



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2025/09697
Decision Date: 12/05/2026

Applicant:	Mr Thomas Light Unit 1, Melbury Business Park, West Melbury, Dorset, SP7 0AF
Particulars of Development:	Erection of a dwelling and associated works
At:	Birdbush Park, Ludwell, SP7 9HH

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:

DWG No: 2671/3B Site Location Plan, Proposed Block Plan and Elevations Date Received 17.04.26

DWG No: 2671/2B Proposed Block Plan and Floor Plans Date Received 17.04.26

Preliminary Ecological Assessment undertaken by Collington Winter Environmental Dated November 2025 Date Received 10.12.25

Existing and Proposed Baseline Maps undertaken by Arbtech Date Received 24.03.26

Nutrient Calculator for the River Avon SAC Date Received 13.04.26

REASON: For the avoidance of doubt, in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity.

- 3** No development above slab level shall commence on site under details of the type of brick, roof tile, rainwater goods, windows and doors, for the new dwellinghouse and details of the garage to include the type of brick, roof tile, rainwater goods and roller doors has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed in writing with the Local Planning Authority in order to ensure that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the wider area/NLCC.

- 4** 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 extensions or alterations to the roof slopes to the approved dwellinghouse or the insertion of first floor windows or rooflights other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area/NLCC.

- 5** The window serving the first floor bathroom as shown on approved drawing: DWG No: 2671/2B shall be glazed with obscure glass only (to an obscurity level of no less than level 5) prior to the first occupation of the development hereby permitted and shall be maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 6** The dwellinghouse 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 shall not be first occupied until a water efficiency assessment has been undertaken to confirm compliance with the Building Regulations Optional requirement of a maximum water use.

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

- 7** Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of ecological enhancements i.e. bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before occupation of the dwellinghouse and shall remain in situ for the lifetime of the development.

REASON: To provide mitigation/enhancement for biodiversity.

- 8** 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.

- 9** The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2m parallel thereto over the entire site frontage has been provided without obstruction to visibility at and above a height of 600mm above the nearside carriageway level, and maintained as such thereafter.

REASON: In the interests of highway safety.

- 10** Notwithstanding approved plan DWG No: 2671/2B, the dwellinghouse hereby approved shall not be occupied until three covered and secure cycle parking spaces have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To promote sustainable transport choices and to accord with the Local Transport Plan Cycling Strategy.

- 11** Any external lighting that is installed across the site shall be designed and implemented to minimise sky glow, glare and light trespass. It shall be designed in a downward facing position at all times and shall meet the criteria for Environmental Zone E0 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2021. Any external lighting installed at the site shall be retained and maintained as such thereafter for the lifetime of the development.

REASON: To ensure appropriate levels of amenity are achieved and in order to protect the Dark Skies.

- 12** The development hereby approved shall be carried out in strict accordance with the submitted Arboriculture Impact and Mitigation Assessment and Tree Protection Plan dated November 2025 undertaken by NB Tree Management.

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 important trees, within the vicinity of the site are adequately protected during the period of construction.

- 13** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

(i) location and current canopy spread of all existing trees and hedgerows on the land;

(ii) full details of any to be retained, together with measures for their protection in the course of development;

(iii) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

(iv) means of enclosure to include details of fencing and gates;

(v) all hard and soft surfacing materials.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development.

- 14** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwelling or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees, hedgerow or plants 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part 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.

Informative(s) to Applicant(s)

- 1** 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 www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy
- 2** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that the 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.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Irreplaceable habitat - If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations

2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

- 3** The application involves an extension to the existing vehicle access. 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 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.
- 4** In relation to condition 8, 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.

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](#)