Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2024/00084

Decision Date: 19th March 2025

Applicant:	Mr Mark Bryant Gryphon Lodge Farm , Leigh, Swindon, Wiltshire, SN6 6RQ
Particulars of Development:	Engineering operations to form fishing lake and stock pond; use of land for stationing of fishing lodge as tourist accommodation
At:	Gryphon Lodge Farm, Leigh, Swindon, SN6 6RQ

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: (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 drawings and details, received as dated:

Camping Pod Details 06 03/01/2024
Planning Statement PS_2291E_south lake_v1 03/01/2024
Archaeological Desk Based Assessment 18/10/2021 03/01/2024
Preliminary Ecological Appraisal 2023-037 v2 17/01/2024
Location Plan 01A 25/01/2024
Location Plan 02A 25/01/2024
Magnetometer Survey Report J1001 09/05/2024
Indicative Site Plan & Section 05A 16/08/2024
Landscaping Plan 07A 16/08/2024

Site Plan (existing) 03A 16/08/2024
Proposed Site Plan 04A 16/08/2024
Indicative Section Details 08 16/08/2024

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

3 No development shall commence until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest before they have been impacted by any development works.

INFORMATIVE: The work is to be carried out following the Standard and Universal guidance for archaeological field evaluation as set out by the Chartered Institute for Archaeologists (CIfA). The costs of the work are to be borne by the applicant.

It should be made clear that, in this case, the archaeological field evaluation forms the first stage of possible further archaeological mitigation. Further archaeological investigation may be required either prior to or during construction or both. This will be dependent on the results of the archaeological evaluation undertaken prior to construction. Analysis and reporting commensurate with the significance of the archaeological results of further mitigation may also be required.

4 No development shall take place until a plan that shows Traffic Signs Manual Chapter 8 signage on the B4696 adopted highway and the routes construction traffic will use has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that appropriate traffic signage is in place before works commence in the interest of highway safety.

5 i) No development shall commence until there has been submitted to and approved in writing by the local planning authority further details of the drainage arrangements for the lake, including:

a) drainage arrangements during the construction phase,
b) information on the side slopes and bunds of the lake,
c) maximum water levels in the lake during extreme rainfall events,
d) design calculations or volume estimates for extreme rainfall events,
e) details on the lake’s components, such as the inlet, outlet, lining material, access points, and pathways, and

f) details of exceedance route for the whole of the development site.

ii) The development shall not be carried out other than in full accordance with the so-approved details.

REASON: To ensure appropriate management of surface water drainage in the interests of controlling flood risk in the vicinity of public rights of way and the adjoining railway line. The details are required prior to commencement as the drainage arrangements are likely to dictate the detail of the development from the start, and retrospective amendments after commencement could be unpracticable.

6 Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme. The details need to be agreed prior to commencement to ensure appropriate redistribution of soils etc within the site to provide for acceptable ecological features within the development.

7 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing.

The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of conserving biodiversity

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i) The development shall not be carried out other than in full accordance with the ‘Reasonable Avoidance Measures’ as set out in para's 6.25 to 6.28 and Appendix 3 of the approved Preliminary Ecological Appraisal.

ii) There shall be no first use of the development until Biodiversity Enhancements in accordance with Section 6.3 of the approved Preliminary Ecological Appraisal have been implemented in full.

REASON: To ensure the protection of features and species of biodiversity value and to provide for reasonable biodiversity enhancements in accordance with local and national planning policies.

9 i) Prior to the first use of the development or the substantial completion of the development (whichever is the sooner) there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, the details of which shall include:

a) all hard and soft surfacing materials,
b) means of enclosure, (including details of any existing fencing to be retained),
c) a detailed planting and seeding plan and specification showing all plant species, supply and planting sizes and planting densities,

ii) All so-approved planting shall be carried out no later than the first planting and seeding season following the first use of the development or the substantial completion of the development whichever is the sooner.

iii) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.

iv) Any trees, plants or seeding 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.

v) All hard landscaping shall also be carried out in accordance with the approved details prior to the first use 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 appropriate biodiversity benefits.

10 i) The tourist accommodation as hereby approved shall not be provided other than in accordance with the approved drawing of ‘Camping Pod Details’ (Drawing 06), sited

as shown on approved drawing 04A, and there shall be no extension of or addition to the accommodation so-provided.

ii) There shall be no more than the one unit of tourist accommodation (as approved) on the application site.

iii) The accommodation hereby permitted shall not be used other than to provide temporary holiday accommodation . The accommodation shall not be occupied as permanent, unrestricted accommodation or as a place of residence.

iv) No person shall occupy any part of the holiday accommodation hereby permitted for a continuous period of more than 28 days and no part of the accommodation shall thereafter be occupied by the same person/s within 28 days following the end of the preceding period.

v) A register of names and main home addresses of all occupiers of the accommodation shall be maintained at all times and shall be made available at all reasonable times to the local planning authority upon request.

REASON: For the avoidance of doubt in accordance with the considered application details and policies for the control of development in rural areas as the is in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation, and permission has been granted solely on the basis of the development providing tourist accommodation.

11 The fishing lake as hereby permitted shall be used solely by occupants of the associated Camping Pod as hereby approved, or occupants of other accommodation on land at Gryphon Lodge Farm (as outlined red or blue on approved drawing 02A), and there shall be no use of the facility on day tickets.

REASON: For the avoidance of doubt in accordance with the considered application details and to allow the impacts of additional vehicle movements to be considered by the local planning authority in the event of any future proposal to alter the nature of the use.

Informatives: (4)

12 The laying the lake outflow pipe beneath adjoining public footpaths will need to be carried out in full accordance with a licence first to have been obtained from the

highway authority.

13 PRIVATE VEHICULAR RIGHTS

The applicant should note that in order to access the site with a mechanically propelled vehicle (MPV), they will require a private right of vehicular access. Without this private right they would be committing an offence under Section 34 of the Road Traffic Act 1988. The granting of planning permission does not give the applicant or householder a vehicular right of access over the bridleway. The applicant is advised to take legal advice to ensure they have a right of access.

PUBLIC SAFETY/REINSTATEMENT WORKS

The applicant should note that no construction / demolition vehicle access may be taken along bridleway LEIG15 without prior consultation with the Rights of way Countryside Access Officer (CAO). Where appropriate any safety/mitigation/reinstatement measures must be approved by the CAO. It is an offence under section 131A of the Highways Act 1980 to disturb the surface of a public right of way without lawful authority to do so. The Highway Authority have the power to take enforcement action as necessary.

OBSTRUCTION DURING CONSTRUCTION

The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

GATES AND STILES

The applicant should note that no gates, fences or stiles should be erected across the public right of way without prior consultation and approval from the Countryside Access Officer (contact rightsofway@wiltshire.gov.uk). Unauthorised structures across a right of way are an obstruction and gates may only be authorised for the control of stock under section 147 of the Highways Act 1980.

14 The development is required to be carried out in full accordance with the licence that has been granted in respect of impacts upon Great Crested Newts.

15 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.

Based on the information available this permission is considered to be one which will

not require the approval of a biodiversity gain plan before development is begun because the planning application was submitted prior to April 2nd 2024.

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