Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/08405

Decision Date: 15 January 2025

Applicant:	Eastleigh Court Ltd, Eastleigh Court, Bishopstrow, Bishopstrow, Wiltshire, BA12 9HW.
Particulars of Development:	Change of use to a dwelling to include demolition of single storey flat roof extension, construction of a new single storey and two storey extension (as approved under 20/06499/FUL and 20/07096/LBC) with ancillary accommodation. (resubmission of PL/2023/00272)
At:	Eastleigh Court, Bishopstrow, Warminster, BA12 9HW

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 39 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: (9)

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:

Drawing Numbers: 10164- P08 Dormer Detail, 10164 - P09 Window Detail, 10342 - P-01 Existing Floor Plans 10342 - P02 Existing Floor Plans, 10342 - P03 Existing Elevations, 10342- P04 Proposed Floor Plans, 10342 - P05 Proposed Floor Plans, 10342 - P07 Proposed Garage, 10342 - P 08 Existing Site Plan, 10342- P09 Proposed Site Plan, 10342 - P10

Proposed Pool Pavilion, 10342 - P11 Proposed Gates received on 29.09.2023. 10164 – P06RevA Proposed elevations with ecology details received on 23.10.2024.

Design & Access Statement, Assessment of Significance Heritage Statement, written scheme for Archaeological Investigation received on 29.09.2023.

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

3 The development hereby permitted shall not commence until evidence of compliance to 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, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

4 The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

NOTE. A water efficiency calculation will be needed to discharge this condition. For guidance on how to do this and what is required, please refer to the following document: 'The Building Regulations 2010 – Sanitation, hot water safety and water efficiency', Appendix A (p36-44). https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data /file/50420 7/BR_PDF_AD_G_2015_with_2016_amendments.pd

5 Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.

b. Working method statements for protected/priority species, such as nesting birds and reptiles.
c. Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
d. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
e. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
f. Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

The development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

6 The development shall be carried out in strict accordance with the following documents:

Biodiversity Metric 4.0. Completed by Alex Hannman 17 August 2023.
Mitigation and Enhancement Plan. Drawing. No. 8236 – XX -E0-08. Issue V1 (PRO VISION 17.08.2023).
Proposed Elevations. Drawing. No. 10342 P-06 RevA. (Baxter Green Architects received: 25.10.2024).
Ecological Assessment – Ecology 8236 Version 01 (PRO VISION, August 2023).

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

7 No development shall commence within the red lined area within planning application reference PL/2023/08405 until:

An approved programme of archaeological monitoring work has been carried out in accordance with the approved details of the Written Scheme of Investigation submitted with the planning application.

REASON: To enable the recording of any matters of archaeological interest.

NOTE: The monitoring is to be carried by out by qualified archaeologists following the standards and guidelines for such work as set out by the Chartered Institute for Archaeologists

(CIfA). The costs of the work are to be borne by the applicant.

8 The proposed entrance gates shall be set back 4.5m from the edge of the carriageway and shall open inwards only.

REASON: In the interests of highway safety.

9 The garage building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of Eastleigh Court, Bishopstrow, Warminster, Wiltshire.

REASON: This permission is granted having regard to the particular circumstances advanced in support of the application by the applicant.

Informatives: (3)

10 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.

11 Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme.

An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

12 The applicant is advised that this planning permission needs to be read in conjunction

with listed building consent reference 2023/08631 and the conditions contained within.

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 Community Infrastructure Levy (CIL) - Wiltshire Council