Wiltshire Council

The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2023/09151
Decision Date: 18 March 2025

Applicant:	Woolavington Homes, 26 Churchfields Road, Salisbury, Wiltshire, SP2 7NH
Particulars of Development:	Variation of condition 2 (approved plans) on PL/2022/07886 to allow for amended design of domestic garage
At:	Garage at 26 Churchfields Road, Salisbury, SP2 7NH

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

Conditions: (17)

1 The development hereby permitted shall be begun before the 22 February 2026 (the expiry date of PL/2022/ 07886).

REASON: To comply with the provisions of Section 73 and 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started.

2 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.

3 The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme, or an alternative approved mitigation package addressing the recreational pressure 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 24.

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

Location Plan ref 8113 L01 2 dated May 2022
Proposed Annotated Elevations ref 8113 - D07-2 – Rev A dated Sept 2022
Proposed Site Plan ref 8113 - D01-2 – Rev B dated Sept 2022
Proposed Site Set Up Plan ref 8113 – D12-2 dated Feb 2023

Proposed Annotated Basement & Ground Floor Plans 1 of 2 ref 8113 D042 dated Sept 2022
Proposed Annotated First & Second Floor Plans 2 of 2 ref 8113 D052 dated Sept 2022
Proposed Basement & Ground Floor Plans 1 of 2 ref 8113 D02 2 dated Sept 2022
Proposed First & Second Floor Plans 2 of 2 ref 8113 D03 2 dated Sept 2022
Proposed Site Sections 1 of 2 ref 8113 D09 2 dated Sept 2022
Proposed Site Sections 2 of 2 ref 8113 D102 dated Sept 2022

As Approved and Proposed Street Elevations ref 8257-D04-C dated Feb 2024
Proposed Garage Roof and Block Plan ref 8257-D02-B dated Feb 2024
Proposed Elevations 8257-D03-D dated Feb 2024
Proposed Floor Plans 8257-D01-C dated Feb 2024
Asbestos Refurbishment/Demolition Survey
Waste Transfer Note received 29/11/23
EV Charger Site Location Plan ref D01/2/RevC

Ecological Assessment by Peach Ecology ref 0510 Issue 2 dated 3rd Feb 2023
Construction Management Plan by Atlas Planning Group dated Feb 2023
Arboricultural Implications Assessment and Method Statement by Eco Urban

Arboricultural ref 221472 - AIA 2 dated 5 Dec 2022
Flood Risk Assessment and Surface Water Drainage Strategy by GAP Ltd ref 22587 dated Dec 2022
Acoustic Report by Clarke Saunders ref AS12613.220906.R1 dated 15/09/22
Highway Technical Note by Nick Culhane received 11/10/22

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

5 The external brickwork for the development hereby permitted (including the garage) shall be constructed to match that of the existing buildings in terms of its colour, texture, face bond, size, jointing and pointing.

Any new slate and red clay hip tiles, lead hips and ridge flashings for the roofs of the development (including the garage) and any replacement windows shall match in colour and style those used in the existing building. The Standing seam roof for the garage (point 2 on the materials key) shall be finished in a colour to match Grosvenor House roof tiles.

REASON: In the interests of visual amenity and the character and appearance of the area.

6 The existing stone pier caps of the north roadside wall (existing & proposed street elevation D/11/2 and north front elevation plan ref D07/2/A) shall be retained in situ and reused as part of the development wherever possible and any new stone (or reconstituted stone) pier caps required for the development shall be formed and installed to match the existing pier caps.

Reason: To retain the character of the existing development within the Conservation Area

7 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), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

8 The development hereby permitted shall not be occupied until the first 5m of each access, measured from the edge of the carriageway, have been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety

9 Any gates shall be set back 5m from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

10 No part of the development hereby permitted shall be occupied until the accesses, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans (Ref: 8113/D01/2/B). 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.

11 The noise attenuation measures as detailed in Sections 6 and 7 of Clarke Saunders Acoustic Report dated 15th September 2022 (ref AS12613.220906 R1) shall be implemented in full before the dwellings are occupied and the measures shall be maintained at all times thereafter.

Reason: To ensure that appropriate levels of amenity are achievable.

12 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: To ensure that appropriate levels of amenity are achievable.

13 The development hereby approved shall be implemented in accordance with the recommendations in the Asbestos Refurbishment/Demolition Survey and the Waste Transfer Note received 29/11/23. In the event that any further contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed be a written verification report that confirms what works that have been undertaken to render the development suitable for use.

There shall be no occupation of the dwellings until the scheme of Ultra Low Energy Vehicle infrastructure shown on the EV Charger Site Location Plan ref D01/2/Rev C hereby approved has been implemented. The scheme shall thereafter be permanently retained.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. The development proposals, which by virtue of their scale, nature and location are likely to exacerbate existing areas of poor air quality. These measures are required to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

14 The residential development hereby permitted shall be implemented in accordance with the recommendations contained within the Flood Risk Assessment and Surface Water Drainage Strategy by GAP Ltd ref 22587 dated Dec 2022. No sleeping accommodation or bedrooms shall be provided at basement / lower ground floor level in accordance with the floorplans hereby approved.

Reason: To mitigate any risk of flooding. The site is within Flood Zone 1 but is at risk of groundwater flooding.

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

i) Ecological Assessment Issue 2 (Peachecology, 3rd February 2023), with measures detailed in Appendix E titled ‘Mitigation and Enhancements’ or as modified under a Natural England EPS Mitigation Licence for bats.
ii) Construction Management Plan (Atlas Planning Group, February, 2023), with all measures detailed on the marked-up plan titled ‘Site Set-up Plan’ Drwg. No. 8113/D12/2 (Radley House Partnership, Feb ’23).

Any mitigation measures shown on the plans hereby approved for swifts, sparrows and bats shall be installed on the development before the dwellings are occupied and maintained for the lifetime of the development.

REASON: To ensure adequate protection and mitigation for protected species and habitat through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

16 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 avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation and to comply with the requirements of the Conservation of Habitats and Species Regulations 2017

17 The development shall be implemented in accordance with the Arboricultural and Method Statement by Eco Urban Arboricultural ref 231559 - AMS, dated 16th May 2023 approved by the Local Planning Authority on 10 July 2023.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

Informatives:

New Forest Mitigation Strategy: Evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme means confirmation of payment of the 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.

Hampshire Avon Phosphorus Mitigation: 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.

Highways: The application involves an extension to the existing dropped kerbs. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

The required dropped kerb extensions necessitate an amendment to the relevant Traffic Regulation Order to reduce the length of the on-street parking bays and extend the double yellow lines, across the site frontage. The amendment to the TRO will be undertaken by Wiltshire Council Highway Authority. The applicant will be required to bear the costs of the traffic order advertisement, consultation and implementation. The applicant should contact the Local Highway Authority for further information.

CIL: You are 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

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