



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2025/09066
Decision Date: 16/03/2026

Applicant:	Mr Mitchell Belk 144 Upper Westwood, Bradford on Avon, BA15 2DE
Particulars of Development:	Erection of one replacement dwelling, demolition of garage, new vehicular access, and associated landscaping
At:	Brambles, 102 Lye Green, Upper Westwood, Bradford On Avon, BA15 2DT

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:

- 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:

Location Plan LGW PL-01
Site Plan LGW PL-04A
Proposed flood plans LGW PL-05
Proposed elevations LGW PL-06
Proposed sections and roof plan LGW PL-07
Proposed east elevation LGW PL-08
Coloured Front Elevation LGW PL-09

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:

- Section 6 of the Preliminary Ecology Appraisal, Seasons Ecology, August 2025
- Bat Survey, Crossman Associates, October 2025
- Design & Access Statement, James Armitage Architects & Urban Designers, October 2025

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

- 4** All demolition, site clearance and development on site shall be carried out in accordance with the Arboricultural Method Statement & Tree Protection Plan, prepared by NB Tree Management and dated 17th of October 2025

REASON: In order that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

- 5** Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancements – such as wildlife friendly plantings, nesting opportunities for birds and roosting opportunities for bats – shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works.

REASON: To provide mitigation/enhancement for biodiversity.

- 6** Prior to the commencement of development, the public footpath WWO032 running through the site shall be made fully available and accessible along its legal alignment. The footpath shall be:

- Cleared of all obstructions, including any remnants of the former stone wall or other debris.
- Provided with a suitable and safe walking surface, fit for public use.
- Maintained with adequate clearance from vegetation and other impediments to ensure unobstructed passage.

No works shall obstruct, divert, or otherwise interfere with the footpath unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the public right of way, ensure uninterrupted and safe access, and maintain the footpath to an appropriate standard in accordance with Section 130 of the Highways Act 1980.

- 7** No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained and prevent run-off onto the highway.

Informatives

- 1 This permission shall be read in conjunction with a Unilateral Undertaking made under Section 106 of the Town and Country Planning Act, 1990 and dated the 13th March 2026.
- 2 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 WWO032 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

It is the responsibility of the applicant to ensure any overhanging vegetation from the trees and hedges on their property is regularly cut back to ensure the full width of the path is available.

The applicant should note that no gates 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.

If a temporary closure of the footpath is required at any time during the works this must be applied for 3 months before any work is carried out. The applicant should contact the Countryside Access Officer or email rightsofway@wiltshire.gov.uk. An alternative route should be available during the closure.

- 3 In order to discharge the surface water drainage condition, the following additional information must be provided:
 - A drainage plan showing any existing drainage features on the site and detailing the proposed drainage strategy, including provisions for any access /parking areas.
 - Evidence that Soil percolation tests/soakage tests have been undertaken in accordance with Building Regulations/BRE 365, and confirmation of infiltration rates.
 - Evidence or calculations to demonstrate that the soakaway has been designed for:
 - 1 in 10yr + cc flows
 - Half drain time <24hrs
 - Highest groundwater level at least 1m from base of the soakaway
 - Appropriate factor of safety in line with CIRIA C753 (Table 25.2) guidance has been included.
 - The applicant needs to confirm the extent of additional impermeable areas created by the proposed parking spaces and new access and clarify whether these surfaces will be permeable. If they are impermeable, a suitable drainage strategy must be provided to ensure surface water is managed appropriately and does not increase flood risk.
 - A plan showing overland exceedance routes that minimise the risk of people and property.

- The applicant shall submit clear arrangements for the ownership and ongoing maintenance of the proposed drainage system (including SuDS features) over the lifetime of the development.

- 4 The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be 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), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Nic Thomas - Director of Planning, Economy and Regeneration

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](#)