the keeping of horses shall only be carried out in accordance with the approved details.

REASON: in the interests of public health and safety, in order to protect the natural environment and prevent pollution.

4 No burning of manure or other stable waste shall take place onsite.

REASON: in the interests of public health and safety, in order to protect the natural environment and prevent pollution.

5 The development shall be undertaken in full compliance with all ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal, prepared by Stark Ecology and dated October 2023, received 24/11/23.

All bat roosts and bat access points shall be incorporated into the development in accordance with the approved Preliminary Ecological Appraisal and the approved plans, or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the Local Planning Authority.

Where mitigation and enhancement measures are proposed as part of a particular building, that building shall not be brought into first use unless and until the mitigation and enhancement measures are installed and operational.

The new hibernacula detailed in the approved Preliminary Ecological Appraisal shall be installed

within six months of the commencement of development.

Once installed, all mitigation and enhancement measures shall be retained and maintained for the lifetime of the development.

REASON: for the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

6 Soft landscaping shall be undertaken as follows:

- The hedging to the east of the new garage/annex building shall be carried out in the first planting and seeding season following the substantial completion of this building.
- The hedging to the south of the new stable block shall be carried out in the first planting and seeding season following the substantial completion of this building.
- The hedging to be used to block up existing openings shall be carried out in the first planting and seeding season following the implementation of the new site access to the northeast of the site.

Any new hedging shown on the approved site plan shall comprise at least five woody native species to produce a species-rich hedgerow.

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.

REASON: to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features. This condition will also ensure the timely stopping up of the existing accesses, in the interests of highway safety.

7 No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: in the interests of highway safety.

8 The new access hereby permitted shall not be first brought into use until the first 5m 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.

9 Any demolition materials and debris onsite shall be removed from the site within six months of the particular building (or part thereof) being demolished.

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

10 The garage/annex building hereby approved shall not be used at any time other than for purposes ancillary to the residential use of the main dwelling. It shall not be used in connection with any equestrian-related activities taking place within the landholding, nor shall it be occupied, sold, leased, rented or otherwise disposed of as a separate unit. It shall remain within the same planning unit as the main dwelling.

REASON: to safeguard the character of the area and ensure that the accommodation is used in an ancillary manner to the residential use of the dwelling.

Informatives: (5)

11 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.

12 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.

13 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.

14 Owing to the presence of bats onsite, the Council recommends to the applicant that no external lighting be installed at the site, as artificial light can affect the foraging and roosting behaviour of these protected species.

15 The application involves a change to the highway in the form of a new access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application. The applicant must also ensure that any works within 8m of a watercourse (including discharge to and/or piping of road side ditches) will require full Land Drainage Consent . Please contact the Drainage Team at Drainage@wiltshire.gov.uk

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