

Town & Country Planning Act 1990

Notification of Full Planning

Application Reference Number: 19/11061/FUL

Agent RAW Planning Ltd 5 Cook Road Aldbourn Marlborough SN8 2EG	Applicant Mr Jerome Kitson Steeple Langford
Particulars of Development: Demolition of all outbuildings; erection of a single dwelling and associated works and refurbishment of "Widdershins".	
At: Widdershins And Surrounding Land And Outbuildings, Salisbury Road, Steeple Langford, SP3 4NF	

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 38 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:
P632/01 (Site Location Plan) received 19/11/2018
P671/14 Rev B (Proposed Site Layout) dated 01/04/2020 received 01/04/2020
P671/08 Rev A (Proposed Dwelling - Ground Floor Plan) dated 15/11/2019 received 19/11/2018
P671/09 (Proposed Dwelling - First Floor Plan) received 19/11/2018
P632/10 Rev B (Proposed Dwelling - Elevations) dated 01/04/2020 received 01/04/2020
P632/11 (Proposed Dwelling - Roof Plan) received 19/11/2018
P632/12 (Widdershins - Proposed Plans and Elevations) received 19/11/2018
P671/13 (Proposed Car Barn - Elevations, Floor Plan and Roof Plan) received 19/11/2018
Biodiversity Survey/Assessment Version 1 dated 05/12/2018 received 19/11/2018

Planning and Heritage Statement received 19/11/2018

P632/04 (Outbuilding 1 to be demolished) received 19/11/2018

P632/05 (Outbuilding 2 to be demolished) received 19/11/2018

P632/06 (Garage to be demolished) received 19/11/2018

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

- 3 No part of the development hereby approved shall commence above ground-floor slab level until all buildings to be demolished (shown on plan P671/14 Rev B and detailed in plans P632/04, P632/05 and P632/06) have been fully demolished.

REASON: To prevent implementation of 19/04100/FUL, which if combined with the current development, would result in over development of the site.

- 4 No development above ground-floor slab level shall commence on site until the exact details and samples of the materials and finishes to be used for the external walls and roofs have 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 application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and preserving the character and appearance of the conservation area, and the setting of nearby listed buildings.

- 5 No development above ground-floor slab level shall commence on site until details/specifications (shown on a plan) of all enhancements detailed in the Biodiversity Survey/Assessment V1 (Lowans Ecology & Associates, 5 December 2018) (Sections 5.1; bats, 5.8; hedgehogs (if relevant), 5.9; planting) have been submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained. Photographic evidence of their installation should be submitted to the Local Planning Authority in order to fully discharge the condition.

REASON: To provide biodiversity enhancements in line with NPPF (2019) and Core Policy 50.

- 6 The development hereby approved shall be carried out in strict accordance with the information provided in the Biodiversity Survey/Assessment Version 1 (Lowans Ecology & Associates, 5 December 2018), in particular Section 5: Recommendations and precautionary mitigation measures, with all recommendations and enhancements being implemented.

REASON: To ensure implementation of appropriate mitigation measures for protected species and to ensure compliance with wildlife legislation and the NPPF.

- 7 The dwelling hereby approved shall not be occupied until the Building Regulations optional requirement for maximum water use of 110 litres per person per day has been complied with.

REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation (SAC).

- 8 Notwithstanding the approved drawings, no new external windows/doors which shall be of timber shall be installed in the new dwellings hereby approved until large scale details (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels have been submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 9 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

- 10 No part of the development hereby approved shall be first occupied until the parking and turning area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 11 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), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted above ground floor ceiling height of the new dwelling hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D, E shall take place on the dwellinghouse hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

INFORMATIVE TO APPLICANT:

Precautions should be taken in order to prevent the discharge of surface water from the driveway/parking area onto the public highway, as required by Section 163 of The Highways Act 1980, in the interests of highway safety. If it is found that changes to the scheme are required to the approved planning scheme in order to accommodate an appropriate drainage scheme, or to obtain the relevant drainage related consents (building regulations/Highway Licence) which in themselves require planning permission, then a variation or new planning application may subsequently be required, which would be considered on its own merits at that point.

INFORMATIVE TO APPLICANT:

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/communityinfrastructuralevy.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

INFORMATIVE TO APPLICANT:

There is a risk that bats may be present at the development site. Bats are transient species and many depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Anyone undertaking this development should be aware that bats and their roosting places are protected at all times by the Conservation of Habitats and Species Regulations 2017 (as amended) 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 an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

INFORMATIVE TO APPLICANT: Replacement windows to Widdershins

It is recommended that replacement windows to Widdershins should be flush timber casements and any double glazing should be slimline (10-14mm), in the interests of visual amenity and the character and appearance of the area.

Signed

Sam Fox

Director Economic Development & Planning

Dated: 2nd April 2020

Town and Country Planning Act 1990
PERMISSION FOR DEVELOPMENT
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.

In particular the applicant is reminded of the following matters:-

- 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>). The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

Appeals where an enforcement notice has been issued. Article 33 (2) (b) & (c) of the Town and Country Planning (Development Management Procedure) (England) Order 2010, provides that a shorter time limit to appeal to the Secretary of State shall apply where an enforcement notice has been served, as follows:-

'Type A appeal', 28 days from— the date of the notice of the decision or determination giving rise to the appeal; or

expiry of the specified period;

'Type B appeal', 28 days from the date on which the enforcement notice is served;

['Type A appeal' means an appeal in respect of an application relating to land and development which are the same or substantially the same as the land and development in respect of which an enforcement notice—

(a) was served no earlier than 2 years before the application is made;

(b) was served before— (i) the date of the notice of the decision or determination giving rise to the appeal; or (ii) the expiry of the specified period; and

(c) is not withdrawn before the expiry of the period of 28 days from the date specified in sub-paragraph (b);

'Type B appeal' means an appeal in respect of an application relating to land and development which are the same or substantially the same as the land and development in respect of which an enforcement notice—

(a) is served on or after— (i) the date of the notice of the decision or determination giving rise to the

appeal, or (ii) the expiry of the specified period;

(b) is served earlier than 28 days before the expiry of the time limit specified— (i) in the case of a householder appeal, in paragraph (2)(a) of the Order; or (ii) in any other case, in paragraph (2)(d) of the Order; and

(c) is not withdrawn before the expiry of the period of 28 days from the date on which the enforcement notice is served.]”

3. **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
5. **Discharge of Conditions.** There is now a fee for applications to discharge planning conditions, details of which are set out on the Council’s website. The fee is payable per request and not per condition. The fee must be paid when the request is made, and cannot be received retrospectively. It does not matter when the permission was granted as long as it remains extant. The request, identifying the permission (with reference number) and the conditions concerned, should be made by using the 1 APP forms which are available on the Councils Website or the Planning Portal.

You are advised that the as local planning authority has up to 12 weeks to consider the request, that you apply well in advance of when you intend to start work
6. **Street naming and numbering.** If this permission relates to the creation of new dwellings/commercial units or conversion of buildings into dwellings/commercial units, you are required to apply for street naming and numbering to ensure that the new buildings are allocated accurate addresses and registered with the Royal Mail. Relevant application forms, guidance notes and fee sheets are available to download at <http://www.wiltshire.gov.uk/planninganddevelopment/streetnaming> or you can contact the Address Information Team on 01225 770508 or by email at streetnaming@wiltshire.gov.uk
7. **Informative** There is a legal duty of care incumbent on the customer and contractor that all commercial waste generated as a result of the works hereby authorised is safely contained, transported and disposed of lawfully in line with the Environmental Protection Act 1990 and Environmental Permitting Regulations 2016 (as well as any other related legislation). Failing to do so can lead to individuals or organisations being prosecuted for unlawful waste management.