Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/09892
Decision Date: 15th October 2024

Applicant:	Curwen Property 1 Ltd c/o Agent
Particulars of Development:	Alterations to the existing building and its conversion to form two town houses, two upper floor flats and a retained ground floor commercial unit (use class E).
At:	29 North Street, Wilton, SP2 0HE

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: (10)

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:

Application Form & Certificate
Ref: Location Plan. Received – 24.11.2023
Ref: Block Plan. Received – 24.11.2023
Ref: 10-130 Rev P2 – Proposed Ground Floor Plan – Townhouse Option. Received – 07.03.2024

Ref: 10-131 Rev P2 – Proposed First Floor Plan – Townhouse Option. Received – 07.03.2024
Ref: 10-132 Rev P4 – Proposed Second Floor Plan – Townhouse Option. Received – 28.06.2024
Ref: 10-133 Rev P5 – Proposed Roof Level Plan – Townhouse Option. Received – 28.06.2024
Ref: 10-200 Rev P4 – Proposed Elevations – Townhouse Option. Received – 07.03.2024
Ref: 10-201 Rev P5 – Proposed North Elevation – Townhouse Option 01A. Received – 28.06.2024
Ref: 10-202 Rev P4 – Proposed South Elevation – Townhouse Option 01A. Received – 28.06.2024.
Ref: Clement Rooflight Details. Received - 07.10.2024

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

3 The dwellings/flats hereby approved shall not be first occupied until scale plans and full details of the proposed window designs, openings, and finishes have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details prior to occupation.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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 the character of the area and protecting the setting of the conservation area and nearby heritage assets

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re- enacting 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 elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

5 No part of the development hereby approved shall be first brought into use/occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times for the lifetime of the development.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

6 No part of the development hereby approved shall commence on site until evidence of compliance with the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, secured and approved in writing by the Local Planning Authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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 accordance with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy policy CP69 (Protection of the River Avon SAC).

7 The dwellings 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 ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located; and to meet the demands of climate change.

8 None of the dwellings or development hereby permitted shall be first occupied until the ecological enhancement and mitigation measures set out in Appendix E of the approved Ecological Assessment (Ref: Peach Ecology, Report number 0661, Issue 04 Dated 6th March 2024), have been installed in accordance with the agreed details. The approved mitigation measures shall be maintained and retained on site for the lifetime of the development.

REASON: To ensure the protection of Protected Species and to enhance the biodiversity of the site

9 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: in the interests of the residential amenities of the area

10 The development shall be implemented and occupied in accordance with the

recommendations set out in the submitted Flood Risk Assessment and Residential and Commercial Flood Emergency Evacuation Plans (Ref: Aegaea, Flood Risk Management & Evacuation Plans, AEG02863_SP2_Wilton_01_FEP_COMM & AEG02863_SP2_Wilton_01_FEP_RES, Version 1.00) and a copy shall be given to all future residents when they first move into the unit.

REASON: In the interests of flood prevention and safety during extreme flood events

Informatives: (4)

1 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.

2 A European Protected Species Licence (EPSL) is required as the buildings on site are currently used as bat roosts. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission.

3 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) 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.

4 Please note that in order to comply with condition 6 you will need to provide proof that the Council's Credits have been allocated to your scheme; and/or that Natural England has agreed your bespoke mitigation scheme

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