Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/09911

Decision Date: 01 May 2024

Applicant:	Mr Pete Lythell Jasmine Cottage, High Street, Seend, Wiltshire, SN12 6NW
Particulars of Development:	Proposed demolition of garage block & erection of new dwelling
At:	Land Rear of 4 School Road, Seend, SN12 6NJ

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:

- Existing and proposed plans, elevations, block plan and site location – Drawing Number: AH2019/78 (revision date 23rd April 2024).

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

3 The development hereby approved (including demolition) shall not commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. As a minimum, the CMP shall include the following details:

- Arrangements for contractor parking, site deliveries and materials storage;
- management of shared driveway (i.e. measures to keep the access drive free of obstruction, notifying other users of potential blockages in advance, contact details for developer/site manager);
- measures to prevent transference of mud/debris to the public highway;
- dust control measures;
- noise control measures.

The development shall take place strictly in accordance with the approved details.
REASON: To ensure that measures to protect neighbouring amenities and highway safety during the demolition and construction phases are secured in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

4 Construction of the dwelling hereby approved shall not commence on site until details of the proposed slab/finished floor level have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: The 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, in the interests of visual and neighbouring residential amenities in accordance with the aims of Core Policies 51 and 57 of the Wiltshire Core Strategy (adopted January 2015) and the planning policy advice of the National Planning Policy Framework.

5 Notwithstanding the submitted details, construction of the dwelling hereby approved shall not proceed beyond finished floor/slab level until a schedule of all external materials and finishes has first been submitted to and approved in writing by the local planning authority.

As a minimum, the schedule shall include a description of the material, supplier/manufacturer name, details of the colour/application of external finishes (paint, wood stain etc.) and a photographic sample of the material/finish. Physical samples shall be made available to view on site at the request of the local planning

authority.

Details of external brickwork shall include face bond, size, jointing and pointing.

The development shall be completed and maintained in accordance with the approved details thereafter.

REASON: To preserve the special character of the conservation area and settings of nearby designated heritage assets and village character in accordance with the aims of Core Policies 57 and 58 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

6 Construction of the development hereby approved shall not proceed beyond finished floor/slab level until details of all new or replacement external window and door joinery has been submitted to and approved in writing by the local planning authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out and maintained in accordance with the approved details thereafter.

REASON: To preserve the significance of the designated heritage assets within the site, the character and appearance of the site and wider landscape character in accordance with the aims of Core Policies 57 and 58 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

7 The development hereby approved shall not be occupied or brought into use until all impermeable surfaces (the roof of the building, new hard-surfaced areas) have been connected into a system for the disposal of surface water in accordance with details that shall first be submitted to and approved in writing by the local planning authority. As a minimum, the written details shall confirm how the scheme has been designed in accordance with Sustainable Drainage Systems (SuDS) principles and shall provide design specifications for the proposed construction and maintenance of the system. Thereafter, the development shall be maintained in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority to ensure the development can be adequately drained using SuDS without increasing flood risk on or off-site in accordance with the aims of Core Policies 50 and 67 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

8 The development hereby approved shall not be occupied or brought into use until it has been connected to a foul drainage system in accordance with details that shall first be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be maintained in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority to ensure the development can be adequately drained causing pollution in accordance with the aims of Core Policies 50 and 67 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

9 Notwithstanding the submitted details, the dwelling hereby approved shall not be occupied or brought into use until the car parking areas and visibility splays have been constructed/laid out in full in accordance with the details of approved plan no. AH2019/78 (revision date 23rd April 2024). The development shall be maintained in that state thereafter.

REASON: To ensure that future occupiers of the new dwelling and existing house have access to sufficient areas for off-street car parking in accordance with the aims of Core Policy 64 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

10 The dwelling hereby approved shall not be occupied or brought into use until boundary enclosures have been installed in accordance with details that shall first be submitted to and approved in writing by the local planning authority. As a minimum, the details shall include locations, heights and materials/external finishes of all existing boundary enclosures to be retained or replaced and all new boundary enclosures to be constructed/installed. The development shall be completed and maintained in accordance with the approved details thereafter.

REASON: To ensure that future occupiers benefit from sufficient levels of privacy and the development does not cause harm to the special character of the conservation area and settings of nearby designated heritage assets and village character in accordance with the aims of Core Policies 57 and 58 of the Wilshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

11 The dwelling hereby approved shall not be occupied or brought into use until the areas for the storage of bins/recycling boxes and secure cycle storage have been

constructed/laid out in accordance with the details of approved plan number AH2019/78 (revision date 23rd April 2024). The development shall be maintained in accordance with the approved details.

REASON: To ensure the development benefits from suitably accessible bin and cycle storage areas in the interests of the residential amenities of the area, to promote the use of sustainable modes of transport and to ensure the design does not cause harm to the special character of the conservation area and settings of nearby designated heritage assets and village character in accordance with the aims of Core Policies 57, 58, 60, 61 and 64 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

12 The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

REASON: To preserve the significance of the designated heritage assets within the site, the character and appearance of the site and wider landscape character in accordance with the aims of Core Policies 57 and 58 of the Wilshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

Informatives: (1)

13 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.

The applicant's attention is drawn to the fact that during the construction phase, no plant and machinery shall be installed on land outside of the applicant's land/property and at no time shall any construction/delivery vehicles related to the development be parked/left idling in a position to obstruct the public highway.

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.

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.

The is located close to an area that may contain below ground archaeology. Due to previous ground disturbing works within the site there is only a very low expectation that archaeology of any significance would be discovered during construction of the approved development. However, should any historic structures, material or artifacts be encountered during ground disturbing works, the applicant is advised to cease works and to contact the County Archaeology Department at archaeology@wiltshire.gov.uk for further advice.

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. 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 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