

APPLICATION FOR VARIATION/REMOVAL OF CONDITION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/01094
APPLICATION TYPE:	Removal/variation of conditions
SITE ADDRESS:	THE STONEYARD, POTLEY LANE, CORSHAM. SN13 9RX
DEVELOPMENT DESCRIPTION:	Variation of Condition 2 of PL/2023/01953 (a Section 73 permission varying N/92/00419/F to allow the building to be used for mixed E(g) and B8 use) to amend the approved design and materials.
RECOMMENDATION:	Approve with Conditions

PROPOSAL

Planning permission is sought under s73 to the Town and Country Planning Act 1990 (as amended) to vary the approved plans condition (condition 2) imposed on planning permission PL/2023/01953 ("the 2023 permission"). That 2023 permission itself had the effect of varying condition 2 of an earlier permission N/92/00419/F ("the 1992 permission"), which originally allowed the erection of an office gallery and drawing office, to allow the use of the buildings for a Class E(g) use (equating to commercial uses which can be carried out in a residential area, such as offices, research and development or other industrial processes) as well as mixed storage use B8. The 1992 permission has been implemented.

Condition 2 of the 2023 permission:

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

Location plan and site plan ref. 91-3-1-A.

Floorplans and south and west elevations ref. 91-3-2.

Elevations and sections ref. 91-3-3.

Plan ref. LPC-5510-EX-02, only inasmuch where it shows tracking and parking spaces.

Landscaping plan ref. 91-3-11, as approved under discharge of conditions application ref. N/97/00553/DOC.

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

The current application seeks to amend the design and materials of the approved building. It does not seek to alter the uses permitted by the earlier 2023 permission. The proposed changes to the design and materials can be summarised as follows:

- Replacement of the approved Bath stone finish with Bath stone-coloured stucco render incorporating incised blockwork detailing and reconstructed dressed Bath stone quoins
- Simplifying the roof of the single storey element of the building - removing the glazed rooflights and clerestory at the ridge. The roof would be lower and less fenestration than

the original plans. The roof covering material would remain unaltered and would continue to comprise terne plate.

- More fenestration detail has been provided – the location of fenestration are as previously approved aside from some removal of some fenestration on the single storey element.

During the life of the application revised plans were submitted to better demonstrate the design changes as well as a change to the description of development to more clearly describe the relationship of the application to the 2023 permission and what changes are being sought.

APPLICATION SITE

The site forms part of an established commercial area and is accessed via a private road from Potley Lane. The building lies to the west of the site, with residential properties located to the east. Agricultural land adjoins the site to the south, while a tree belt and the railway line are situated to the north. A dwelling occupied by the site's owner is also located to the north of the application site.

Parts of the wider site are affected by Flood Zones 2 and 3, and there are known surface water constraints on site. The site lies within a wider area safeguarded for a potential new railway station and associated infrastructure, as designated under Policy CNPT4 of the Corsham Neighbourhood Plan.

The application site is not located within any conservation area or other sensitive policy area. There are no listed buildings on the site or within vicinity of the building.

RELEVANT PLANNING HISTORY

Proposal / Summary
N/96/00307/FUL - Full planning permission Decision - Unknown Date: 9/4/1996 – RETENTION OF TWO NO TERRAPIN BUILDINGS TWO TERRAPIN BUILDINGS
N/89/01259/FUL - Full planning permission Decision - Approved Date: 26/6/1989 – 2 No TEMPORARY BUILDINGS (TERRAPIN TYPE) FOR STORAGE EXHIBITION PURPOSES
N/92/00419/FUL - Full planning permission Decision - Approved Date: 19/5/1992 – ERECTION OF REPLACEMENT OFFICEGALLERY AND DRAWING OFFICE REPLACE OFFICE & GALLERY
N/91/00676/FUL - Full planning permission Decision - Approved Date: 20/5/1991 – ERECTION OF SINGLE DWELLING
N/90/00659/FUL - Full planning permission Decision - Approved Date: 30/4/1990 – SITING OF TWO TEMPORARY TERRAPIN TYPE BUILDINGS
N/89/03394/FUL - Full planning permission Decision - Approved Date: 8/1/1990 – ERECTION OF TEMPORARY STORAGE BUILDING

N/92/00420/FUL - Full planning permission Decision - Approved Date: 5/5/1992 – ERECTION OF SINGLE BUILDING TO BE USED AS STUDIO AND FINISHED WORK STORE STUDIO & FINISHED WORK STORE
N/88/02238/FUL - Full planning permission Decision - Unknown Date: 19/9/1988 – RELOCATION OF STONE SPOILS FROM THE STONEYARD TO ADJOINING FIELD
N/05/00941/FUL - Full planning permission Decision - Refused Date: 23/8/2005 – Construction of Thirty Two Dwellings and Access Road
N/91/01341/SEC - Unknown Decision - Approved Date: 12/7/1991 – RENEWAL OF TEMPORARY PERMISSION N/89/1259/F SITING OF TWO TERRAPIN TYPE TEMPORARY BUILDINGS
13/03007/FUL - Full planning permission Decision - Approve with Conditions Date: 23/10/2013 – Siting of 15 Secure Metal Storage Units
N/06/00224/FUL - Full planning permission Decision - Withdrawn Date: 10/3/2006 – Construction of 24 Dwellings with Access Road
N/92/01297/S73 - Removal/variation of conditions Decision - Approved Date: 10/8/1992 – RENEWAL OF TEMPORARY PERMISSION N.91.1341.S63 SITING OF 2 NO TERRAPIN TYPE TEMPORARY BUILDINGS RENEWAL-SITING TEMP BUILDINGS
17/08020/FUL - Full planning permission Decision - Approve with Conditions Date: 11/10/2017 – Siting of twenty two metal storage units
14/08474/PNEX - Prior approval Part 3 Class A.1(ea): Larger home extension Decision - Approved Date: 17/10/2014 – Proposed single storey rear extension projecting to the rear by 3.5 metres with a pitched lean-to roof 3.5 metres high, height to eaves 2.35 metres and to continue pitched roof to side above existing flat roof garage and alterations to existing flat roof g
21/02142/CLE - Lawful development: Existing use Decision - Refuse Date: 25/1/2022 – Certificate of Lawfulness for the Existing of Use of land for storage (Class B8); use of existing building for light industrial use (Class E(g)(iii) and siting of 3no. portable storage shelters.
PL/2022/02280 - Full planning permission Decision - Approve with Conditions Date: 26/7/2023 – Temporary two year planning permission for the erection of a building for use as sculptor's workshop.
PL/2022/03399 - Full planning permission Decision - Refuse Date: 13/10/2022 – Erection of storage building.
PL/2023/01953 - Removal/variation of conditions Decision - Approve with Conditions Date: 24/8/2023 – Variation of condition 2 of N/92/00419/F ('erection of replacement office gallery and drawing office') to allow the building to be used for mixed E(g) and B8 use
PL/2023/01955 - Removal/variation of conditions Decision - Approve with Conditions Date: 24/8/2023 – Variation of condition 2 of N/92/00420/F ('erection of single building to be used as studio and finished work store') to allow the building to be used for mixed E(g) and B8 use

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

Town and Country Planning Act. 1990 (as amended)

Section 73 of the Town and Country Planning Act. 1990 (as amended) relates to the determination of applications to develop land without compliance with conditions previously attached. It states that:

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

- a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

The National Planning Practice Guidance (PPG) states the following:

- *Nature of the Application:* A Section 73 application is treated as a new planning permission, although it does not alter the original permission itself. The original permission remains intact and can still be implemented unless it has expired or been superseded.
- *Limitations:*
 - Section 73 cannot be used to change the description of development or the operative part of the permission (e.g. the nature or extent of the approved use).
 - It cannot be used to extend the time limit for implementing the original permission.
 - If the proposed changes go beyond what can reasonably be considered under Section 73, a new planning application under Section 70 would be required.
- *Decision-making:* The local planning authority must consider the application only in relation to the conditions subject to which the original permission was granted. However, it may impose new or revised conditions if granting a new permission.
- *Legal Agreements:* Because a Section 73 application results in a new permission, any existing Section 106 agreement may need to be varied or replaced via a deed of variation to ensure obligations continue to apply to the new permission.

National planning policy and guidance

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Guide

Development Plan

The development plan for Wiltshire comprises the Wiltshire Core Strategy (WCS) (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 57 Ensuring High Quality Design and Place Shaping;

Corsham Neighbourhood Plan (2019):

- CNP ED1 (Design Guide and Corsham Batscape Strategy).
- CNP HE1 (quality design).
- CNP T4 (railway station safeguarded land).

Supplementary Planning Documents

- Corsham Design Guide and NPPF

ISSUES

The key considerations in the assessment of this application are as follows:

- Determining whether the proposed amendments fall within the scope of Section 73 of the Town and Country Planning Act 1990 which allows for the variation or removal of conditions attached to an existing planning permission.
- Assessing whether the development, as amended, remains in accordance with the relevant policies and provisions of the development plan, and whether the changes materially alter the nature or impacts of the approved scheme.

CONSULTATION RESPONSES

The application was originally submitted with a description seeking to vary a condition attached to the 1992 permission (N/92/00419/F). However, as the proposed amendments relate to the approved plans secured under planning permission PL/2023/01953, the application description was amended to refer to the 2023 permission and the application was re-consulted accordingly. During the course of the application, the applicant also submitted additional drawings providing further detail of the proposed external materials and finishes.

Corsham Town Council: Initial “no objection” in March 2026, but following the submission of additional plans and a change to the description of development, resolved to “object” in their comments of June 2026:

“Resolved: to object to the proposed change of materials on the grounds that it does not comply with policy CNP HE1 (d) of the Corsham Neighbourhood Plan, which states: “All new development within the Corsham Neighbourhood Plan area must demonstrate good quality design. This means responding to and integrating with local

surroundings and landscape context as well as the existing built environment. Good design for Corsham means: d) using good quality materials that complement the existing historic vernacular of Corsham whilst respecting the individual context of each proposal.”

Council Highway Engineer: No objection:

“I refer to the above planning application dated 22/09/2025 seeking a variation of condition 2 of PL/2023/01953 (a Section 73 permission varying N/92/00419/F to allow the building to be used for mixed E(g) and B8 use) to amend the approved design and materials. The site previously had permission through PL/2023/01953 to vary condition 2, this application appears to be seeking to further vary that permission with regard to the condition 2 relating to plans. Amended proposals description and plans have been submitted for which my previous stance would not be altered and therefore I have copied my consultation response below for information.

The proposals do not include any alteration to the public highway, existing parking provision or any turning space to enable vehicles to enter and exit onto Potley Lane in a forward gear.

It is therefore considered that the proposals to alter the condition relating to the approved plans would not be considered a highways issue and no objection in respect of highways would be raised as such.”

REPRESENTATIONS

One representation has been received in objection. Below is a summary of the representation received during the consultation period (full comments available on the planning register):

- Proposed exterior materials are considered inappropriate and would diminish local character: Render is a downgrade in material quality compared to bath stone previously approved. Concern this could set an undesirable precedent.
- Design Changes: Alterations to fenestration and elevations are not considered minor and would materially alter the approved design and architectural intent.
- The proposed changes are considered likely to increase the visual prominence of the building and adversely affect visual amenity. There would be increased reflectivity and glare due to render.
- The applicant claims the changes reduce potential light/heat spillage evidence but no technical assessment has been provided.
- Section 73 Scope: The extent and nature of the proposed changes are considered to exceed what would normally be appropriate under a Section 73 variation.
- Planning Benefit: No public benefit to outweigh its harms. The proposal does not improve the environment for local residents, nor does it enhance sustainability, public amenity or landscaping. There is no justification beyond construction convenience and material availability.
- The proposal would not respect local character or deliver high-quality development.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Principle of the Development – Do the proposed amendments fall within the scope of s73?

One representation has been received which raises concern that the nature and extent of the proposed amendments exceed those that can appropriately be considered through a Section 73 application.

Section 73 of the Town and Country Planning Act 1990 enables the Local Planning Authority to consider applications for development without compliance with conditions previously attached to a planning permission. In this case, the application seeks to vary Condition 2 (approved plans) of the 2023 permission to allow amendments to the approved design and external materials of the building.

The proposed changes primarily relate to the design and material palette of the approved building. The application does not seek to alter the description of development or increase the scale of development to such an extent that it would amount to a fundamentally different scheme, or extend the time limit for implementation.

Having regard to the nature of the proposed revisions, the amendments are not considered to result in a development that is fundamentally different from that approved under the 2023 permission. The development remains a building of broadly the same form, scale and function as previously approved, with the amendments limited to matters of design and appearance.

Accordingly, whilst the concerns raised by the objector are noted, it is considered that the proposed amendments fall within the scope of Section 73 of the Town and Country Planning Act 1990 and the application can be properly determined as a variation of Condition 2 of the 2023 permission.

Compliance with the Development Plan

Design and Character

Core Policy 57 of the Wiltshire Core Strategy requires development to respond positively to its context through high-quality design, including the use of appropriate materials, whilst Policies CNP HE1 and CNP ED1 of the Corsham Neighbourhood Plan seek development that integrates with local surroundings and utilises materials that complement the character of the area. These policies are broadly consistent with the design objectives set out in Chapter 12 of the National Planning Policy Framework, which recognises that good design is a key aspect of sustainable development.

The revised plans submitted as part of this application propose a number of amendments to the approved design. These include replacing the approved Bath stone finish with Bath stone-coloured stucco render incorporating incised blockwork detailing and reconstructed dressed Bath stone quoins, simplifying elements of the building form, and removing the glazed rooflights and clerestory at the ridge of the single-storey element of the building. The roof covering material would remain unaltered and would continue to comprise terne plate.

In this case, the site forms part of an established commercial yard and is not located within a sensitive landscape or designated heritage setting, and the submission claims that the revised material palette has been informed by the site's commercial character and the materiality of surrounding buildings. In particular, the removal of the glazing along the ridge area of the single storey element is suggested to reduce the potential for light spill and lessen the visual prominence of the building. The availability of Bath stone is also referenced in the submission as a reason for the change in materials proposed.

The simplification of the single-storey element and removal of the glazed ridge are considered acceptable design changes which would not detract from the overall appearance of the building. These amendments would simplify the architectural composition whilst retaining the scale, form and function of the approved scheme. It would also remove the glazing at the top of the building - both roof lights and clerestory detailing. There would be some amendments to fenestration detail on the elevations, but the position of fenestration remains broadly the same.

The proposed change from natural Bath stone to rendered elevations with reconstructed stone detailing has been considered. The proposed render would be Bath stone coloured stucco render, with a block pattern to be incised, with reconstructed dressed Bath stone quoins. The roof covering remains unchanged and is terne plate.

In response to initial concerns, the applicant has provided further details of the proposed render finish. The external walls would comprise a Bath stone-coloured render with 8–10mm expressed joints intended to replicate the appearance of traditional ashlar stonework. The applicant has also supplied an example of the proposed facing material, which is described as having a generally smooth appearance when viewed from a distance, with a lightly textured finish evident at close range.



The applicant advises that the proposed render specification has been used by the applicant to provide consistency of colour and appearance. The render mix incorporates Bath stone dust and stone dust, hydrated lime, white cement, mortar, plasticizer and colouring additives to achieve a Bath stone appearance. The block scribing is to be undertaken whilst the render is still workable and would be no more than 3-4mm deep and wide to prevent cracking.

Corsham Town Council objects to the proposal on the basis that the revised materials conflict with Policy CNP HE1(d) of the Corsham Neighbourhood Plan, which seeks the use of good quality materials that complement the historic vernacular of Corsham whilst respecting the individual context of each proposal.

It is acknowledged that the use of natural Bath stone would represent a higher-quality and more authentic material finish than the rendered alternative now proposed. However, Policy CNP HE1 also requires regard to be had to the specific context of a proposal. In this instance, the building would be located within an established commercial yard characterised by a varied collection of buildings, structures and external finishes. The site does not lie within the Corsham Conservation Area, does not contain or affect a listed building, and is not identified as a locally significant heritage asset. Accordingly, and whilst the proposed render would lessen the architectural quality of the approved scheme to some degree, the development will retain some Bath stone detailing through the use of reconstructed quoins and bath stone colouring and scribing to the render, and is considered to sufficiently retain an appearance that is appropriate to its commercial setting.

The concern that approval of the proposed materials could establish an undesirable precedent has also been noted. However, each planning application must be determined on its own merits, having regard to the particular characteristics and context of the site and the development proposed and in this case, the amended development would continue to retain an acceptable quality of design within the context it sits.

Consequently, the single storey element of the proposal is considered acceptable in design terms, whilst the revised materials would reduce the design quality as the previously approved scheme. However, the overall form and architectural composition of the building would remain largely unchanged from the approved scheme. In the context of the site's commercial

character and the absence of any heritage designation, and the clarification of design details of the render, the proposal is considered to remain compliant overall with Core Policy 57 of the Wiltshire Core Strategy, Policies CNP HE1 and CNP ED1 of the Corsham Neighbourhood Plan, and the design objectives of the National Planning Policy Framework.

Amenity

The neighbour representation raises concerns that the proposed use of render in place of natural Bath stone would increase the visual prominence of the building and result in unacceptable glare and reflectivity affecting neighbouring occupiers. Concern is also raised that insufficient evidence has been provided to demonstrate the claimed reduction in light spill arising from the removal of the glazed ridge feature.

The application does not propose any changes to the siting, scale, height or orientation of the building approved under the 2023 permission. The nearest residential properties remain located to the east of the site and the relationship between the building and neighbouring occupiers would therefore remain unchanged.

With regard to the proposed material changes, whilst render may exhibit different characteristics to natural Bath stone, the submitted details indicate a textured Bath stone-coloured stucco render rather than a highly reflective finish. Given the nature of the proposed material, its colour, the commercial context of the site, and the commercial site being at a lower level than the nearest residential properties, there is insufficient evidence to conclude that the proposal would result in harmful levels of glare or sunlight reflection affecting neighbouring properties.

The removal of the rooflights and clerestory glazing from the ridge of the single-storey element would reduce the amount of glazing incorporated within the approved design. Whilst no technical assessment has been submitted regarding light or heat emissions, it is reasonable to conclude that the removal of these glazed elements is unlikely to increase light spill or heat spillage from the building and may reduce both compared with the approved scheme. In any event, the amendment would not give rise to any materially greater impacts on neighbouring amenity than the approved scheme.

Accordingly, the proposed amendments are not considered to result in unacceptable impacts upon the living conditions of nearby occupiers and remain consistent with the amenity objectives of Core Policy 57 of the Wiltshire Core Strategy.

Assessment of conditions

The proposed changes do not affect the rationale for the remaining conditions imposed on the 2023 permission, which continue to be relevant and necessary. Subject to updating the approved plans condition, the existing conditions are considered appropriate, enforceable and consistent with the development as amended.

The proposed amendments relate solely to the design and external appearance of the approved building. As such, it is necessary to vary Condition 2 (approved plans) to refer to the revised drawings and associated material details submitted as part of this application. It is also

necessary to amend Condition 3 (materials), as the previous condition referenced the application forms and plans for material details. The revised condition therefore references the plans, supporting letter dated 16 February 2026, and subsequent email correspondence dated 27 July 2026, which provide the detailed specification of the proposed render finish, colour, texture and detailing.

The proposed changes do not affect the rationale for the remaining conditions attached to the 2023 permission, which continue to be relevant and necessary. Subject to updating the approved plans and materials conditions, the existing conditions are considered appropriate, enforceable and consistent with the development as amended.

For the avoidance of doubt there is no commencement condition as the original application was implemented.

Other material considerations

The site lies within land safeguarded for a potential future railway station and associated infrastructure under Saved Policy T5 of the North Wiltshire Local Plan and Policy CNP T4 of the Corsham Neighbourhood Plan. These safeguarding issues were considered as part of the previous planning history relating to the site, including the 2023 permission.

The current application seeks only to amend the approved design and external materials of a building already approved under the 2023 permission. The proposal would not alter the approved use, siting, footprint, scale, use or operational characteristics of the development. Consequently, the proposal would not give rise to any additional prejudice to the delivery of a future railway station beyond that already established by the extant permission.

One public representation stated that there were no public benefit to outweigh the harms. The absence of public benefit does not, in itself, dictate that the proposal should be refused; rather, the assessment relates to whether the amended development is acceptable when assessed against prevailing planning policy.

PLANNING BALANCE AND CONCLUSION

In determining this application under Section 73 of the Town and Country Planning Act 1990, the Local Planning Authority has considered whether the proposed amendments fall within the scope of Section 73. The proposed amendments have been assessed against the relevant policies of the Wiltshire Core Strategy, the Neighbourhood Plan, and the National Planning Policy Framework. The assessment has also considered whether the development, as amended, materially alters the nature or impacts of the approved scheme.

The proposed amendments relate to the design and external materials of a building already approved under planning permission PL/2023/01953. The proposed changes do not result in a fundamentally different form of development and can therefore be appropriately considered under Section 73.

The amendments would simplify elements of the approved design and replace the approved natural Bath stone finish with Bath stone coloured render and Bath stone quoin detailing. Whilst this would perhaps result in a reduction in the architectural quality of the previously approved scheme, the reduction is not considered to be great, with the amended development continuing to exhibit sufficient quality in the context of the commercial character of the site which is not covered by any heritage or other sensitive policy designation.

The proposal would not alter the approved use, siting, scale, footprint, use or operational characteristics of the development and would not give rise to any additional impacts in respect of highway safety, residential amenity, flood risk, ecology or the safeguarding of land for a future railway station. The objections raised by Corsham Town Council and the neighbour's representation have been carefully considered but are not considered to justify refusing planning permission.

Accordingly, the proposed variation of Condition 2 is considered acceptable and the development, as amended, is considered to accord with Core Policy 57 of the Wiltshire Core Strategy, Policies CNP ED1 and CNP HE1 of the Corsham Neighbourhood Plan, and the relevant design objectives of the National Planning Policy Framework. There are no material considerations that indicate planning permission should not be granted.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), the building shall be used solely for purposes within Classes E(g) and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or reenacting that Order with or without modification).

REASON: for the avoidance of doubt and to ensure that the permitted uses are appropriate.

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

- Location plan and site plan ref. 91-3-1-A.
- LPC 5510 PR 03 Proposed Elevations
- LPC 5510 PR 04 Proposed Plans
- Plan ref. LPC-5510-EX-02, only insofar as it shows tracking and parking spaces.
- Landscaping plan ref. 91-3-11, as approved under discharge of conditions application ref. N/97/00553/DOC.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture to those detailed on the supporting letter dated 16 February 2026, and emails from the applicant 27 July 2026.

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

4. No tree within the site shall be cut down, uprooted, topped, lopped or destroyed, nor any hedge within the site cut down or grubbed out without the Local Planning Authority's written approval.

REASON: in the interests of amenity and biodiversity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the eastern elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

6. No part of the development hereby permitted shall be brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowner's consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

INFORMATIVE TO APPLICANT:

The applicant reminded of the need to protect onsite and third-party trees during the construction phase.

INFORMATIVE TO APPLICANT:**Bats**

Boundary vegetation at the site forms part of the local network of wildlife corridors and green infrastructure network, forming a connection to the major corridor of the railway line with offsite habitat features to the south. This is all in the context of it being within a core sustenance zone for bats associated with the Bat and Bradford of Avon Bat SAC.

Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from a professional ecologist or to contact Natural England's Batline through the internet.

INFORMATIVE TO APPLICANT:**Breeding birds**

All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of

supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

INFORMATIVE TO APPLICANT:

Artificial lighting

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.