

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Prior approval Part 3 Class Q: Agricultural buildings to dwellinghouses - Prior Approval Granted

Application Reference Number: PL/2024/10810

Decision Date: 07 February 2025

Applicant: Mr Stephen Peters
Church Farm , Lower Seagry, Lower Seagry, Wiltshire, SN15
5EP

Particulars of Development: Prior notification of a change of use from 2 No. agricultural
buildings to 3 No. residential dwellings (Class C3) as defined
in the Town and Country Planning (Use Classes) Order 1987
(as amended) to include operational development

At: CHURCH FARM, LOWER SEAGRY, CHIPPENHAM, SN15
5EP

The local planning authority has determined in this case that its prior approval will be required and that this prior approval is **GRANTED** subject to the following condition(s):

Conditions: (5)

1 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other

authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that any risk of ground, water and/or associated gas contamination is identified and, if necessary, a scheme implemented to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the planning policy advice of paragraph 189 of the National Planning Policy Framework.

- 2 Construction of the barn conversions shall not commence until full details of all external materials and finishes have been submitted to and approved in writing by the local planning authority. As a minimum, the details shall include the manufacturer and material name with a photographic sample showing the material with proposed finish/colour. The development shall be completed and maintained in accordance with the approved details thereafter.

REASON: To ensure the design and external appearance of the building is completed using materials that are sympathetic to its character and the wider rural landscape.

- 3 Notwithstanding the details of the approved plans and other application documents, the dwellings hereby approved shall not be occupied or brought into use until they have been connected into systems for the management and disposal of foul and surface water that have been installed in accordance with written details that shall first be submitted to and approved in writing by the local planning authority. As a minimum, the written details shall include:
- Full system layout plans, drawn to a recognised scale;
 - Manufacturer specifications of any required attenuation, storage tanks, water quality and/or flow control apparatus;
 - Calculations to demonstrate the attenuation requirements for the 1 in 100 year (plus climate change) event to support the proposed strategy;

- Detailed calculations and cross and long section drawings of any proposed permeable paving;
- calculations to demonstrate that the proposed drainage design provides a sufficient level of water treatment to prevent pollution of the receiving watercourse;
- Locations of system discharge points, including the locations of any below or above ground channels in relation to the applicant's land boundary and how any channels are differentiated from groundwater flooding. The applicant must demonstrate that the post-development surface water drainage system will manage surface water flows without increasing flood risk to people or property on-site or to adjoining land;
- A maintenance plan with details regarding the maintenance works, frequency of maintenance to be undertaken, specifically to mitigate silt accumulation and gully clearance.

REASON: To ensure the dwellings benefit from well-designed drainage disposal systems, to protect future occupiers and nearby watercourses from pollution and to ensure that flood risk is not increased on-site or to adjoining land.

- 4 The dwellings hereby approved shall not be occupied or brought into use until a minimum of two car parking spaces and secure storage for a minimum of two bicycles (per dwelling) have been provided within the domestic curtilage of each dwelling. Thereafter, the car parking and cycle storage shall be maintained and kept available for their intended use.

REASON: To prevent any need for future occupiers of the dwelling to have to park cars on the shared driveway or nearby public highway in the interests of preserving the safety and operation of the public highway and public right of way in the locality.

- 5 The dwellings hereby approved shall not be occupied or brought into use until the new windows and doors have been installed in accordance with the details of the approved plans and any details of materials as approved by the local planning authority in relation to condition 02 of this decision. The development shall be maintained in accordance with the approved details thereafter.

REASON: To ensure that all habitable living areas benefit from sufficient levels of natural light and meet the minimum requirements of the Nationally Designed Space Standards in terms of the quality of the internal living spaces.

Informatives: (1)

1 INFORMATIVE NOTES

In addition to the conditions of this decision, the Applicant's attention is drawn to the standard conditions set out within Article 3 and Schedule 2, Part 3, Class Q, paragraph Q.2(4) and paragraph W(12) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. 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.

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>

Parvis Khansari - Corporate Director, Place

