Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/04777

Decision Date: 20 May 2024

Applicant:	Dogwood Farm Dogwood Farm, New Road, Erlestoke , Devizes, SN10 5US
Particulars of Development:	Temporary Change of Use from Agricultural to Airsoft & for Erection of Structures
At:	Poors Ground, Cheverell Wood, Great Cheverell, Devizes, SN10 5SP

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: (6)

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

Application Form
Location Plan - Drawing Number: 4076-01
Block Plan - Drawing Number: 4076-02
Elevations as Existing & Proposed - Drawing Number: 4076-04 Rev A
Floor Plans - Drawing Number: 4076-05
Preliminary Ecological Appraisal by Stark Ecology dated January 2024
Woodland Management Plan by Stark Ecology dated April 2024
Noise Impact Assessment for Airsoft Activities by Ian Sharland Limited - Ref: M5506

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

2 The use hereby permitted shall only take place between the hours of 08:00 and 16:00,

with games commencing not prior to 10:00, on Saturday and Sundays only.

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

3 The buildings hereby permitted shall be removed, the use hereby permitted shall be discontinued and the land restored to its former condition on or before 21st May 2029 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal of a use for which permission which has been submitted as a temporary situation.

4 The development will be carried out in strict accordance with the following documents:

• Preliminary Ecological Appraisal. April 2024. Stark Ecology Ltd.
• Woodland Management Plan. April 2024. Stark Ecology.

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

5 The features for wildlife as approved within the Woodland Management Plan (April 2024, Stark Ecology) shall be incorporated into the development in strict accordance with the approved document within three months of this decision. The installation of these features shall be supervised by a professional ecologist.

The Woodland Management Plan (April 2024, Stark Ecology) shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the management of the on-site habitats and protection of biodiversity for the lifetime of the scheme.

6 No new external artificial lighting shall be installed at the site.

REASON: In the interests of conserving biodiversity.

Informatives: (3)

7 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.

8 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.

9 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