Development Management, Economic Development and Planning,
County Hall, Bythesea Road, Trowbridge, BA14 8JN
Tel: 0300 456 0114 Email: developmentmanagement@wiltshire.gov.uk

Wiltshire Council

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

392733

Northing (y)

188118

Description

Land at Backbridge Farm, Malmesbury, Wiltshire

Applicant Details

Name/Company

Title

MR

First name

B

Surname

Harris

Company Name

Persimmon Homes

Address

Address line 1

Persimmon House

Address line 2

Tetbury Hill

Address line 3

Town/City

Malmesbury

County

Country

United Kingdom

Postcode

SN16 9JR

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

MR

First name

B

Surname

Harris

Company Name

Persimmon Homes

Address

Address line 1

Verona House

Address line 2

Tetbury Hill

Address line 3

Town/City

Malmesbury

County

Country

United Kingdom

Postcode

SN16 9JR

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Residential Development Comprising 201 Dwellings (Use Class C3) and the Provision of Land for the Potential Expansion of Malmesbury Primary School, New Vehicular Access, Public Open Space, Landscaping and other Associated Infrastructure Works at Land at Backbridge Farm

Reference number

16/06401/FUL

Date of decision (date must be pre-application submission)

22/10/2021

Please state the condition number(s) to which this application relates

Condition number(s)

17

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

30/11/2021

Has the development been completed?

- [ ] Yes
- [x] No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Having thoroughly considered the existing planning condition, I understand the original intent behind it, which aimed to maintain the character of the area. However, I would like to highlight the following reasons that support the case for varying the condition:

1. Practicality – Dwellings that do not benefit from a private garage have no means of storage for equipment that is used to maintain their garden. Items such as lawn mowers and strimmers are required to maintain not only private rear gardens but also front gardens that are in the public domain, these items are not suitable for strorage within the dwellings owing to many being fuelled by petrol making it not only unsuitable but unsafe to store within a residential dwelling.
2. Size limiting – By limiting the size of the sheds allowed it maintains control and avoids the ambiguity that has arisen over the definition of sheds in recent years.
3. Enclosed rear gardens – Sheds will be kept in enclosed rear gardens where views in are limited owing to boundary treatments which shelter the sheds from long views into the site.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

"Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no garages, sheds in excess of 6' x 8', greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site except as shown on the approved plans"

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

◯ Yes
⊘ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

◯ The agent
⊘ The applicant
◯ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

◯ Yes
⊘ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

⊘ Yes
◯ No

Is any of the land to which the application relates part of an Agricultural Holding?

◯ Yes
⊘ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

⊘ The Applicant
◯ The Agent

Title

MR

First Name

B

Surname

Harris

Declaration Date

06/06/2023

☑ Declaration made

Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

B Harris

Date

06/06/2023