

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	13th October 2021
Application Number	21/00237/FUL
Site Address	Land at Noah's Ark Garsdon Malmesbury SN16 9NJ
Proposal	Erection of agricultural building and yard: alterations to access
Applicant	Mr Marcus Smith
Town/Parish Council	Lea & Cleverton Parish Council
Division	Brinkworth
Grid Ref	396217 & 187789
Type of application	FULL
Case Officer	Lee Burman

Reason for the application being considered by Committee

The application is called in by the Division Member Cllr Threlfall to consider the impact of development on the character, appearance and visual amenity of the locality; potential harm to residential amenity; and the principle of development for the proposed uses in this location.

1. Purpose of Report

To consider compliance with the policies of the development plan and national guidance and the recommendation to approve subject to conditions.

2. Report Summary

The application has been publicised by neighbour notification, consultation with local organisations, site notice and publication to the Council's website. There have been two phases of consultation following submission of revised and additional details.

25 objections and 1 general comment have been received, including multiple submissions by the same persons. There have also been multiple representations by Lea & Cleverton Parish Council and one from St Paul's Without Parish Council.

Lea & Cleverton Parish Council object to the proposals as revised.

Key Issues raised:

Principle of Development

Impact to the Character, Appearance and Visual Amenity of the Locality
Impact to residential Amenity
Impact to Heritage Assets
Impact to Highways

3. Site Description

The site is located within the open countryside outside of any defined settlement. The small village of Lea is located to the south east, Milbourne to the west and Charlton to the north. The site is agricultural land which is relatively flat but with some variation in levels and features with post and rail fencing and established hedgerows containing some mature trees forming site boundaries. The proposed location of the building/development within the wider field/application site is adjacent the crossed roads fed by Tanners Bridge, Moor lane, Park Lane and Charlton Road. Some commercial activities lie to the north of the application field boundary, Garsdon Mill is to the WNW of the adjacent Charlton Road, western site boundary a large farm holding including Garsdon Manor a grade II* listed property to the south and a limited number of residential properties on the western boundary of the site adjacent the location of the proposed built development. Other more isolated residential properties are located in the wider area. The grade II listed Church of All Saints is located to the east. The site is in a location identified as susceptible to ground water flooding. A public Right of Way crosses the application site north of the proposed development LECL29. A Natural England priority habitat lies to the north east of the site – Lowland meadow/Unimproved natural grassland and this is a County Wildlife site – Church Farm, Garsdon. In the adjacent locality there are records of protected species of bats (various), northern crested newts, birds (red Kite), badgers, water vole, crayfish and slow worms.

4. Planning History

None of direct relevance to the application site and the application proposals.

5. The Proposal

A part of the concerns raised with the application proposals has been a perceived lack of clarity as to the exact nature of the activities intended to take place at the site and within the building. The description of development is set out above and the initial submissions indicated that the proposed development related to the creation of a new agricultural unit comprising the single field of the application site to be seeded with grass for future cattle grazing and hay production. The new building was proposed as a general purpose agricultural building and yard located close to an existing vehicular access but which needed minor enhancement. It was stated that the building had been designed to accommodate/over winter beef cattle, as a hay storage barn and general purpose store /workshop. It was also stated that part of the building would be used to store timber cut from local woodlands with some on site cutting/sawing to create planks. Further that a pre-fabricated cold store and office would be installed within the building. The cold store used for deer carcasses to be sold locally.

The scale and extent of the animal storage and timber cutting have been subject of concern and query from interested third parties, particularly with respect to noise disturbance, traffic generation and potential future business expansion with related increased disturbance.

The applicant team has sought to clarify the proposals with further details and revisions submitted and these have been the subject of further consultation.

The revised and additional details confirm that the proposal is not for a saw mill with felling and timber sawing taking place off site. The cold storage facility is delineated within the

proposed building and is limited in scale and extent with scope for limited on site butchery of approximately once per month. It is confirmed that there would be no retail sales from the site itself. There is no proposal or intention to farm deer at the site.

6. Planning Policy

Wiltshire Core Strategy (2015) (WCS)

CP1, CP2, CP13, CP34, CP50, CP51, CP57, CP58, CP60, CP61, CP67

Malmesbury Neighbourhood Plan (2015) (MNP)

Objectives 4.1.3, 5.6.3

Policy 13 & Volume II Design Guide

National Planning Policy Framework (2021) (NPPF)

2, 3, 8, 11, 12, 14, 38, 47, 83, 84, 85, 110, 111, 130, 167, 174, 180, 195, 197, 199, 200, 202-204.

7. Consultations

As noted the application has been subject of two rounds of consultation and the following is a summary of the outcome, this is not intended to be a complete recitation of all advice and comments received.

Public Protection – No objections subject to conditions

Highways – No objections subject to Informative

Lea & Cleverton Parish Council – Objection. Harm to residential amenity through noise and smell. Alternate location for a significant agricultural operation of this nature should be sought/inappropriate location. Inadequate access for anticipated large-scale vehicles. Inadequate security and surveillance will lead to a requirement for a permanent on site presence/residence. Following consideration of revised and additional details objections maintained.

8. Publicity

The following is a summary of the comments received during the two rounds of public consultation and is not intended to be a recitation of all comments made.

- Harm to residential amenity through disturbance from noise and odour pollution, overlooking and loss of privacy
- Harm to the character, appearance and visual amenity of the locality
- Ill-defined proposals and lack of information including for the use of the land e.g. “Deer Management” with likely need for additional development with additional visual impacts/harm, and in relation to the proposed use of the building.
- Harm to use of right of way crossing the site.
- Conflict with the policies of the development plan e.g. CP1 CP51 CP60 CP61 & paras 84, 85, 111, 130, 174 of the NPPF
- Harm to designated heritage assets.
- Creation of a highways hazard.
- Inadequate public consultation.
- Potential for future change of use.
- Inadequate information as to waste management.
- Loss of ancient hedgerow.

9. Planning Considerations

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006); the policies of the Wiltshire Housing Sites Allocation Plan (Adopted Feb 2020); and the policies of the Malmesbury Neighbourhood Plan (Made Feb 2015)

Principle of Development

The development strategy of the plan is defined by core policies 1 and 2 which establish a settlement hierarchy to which most of the growth requirement identified is directed, with the most sustainable settlements offering a range of services and facilities accommodating the most growth. These are the principal towns and market towns. That growth and strategy is disaggregated to smaller parts of Wiltshire defined as community areas and in this case the relevant area is Malmesbury and the relevant policy CP13.

Outside of these settlements defined by boundaries/limits of development is defined as the open countryside where development is restricted to certain exceptions including those that require a rural location with the aim being to conserve the natural environment and open countryside for its own intrinsic character and beauty. This approach is in accord with that of the provisions NPPF and taken as whole is the local embodiment and interpretation of sustainable development aims and objectives defined in the NPPF.

The exceptions development types are broadly set out at para 4.25 of the plan and in a series of related core policies. Of particular relevance to the application proposals is additional employment land and policy CP34. The policy itself specifically allows for and supports sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification. The proposals are considered to be fully in accordance with this exception provision.

Since the adoption of the WCS the NPPF has been revised in this particular regard with paras 84 and 85 (current referencing) amended to specify that planning decisions should enable the sustainable growth and expansion of all type of business in rural areas including though well-designed new buildings. Furthermore, providing explicit support at para 84(b) for the development of agricultural and other land-based businesses. Para 85 is clear that sites in locations outside of settlements and not well served by public transport may also be necessary, subject to consideration of site-specific impacts.

This further emphasises that the approach set out in CP34 is supportive of new rural land based agricultural development in rural areas. Given this very clear and substantive policy support for rural business development it is not considered reasonable or necessary to require submission of business development plans to demonstrate viability. Neither the plan nor the framework include such a requirement. The acceptability of such development is however subject to consideration of any potential site-specific impacts. These are matters addressed under issue specific headings below. However, it must be accepted that the proposed development in this location is acceptable in principle and there is no sound and defensible basis for refusal in this respect.

It is noted that some objection has been raised as to the potential for the proposals to result in further development that would be unacceptable, in part due to a lack of detail as to the nature of the operations and due to the need for a permanent on-site presence. Firstly it is not considered that the proposals are so ill defined as to be incapable of assessment. Sufficient information as to the intended operations has been provided. The proposals are acceptable in principle under national and local policy and it is not reasonable to require an applicant to specify in exact detail day to day operations in perpetuity prior to granting of permission. This is effectively a new business also and as such some degree of uncertainty inevitably arises whilst some degree of flexibility is required to allow the business to establish. Secondly it is unreasonable to determine applications on the basis of speculation as to what future proposals / additional development may take place. The Council is required to consider the proposal before it and this has been established at appeal and through the courts many times. Finally the applicant has provided information to confirm that he is resident in the near locality and the application site and buildings are readily accessible at all times. The building will also contain an office from which the applicant can work and take breaks. As such a permanent on site residence is confirmed as not being required. In any event the plan includes policies that address such a proposal and provides an exceptions test to support such provision, that being where a functional requirement can be demonstrated, and as such would not be wholly unacceptable in principle.

Impact to the Character, Appearance and Visual Amenity of the Locality

The proposals include the erection of an agricultural building and yard with enhanced access requiring some hedgerow removal. The proposals are in a visually prominent location in a localised context lying adjacent a local crossroads and with a right of way crossing the site to the north. The proposals will result in a change to the character and appearance of the locality.

This however does not automatically result in harm to visual amenity arising. The proposed building is designed and appears as an agricultural barn and this form of building is seen in rural locations throughout Wiltshire and indeed the region and nationally. It is entirely characteristic of the location and would not result in a discordant feature wholly out of character leading to harm to visual amenity. The building and yard are required to support the agricultural business and activity on the land which is acceptable in principle. The scale of building and yard is proportionate to the site and the activity and the requirements arising therefrom.

The proposed hedgerow removal to facilitate improvement to the access will result in further change to the character and appearance of the locality and this will result in a degree of harm. But the extent of hedgerow to be removed is limited and the minimum necessary. A substantial proportion of the existing hedgerow will be retained and that which is removed will to a large degree be replaced and set back within site. Details in this respect can be controlled by use of condition.

Proposed lighting on site is limited in scale and extent and is not considered to result in significant harm to visual amenity. A condition is proposed in this regard and to control any further on site lighting.

In these respects the impact of development on visual amenity and the change to the character of the locality from open field is capable of mitigation through landscaping and planting. Some initial information has been submitted in the revised details in this regard. A scheme of site landscaping is proposed to be subject of condition and this does include provision of submission and approval of boundary treatments. In this latter respect concerns as to the potential need for deer fencing and impacts to the right of way are noted but are

capable of being addressed through use of this condition and it has also been confirmed by the applicant team that there is no intention to farm / raise deer at this site.

It should also be borne in mind that permitted development rights exist for the erection of agricultural buildings subject to certain conditions being met and a similar form of development could take place with a similar level of visual impact and change to the character of the site under those provisions.

On this basis the proposals are considered to accord with the relevant policies of the plan and provisions of the framework and no significant harm arises in this respect such that consent ought to be refused on this basis.

Impact to residential Amenity

The proposed built development is located in the south west corner of the field adjacent the crossroads and near the existing field access. The building is significant in scale with external yard adjacent and will accommodate refrigeration unit, office, overwintering of cattle and storage. There are some existing residential properties in this location approximately 25 metres distant from the building. There is the potential for impact to existing residential amenities as a consequence and indeed significant levels of objection have been raised in this regard with particular reference to noise, odour and loss of privacy/overlooking.

Whilst the potential for impacts are noted it must be accepted that impact does not in and of itself equate to significant and substantial levels of harm that would warrant and provide a sound and defensible basis for refusal. In this context there are a number of considerations that should be taken into account.

Firstly, the site could be used to graze cattle and for forestry activities without the need for consent given established use. Work on site in this respect could result in some degree of intrusion, noise, odour and intervisibility/overlooking. Secondly permitted development rights exist for a range of agricultural development, including the erection of buildings for general agricultural activities. A similar form of development could take place without the need for consent and which would have the potential for some degree of impact through noise generation and overlooking. It is also notable that a 25 metre distance between residential properties is generally taken as an acceptable degree of separation to secure and maintain sufficient levels of privacy and avoid overlooking that would result in harm to residential amenity through loss of privacy.

It is also important to consider that this is a rural location where agricultural activity takes place. There must be some acceptance that in such a locality comes an attendant level of odour from livestock rearing, certain types of noise intrusion and disturbance from machinery during harvesting for example or noise from animals during birthing, and noise and general disturbance from activity taking place outside of office-based business working hours with much agricultural activity tied to daylight or animal / livestock rearing. In short the nature of residential amenity considerations in a rural location are somewhat different from within urban settings and the suggestion that the modern rural location is entirely tranquil to the point of very minimal / no level of disturbance and intrusion is not realistic.

As noted previously the proposals are capable of some mitigation in terms of visual impacts through agreement of a scheme of site landscaping controlled by condition and this would also allow for mitigation of the potential for overlooking.

Concern has been raised as to the lack of detail as to waste management on site and consequent potential for odour disturbance. Whilst some degree of odour is to be expected from agricultural activity, including that which would take place without the need for consent,

the management of waste arising from the operation of the building is a matter that can be appropriately controlled through use of condition and this is a common approach in such circumstances. The Council's Public Protection Department has been consulted and has suggested a condition in this respect and this is considered reasonable and necessary.

With respect to the noise arising from the operation of refrigeration units these will be located within the building, which at least in part includes concrete block walls to approximately half height with profiled steel sheet above and it is considered that this will provide for a significant degree of noise attenuation. In any event and as noted above a scheme of landscaping including boundary treatments is proposed and it is also proposed to seek further detail as to site landscaping and boundary treatment by use of condition so the matter is capable of further mitigation and control in this regard. It should however be borne in mind that the refrigeration units are not industrial in nature or scale and more akin to domestic refrigeration with limited noise generation. The Council's Public Protection Department has been consulted and has suggested conditions in this respect. However, these are conditions that are standard in urban settings and in relation to a wide range of Class E commercial business uses, especially hours of operation and no wood processing taking place on site. These are not considered to take account of the agricultural and forestry activities that could take place without the need for consent, or the needs of agricultural activities and so are not reasonable or enforceable. In this respect the applicant has identified that wood processing on site will be limited and will only be taking place within the building during limited day time hours during parts of each week and so has committed to a restrictive condition in this regard. As such any potential impacts to amenity are effectively mitigated to an acceptable level given context.

With respect to site lighting information has been provided as to lighting on the proposed building. The extent of proposed provision is limited in scale and positioned to minimise intrusion to residential amenity facing away from the nearest properties. A condition is proposed to control the extent of lighting on site and any additional lighting would require express permission.

On this basis the proposals are considered to accord with the relevant policies of the plan and provisions of the framework and no significant harm arises in this respect such that consent ought to be refused on this basis.

Impact to Heritage Assets

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Listed Building or Conservation Area to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paras 197 and 199 of the framework require Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets; and that when considering the impact of development on the significance of an asset great weight should be given to its conservation.

The Church of All Saints lies to the west of the application site which is grade II listed. The listing description is as follows

Anglican Parish Church. Early C15 (tower), the remainder of 1856 by Coe & Goodwin. Squared and coursed rubble with stone dressings, ashlar buttresses and copings, Welsh slate roofs. Nave, chancel, west tower, south porch. Two-stage tower with diagonal buttresses with set-offs to first stage string course, north-east corner stair turret and pierced trefoil parapet with gargoyles below. West face has a 3-light C15 window under pointed head

*to first stage with beast stops to hoodmould: pig to left: single opening above. Two-trefoil-cusped-light bell opening with pierced louvres to all faces. Four-bay nave with 3-light C15 style windows under pointed heads and buttresses between. Two-bay chancel of similar windows; 3-light east window with face stops to hoodmould Gabled south porch with pointed-arched entrance and inner 2-leaf plank door. Interior: open rafter roofs to nave and chancel; 2-bay north arcade to vestry. Fittings: C19 Perpendicular style wooden pulpit and octagonal stone font; wall monument to Sir Laurence Washington of 1643 on chancel north wall: oval inscription panel surrounded by a wreath and barleysugar columns supporting an open segmental pediment with 2 allegorical figures. (N. Pevsner, *The Buildings of England: Wiltshire, 1975*)*

As can be seen much of its value and significance derives from its architectural features. There is some degree of intervisibility between the heritage asset and the application site and the open agricultural fields to the west and north form a part of the setting for the asset. It's significance is considered to arise from its evidential, historical, aesthetic and communal heritage values. As such there is the potential for the development to result in harm.

However, whilst there is some degree of intervisibility the distance between the structures is substantial at 483 metres. There are intervening fields between the structures and the application site also and as such the application site is not considered to form the direct setting of the asset rather the wider landscape within which it sits. That wider context contains other existing agricultural development of this nature and which also forms a part of the setting of the asset. As a rural church serving a rural community it's communal and historical values also derive from that relationship and as such additional agricultural development is not considered to harm or conflict with these values and elements of the significance of the asset. No harm to the structure itself arises in physical terms and as such the aesthetic and historical values and significance of the asset are unaffected. The building proposed is entirely agricultural in character and one that is found throughout rural Wiltshire locations and as already noted its visual prominence is capable of being reduced and mitigated by a scheme of landscaping that can be controlled by condition. As such it is considered that the proposal has a neutral impact on this particular designated heritage asset and therefore harm and related policy conflicts do not arise.

It should also be noted that a further heritage asset is located in the vicinity of the site – Garsdon Manor a grade II* listed building. This is however situated to the south of site with a range of buildings/rural structures and some level of mature vegetation and boundary treatments in the intervening area between them. As such there is no direct intervisibility and the setting of that heritage asset is already characterised by built rural/agricultural development. On this basis again the impact is considered to be neutral with no harm and related policy conflict arising.

Impact to Highways

The proposed development including the storage of animal carcasses for distribution to local outlets and hay and timber planks and fencing production will generate some level of vehicle movements. The site is also located adjacent to a crossroads and representations received have identified that this is used locally for access to a range of facilities including a local school. The proposals include enhancements to the site access to accommodate additional transportation requirements and movements. As such the proposals have the potential to affect highways conditions.

It is however important to note that the development is relatively limited in scale and the local highway network being within a rural locality is comparatively lightly used. In this context the advice of the NPPF at para 111 is crucial and it states that development should only be

refused if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

The Council's Highways officers have been consulted in respect of the proposals and identified that the site access as amended would be acceptable and the development would not result in harm to highways conditions. No objection is raised by the Council's highways officers and no conditions requiring any additional information or controls are proposed. Officers are content that minor matters of detail regarding the access arrangements can be addressed by use of informative referring to other controls. As such no significant harm or related policy conflict is considered to arise in this respect.

As noted above the development proposed would not have direct impacts on the public right of way affecting the site and any potential issues arising can be controlled by use of condition. Again no significant harm or related policy conflict is considered to arise in this respect.

Other Matters

Ecology

There is no identified ecological interest on the site itself and especially not in the location of the built development. The nearest area of interest is located to the north east adjacent the open field the proposed use of which for grazing of livestock and hay production could take place without the need for consent. As such it is not considered that the proposal will result in harm to ecological interests or related conflict with plan policies or the provisions of the NPPF or legislation.

Drainage

As noted above the locality is one with some susceptibility to groundwater flooding and the development proposed is significant in scale. The landholding and related site area is substantial however and it is considered that any potential issues are capable of mitigation and that this matter can be addressed by use of condition. Concerns have been raised as to lack of detail regarding foul drainage but the level of site occupancy is limited and the scale of requirement also proportionately limited and it is considered that this matter can be also safely be addressed by use of condition.

10. Conclusion

The proposals are considered to be sufficiently clear and articulated to allow consideration and assessment. The proposals are acceptable in principle and appropriate to the site location. It is not considered that the proposals result in significant harm to interests of acknowledged importance and it is considered that impacts that do arise can be satisfactorily and appropriately mitigated and controlled by use of condition. On this basis the proposals are considered to accord with the policies of the development plan and the relevant provisions of the framework and legislation. Therefore in accordance with paras 11 and 12 of the framework consent should be forthcoming and is so recommended.

RECOMMENDATION

Approve with 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:

MS-JH-04-B Received 31/08/2021

Lighting Details (Zinc Slim LED PIR Floodlight IP65 20W 1600lm) Received 31/08/2021

Location Plan

Block Plan

Received 11 January 2021

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

3. No development shall commence on site until details of the arrangements for the storage and/or disposal of manure and other material derived from the keeping of horses or livestock have been submitted to and approved by the Local Planning Authority. The details are to include a plan illustrating where the material will be stored and details of the construction and design of the structure / enclosure within which the material will be stored. The storage of manure and other material derived from the keeping of horses or livestock shall only be carried out in accordance with the approved details.

REASON: Ensuring high quality design and place shaping and in the interests of residential amenity.

4. Notwithstanding the details of the single PIR-operated LED light to be fitted on the east gable of the building as shown on plan number MS-JH-04-B, no further external lighting shall be installed without the prior written approval of the local planning authority.

REASON. In the interests of amenity.

5. The preparation and storage of meat and meat products shall be limited to the area outlined in green on plan number MS-JH-04/B. There shall be no retail sales of meat or meat products from the application site.

REASON: In the interests of amenity and residential amenity.

6. Fixed and powered woodworking machinery shall not be operated outside the building at any time. Fixed and powered woodworking machinery shall not be operated within the building outside of the hours 8am to 6pm Monday-Friday and 8am to 1pm on Saturday, or at any time on Sundays or Bank or Public Holidays.

REASON: In the interest of amenity and residential amenity.

7. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

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

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

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 before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

9. 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.

10. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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 before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

11. No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. The office hereby permitted shall not be first brought into use until the approved sewerage details have been fully implemented in accordance with the approved plans.

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 before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

12 INFORMATIVE TO APPLICANT:

The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

13 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.

14 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

15 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 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.

16 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.

17 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/communityinfrastructurelevy.

18 INFORMATIVE TO APPLICANT:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Appendices:

Background Documents Used in the Preparation of this Report:

Application Documents & Correspondence