Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/10723
Decision Date: 11 June 2024

Applicant:	Mr G. Burden, Tiryberth Middleton Road, Winterslow, Wiltshire, SP5 1PQ
Particulars of Development:	Demolish existing dwelling and construct new two storey 3 bedroom dwelling with new off-road parking.
At:	Tiryberth, Middleton Road, Winterslow, Salisbury. SP5 1PQ.

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 listed in schedule:

Location Plan ref 3004-01 dated December 2023
Proposed Elevations, Floor Plans and Roof Plan 3004-03 Rev B dated December 2023
Site Layout, Site Section and Streetscene View ref 3004-05 Rev A dated December 2023

Site Details and Visibility Splays ref 3004-04 Rev A dated December 2023
Assessment of the Impacts on Bats & Nesting Birds by Ecological Consultancy Services Ltd dated Sept 2023

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

3 The materials to be used in the construction of the development hereby approved shall be in accordance with the details shown on the approved elevations plan ref 3004-03 Rev B unless otherwise agreed in writing by the Local Planning Authority, and should be namely, an off white/cream/neutral coloured render for the walls, slate tiles for the roof and brick details for the window header and footers.

Reason: To secure a harmonious form of development.

4 The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2.4m parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. The visibility shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5 The development hereby permitted shall not be occupied until the first 2m 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.

6 Notwithstanding the submitted details, the proposed development shall not be occupied until means/works (including the proposed native hedge planting forming the north and west boundaries for the parking area and the retaining wall to the south boundary) have been implemented to avoid private surface water from entering the highway and the private lane forming the west boundary and serving Ladymead Cottage. The drainage for the parking area shall be maintained as such thereafter.

REASON: To ensure that the highway and private access is not inundated with private surface water.

7 The vehicle access and parking spaces shall remain ungated.

REASON: In the interests of highway safety.

8 No part of the development hereby permitted shall be occupied until the access, turning area & parking spaces [2 No] 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.

9 No part of the development hereby permitted shall be occupied until the soakaway has been completed in accordance with the details shown on the approved site plan. It shall be maintained for the lifetime of the development.

REASON: To ensure the development can be adequately drained.

10 The development shall be implemented in strict accordance with the proposals for bat and bird mitigation and enhancements set out on page 22 and in Section 4.3.4 of the Assessment of the Impacts on Bats & Nesting. The measures shall include 2 x house martin nest sites, 2 x swift bricks and 1 x bat brick.

The bat and bird mitigation and enhancement measures shall be installed and available for use before the dwelling is occupied. The measures shall be available for use by bats and birds for the lifetime of the development.

Reason: To ensure adequate mitigation and enhancement for bat and bird species.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations (including additional first floor windows, dormers or rooflights) to the dwelling hereby permitted.

REASON: In the interests of the amenity of the area, neighbouring amenities and the setting of the Grade II listed cottage and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions /extensions or external alterations.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or

amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans. Any additional hard surfaces installed within the curtilage shall be porous and water permeable.

REASON: To safeguard the character and appearance of the area and the setting of the Grade II listed building. To ensure that any existing risk of surface water flooding is not increased.

Informatives:

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/communityinfrastructurelevy

Protected Species: 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.

Signed:

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