

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	6 November 2024
Application Number	PL/2024/04800
Site Address	Land South of 92 High Street, Chapmanslade, BA13 4AN
Proposal	Demolition of stables and construction of new sustainable self-build dwelling with associated works and change of use of land to C3. (resubmission of PL/2022/09808 and 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 allow the elected members to assess the merits of 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:

- Principle of development
- Design and Landscape
- Impact on Trees
- Earthworks/Land Stability
- Heritage
- Residential Amenity
- Highways
- Biodiversity
- Drainage

This application is a submission of a previously withdrawn application to enable the applicant to review and address site access matters.

This application has been revised following pre-application advice and 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. It has also been revised to ensure that access rights are in place to allow vehicles to access the site and additional information and plan changes were submitted to ensure that on-site trees are well-protected during any construction work.

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. 46 representations have been received from 20 third parties raising objections or providing general comments. One of the received representations is a joint objection letter from 7 local residents (namely No's 82,84,86,92,92A and the access lane owner).

3. Site Description

The application site extends to 0.068ha (680sq.m) in area comprising a single storey block of three stables and tack room with hardstanding which are located within the limits of development of Chapmanslade. Also, there is paddock land to the west of the stables which lies outside the defined limits of development.

The snippet below shows the existing stabling accessed via the lane (below left) and the proposed application site and development (below right) with the bold black line (below left) illustrating the defined settlement boundary:



As existing



Proposed

As shown above, all the proposed operational development would fall within the defined settlement boundary of Chapmanslade and about 200sqm of current paddock land would be incorporated into the residential curtilage and become private garden to the immediate west of the proposed new dwelling.

The site is located within flood zone 1, representing land having the lowest risk of flooding, and is located within the Chapmanslade Greensand Ridge Special Landscape Area.

The site is not within a Conservation Area, and the closest listed buildings (at No's 82-86 High Street) are located circa 57m to the northeast from the application site.

The site is within the Salisbury Plain SPA buffer zone, the Bath and Bradford on Avon Bat SAC; and is located to the west of an orchard which is designated as priority habitat.

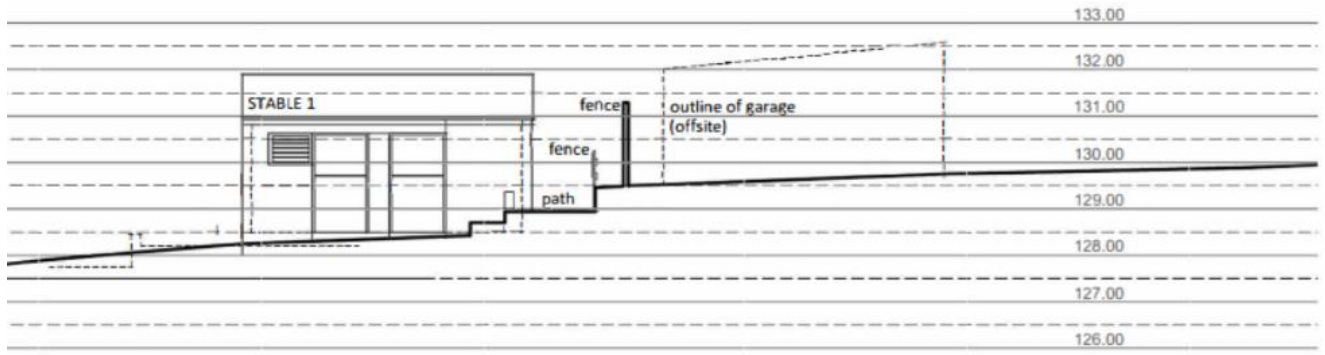
The site is accessed via a privately owned lane that serves the three stables and connects with the High Street. The applicants maintain that they benefit from vehicular and pedestrian rights of access along the private lane which runs between No's. 92 and 92a High Street that serves several other dwellings.

The site is shown below:



The northern boundary of the application site abuts residential gardens and a neighbouring garage with a fence forms part of the existing boundary treatment and there is a small pathway separating the rear gardens from the stable block.

The application site is lower than the southernmost rear gardens of the neighbouring properties by around 1m - 1.4m which is illustrated on the existing section drawing submitted with the application as reproduced below:



EAST ELEVATION - SectionAA



The eastern boundary is formed by fencing and mature vegetation beyond which is an area of paddock planted up as an orchard:



To the west of the site is paddock land with a range of fencing and associated stabling features:



To the south is a post and rail fence separating the site from agricultural fields beyond:



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.

PL/2022/09808 - Demolition of stables and construction of new house with associated works and change of use of land to C3. (resubmission of PL/2022/03190). Withdrawn to deal with issues over access rights.

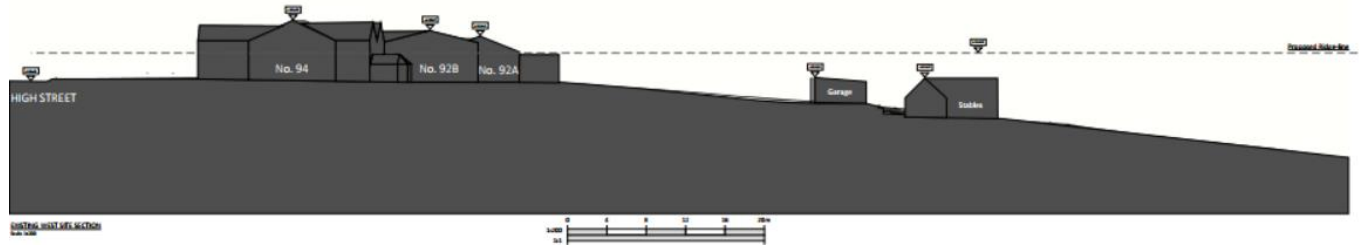
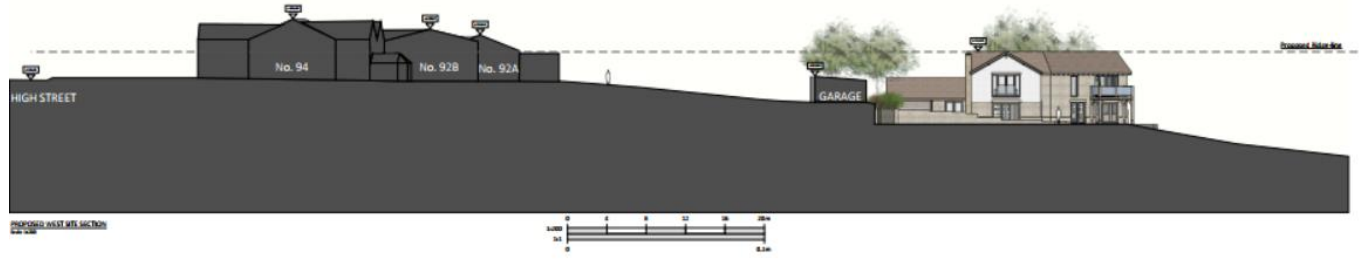
5. The Proposal

This application seeks full planning permission for the demolition of the existing stable buildings and to construction of 1no. self-build dwelling and garage with associated works and change of use of land to C3. The existing access would not be altered but 3 off street parking spaces are proposed within the site as illustrated below.

Proposed Site Plan:



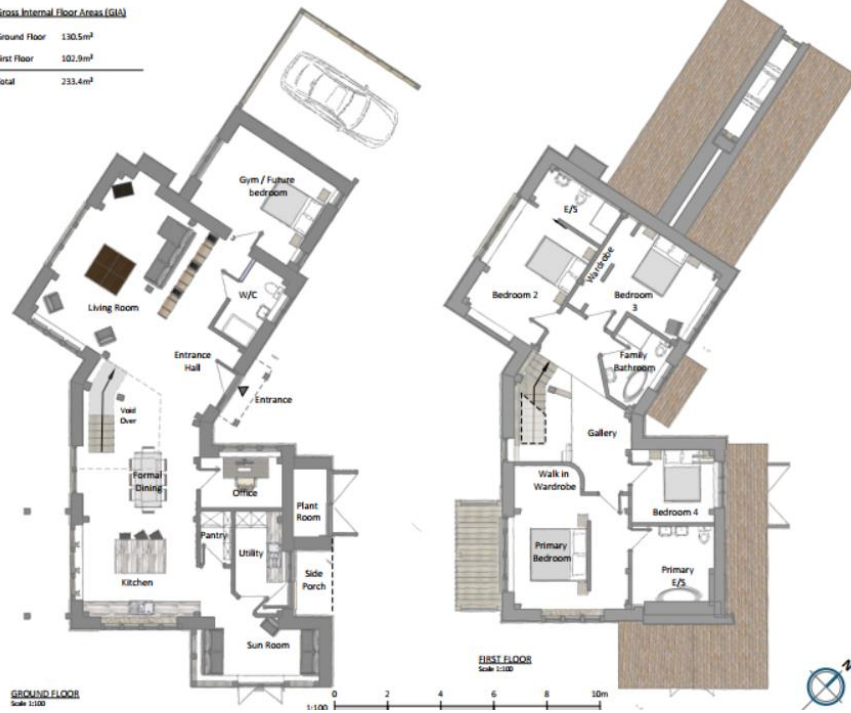
Proposed and Existing Site Sections:



Proposed Floor Plans

Gross Internal Floor Areas (GIFA)

Ground Floor	130.5m ²
First Floor	102.9m ²
Total	233.4m²



Proposed dwelling viewed from the South-West using indicative 3D modelling:



Proposed West and South-West 2D elevations:



Proposed South and South-East Elevations:



Proposed North Elevation:



Proposed East and North-East Elevations:



6. Planning Policy

National Context:

National Planning Policy Framework (Dec 2023) 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: Drainage

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

West Wiltshire Local District Plan (Saved Policies)

C3: Special Landscape Areas; U1a Foul Water Disposal and U2 Surface Water Disposal

7. Consultation Response Summary

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

- The site is not previously developed land
- The site is neither a local business nor a community need and therefore the site isn't previously developed land in the meaning of paragraph 89 and isn't applicable to the application.
- Insufficient justification to remove permitted development rights as recent appeals demonstrate.
- The previous committee report misunderstood and misrepresented the scope and purpose of the NPPF provisions relating to previously developed land and the justification of it for the development is an error of law and should not be permitted.
- The proposal conflicts with policy CP1
- The planning position of the tip is questionable
- No housing need for an additional large dwelling
- Contrary to the Wiltshire design guide which requires that topography should not be overly reprofiled
- Contrary to design policy CP57
- Will not comply with Building Regulations fire safety access requirements and fire service should be consulted
- Highway safety during construction and operational periods
- The proposal is too large for the site
- Drawings misrepresent the impact of the proposal on the landscape and adjoining dwellings
- Loss of privacy
- Impact on trees
- Impact on landscape
- Lack of information regarding utilities
- The adverse impacts outweigh the benefits and therefore the scheme should not be approved.

Wiltshire Council Ecologist: No objection subject to conditions.

Wiltshire Council Highways Officer: No objection subject to condition

Wiltshire Council Conservation: No objection

Wiltshire Council Landscape Officer: No objection subject to condition of boundary planting (native hedge mix) and detailed planting plan.

Wiltshire Council Arboricultural Officer: No objection. The information provided within the Final Arboricultural Impact Assessment and Method Statement, including the Tree Protection Plan, prepared by Acer Tree Surgeons (V3 and dated September 2024), provides sufficient information to ensure the method of construction, excavation, infill, and choice of materials considers the existing protected tree to be retained on site. These should be included as part of the approved plans list, and its compliance should be conditioned.

Wessex Water: No comment

8. Publicity & Consultation

The application has been formally consulted on three times. The application has been publicised by a site notice (running until 21 October) and individually posted out notification letters sent to neighbouring/properties within close proximity of the site, as well as being made public on the Council's planning portal.

The application has been latterly subject to a full reconsultation on additional substantive information relating to trees and groundworks. As a result, 47 representations have been received from 20 third parties raising objections or making comments. Of these representations, one is a joint objection from 7 properties in proximity to the site (No.s 82,84,86,92,92A and the lane owner). Those objecting to the scheme do so, on the following grounds:

- Recent vehicles being unable to get down the track has resulted in pedestrians including children, having to walk in the road;
- Applicant's access rights to the proposed development are insufficient for the development
- Plans are confusing and further information is sought regarding details of retaining walls and earth works (officer note: this additional information was requested by the case officer in addition to clearer measurements to be annotated on the plans. This was provided by the applicant and a full reconsultation issued);
- Insufficient access for fire appliances to respond to an incident and the fire service should be consulted;
- the proposal is not capable of meeting building regulations requirements in terms of access;
- The case officer has misread and misunderstood data;
- Poor design;
- House is too large for the site;
- Impact on landscape and visual amenity and encroachment into the SLA;
- Loss of privacy;
- Council has failed in its duties to accurately represent the proposal and must provide the capacity and capability in its planning team to engage factually with the proposal
- Plans are inaccurate with no correct scale;
- The proposed East Elevation plan to scale has not been included
- The submission uses the correct topographical position of the 'Proposed East Elevations' and super imposes it on the 'Existing Stables Plans, Elevations & Sections'. This shows that the house elevation itself is 7.3m from its proposed built up ground level at +128.7m;
- To achieve this ground level the ground would need to be raised by 2.7m from its existing slope of +126.0m to +128.7m;
- The south ridge of the house will rise to 10m above the slope;
- The proposed dwelling would tower above the existing neighbouring garage;
- The tree preservation zone is insufficient and in the wrong location.
- The tree preservation zone at the correct location and size will reduce the area available for parking and turning to unsuitable size.
- The building is highly likely to interfere with the trees' crowns.
- The trees' base is on a descending slope up to 3.7m lower than the proposed ground level of the house (+128.7m). The poplar is at +125.0m, the ash is at +127.0m.
- insufficient usable space left for parking by the house due to its huge dimensions;
- no appropriate bin collection point
- construction traffic cannot access the site;
- contrary to policies CP1, CP2, CP51, CP57 and CP48 of the WCS and the NPPF;
- out of scale with surroundings;
- have a negative impact on the views from the PRowS
- would have a detrimental and harmful impact that would not be sympathetic to the location's special character and local distinctiveness;
- previous applications for a single dwelling off the access lane have been refused on the basis of highway safety;
- applications should be treated the same;

- proposed dwelling doesn't relate sympathetically to the neighbouring bungalows, priority habitat, mature trees, surrounding SLA and modest plot size within the settlement boundary.
- 92A would lose their lovely view;
- part of the proposed development (change of use to residential garden) extends outside the settlement boundary;
- impact on biodiversity;
- It is Grade 2 agricultural land beyond the site's southern boundary;
- Pre-app advice was that any garden area remained inside settlement limits;
- Stables have never been granted access from the highway;
- Light pollution;
- Does not listen to the voice of the village or address village housing need priorities which is smaller affordable houses for 1st time buyers;
- Overdevelopment of the site;
- Out of line with existing built form and grain of surrounding properties;
- Overlooking
- Overbearing;
- Planning site notices have not been erected;
- The settlement boundary was extended whilst the applicant was a parish councilor in charge of boundaries and did not declare an interest. The Parish Council should have asked Wiltshire Council to investigate this matter
- Applicant does not own the ransom strip over the access;
- The proposal is far too intrusive and should be refused as per the Sienna's Valley application PL/2023/05142;
- The house is too close to an active cowshed at Ballams farm which will result in odour issues arising;
- Highway safety issues especially at school pickup
- Materials are not locally sourced and are not local distinctive and the proposal is therefore not sustainable;
- Loss of light.

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 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, the demolition of existing stables and replacement with the construction of a two-storey detached dwelling. The application site is considered brownfield, previously developed land within the meaning of the National Planning Policy Framework definition at Annex 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 application site is predominantly located within the defined development limits of Chapmanslade

with part of the proposed external garden amenity land taking up 200sq.m of existing paddock land.

Chapmanslade is designated as a Large Village for the purposes of policies CP1 and CP2 of the adopted WCS.

WCS Core Policy 1 sets out the settlement hierarchy and 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 residential development at these locations to help meet the housing needs.

As members will be aware following the recent appeal decision for land at Storridge Road, Westbury, the Council cannot currently demonstrate an appropriate supply of housing (to which appeal ref: APP/Y3940/W/24/3340811 refers), and as such full weight cannot be attached to the local development plan policies relating to spatial strategy i.e. CP1, CP2 and CP31.

The tilted balance as set out within NPPF paragraph 11d, is again engaged. In this particular case, the proposal would represent a 1-house windfall development using previously developed land, which merits very significant weight in the planning balance, and in the context of there being an insufficient housing land supply, officers support the principle of the proposed development in recognition that the new dwelling would be located within the established settlement boundary.

Officers fully appreciate that the proposal seeks to use about 200sq.m of existing paddock land that is currently outside the limits of development to be used as associated residential garden, but it would not result in the loss of high-quality agricultural land and through the use of planning conditions, officers maintain that the Council would have control over its use, and as a consequence, this element of the proposal is not considered substantive grounds to refuse planning permission. The proposed dwelling would have a suitable garden provision that would not appear inconsistent when compared to the gardens of neighbouring properties.

As a self-build dwelling proposal, this too carries moderate weight in favour of the proposal as it would meet and identified housing need.

Concurrent to this committee referral, a s106 Unilateral Undertaking is being prepared by the applicants to secure the unit as a formal self-build unit. Accordingly, the proposed development is considered acceptable in principle subject to the following technical considerations.

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*'.

Saved Policy C3 requires the landscape character of this area to be "*conserved and enhanced and development will not be permitted which is considered to be detrimental to the high quality of these landscapes*".

NPPF paragraph 131 states 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.

NPPF Paragraph 135 also requires that planning decisions should ensure that development:

- 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 protected by saved policy C3 of the WWDLP. Saved Policy C3 requires the landscape character to be conserved and enhanced and development will not be permitted where it is considered to be detrimental in landscape terms.

The existing site is considered brownfield (previously developed) land and is currently a developed edge of the Chapmanslade village. During extensive negotiations at pre-app stage, officers set out the importance that any new development at this site must be of a type that blends into the existing built form of the settlement when read from the valley and the surrounding countryside to the south and west.

Following these discussions, the applicant reduced the height, bulk, scale and architectural design of the proposed new dwelling thereby softening the development and designing it in such a way that it would reflect a more rural character of building. Officers are satisfied that the proposed design achieves that; and to ensure the development blends more into its setting, the applicant has agreed to provide soft boundary treatments in the form of post and rail fencing and hedgerow planting in line with the Council's landscape officer requests, which are suitably conditioned.

The applicant has also agreed to providing a landscaping plan prior to any commencement of development, which is also subject to a recommended planning condition. The landscaping scheme would ensure that appropriate planting and landscaping is undertaken on site to create a natural boundary edge and to filter views of the new dwelling.

Permitted development rights for outbuildings, extensions, additional fences, gates and walls are recommended to be removed by planning condition to safeguard the verdant rural setting.

Accordingly with the amendments to the design to ensure it is a sensitive design, the imposition of planning conditions removing permitted development rights and to secure an appropriate hard and soft landscape scheme and mitigation by condition, officers are satisfied that this proposal would not lead to landscape harm to warrant the refusal of the application.

The proposed new dwelling would not appear incongruous or dominate the skyline given that it would

be read in the context of existing built form of Chapmanslade and would comply with saved policy C3 of the WWDLP and CP51 of the WCS.

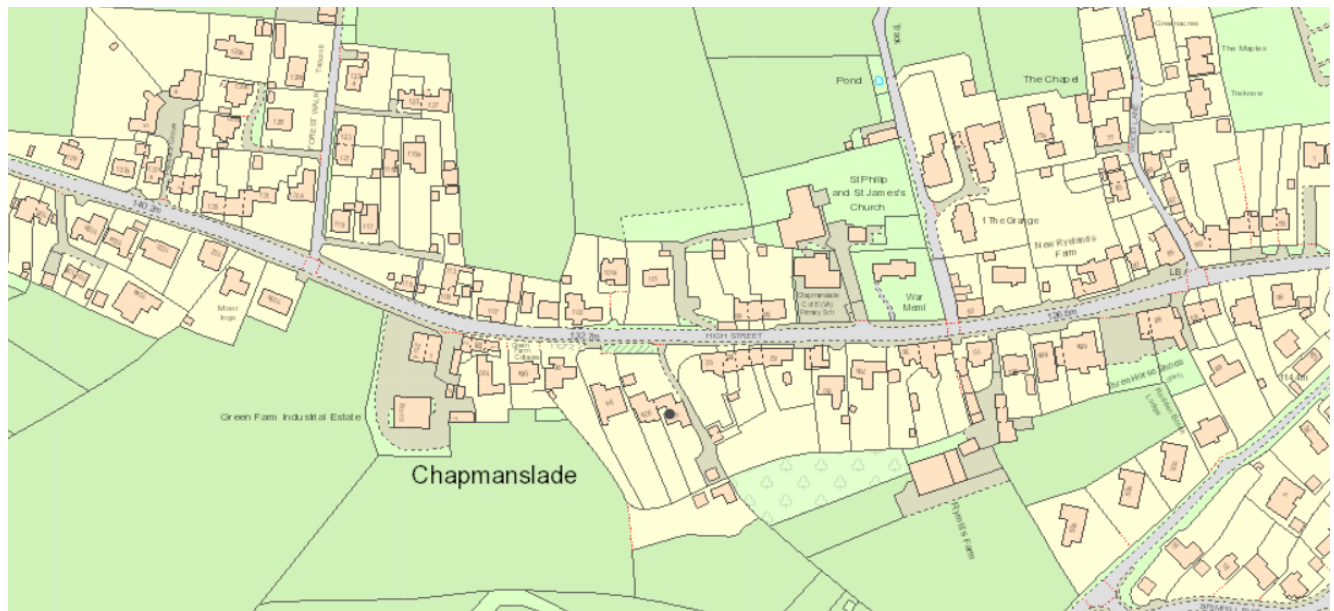
Design/Visual Impact

Within the immediate locality of the site, there is a wide variety of architectural styles and materials used for neighbouring/nearby housing. Indeed, the village of Chapmanslade has a diverse mix of house styles and scales with a wide variety of architectural styles and building materials.

Whilst the main historic village has a linear form established along the High Street, there are several examples of more recent development extending along lanes/accesses off the High Street.

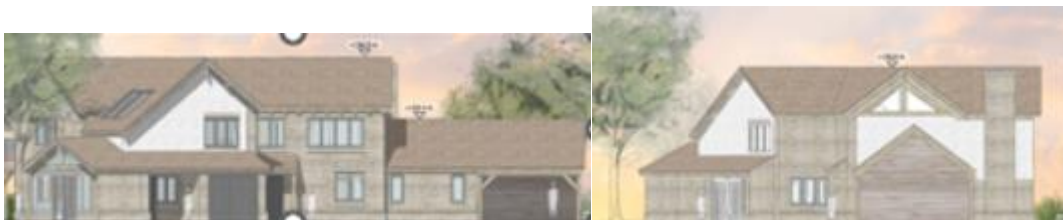
There is no overriding architectural style within the immediate environs of the application site, and buildings range from a variety of eras.

The buildings nearest the site are a mix brick, stone-built modern bungalows, rendered houses and agricultural sheds formed in timber, block and metal.



Following detailed pre-application advice provided by the case officer to the applicant and follow up advice provided as part of the previously withdrawn application, the proposed dwelling has been reduced in height and the bulky gable ends have been removed from the scheme which has the support of officers.

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 proposal includes some earthwork, and the proposed dwelling would be erected on a levelled parcel of land using a cut and fill approach comprising excavating 1.8m along the site's northern boundary which would have a new retaining wall provided to establish the common boundary with the property to the north. This cut of earth would then fill the sloping part of the site to the south to be raised to the same extent (1.8m) thereby levelling the site whereby the ridge of the proposed dwelling would be 7.3m above the new levelled ground level, as shown on the following page.



The proposed new dwelling would be 2-storeys with a single storey garage attached on the northern side and single storey porch and orangery on the east and south elevations respectively. From the new levelled ground level, the house 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.

At the northern end, the proposed building would be some 5.8m above the existing ground level, rising to 7.3m in the middle of the site and when compared to the original ground level closer to the site's southern boundary, the proposed dwelling would be some 9.1m above the original ground level. The following reproduced plan inserts help illustrate this aspect of the application proposal showing the cut (illustrated in red shadowing) and infill earthworks (shown in green shadowing):



To confirm therefore, the proposal will be 7.3m at ridge height from the newly levelled finished ground level but would be a maximum of 9.1m above the original ground level at the southern end. This is accurately reflected on both the section drawings and the proposed plans when scaled.

This indicates that the final dwelling would be approximately 3m higher than the existing neighbouring garage and would be sit below the canopy of the mature tree on the eastern boundary.

The footprint of the new house would have a slight curved dog leg and an asymmetrical roofscape and a mixture of single storey and two storey roof levels.

Interesting elevational detailing has been incorporated through a mix of sustainable local materials matching the general material palette of the locality and the use of glazing with a balcony on the southwest facing elevation.

Glazing is kept to a minimum on the eastern side to retain a dark ecological corridor following ecological advice, and the proposed development has been set down by approximately 1m for the ground floor level and the height, bulk and scale is generally consistent with the existing built form in the immediate locality.

Hedges, stonewalls and post and rail and timber fences are a feature of the area defining the plot/countryside boundaries, which the applicant is keen to replicate for the site's boundary treatment.

The proposed new dwelling has been designed to reflect appropriate vernacular within the local area. The use of a mix of stone, wood 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 encapsulation system utilising 'fabric first' sustainable construction techniques and technologies. The resultant building would be highly energy efficient with an electrical car charging point, using solar panel tiles and a ground source heating system with materials used in construction coming from sustainable sources.

The proposed development in terms of its approach to low carbon and use of sustainable construction techniques is very welcome which carries modest weight in favour of the scheme through meeting the requirements for sustainable construction in accordance with WCS Policy CP41.

It is recommended that details of all the proposed external materials are conditioned, submitted and approved by the Council prior to development progressing above ground slab level in the event that permission is granted.

The proposed footprint of the dwelling would extend to about 127sqm which is considered acceptable and would represent an efficient and effective use of land. The reduction in the scale, bulk and height of the building following officer negotiation would result in a building that is more appropriate for this location. It would be read in the context of the existing built form of the settlement from public vantages within the Special Landscape Area to the south and west. The house elevations have been curved and varied in height to soften the visual impact and help it assimilate with its immediate built form environs and the wider rural character.

It is noted that there is concern raised from residents and the Parish Council regarding inconsistencies found within the applicant's design and access statement and inaccuracies with the submitted drawings and that the height of the proposed dwelling would be excessive with some residents concerned that the proposal would be 10 or more meters in height.

The accuracy of the drawings and the applicants supporting submissions have been discussed with the applicant, and officers after checking the details also have concluded that the submission details are accurate and based on up-to-date Ordnance Survey data and can be relied upon to allow for a fully informed decision to be made. The applicant's agent has confirmed that the plans are based on OS data and a topographical survey.

No details have been submitted for bin and waste storage, and no details relating to the storage of bicycles have been included either. These matters can however be suitably conditioned.

There are two mature trees along the eastern boundary of the site. One of these (T1 shown on plans) suffers from Ash die back and it has been agreed with the Council's tree officer that in the interests of good practice this tree can be cut back. The remaining tree (identified at T2) is subject to a Tree Preservation Order and would be protected during the course of works in the event that permission is granted.

Detailed discussions have also been held with the Council's tree officer to ensure that the proposed dwelling and the earthworks would not have a significant or detrimental impact on trees. Revised plans and further details were sought by officers which are considered acceptable.

A planning condition to secure the necessary on-site tree protection is recommended and a condition can secure supplementary planting in the form of small clusters of native trees and hedgerows to positively enhance the boundary treatment, and to deliver a more robust landscaped edge.

Whilst a landscaping scheme is contained within the submitted documents, a planning condition requiring the implementation of the landscaping, together with maintenance of the landscaping is necessary.

It is also worthwhile reporting that there was some concern raised under the previous application that the proposed dwelling would appear cramped without incorporating a modest amount of paddock land that is closely associated to the existing stabling.

On officer recommendation during the assessment of the previous application, the applicant was invited to incorporate about 200sqm to the immediate west to provide adequate outdoor amenity space for future occupiers, and should be subject to a planning condition to remove permitted development rights for extensions, outbuildings, and any additional forms of enclosure beyond what is proposed under this application so that no additional built forms or domestic paraphernalia are introduced, to protect the wider open landscape character.

Sustainable Construction and Low Carbon Energy

The development would result in a material change to the character of the site however it is considered that the proposed design is an acceptable compromise blending residential built form with rural landscape character to create a sustainable new family home using previously developed land which employs high-quality design and sustainable technologies which is considered compliant with the objectives and criteria of WCS Core Policies 51 and 57 and would satisfy the requirements of NPPF paragraphs 126 and 130.

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 apps) and 66 (FUL apps) 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 WCS 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 and there are no heritage assets on-site or nearby.

The nearest listed building is some 57m to the northeast of the application site and are separated by other forms of development and dwellings and intervening landscaping, thus offering no intervisibility which has led officers to conclude that the proposal would not have a harmful impact on the significance or setting of these listed buildings. The Councils Conservation Officer was consulted and raised no objection. As a consequence, the proposals are compliant with WCS CP58 and the NPPF

9.4 Impact on Residential Amenity

WCS Core Policy 57 states that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through having 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 (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

Core Policy 57 also 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.

As previously described, the application site is considered previously developed land in close proximity to other residential properties and gardens but is considered sufficiently separated at circa 32m from the nearest neighbouring dwelling at No.92 High Street to avoid any harmful neighbouring impacts. The application is supported by site sections and having visited the site and taken on board all the comments received, officers have not identified any material conflict with WCS CP57 or the NPPF to base a refusal of planning permission.

The site section below shows the proposal in relation to the nearest existing neighbouring properties to the north.



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 development. 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 north east beyond existing mature landscape planting that would provide some screening / filtering of views.

The nearest rear elevation of the neighboring properties to the northeast is about 70m distant at an oblique angle of sight.

There are no neighbouring properties to the immediate west and south of the application site.

Given the separation distances, the oblique angle of sight and the positioning, height and design of the proposed dwelling, officers have concluded that there would be no material overlooking, overshadowing or overbearing harm to neighbouring interests that would warrant the refusal of the application.

The proposed development would provide sufficient internal and external amenity space for future occupiers, and thus accords with WCS Policy CP57 and the NPPF, particularly paragraph 130 f.

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 114 (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 115 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***' (officer emphasis added).

Paragraph 116 (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.*

WCS CP57 (ix) 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)*".

WCS CP61(ii) 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*".

WCS 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 Council's highway officer has dutifully considered the third-party objections made pursuant to access and highway safety matters and has raised no objection to this application. It is particularly noted that a significant number of representations have referenced concerns with the access and highway safety. Following this the local highways authority provided a detailed clarification for the reason behind their 'no objection'.

It is fully acknowledged that under previous applications and as part of 'other' pre-application enquiries relating to the proposed provision of new dwellings taking vehicular access off the private lane, Council highway officers have raised objections. However, there are important material reasons why this application must be assessed on its own individual merits.

By way of some background, a 2015 pre-app (as referenced in third-party representations) was objected to on two accounts by the Council's highway officer, these being the impact upon the lane and its ability to accommodate an intensification of use arising from an additional new dwelling and secondly the loss of parking provision. The preapp does not manifest as a comparable case since there would be no loss of parking associated to this proposed new dwelling and the site already has a right of access to serve the three stables and tack room, which could be used by three different parties.

The current use of the site dates to a 1978 planning permission for a block of three stables and tack room. This decision pre-dates the planning history for refusal of any new property proposed along the lane, with the first dated 3rd February 1981 (W/80/01499).

Another crucial difference between this application and other applications for other proposals located off the private lane that were not supported or refused by the Council, is that this current proposal does not constitute a development set within an existing domestic curtilage. The existing stabling has a trip generator in its own right and the balance of trip making between the lost equestrian use and that of a replacement dwelling has been fully considered by the Council highway officer.

Whilst it is arguable that that the new dwelling would generate more daily trips than the existing stable provision, the type, time and mode of trip to the stables are not so easily calculated or controlled.

The Councils highway officers are very mindful that at peak periods, the stables have the potential to generate an equivalent trip level, if not more trips than a single dwelling.

The basis for this argument is that there is little or no evidence to suggest that the 1978 permission was secured against a singular domestic property, and it could therefore operate independent to any property; and given that there are three stables, they could be used by three parties and have three different trips generated each time the site is accessed. As a consequence, it is appropriate to assume that the stables could generate trips independently to three separate dwellings.

With regards to the intensity of trips, the 1978 permission granted stabling for 3 horses and whilst this level of use may not be present today, the extant permission allows for this. With this in mind, the Councils highway officers have to consider the potential trip movements associated with the 1978 permission, irrespective of the current levels of use and operation.

The following represents the Councils highway officer assessment on the existing/potential trip generation for the stabling and tack room use:

The demands of 3 horses being stabled under a non-commercial arrangement, has the potential to generate 3 x trips for feed, bedding, various non animal husbandry visitations and transportation. Whilst these trips may not occur every day, they may occur concurrently or indeed during any peak period. The current proposal for a single dwelling, in comparison, would typically generate 0.6 trips in the peak periods between 8am and 9pm and 4pm and 5pm; this also allows for additional trips outside of the peak period dependent trip distance, arrival time and visit purposes.

The existing stables has the potential to generate trips independently of any other use along the lane and these trips have the potential to be more intensive than what would likely be the case for a single dwelling. In response to the referenced historic cases dating back to 1980 and 2015 for other residential forms of development on other sites accessed of the lane, those would have constituted entirely new and additional trip generators with no balance of loss.

The conclusions made by the Councils highway officer have taken on board the site-specific circumstances and have been guided by the aforesaid policy context.

Because of the balance of trips and that the trip rate for the dwelling compared to the stables is comparable to or perhaps less than the existing approved stable use, the Councils highway officer not surprisingly raises no objection and for similar reasons, there can be no justified burden to require the applicant to undertake improvements to the lane or its access.

Concern has been raised in representations regarding using the access track in relation to emergency vehicles such as fire services and accessing the site by construction vehicles and contractor vehicles following recent issues arising from some tree works being undertaken.

In relation to the accessibility of a site by emergency vehicles including fire services, this is generally a matter for building regulations and building control and therefore falls outside of the planning process

and remit of assessment for this application. For minor applications such as this case, the fire service are not usually consulted, however given the concerns raised, the case officer spoke with a senior building control officer and contacted the Dorset and Wiltshire fire services for comment. A response from the fire service is pending and a verbal update will be provided at the committee meeting should the fire service respond to the consultation.

The received representations refer to contractor vehicles associated to recent tree work having difficulty accessing the site due to the narrow nature of the track resulting in an obstruction and on street parking and displacement of pedestrians from the walkways causing what has been referenced as 'an unacceptable impact on highway safety'.

Whilst officers can fully sympathise with local residents about the frustration and inconvenience contractor vehicles may have on other users of the private lane, the Council's highway officer maintains no objection on highway safety grounds. A planning condition is recommended for any committee endorsed planning permission for this application to require the applicant to submit a detailed construction transport and travel management plan before any works on site commence including any demolition works.

For the reasons cited above, and with NPPF para 115 firmly in mind, the proposed development would not result in *unacceptable impacts on highway safety or result in severe cumulative residual impacts...* when tested against the NPPF and the Council WCS policies CP60, CP61, CP62 and CP64.

9.6 Ecology Matters

The NPPF advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. Adopted WCS Core Policy 50 'Biodiversity & Geodiversity' 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 in order 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. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services.

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.

The application is supported by an Ecological Assessment (Smart Ecology, dated 5 October 2023).

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. As such glazing on the east and south sides 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.

No significant habitat loss will arise by virtue of the proposal and the proposed development will 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 a Landscape and Biodiversity Enhancement Plan for the site is 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.

There is no requirement for Biodiversity Net Gain in this case, as the application is a self-build housing proposal which is exempt from the BNG legislative requirements.

The Bath & Bradford on Avon Bats Special Area of Conservation (SAC)

Given that the site lies within a core sustenance zone for Greater Horseshoe bats, associated with the Bath and Bradford-on-Avon Bats SAC and therefore may have potential to result in significant adverse impact on the special features of that site, 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-minimis. 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.

The Salisbury Plain Special Protection Area (SPA)

This application lies within the 6.4km buffer zone of the Salisbury Plain SPA and in light of 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 continues to be supported by NE. 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.

Accordingly, there is no ecology-based objection subject to conditions being attached to the grant of any permission requiring details of any lighting to be submitted prior to installation, provision of a plan and details relating to bat and bird boxes and a CEMP. Subject to these conditions the proposal meets requirements contained in WCS CP50, the NPPF and Habitat Regulations together with associated guidance.

9.9 Drainage

WCS Policy CP67 requires that all new development should include measures to reduce the rate of rainwater runoff and improve rainwater infiltration to soil and ground (via sustainable urban drainage systems).

NPPF Paragraph 165 states that housing development should be avoided in areas at risk of flooding and directing development to land having the lowest risk.

In this particular case, the application site is located within Flood Zone 1 with no evidence of surface or ground water flooding and is therefore has the lowest risk from flooding. This is not surprising given the location of the site at the top of a valley ridge. It is important however to ensure that any water generated on site through roof or surface water run off remains within the curtilage and is subject to robust appropriate soakaways.

NPPF Paragraph 173 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. The application is supported by a site plan that shows on-site SuDS drainage. A planning condition is recommended to secure the full technical details of the surface water drainage installation and for it to be subsequently implemented prior to occupation.

There are no public sewers on the land. Foul drainage would be provided via a new treatment plant and separate consent would be required through Building Regulations and separate permission through securing a license from the Environment Agency.

From a drainage perspective, the proposed development satisfies the requirements of WCS Policy CP67.

9.10 Land Stability

There is no specific WCS policy that addresses land stability however the NPPF states at paragraph 180 (e) that planning decisions should contribute to and enhance the natural environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

NPPF Paragraph 189 (a) moreover states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and 189 (c) says adequate / proportionate site investigation information, prepared by a competent person, should be presented to inform any assessment.

NPPF Paragraph 190 does however state that where a site is affected by...land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The application proposes an element of cut and infill on the site with 1.8m of soil being proposed to be excavated from the northern part of the site and for the material to be used to level up part of the site to provide the proposed dwelling with a level base. This would result in a levelling of the site and a green landscaped retaining wall would be created doubling up as a boundary treatment to the south and west of the proposed site.

An additional retaining wall would be provided along the northern reaches of the site to stabilise the land to the north. The existing neighbouring land is already separated by a retaining wall and there is no evidence that this would be undermined by the proposed works.

A statement regarding the earth works and calculation on the spoil material to be reused has been submitted and officers report no objections. No detailed land stability or structural calculations have been provided in support of this application, but given the extent of the site excavations, officers are satisfied that a pre-commencement planning condition can be imposed on any grant of planning permission requiring the applicant to submit a detailed statement and technical specification for the retaining walls including all the cut and fill calculations (to be completed by a competent independent professional and confirms the acceptability and integrity of the proposal).

Moreover, Building Regulations would also be involved to ensure that the house foundations allow for a structurally stable development.

9.11 s106 and CIL

The Council's adopted Wiltshire Community Infrastructure Levy (CIL) Charging Schedule does not apply to the proposed development because the site is a self-build scheme. The applicant is however committed to entering into a s106 legal agreement to restrict the proposal to self-build development and this should be agreed and completed prior to any decision being issued.

9.12 Other Matters

The Parish Council objections to the application have been taken into account fully in the assessment of this application and due process has been followed.

Third-party representations refer to new proposed stables being part of this application, however that is not the case. Initially as part of the previous application, plans were submitted indicating possible future stables to the southwest of the proposed dwelling. At the request of the planning case officer these were to be removed from the proposal, and these have not been included in the current scheme. If a future application for new stables is proposed on the applicant's other land, it would be subject to its own individual assessment under a separate application.

Third-party representations refer to a small tipi/wooden hut structure that is on the site and is to be removed if permission is granted for the new dwelling. There is no planning history for this structure and its removal is welcomed by officers. If the hut is not removed, it would be a matter for planning enforcement to investigate under a separate process.

Third-party representations refer to the applicant as a Parish Councillor who was in office at the time of the settlement boundary changes. Concerns are raised that this should be investigated by Wiltshire Council. The concerns are noted however the settlement boundary is now defined, and the change was independently assessed through the local plan adoption process. It is a matter of fact that this application site is partially within the settlement boundary, with all the proposed operational development being sited within the village limits of development.

Third-party representations have requested that the planning officer and highways officer visit the site to view it from private properties. Site visits were 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 was undertaken which included a full assessment of the impacts of the development on neighbouring / nearby properties and local residents.

In addition, at the request of officers, a committee site visit has been arranged for the elected members to view the site and its surroundings prior to the committee meeting and it is envisaged that members may also wish to view the proposal from adjacent residential properties, subject to the requisite invites being received in advance of the visit.

It is also noted that a couple of the third-party representations request that the Council views the proposal from no.92A which immediately backs onto the site. The case officer will attend the member site visit prior to the committee meeting with the Councils adopted site visit protocols being followed.

Third-party representations have queried why a proper consultation was not carried out on land and dwellings next to the application site. In response to this challenge, officers report that a proper consultation of neighbouring occupiers and local residents was undertaken.

The concern raised about no site notice being erected has been addressed given the relevant development management procedures set no requirement for a site notice when immediate neighbours / interested parties were notified by letter, and no press advertisement requirement was triggered for this application. Consequently, officers are satisfied that all the statutory consultation procedures have been followed.

9.13 Conclusion and the Planning Balance

The proposed development would reuse previously developed land for a self-build dwelling, with the new house itself being entirely located within the village settlement. The provision of 1 dwelling to be delivered as a self-build project, carries significant weight in the context of the Councils present inability to demonstrate sufficient housing land supply when tested against the NPPF and Wiltshire's housing needs.

The principle of development merits full support and represents an efficient and effective re-use of land providing sustainable windfall development.

The development would provide construction jobs not just in the erection of the dwelling but in the manufacturing of the bespoke timber frame and the provision and delivery of materials which merits modest weight in the planning balance.

The provisions of a landscape and ecological plan would delivery betterment and enhance the biodiversity on the site which also merits modest weight.

The design of the proposed dwelling is considered to be of high quality with the applicant being committed to providing a very energy efficient building meeting the low carbon requirements of Building Regulations, which merits moderate weight in favour of the scheme.

These benefits must be balanced against any adverse impacts arising from the proposal (as required by NPPF para 11) and as set out in the officer report above, there are no substantive adverse impacts that would significantly or demonstrably outweigh these stated benefits and therefore in accordance with paragraph 11 of the NPPF, the proposed development is supported by officers subject to the completion of a UU legal agreement to establish the self-build delivery and planning conditions.

10. RECOMMENDATION:

That the Committee delegates authority to the Head of Development Management to grant planning permission subject to officers securing a completed s.106 unilateral undertaking from the applicant to establish the proposal as a self-build development and be bound by the following planning conditions and informatives listed below:

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 approved plans and documents set out on the drawing issue sheet dated 07/08/2024.

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

3 No development shall commence on site (including any works of demolition), until a Construction Method Statement and a Construction Environmental Management Plan (CEMP), which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) hours of construction, including deliveries;
- i) Identification of ecological protection areas/buffer zones and tree root protection areas and details of

physical means of protection, e.g. exclusion fencing.

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

k) 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.

l) 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.

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

has been submitted to, and approved in writing by, the Local Planning Authority.

The approved Statement and CEMP 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. 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.

4. No development shall commence on site (except for demolition and site clearance works) until full technical design details for the retaining walls, and a supporting statement and methodology of proposed earthworks together with structural calculations prepared by a suitably qualified independent professional demonstrating land stability can be achieved on site, has been submitted to and approved in writing by the LPA.

Thereafter the development shall be implemented in accordance with the approved details.

REASON: To ensure the proposal can be built safely with structural integrity

5 No development shall commence on site above ground slab level (except for demolition and site clearance works) until details of waste & recycling facilities (including location, collection and range of facilities) have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until the approved recycling facilities have been completed and made available for use in accordance with the approved details and they shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

6 No development shall commence on site above ground slab level (except for demolition and site clearance works) 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.

7 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;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines indicating lines, manholes, supports);

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

8 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.

9. The development hereby approved shall not be brought into use until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area [and neighbouring amenities].

10. The development shall not be first occupied until 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.

11 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.

12 The development hereby approved (including demolition and site clearance) shall be carried out in strict accordance with the approved details shown on plan ref: Proposed Site Plan 2338.FOS-03B Rev O and in accordance with the Arboricultural Impact Assessment and Method Statement of Works dated 19 April 2024. In particular, the arboricultural method statement must provide the following:

In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.

Subsequently, and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

13 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.

14 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 and additional sky glow in a sensitive development landscape edge location.

15 No development shall commence on site until the trees on the site and along the site boundaries have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction. Before the fencing is erected, the exact type and position shall require the written approval of the Local Planning Authority and after it has been erected, it shall be maintained for the full duration of the construction works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

REASON: To enable the Local Planning Authority to ensure the protection of trees on the site and along the site boundary (on land within the applicant's control) in the interests of visual amenity.

Planning Informatives:

The proposed development will require separate approval and a separate license from the EA for any sewerage treatment plant to be installed on site.

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.

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.

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.