Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09855

Decision Date: 04 April 2024

Applicant:	D. Mortimer and Sons 190 Norrington Lane, Broughton Gifford, Wiltshire, SN12 8LW
Particulars of Development:	Demolition of existing dwelling and erection of replacement farm manager's dwelling and associated landscaping works.
At:	192 Norrington Gate, Broughton Gifford, Melksham, Wilts, SN12 8LW

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: (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 and documents:
Site Location Plan Ref: Drg No 1000 R B
Existing Site Plan Ref: Drg No 1001 R A
Existing Elevations Ref: Drg No 2010 R A
Existing Plans Ref: Drg No 1110 R A
Proposed Site Plan ref: 1100-H
Proposed Elevations North & South Plan ref: 2001-E
Proposed Elevations East & West Plan Ref: 2002-G
Section A Ref: Drg No 3001 R C
Proposed Ground Floor Plan Ref: 1101-L
Proposed First Floor Plan Ref: Drg No 1102 R H
Proposed Second Floor Plan Ref:Drg No 1103 R B

Proposed Storage Shed Plan Ref: 2200-B
Proposed Roof Plan Ref: 1105-E
Sustainability Statement Ref: 002_A
Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate Ref: LL-ENQ-WILT-00086
Landscape Strategy
Landscape Plan Ref: Drg No 264-001_P2
Drainage Strategy Ref: 19684_R01_02

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

3 The development will be carried out in strict accordance with the following documents:
• Ecological Impact Assessment. October 2023. Ethos Environmental Planning.
• Landscape Plan. Drawing no: 264-001 Rev A. Greenhalgh Landscape Architecture.
• Proposed Site Plan. Drawing no: 1100 Rev D. Nash Partnership.

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

4 The occupation of the dwelling herby approved shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

5 No development shall commence on site (except for demolition) until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority.
These details shall include
i) detailed drawings displaying the depths of each layer in the permeable paving, dimensions of the collection tank and outlet levels for connection into the drainage network;
ii)details of and results from the soakaway tests that have been undertaken;
iii)details to demonstrate that urban creep has been accounted for within the hydraulic calculations in line with LASOO guidance.
iv)overland exceedance flows to be visualised on a map and submitted

The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained, to ensure other preferable options of the surface water disposal hierarchy have been appropriately exhausted. As stated in the National Planning Practice Guidance, the aim should be to discharge surface water run-off as high up the drainage hierarchy as reasonably

practicable and to account for increases in impermeable surfaces throughout the lifetime of the development.

6 No development shall commence, including demolition and site clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority.
The Plan shall provide details of the avoidance,
mitigation and protective measures to be implemented before and during the construction
phase, including but not necessarily limited to, the following:
a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
b) Measures set out in Section 6 of the Ecological Impact Assessment (October 2023), to include working method statements for protected/priority species, such as hedgehog, badger, bats, amphibians, nesting birds and reptiles.
c) Invasive species management plan.
d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

7 No development shall commence on site including any works of vegetation removal and demolition, until details of the number, design and locations of bat roosts and nesting opportunities for birds has been submitted to and approved in writing by the local authority.

These details should be clearly shown on an elevations drawing. The approved details shall be implemented before occupation of the final works and retained thereafter for the lifetime of the development.

REASON: To provide enhancement for biodiversity.

8 No development shall commence above ground slab level until final details of the solar PV panels and air source heat pump(s) has been submitted to and approved in writing by the local planning authority. Details shall include, but not necessarily be limited to location, number, dimensions and manufacturer’s details. The development shall be carried out in accordance with the approved details.

REASON: In order to define the terms of the permission and in order to support and

encourage sustainable construction in accordance with policies CP41 and CP57 of the Wiltshire Core Strategy.

9 The development hereby approved shall not be occupied until the existing dwelling on site has been permanently demolished and all of the demolition materials and debris resulting therefrom has been removed from the site.

REASON: In the interests of the character and appearance of the area and to accord with policy CP1, CP2 and CP48

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, AA, B, C, D, E and F AND Part 2 Class A shall take place on the dwellinghouse hereby permitted or within the curtilage.

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 submitted plans, the materials to be used for the external walls of the approved dwelling shall be ashlar stone and the roof shall be slate roof tiles with solar panels. The materials to be used on the approved outbuilding will be slate roof tiles and timber clad walls. The proposed windows and doors shall be white timber sash windows and white timber doors with stone cils and lintels. Development shall be carried out in accordance with these approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

12 No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Informatives: (1)

1 Bats
There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most

species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year.
Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

Nesting Birds
All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Protected Species General
The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species.

In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

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