Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2024/00141

Decision Date: 16 April 2024

Applicant:	Wadworth & Co Ltd Folly Road Brewhouse, Folly Road, Devizes, Wiltshire, SN10 2HT
Particulars of Development:	Stable for shires horses and storage of associated equipment, drays and sign shop
At:	The Barge Inn, Seend Cleeve, Seend, Melksham, SN12 6QB

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:

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:

Revised Layout Plan – dwrg no. 4022 20C – received 11/04/2024
Revised Block Plan – showing swept path and footpath treatment – received 04/03/2024

Location Plan, Existing and Proposed Block Plans – dwrg no. 4033 20B – received 08/01/2024
Proposed Floor Plan, Section and Elevations – dwrg no. 4033 22C – received

08/01/2024

Topographic Survey – received 05/01/2024
Flood Risk Assessment and Surface Water Drainage Strategy – received 05/01/2024
Ecological Assessment Report – Pure Ecology - received 05/01/2024
Revised Design and Access – Dolman - received 11/04/2024

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

3 The applicant shall carry out the hardcore and stone surface improvement works on-site as shown on plan drawing 4033-21 Rev D (shaded in red stripe) concurrent with the construction of the hereby approved stable building and shall be completed within 2 months of bringing the stable into use to reduce the likelihood of this section of the site to address waterlogging.

Reason: To define the terms of the permission and to ensure the right of way remains safe and use unimpeded.

Note: These improvement works must be approved by the Countryside Access Officer. The applicant will need to contact the Countryside Access Officer (rightsofway@wiltshire.gov.uk) to get approval before they carry out the works to the path.

4 The construction work associated with this development shall take place between the hours of:
8am-6pm Monday to Friday, and 8am-1pm Saturdays, with no working on Sundays or Bank Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

5 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 or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds, with appropriate root protection measures such that they 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.

The parking and turning areas shall be provided in accordance with the approved drawing on a permanent basis and without obstruction.

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

6 Any external lighting on-site shall be installed in strict accordance with the approved documents. No additional external light fixture or fitting shall be installed within the application site unless full details of the lighting and lux levels and light pollution minimisation controls have been submitted to and approved by the Local Planning Authority in writing.

The submitted details shall demonstrate how the proposed lighting would impact on bat habitat compared to the pre-existing situation (prior to works commencing on site).

Any such lighting shall also be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To define the terms of the permission and to avoid illumination of habitat used by bats

7 The stable development hereby approved shall not be commenced until the respective trees and hedgerow are protected in accordance with British Standard 5837: 2012: “Trees in Relation to Design, Demolition and Construction -Recommendations”. Protective fencing shall remain in place for the entire stable construction phase and until all equipment, machinery and surplus materials in association with the delivery of the stable have been removed from the site. Such fencing shall not be removed or breached during the construction operations.

No retained tree/s or hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 “Tree Work – Recommendations” or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must

be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition “retained tree” or "hedgerow" means an existing tree and hedgerow which are to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees and hedgerow on the site in the interests of visual amenity.

8 The manure waste associated to this development shall be managed in accordance with paragrah 4.8 of the revised design and access statement received 11 April 2024.

REASON: To define the terms of this permission and in the interests of protecting the local environment.

Informatives:

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.

The applicant should also note that no gates, fences or stiles should be erected across the public right of way without prior consultation and approval from the Countryside

Access Officer (contact rightsofway@wiltshire.gov.uk).

Unauthorised structures across a right of way are an obstruction and gates may only be authorised for the control of stock under section 147 of the Highways Act 1980.

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