

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	10 May 2023
Application Number	PL/2022/09808
Site Address	Land South of 92 High Street, Chapmanslade, BA13 4AN
Proposal	Demolition of stables and construction of new house with associated works and change of use of land to C3. (resubmission of PL/2022/03190)
Applicant	John & Heather Foster
Town/Parish Council	CHAPMANSLADE PARISH COUNCIL
Electoral Division	Warminster North & Rural – Cllr Bill Parks
Grid Ref	382499 147734
Type of application	Full Planning
Case Officer	Gen Collins

Reason for the application being considered by Committee

The application is called to Committee at the request of Cllr Bill Parks to review the development in relation to its visual impact upon the surrounding area.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The key issues for consideration are:

- Whether the development is acceptable in principle;
- Whether the scheme constitutes high quality design and would have an acceptable on the wider rural landscape or nearby heritage assets;
- Whether there would be any material harm to residential amenity of existing neighbouring or future occupiers;
- Whether the development would result in unacceptable or severe highway harm;
- Whether there would be harmful impacts on protected species or habitats;
- Whether the site can be adequately drained without increasing flood risk elsewhere.

This application is a submission of a previously withdrawn application which had officer-based design concerns. This application has been revised following officer negotiation to reduce the height, bulk, scale and massing of the proposal, to remove bulky gable ends and to soften the architectural design so that it is more reflective of its immediate surroundings. The application site area (shown below) includes some paddock land to the west of the existing stables (which would be demolished) to provide suitable external amenity space for the proposed dwelling. The application has been subject to two public notification/advertisement exercises.

In summary, Chapmanslade Parish Council object to the proposal for the reasons set out within section 7 of this report. 27 representations have been received from 21 third parties raising objections or providing general comments. One of the representations is in the form of a petition from 7 properties (namely No's 82,84,86,92,92A and 92B High Street).

3. Site Description

The application site extends to just over 0.1ha or 1000sqm (including the access track) which is shown in the red lined plan below. At present, the site has a single storey block of stables and tack room with an area of hardstanding within the limits of development of Chapmanslade (large) village – which is shown by way of the black line in the insert plan below left. The remainder of the associated paddock land located to the west of the stables is outside the defined limits of development.



As Existing



As Proposed

The following insert shows the application site in relation to land and property owned by the applicant:



The proposed dwelling would be located within the adopted defined settlement limits of Chapmanslade as shown on the insert above with an area of about 300sq.m to the west of the existing stables being proposed for residential garden that is currently outside the settlement boundary but in planning terms, is classed as previously developed land (shown as beige on the above snippet).

The definition of previously developed land is set out within the National Planning Policy Framework (and defined within Annex 2) includes “*land which is or was occupied by a permanent structure including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure*”.

In this case whilst the settlement boundary line is drawn tightly round the built form of the existing stables, the associated land within the stables curtilage (shown beige in the snippet above and fenced off from the agricultural land to the south – shown in the photos below) is considered previously developed land albeit outside the defined settlement boundary.

The site is located within flood zone 1 indicating the lowest risk of flooding and is located within the Chapmanslade Greensand Ridge Special Landscape Area. The site is not located within a Conservation Area and the nearest listed buildings are over 50m distant (Nos 82-86 High Street) which are shown as blue starred properties in the insert below.



The site topography gently slopes in a southerly direction with the stabling ground level being approximately 1m lower than the adjoining ground level of the residential properties located to the north.

The land to the east is an orchard which is designated as priority habitat, but no operational development under this application would affect the orchard.

The site is designated as being within 4km of the core foraging area for greater horseshoe bats and the Bath and Bradford on Avon Bat SAC. A test of significance has however been carried out by the Council's ecology team, with an Habitat Regulation Assessment (HRA) being completed and concluding that the proposal would not likely result in ecology harm with respect to the SAC and bats.

The site is also designated as being within 6.4km of the Salisbury Plain Special Protection Area (SPA)

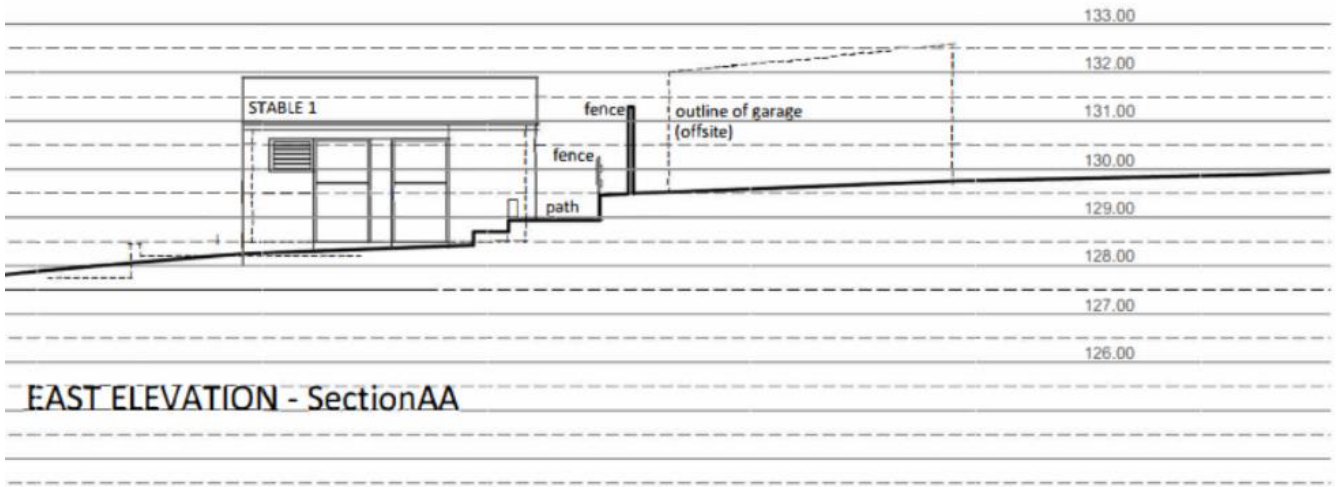
and following the completion of the aforesaid HRA, the development proposal would not result in significant effects, but consistent with the adopted 2018 Appropriate Assessment which is supported by Natural England, this development would be subject to CIL liabilities which funds the Salisbury Plain SPA management and annual Stone Curlew monitoring and protection.

The site is served by an existing 'shared' access off the High Street that serves several properties including the stables as the above inserts illustrate. The stables represent the last serviced premises off the private lane over which the applicant has vehicular and pedestrian rights of access.

An aerial view of the site looking northwards is shown below with adjoining/nearby properties identified:



The northern boundary of the application site adjoins the rear residential gardens and a neighbouring garage with a fence forming the southern site boundary treatment and a small pathway separating the rear gardens from the stable block. There is a drop in the ground levels between the residential gardens and the site with the site being lower by circa 1m -1.5m according to the existing elevation plan section shown below:



The south facing view of the stables and part of the eastern boundary is formed by fencing and mature vegetation beyond with the orchard beyond:



The land to the east is neighbouring garden and the orchard.



View looking west with paddock fence line visible in middle ground.



View looking south with the land beyond the post fence being agricultural fields.



4. Planning History

W/78/01308/HIS – Erection of 3 stables. Approved.

PL/2022/03190 - Demolition of stable buildings and construction of new house and garage with associated works and change of use of land to C3. Withdrawn to amend the design and scale of the proposal.

5. The Proposal

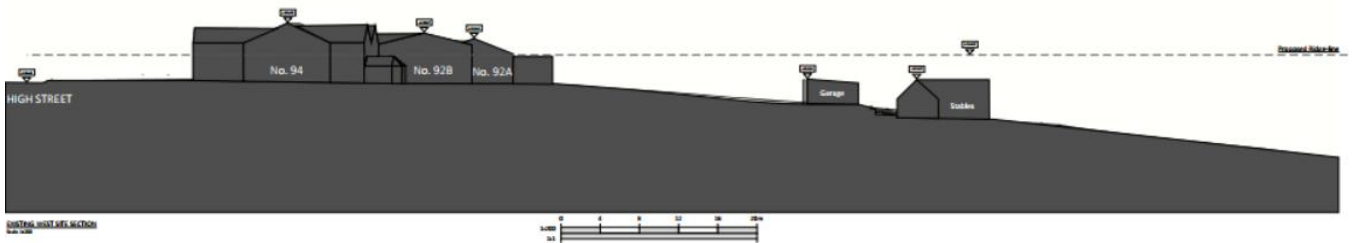
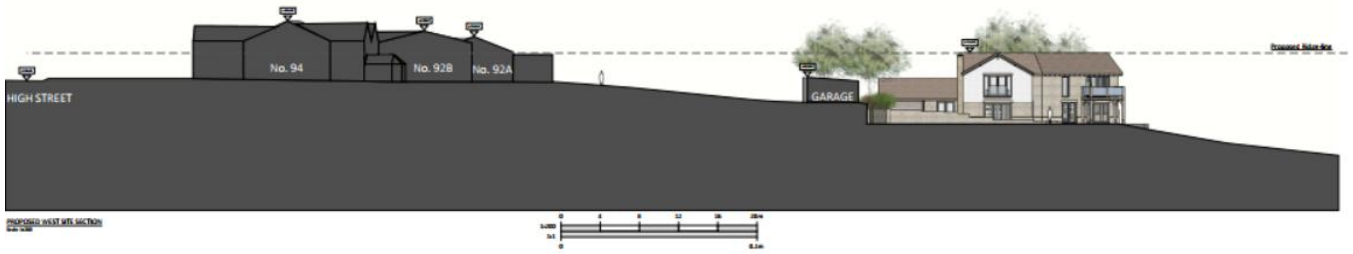
This application seeks full planning permission for the demolition of two stable buildings and the construction of a 2-storey dwelling with attached garage and associated works including the change of use of land from equestrian to C3 residential.

The existing access would be retained, and 3 off-street vehicle parking spaces are proposed.

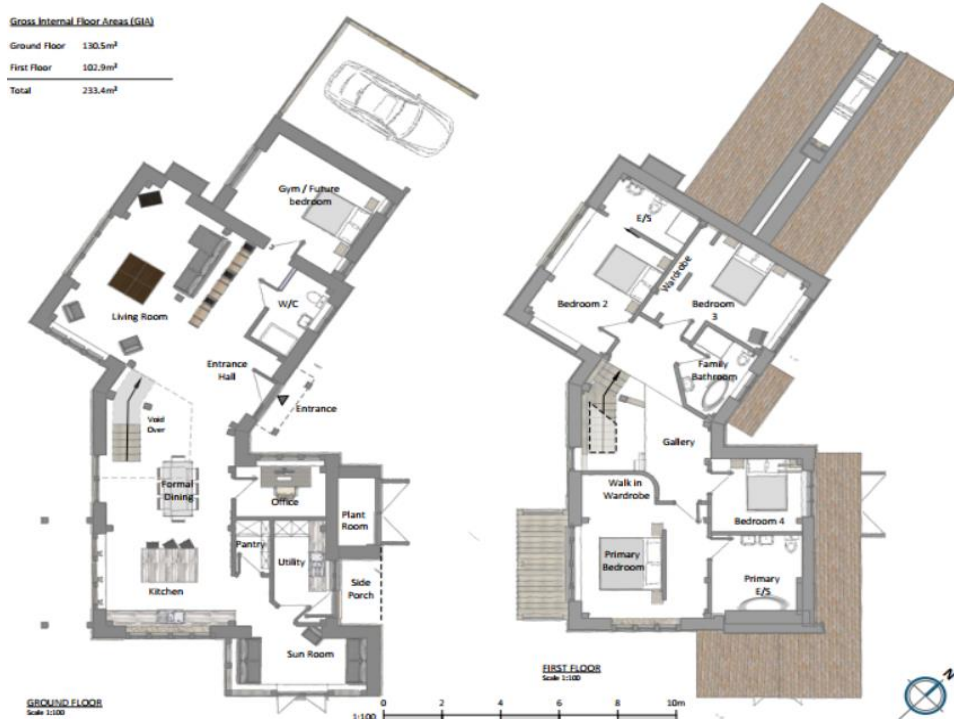
Proposed Site Plan:



Proposed and Existing Site Sections:



Proposed Floor Plans



Proposed Southwestern Elevation (using 3D modelling)



Proposed Western and Southwestern 2D elevations:



West Elevation
Scale 1:100



South West Elevation

Proposed Southern and Southeastern Elevations:



South Elevation
Scale 1:100



South East Elevation

Proposed Northern Elevation:



Proposed East and Northeastern Elevation – within context of neighbouring garage



East Elevation
Scale 1:100



North East Elevation

6. Planning Policy

National Context:

National Planning Policy Framework 2021 and Planning Practice Guidance

Local Context:

Wiltshire Core Strategy Adopted 2015 (WCS) CP1: Settlement Strategy; CP2: Delivery Strategy; CP3: Infrastructure Requirements; CP31: Spatial Strategy for the Warminster Community Area; CP41: Sustainable Construction and Low Carbon Energy; CP45: Meeting Wiltshire's Housing Needs; CP50: Biodiversity and Geodiversity; CP51: Landscape; CP57: Ensuring High Quality Design and Place Shaping;

CP58 Ensuring the Conservation of the Historic Environment; CP60: Sustainable Transport; CP61: Transport and Development; CP62: Development impacts on the Transport Network; CP64: Demand Management; and CP67: Flood Risk

Wiltshire Council's Local Transport Plan and Car Parking Strategy 2011- 2026

West Wiltshire District Plan – 1st Alteration (Saved Policies)

C3: Special Landscape Areas; and U1a Foul Water Disposal.

7. Consultation Response Summary

Chapmanslade Parish Council: Object to the application on the following grounds:

- Chapmanslade has recently expanded by 43 new homes and there is no need within the criteria of CP1 for a large new house.
- The development represents development outside the settlement boundary and should be assessed as new housing in the countryside. It does not meet the requirements for new housing in the countryside and a precedent should not be set by allowing this development.
- The submitted DAS refers to new stables being located to the southwest of the proposal and to these being considered as part of the application.
- The relevance of the tipi house to this proposal is not understood. There is a wooden tipi-style house that sits on the Applicant's land just to the west and thus outside the development boundary. If, as it seems, this is being used as some form of datum to justify the development's size then it should be noted that it has not previously been approved by the planning process and thus should not be considered as anything other than temporary.
- The size of the proposed house is larger than most of the existing dwellings in its close proximity, and its proportions will have a direct impact on these. Notably the height of the proposed house in relation to the relative elevation of the site would suggest that it would have a considerable impact upon the southerly aspects enjoyed by the houses to the north and on the High St. This is not accurately shown on the application drawings which give the impression that the site is not visible from these existing houses; a brief site visit shows this is not the case as the top of the existing stables can already be seen and a further storey would therefore exacerbate this.
- The design and scale would allow direct visibility into adjoining properties gardens thereby affecting the existing privacy these enjoy.
- The scale of the proposed house would harm the vista from the south and the many footpaths and other land that are in this location.
- The house would dominate the skyline.
- The proposal would result in harmful light pollution - detrimental to both existing properties and wildlife.
- The access is unsafe for construction traffic.
- Lack of clarity and consistency in highways advice.
- Traffic management plan is required.
- Construction management plan is required.
- An ecology survey is required pursuant to bats & wildlife.
- Inconsistency within the Design and Access Statement and the plan drawings are considered inaccurate.

Wiltshire Council Ecologist: No objection subject to conditions.

Wiltshire Council Highways Officer: No objection

Wiltshire Council Conservation: No objection. The application is outside a Conservation Area and not within the vicinity of any listed building.

Wiltshire Council Landscape Officer: No objection

Wessex Water: No objection

8. Publicity & Consultation

The application was publicised by the display of a site notice at the site frontage along the High Street, and individually posted out notification letters sent to neighbouring/properties within close proximity of the site.

As a result, 27 representations have been received from 21 third parties raising objections or making comments. Of these one is a petition from 7 properties in proximity to the site (No's 82,84,86,92,92A and 92B) objecting on the scheme on the following grounds:

- Poor design which is overly fussy - Unsympathetic to the setting and would fail to protect and enhance the special landscape area.
- Out of keeping with the area in terms of scale, bulk, height, mass and skyline.
- Out of settlement boundary and would conflict with the established building line.
- Inconsistent highways advice and approach to decision making following previous pre-application advice and previous applications for new dwellings.
- Setting a precedent for development in the countryside.
- Highway safety concerns with the proposal leading to too many vehicles using the lane and access.
- Noise concerns and light pollution
- Impact on listed buildings
- Carbon footprint.
- Bins and waste storage concerns.
- Loss of privacy to adjacent occupiers.
- Inadequate protection of trees on boundary.
- Loss of light to adjacent properties.
- Loss of views.
- Overdevelopment.
- No details provided on utility connections.
- Effect on priority habitat and countryside.
- Loss of biodiversity / hedgerow protection and ecological impacts.
- Land stability concerns.
- The Parish Council meetings did not follow due process and incorrect consultation with locals.
- The applicant is a Parish Councillor – which undermines the integrity of the process.
- A site visit should be done by planning officer and highways officer.

These concerns are addressed in the relevant sections of the report below and where any fall outside of these sections, will be addressed in the section entitled 'Other Matters' to be found at the end of the report.

9 Planning Considerations

9.1 The Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan unless material

considerations indicate otherwise. In this case, the Wiltshire Core Strategy, including those policies of the West Wiltshire District Plan that continue to be saved in the WCS form the relevant development plan for the area.

The proposed development comprises a change of use of land and the demolition of existing stables and their replacement with a two-storey detached dwelling. The stables comprise previously developed land as set out within the National Planning Policy Framework (and defined within Annexe 2) which includes *“land which is or was occupied by a permanent structure including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure”*.

The proposed dwelling would be constructed within the defined settlement limits of Chapmanslade (which is a designated large village as confirmed by Core Policy 31 and Appendix E of the WCS) with part of the proposed residential garden to the immediate west, being currently paddock and outside the settlement limits, but adjacent to the established settlement boundary and backing onto residential gardens.

Core Policy 1 sets out the Council’s adopted Settlement Strategy – which sets out a clear hierarchy in terms of setting a sustainable plan-based approach to supporting new housing within defined settlements and in the context of Villages, to support housing needs and to improve employment opportunities.

Core Policy 2 sets out the delivery strategy for the Council. This policy framework advises that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at large villages and supports limited development in these locations that is needed to help meet the housing needs of the settlements.

At the time of writing, the Council cannot demonstrate a 5-year housing land supply, which is required by the Government and as directed by the NPPF. Until the housing deficit is resolved, full weight cannot be afforded to the strategic policies enshrined within the WCS (or those saved from the West Wiltshire District Plan) that seek to restrict residential development.

The Parish Council’s argument that Chapmanslade has already expanded by 43 houses in recent years is noted, but as many appeal decisions direct, there is no ceiling on housing delivery, and in accordance with planning law, each application should be considered on its own merits.

Planning appeal inspectors have also concluded in accordance with NPPF paragraph 74 in recognition that the adopted WCS is more than 5 years old, that the matter of housing need and the short fall of housing land supply is a Council wide matter, and it cannot be read, or addressed, in the narrow context particular to any given settlement.

As Members will be aware, with the housing supply deficit, paragraph 11 of the NPPF and the consequential tilted balance is engaged.

Paragraph 11 of the NPPF requires that planning decisions should apply a presumption in favour of sustainable development and for decision making this means: -

“...approving development proposals that accord with an up-to-date development plan without delay; or ... where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (i.e., where no update to date housing supply can be demonstrated), granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

The proposal is not in an area that is protected by sub-paragraph i) and the proposal would represent a form of sustainable development constituting a windfall development on previously developed land with the proposed built form contained within in the established settlement boundary. Accordingly, the proposed development is considered acceptable in principle, but requires an appraisal in the following chapters.

9.2 Design, Landscape and Visual Appearance

Core Policy 51 'Landscape' of the Wiltshire Core Strategy outlines that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. The policy requires applications to demonstrate how development proposals conserve and where possible enhance landscape character through sensitive design, landscape mitigation and enhancement measures.

Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the WCS lays down the requirement for good design. Core Policy 57 requires *'a high standard of design in all new developments. of particular relevance to householder extensions is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting'*.

The NPPF states at paragraph 126 that *"the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.

Furthermore, paragraph 130 states that *"planning...decisions should ensure that developments:*

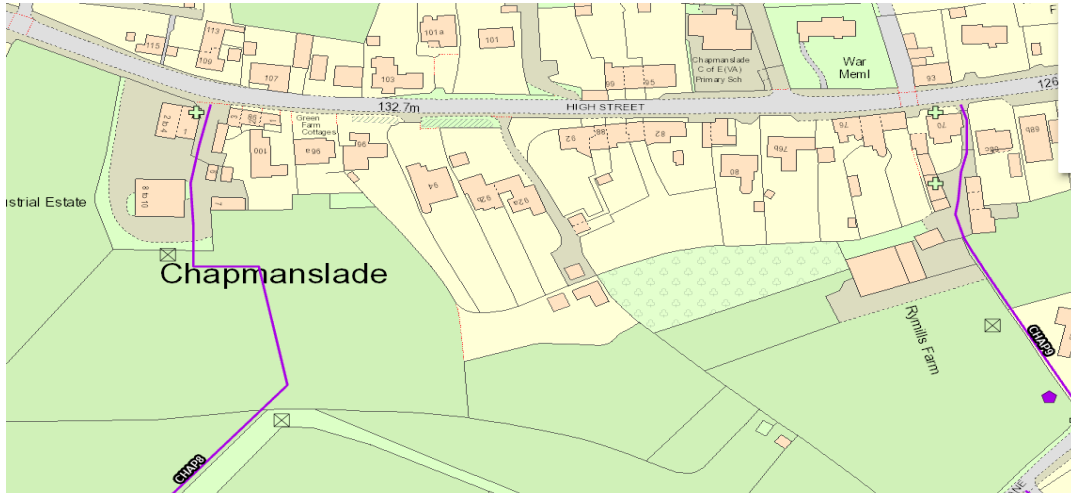
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Landscape

The site is located within the Chapmanslade Greensand Ridge Special Landscape Area which is covered by saved policy C3 of the WWDLP (and annexed within the adopted WCS). Saved Policy C3 requires the landscape character to be conserved and enhanced and development is discouraged if it would be materially detrimental to the quality of the landscape.

The existing stables are sited more than 30m from the nearest dwelling (No.92a) and as illustrated below, there is no uniform pattern of development on the south side of the High Street in this part of Chapmanslade. The site is not significantly seen in the public domain given that the nearest stretch of public right of way (shown in purple on the following insert) is the CHAP8 footpath to the west – which is nearly 100 metres away. The only other 'local' PRoW is CHAP9 footpath which is nearly 130 metres away. Huntenhull Lane – located to the southeast is over 150 metres distant and offers no significant

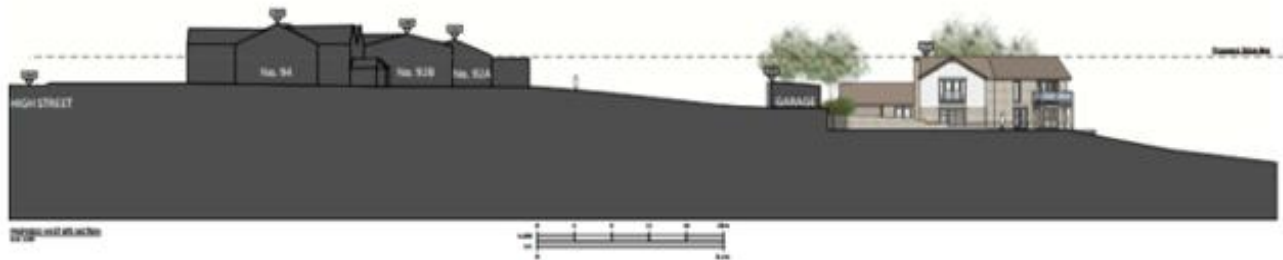
views to the site given the landform, field enclosures and landscaping.



The existing stables constitute previously developed land and the immediate character of the southern edge of this part of the village is characterised by a range of built forms, which includes the two stabling structures on the application site, the fairly sizeable domestic neighbouring garage to the immediate north which would have a commensurate ridge height that would equate to the proposed western wing of the proposed dwelling as evidenced below.



The existing stables are approximately 4.6m to ridge height. The proposed single storey garage element of the proposal would be circa 4m in height. The proposed dwelling at its highest point, would have a ridge level of about 7.3m above ground level, but given the lower site levels, the house would not visually appear as being out of context with the nearest houses 35-60 metres away, and nor would it appear harmful to the wider countryside beyond. The proposed garage is



Detailed negotiations at pre-application stage and more thoroughly through this formal application, have led the applicant to finalise a house design that officers consider would assimilate well with the existing built form of the settlement.

Through these discussions, the applicant reduced the height, bulk, scale and revised the architectural detailing of the proposed house in such a way that officers conclude it would not appear harmful in this edge of village setting. Moreover, the applicant is committed to planting up the boundaries to soften this part of the village edge with post and rail fencing and hedgerows.

The applicant has also agreed in principle to submit a landscaping plan prior to commencement of development which can be conditioned. A robust landscaping scheme would ensure that appropriate planting is provided to soften this existing edge of the settlement limits.

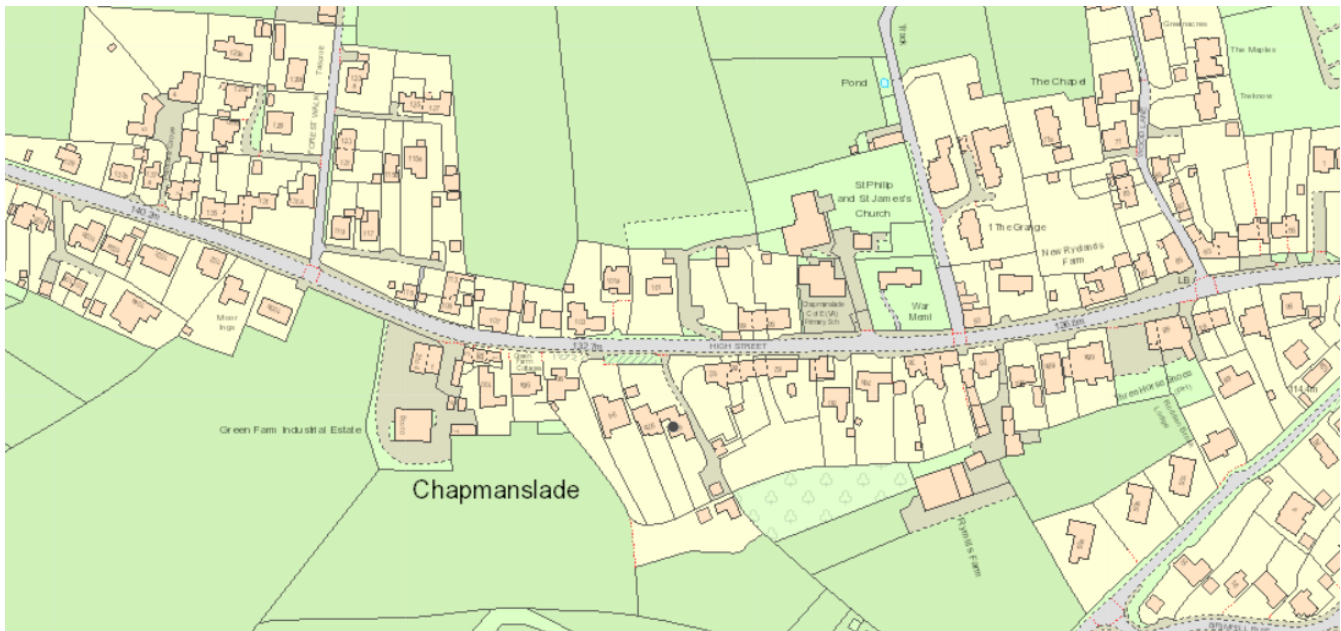
Permitted development rights for outbuildings, extensions and fences, gates and walls are also recommended to be removed to require the submission of future applications for any further operational development within the proposed domestic curtilage.

With the amendments to the house design, the imposition of conditions removing permitted development rights and securing a robust landscape planting mitigation by condition, it is considered that this proposal is acceptable, and as evidenced by the cross section plan and in recognition of the separation distance to neighbouring properties and the PRoWs, the proposed development would not appear out of keeping and nor would it dominate the site or the skyline.

On the basis of the above, officers submit that the application satisfies the requirements of saved policy C3 of the WWDLP as well as CP51 and CP57 of the WCS.

Design/Visual Impact

Within this part of the village, there is a wide variety of architectural built form, styles and materials used. Whilst the main historic village is linear along the High Street there are numerous examples of 'backland' development that have evolved over time. The erection of the stabling at this site is just another example.



There is no overriding or predominant architectural design or style in the immediate vicinity of the site. The nearest dwellings to the site are a mix of brick and stone properties comprise modern bungalows, rendered houses as well as some large agricultural buildings constructed in timber, block and metal.



Above: Mix of buildings to the west of site off high street

Following officer led negotiation, the proposed dwelling has been reduced in height and what were bulky gable ends have been removed. The design approach now seeks to create a sense of a series of connected smaller buildings as is prevalent in the immediate locality instead of one large compact bulky dwelling that was initially proposed.

The proposed new dwelling would be 2 storeys in height with a single storey attached garage on the northern side and single storey porch and orangery on the east and south elevations respectively. It would be circa 7.3m to ridge height falling to circa 5.2m at the eaves with the single storey garage measuring circa 4.8m to ridge height falling to circa 2.6m at the eaves and the orangery circa 4m to ridge height. The footprint of the proposed building would not be a standard rectangle but would have an asymmetric form and variety of roofscape with a mix of single storey and two storey levels.

Visual interest is provided in the elevation detailing with the mix of materials that would be complementary to the mixed material palette found in the locality.

Glazing is kept to a minimum on the eastern side to retain a dark ecological corridor between that elevation and the neighbouring orchard following ecologist advice. The applicant wants to promote and use energy conservation and sustainable approaches in this proposed development through adopting a fabric first principle to maximize energy efficiency, to explore the use of PV on either a roof or potentially a future application to secure permission for a domestic array. The applicant seeks to use ground source heating and enhanced insulation and energy management systems with all build materials to be sourced following sustainability principles. All the hard surfacing will be laid with permeable materials to reduce water runoff and the driveway would be permeable gravel, with surface water being managed by on site soakaways.

Hedges, stonewalls and post and rail and timber fences are a feature of the area, and the applicant intends to include these materials for boundary treatments.

The proposed new dwelling would be designed to reflect appropriate vernacular within the local area. The use of a mix of stone, timber and clay materials, together with gable and barn style roof forms effectively integrates the building into its setting.

The building structure would be a handmade bespoke post and beam oak timber frame and would use a high energy efficiency and sustainable construction techniques and technologies. The resultant building would be highly energy efficient with an electrical car charging point.

The proposed development in terms of its approach to low carbon and use of sustainable construction techniques is welcomed and carries some weight in favour of the scheme.

It is recommended that details of all proposed external materials are conditioned to ensure that they are of high quality and appropriately relate to the local material palette with the trigger point being post slab level formation in the event that permission is granted.

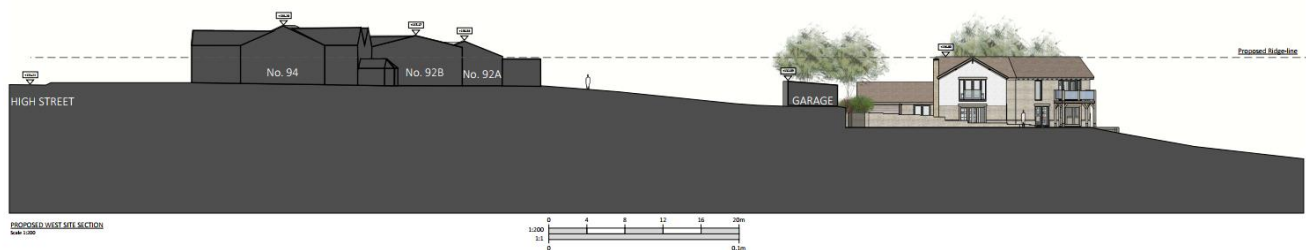
The proposed footprint would be 127sqm which is not considered excessive and as previously referenced, the siting of the house would be within the established defined village limits and the scheme would represent an efficient and effective use of land at a time when the Council cannot demonstrate a 5-year supply of housing land.

The negotiated reduction in the scale, bulk and height of the building has resulted in a final design that is considered appropriate for the site. It would be read in the context of mixed existing built form and would not appear harmful. The hard elements of walling and to the rear access area have been curved and varied in height to soften the visual impact.

It is noted that there is concern raised by local residents and the Parish Council regarding some inconsistencies set out within the Design and Access Statement (DAS) when compared to the submitted drawings. In this case, it is important to appreciate that the DAS is used as a supplementary document to set out the rationale behind the submitted plans and in this case, it is not part of the finalised suite.

The accuracy of the drawings was discussed with the applicant, and officers have scaled the proposals off the submitted plans and the sections which were checked with the applicant that the scaled measurements are accurate and based on up-to-date Ordnance Survey data. From this, officers are satisfied that the proposed drawings are to scale and accurate in their representation. The applicant has confirmed that the plans are based on OS data and a topographical survey and members can be assured that the application can be determined on this basis.

To confirm matters, the proposed dwelling would be 7.3m at ridge height from ground level, not 9m or 10+m as referenced by concerned residents. The 7.3m maximum height is accurately reflected on both the section drawings and the proposed plans when scaled. This indicates that the proposed development would be approximately 3m higher than the existing neighbouring garage and would be sit below the canopy of the mature trees on the eastern boundary and the proposed house would be much lower than the ridges of the neighbouring houses to the north as illustrated in the west site section.



No details of bins and waste storage have been submitted and no details relating to the storage of bicycles have been included within the submission, but these matters can be suitably covered by a suspensive planning condition.

There are two mature trees on the eastern boundary of the site which would be protected during the course of works in the event that permission is granted. A bespoke planning condition to secure the tree protection

safeguards is recommended. Supplementary planting in the form of small clusters of native trees and hedges would provide biodiversity net gain which also necessitates the imposition of a planning condition requiring the implementation of a suitable mix of native species landscape planting, together with its maintenance.

There was some local concern raised that the originally proposed rear garden of the dwelling would be cramped and too small for the dwelling proposed. Following officer negotiation, the application was revised to provide an appropriate level of external amenity space for the property, but with the recommended removal of permitted development rights for outbuildings etc., the proposed curtilage would be safeguarded as open space that would not appear significantly different to how it is at present, but it would be subject to the requirement that any future proposal comprising operational development would need separate permission from the Council.

The development would result in a material change to the immediate site character however it is considered that the proposed revised design would blend with the existing residential built form and wider rural landscape character and create a sustainable family home which employs high-quality design and landscaping. In light of the above, it is considered that the proposed development complies with the objectives and criteria of the Core Policies 51 and 57 of the WCS and provides high quality design meeting requirements of paragraphs 126 and 130 of the NPPF.

9.3 Impact on Heritage Assets

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that **special regard** be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out policies concerning heritage and sustainable development and requires a balanced approach to decision making with harm weighed against the public benefits resulting from proposals.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that *"designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."*

The site is located outside of any Conservation Area with no heritage assets on site or in the immediate proximity. The nearest listed buildings are 57m away to the northeast, and the level of intervisibility is very limited given the separation distance, and the intervening neighbouring curtilages and built forms. As a consequence, and as confirmed by the Council's Conservation Officer, the proposal would not result in harm to the significance or setting of these listed buildings.

9.4 Impact on Residential Amenity

Core Policy 57 of the WCS requires development to have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution.

The application is supported by site sections and the proposed development would be sited approximately 32m away from the nearest neighbouring property of no.92 High Street to the North – with the consequential spatial relationship clearly illustrated in the site sections as evidenced below.



The rear elevation of the nearest neighbouring property is circa 32m from the northern elevation of the proposed single storey garage and approximately 41m from the north facing elevation of the proposed house. No first-floor windows are proposed on this elevation. There are first floor windows proposed on the northeast elevation however residential gardens and a swimming pool are located some 30m away to the northeast beyond existing mature vegetation which would provide ample screening to protect neighbouring amenity.

The nearest rear elevation of the neighboring properties to the northeast are circa 70m distant and at an oblique angle. There are no neighbouring properties to the immediate west or south of the application site.

Given these separation distances and in recognition of the topographical information as illustrated in the above insert, the proposed dwelling at a maximum of 7.3m above ground level, would not result in material harm in the context of the adjacent properties.

The proposed development would provide sufficient internal amenity space and external curtilage.

Accordingly, the proposal accords with policy CP57 of the WCS and also paragraph 130 f of the NPPF.

9.5 Impact on Highway and Pedestrian Safety

This section focuses on the impact of the proposed development on highway and pedestrian safety and the ability of the existing highway network to accommodate the vehicular and pedestrian movements associated with the development.

Paragraph 110 (b) of the NPPF requires that in assessing... *specific applications for development, it should be ensured that...safe and suitable access to the site can be achieved for all users.*

Paragraph 111 of the NPPF states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

Paragraph 112 (c) of the NPPF also states that *...applications for development should create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles.... and respond to local character and design standards.*

CP57 (ix) of the WCS requires new development to ensure "*that the public realm including new roads and other rights of way are designed to create places of character which are legible, safe and accessible...*" and CP57 (xiv) requires development to meet "*the requirements of CP61 (Transport and New Development)*".

CP61(ii) of the Wiltshire Core Strategy requires new development to be "*capable of being served by safe access to the highway network*" and within the supporting text for CP61, the Council recognises that it is critically important for good planning and safe highway interests for new development to benefit from a

suitable connection to the highway “*that is safe for all road users*”.

CP64 requires sufficient parking to be provided in new development in line with residential parking standards and requires a reduction in reliance on the use of the private car where possible.

The highways officer initially raised no objection to this application. However, following being alerted to the representations received relating to the access and highway safety matters, the local highway authority was invited to provide further comments, which concluded there were no substantive highway grounds to object.

It is acknowledged that previous applications and pre-applications for new dwellings with access to be taken off the lane, have been previously objected to by the Local Highway Authority (LHA). However, it is important to appreciate that national policy has evolved in recent years and the NPPF sets the tests within paragraph 111, when applications should be moved for refusal on highway reasons. It is also essential that each application be assessed on its own merits, and in this case, the application site is already accessed by motorised traffic and no change to the access is proposed.

A 2015 pre-app (as raised by one of the representations) was objected to on two accounts, these being the impact upon the lane and its ability to accommodate intensification of use arising from an additional new dwelling and secondly the loss of parking provision. Given that the pre-application advice is given without prejudice, it is considered by the LHA that the advice provided was not a *fait accompli*, but more importantly, since 2015, the Government and case law have clarified matters for highway-based planning application refusals, and in this particular pre-app case, there are substantive grounds to defend a highway-based refusal.

The current proposals represent a change of use of land and loss of a block of three stables and tack room which was granted in 1978 and it must be said there has been no substantiated evidence submitted to show the access or existing lane is hazardous.

Whilst it is to be expected that the proposed new dwelling would generate more daily trips than the existing stables, the type, time and modal trips for the stables is not fixed or conditioned and it is not easily calculated or controlled. It is even possible that the stables could generate equivalent, if not more trips than a single dwelling and result in larger vehicles being used for horse transport and site servicing. The basis for this argument is that there is little or no evidence to suggest that the 1978 permission was secured in association with one nearby domestic property and the stables could therefore operate independent to any property. From understanding the site and its planning history, the stables generate trips independently to the owners dwelling, and with the removal of the stabling, the consequential motorised traffic trips associated with the proposed dwelling would not likely be excessive to warrant a highway-based refusal.

In this regard, if we consider the demands of 3 horses being stabled under a non-commercial arrangement, this will have the potential to generate 3no. trips for feed, bedding, visitations, and transportation. This could be increased if the stables and horse management were shared by more than one person travelling separately by private vehicle. Whilst these trips may not occur every day, they may occur concurrently or indeed during peak periods. The current proposals for a single dwelling, in comparison, would typically generate 0.6 trips during the peak periods of 8am and 9pm and 4pm and 5pm; this allows for additional trips outside of the peak period dependent trip distance, arrival time and purpose etc. The existing stables therefore have the potential to generate trips independently of any other use along the lane and these trips have the potential to be more intensive than a single dwelling.

The 2015 preapp and an historic 1980 decision (referred to in the representations), related to new trip generators with no balance of loss that would be secured by the removal of stables, as is the case in this application.

The conclusions made by the Local Highway Authority are therefore presented as a balance of trip making

between the existing stable permission and that proposed by the dwelling. Because of the balance of trips and that the trip rate for the dwelling compared to the stables is comparable to or perhaps even less than the existing approved stable use, there are no substantive highway or traffic generation reasons to justify a refusal and similarly, it is not reasonable or necessary to require the applicant to undertake improvements to the lane or the access.

On the basis of the above, the proposed development would not result in a significant detriment to the safety of highway users and the proposed development is acceptable in the round in terms of policies CP60, CP61, CP62 and CP64 together with the NPPF paragraphs 110, 111 and 112.

9.6 Ecology Matters

The NPPF advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. Furthermore, Core Policy 50 'Biodiversity & Geodiversity' of the WCS outlines that all development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.

Furthermore, the policy specifies that all development should seek opportunities to enhance biodiversity.

The application is supported by an Ecological Assessment (Smart Ecology, May 2022).

The proposed development lies adjacent to priority woodland and in the Bath and Bradford-on-Avon Bat Special Area of Conservation (SAC). The SACs qualifying features are Bechstein's bat, Greater Horseshoe bat and Lesser Horseshoe bat. The site is located within the 4km core foraging zone for a greater horseshoe (GHS) bat roost associated with the SAC.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that given the scale and nature of the development there is no mechanism for adverse effect/any temporary construction impacts, and operational impacts would be de-minimus. The Habitat Regulation Assessment (HRA) has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

This application also lies within the 6.4km buffer zone of the Salisbury Plain SPA and considering the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan, it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects.

In April 2023, Natural England (NE) confirmed that the 2018 Appropriate Assessment for Salisbury Plain continued to be supported. That Appropriate Assessment reached a conclusion of no likely significant effect on the conservation objectives of the SPA, for development within 6.4km of the SPA boundary provided that the mitigation scheme continues to be implemented. Annual stone curlew monitoring, and protection measures continue to be secured by the Council.

The Ecology Assessment confirms that the likelihood of roosting bats in the existing stables is negligible with moderate likelihood that bats use the site for foraging purposes. As such glazing has been reduced to reduce the skyglow and light impact on the fly paths. No external lighting is proposed, and a condition is recommended to be attached to the grant of any consent ensuring that no external lighting is installed without prior approval of the lux levels from the LPA to ensure that biodiversity using the site is not compromised.

No significant habitat loss would arise by virtue of the proposal and the proposed development would include tree protection measures during construction as shown on the submitted site plan with further details to be secured by condition within a Construction Environment Management Plan. Additional

landscaping, tree planting and bat boxes and bird boxes are indicated to be installed as part of the development and conditions requiring a Landscape Plan and Biodiversity Enhancement Plan for the site are recommended to be attached to the grant of any consent to secure these features and ensure protection and enhancement of biodiversity on site during construction and post completion.

Accordingly, there is no objection subject to conditions being attached to the grant of any permission and as such the proposal meets requirements contained in CP50 of the WCS, the NPPF and Habitat Regulations together with associated guidance.

9.7 Drainage Matters

The application site is located within Flood Zone 1 and is therefore at low risk from flooding. The application is supported by a site plan that shows proposed SuDS drainage and it is considered that the proposal would not increase the risk of flooding on site or elsewhere.

There are no public sewers on the land as advised by Wessex Water. Foul drainage would require a new treatment plant and separate consent would be required through Building Regulations and separate permission through securing a license from the Environment Agency. Accordingly, the proposed development meets the requirements of Policy CP67 of the WCS.

9.7 Land Stability

Concern has been raised regarding the impact of the proposal on the stability of the land associated to the adjacent property which is raised higher than the existing site. The existing neighbouring land is already separated by a retaining wall and there is no evidence that this would be undermined by the introduction of the proposal. Notwithstanding this, the proposal would include a further retaining wall to ensure the stability of land in this location. The NPPF confirms that this is a matter that the developer is responsible for, as an 'agent of change' and the foundations and structural stability are matters for Building Regulations rather than planning. Moreover, the Party Wall Act exists to address and provide insurance for matters affecting boundary walls and private property. Through a planning informative, the applicant is encouraged to discuss this matter and to follow the appropriate procedures with adjoining landowners.

9.8 s106 and CIL Matters

The Council's adopted Wiltshire Community Infrastructure Levy (CIL) Charging Schedule applies to the proposed development. The site falls within Charging Zone 2 which sets a charge of £55 per square meter of residential floor space (which will be subject to an uplift associated with indexation) and the applicant is advised to contact the CIL officer for more information. The development proposal does not justify a s106 legal agreement.

9.9 Other Matters

Representations refer to new proposed stables being part of this application. Initially as part of the application, plans were submitted indicatively showing where future stables could be proposed, but these are not part of this application, and the indicative proposals were deleted from the scheme by the applicant. If a future application for stables is submitted to the Council, it would be assessed on its own merits at that time. Any future stabling cannot influence the determination of this present application.

Representations refer to a small wooden hut structure that is on the site which is to be removed if permission is granted. There is no planning history for this structure and its removal would be welcome.

Representations refer to the applicant as a Parish Councillor and that the integrity of the planning process has somehow been compromised through the cancellation of the February Parish Council meeting. The Parish Council meeting was cancelled in February following an update that revised plans were due to be submitted on the same day. It was advised that it would be in the interests of the local community to wait for the revised plans and to give people a reasonable timeframe to review these plans properly before a formal Parish Council meeting. It is understood that the applicant was not involved in the Parish Council meeting, and moreover, it is recorded within this report that the Parish Council object to the application.

Officers do not concur with the view that the development would be harmful or inappropriate, and there is no evidence that due process has not been followed by the Parish Council.

A site visit was undertaken by the planning officer and the highways officer on separate occasions and a thorough review of the site, the access and the immediate locality has been undertaken. The officers prefer to do site visits alone and where possible avoid on-site engagement to enable the process to be transparent and avoid situations of complaints of bias. The planning officer considered that a full and proper assessment of the proposal could be undertaken from the site visit as carried out and the suite of plans and supporting documents.

In response to additional local representations, officers submit that a robust public consultation was undertaken and on more than one exercise extending to posted out notifications going to all the neighbouring properties in addition to a site notice being displayed in accordance with the correct procedures and associated Orders governing the consultation requirements for planning applications.

Representations refer to the personal integrity of the applicant and his position as a Parish Councillor. Such matters are not matters for consideration in the assessment of this planning application.

Members can be assured that this application has followed all the correct procedures and it is reported to Members as a unfettered transparent assessment and in full accordance with requirements of planning law.

9.10 Planning Balance

The proposed development proposes to demolish existing stables and change the use of the equestrian land to accommodate a single dwelling on previously developed land within the defined settlement limits of Chapmanslade. The provision of 1 dwelling carries significant weight in the context of the Councils housing supply deficit and to address housing need, but this is limited by the fact that it is one dwelling and the shortfall is considered modest. Nevertheless, the proposed development does demonstrate an efficient and effective re-use of land providing sustainable windfall development.

It would provide construction jobs not just in the erection of the dwelling but in the manufacturing of the bespoke timber frame.

The provisions of a landscape and ecological plan would ensure the longevity of the biodiversity and may well enhance the biodiversity on the site. These benefits are afforded minor weight as they are on the whole proposed as embedded mitigation.

The house design has been well planned and would be high quality, and the sustainable principles to be followed with the dwelling providing a high energy efficient building meeting low carbon requirement of the Building Regulations 2025, carries significant weight in favour of the scheme also.

These benefits must be balanced against any adverse impacts arising from the proposal and as set out in the officer report above, there are no substantive adverse impacts that would significantly and demonstrably outweigh the benefits of allowing the dwelling to be built, and therefore in accordance with paragraph 11 of the NPPF, the proposed development benefits from the presumption in favour of the development and it is recommended that planning permission be granted subject to conditions.

RECOMMENDATION:

That the Committee delegates authority to the Head of Development Management to grant planning permission subject to the conditions and informatives listed below

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:
Existing Topographical Survey ref: 2338.FOS-12 Existing Stables Plans Drg No 2338.FOS-11
Existing Location Plan Rev M Drg No 2338.FOS-01
Proposed Site Context Plan Rev M Drg No 2338.FOS-02 Proposed Site Plan Rev L Drg No 2338.FOS-03B Proposed Floor Plans Rev L Drg No 2338.FOS-04 Proposed Elevation North Rev L Drg No 2338.FOS-08 Proposed Elevation East Rev L Drg No 2338.FOS-07 Proposed Elevation South Rev L Drg No 2338.FOS-06 Proposed Elevation West Rev L Drg No 2338.FOS-05 Proposed West Site Section Rev B Drg No 2338.FOS-09
Preliminary Ecological Appraisal Report May 2022

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 report: Preliminary Ecological Appraisal Report. Ref: 2022-062, Version 1, Date: 16/05/2022 by Smart Ecology Ltd.

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

4. In addition to the condition requiring a Construction Method Statement, no development shall commence on site including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until a Construction Environmental Management Plan (CEMP) has been submitted to the local planning authority for approval in writing and agreed in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.

Working method statements for protected/priority species, such as nesting birds and reptiles.

Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats; this should comprise the pre-construction/construction related elements of strategies only.

Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.

Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

5. No development shall commence on site including including vegetation removal and demolition, until the enhancement measures outlined in section 6 of the Preliminary Ecological Appraisal Report have been detailed in a Biodiversity Enhancement Plan and such details have been submitted to and

agreed in writing with the LPA.

This Plan should include but not be limited to the location and species of mitigation planting along with the number, design and locations of bat roosts and nesting opportunities for birds. The development shall not be occupied until these approved details have been installed. These mitigation measures will be retained for the lifetime of the development.

REASON: To provide mitigation and enhancement for biodiversity on the site

6. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - viii) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

7. No development shall commence on site until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting therefrom has been removed from the site.

REASON: In the interests of the character and appearance of the area

8. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and; The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

9. No development shall commence on site (except for the demolition of the existing buildings) 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 :-
- a) location and current canopy spread of all existing trees and hedgerows on the land;
 - b) full details of any to be retained, together with details measures for their protection in the course of development;
 - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - d) finished levels and contours;
 - e) means of enclosure;
 - f) car park layouts;
 - g) other vehicle and pedestrian access and circulation areas;
 - h) all hard and soft surfacing materials;
 - i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

10. 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 building(s) 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 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 and the protection of existing important landscape features.

11. No development shall commence on site above ground slab level except for demolition of the existing buildings on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

12. No development shall commence on site above ground slab level except for demolition until manufacturer's details and photographs of the materials to be used for the external walls, roofs, windows and doors 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: In the interests of visual amenity and the character and appearance of the area.

13. No part of the development hereby permitted shall be first occupied the 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.

14. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, AA, B, C, D, E and F and Part 1 Class A 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.

16. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

Planning Informatives:

1. The proposed development will require separate approval and a separate license from the EA for any sewerage treatment plant to be installed on site.
2. 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 including for example, bats, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting.

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.

3. 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.
4. 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 landowners 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.

5. 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>.