Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/10934

Decision Date: 25 July 2024

Applicant:	Maitland-Robinson Eton College Farmhouse, Wylye Road, Hanging Langford, SP3 4NW
Particulars of Development:	Demolition of detached single storey dwelling and the construction of a new 1.5 storey detached dwelling.
At:	Moonrakers, Wylye Road, Hanging Langford, Salisbury, SP3 4NN

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: (11)

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 documents and plans:
Drawing Ref: 1567-001 Rev A Tree Survey Rev A, dated 06/12/2023, received by this office 05/01/2024
Drawing Ref: 1567-002 Rev A Tree Constraints Plan, dated06/12/2023, received by this office 05/01/2024
Drawing Ref: 06 Existing and Proposed Street Scene Elevation Rev P8 dated 05/06/2024, received by this office 05/06/2024
Drawing Ref: 04 Proposed Site Plan Rev P8, dated 05/06/2024, received by this office

05/06/2024
Drawing Ref: 05 Proposed House Details Rev P12, dated 09/05/2024, received by this office 09/05/2024
Document Ref: Biodiversity Impact Assessment (BIA) Rev A, dated May 2024, received by this office 09/05/2024
Document Ref: Landscape And Visual Appraisal (LVA) Rev A dated May 2024, received by this office 09/05/2024
Document Ref: FS/1984/PAS/12/23/01 - Rev P2 Design and Access Statement, received by this office 09/05/2024
Document Ref: Biodiversity Metric Calculation, received by this office 09/05/2024
Drawing Ref: 02 Proposed Site Block Plan, Rev P6, dated 09/05/2024, received by this office 09/05/2024
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:
Document Ref: Weddles Preliminary Ecological Appraisal (PEA) Rev A, dated May 2024, received by this office 09/05/2024
Drawing Ref: Weddles 1567-003 Tree Protection Plan Rev B, received by this office 09/05/2024
Drawing Ref: 1567-004 Landscape Masterplan Rev A, received by this office 09/05/2024
REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

4 No development shall commence on site above ground floor slab level until the ecological mitigation measures outlined within section 5.3 of the Weddles Preliminary Ecological Appraisal May 2024 received by this office 09/05/2024 have been included on technical drawings and submitted to and approved in writing by the Local Planning Authority. The ecological mitigation shall be installed in accordance with the approved details before the building is first occupied and shall be maintained for the lifetime of the development.
REASON: In the interests of conserving biodiversity.

5 The development shall be completed in accordance with the Weddles 1567-003 Tree Protection Plan Rev B and no demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until the protective fencing in accordance with British Standard 5837: 2012: “Trees in Relation to Design, Demolition and Construction - Recommendations” shown on the Tree Protection Plan Rev B has been

erected on the site. The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.
No retained tree/s 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 practice.
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” means an existing tree which is 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 use or the completion of the development, whichever is the later].
REASON: In order that the development is undertaken in an acceptable manner, to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site are adequately protected during the period of construction and in the interest of protecting existing important landscape features and conserving biodiversity.

6 All soft landscaping comprised in the approved details of landscaping shown on drawing ref: 1567-004 Landscape Masterplan Rev A, received by this office 09/05/2024 shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and 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.
REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7 No development shall commence on site above ground floor slab level until the exact details of the external materials and finishes to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON: In order that the development is undertaken in an acceptable manner in the interests of visual amenity and the character and appearance of the area.

8 The dwelling hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.
REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation and to ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

9 Any new external artificial lighting should be for the purposes for safe access and security and shall comply with at least Environmental Lighting Zone E1 in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), Guidance note GN08-23 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals
REASON: In the interests of protected species, conserving biodiversity and the Conservation of Habitats and Species Regulations (as amended) to avoid illumination of habitat used by bats and the visual amenity and the character and appearance of the area and protecting the intrinsic value of the Cranborne Chase National Landscape (formerly AONB) Dark Sky Reserve.

10 Notwithstanding the approved plans, before the development hereby permitted is first brought into use, the windows serving the first floor en-suite bathrooms on the east elevation shall be entirely glazed with obscure glass only (to level 5 obscurity) and fixed with a ventilation stay restricting the opening of the window. The development shall be retained as such for the lifetime of the development.
REASON: In the interests of residential amenity and privacy.

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), no windows, doors or other form of

openings other than those shown on the approved plans, shall be inserted in the east elevation above ground floor ceiling level of the development hereby permitted.
REASON: In the interests of residential amenity and privacy.

Informatives: (4)

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 (Amendment) (EU Exit) Regulations 2019 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.

Material Samples
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

Community Infrastructure Levy
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 www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

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