Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/04936

Decision Date: 09 August 2023

Applicant:	Mr and Mrs M Wason Brockhurst Stables, Greenhill, Hook, Royal Wootton Bassett, Wiltshire, SN4 8EH
Particulars of Development:	Variation of condition 2 of PL/2022/08003 (Erection of replacement dwelling in lieu of existing sanctioned replacement dwelling and residential conversion) - to allow minor material amendments to the design of the approved dwelling
At:	Brockhurst Stables, Greenhill, Royal Wootton Bassett, Swindon, Wilts, SN4 8EH

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to compliance with the following conditions:

Conditions: (8)

1 The development hereby permitted shall be begun by 03/04/2026.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

1:2500 Site Location Plan dated 13/10/2022
PL205 (Site Plan - As Proposed) dated May 23
PL210 (Floor Plans - As Proposed) dated May 23
PL215 (Elevations - As Proposed [including external finishes]) dated May 23

PL220 (A3 Perspectives) dated May 23

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

3 The external materials for the dwelling and walling shall be as detailed on the approved plans unless the Local Planning Authority gives written consent to any variations.

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

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

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 2, Class A (i.e. the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure) shall take place other than those shown on the approved plans.

REASON: In the interests of the amenity of the area.

6 Before the development hereby permitted is first occupied, the first-floor window in the rear elevation which would serve an en-suite (En-suite 1) must be glazed with obscure glass only [to an obscurity level of no less than level 3] and be permanently fixed shut / fixed with a ventilation stay restricting the opening of the window. The windows must be permanently maintained in this condition.

REASON: In the interests of residential amenity and privacy.

7 The development must be carried out in strict accordance with the enhancements

recommended in the following document: Protected Species Survey, AD Ecology 23/03/2022 unless the Local Planning Authority gives written consent to any variations.

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

8 The development must be carried out in strict accordance with the approved drainage information unless the Local Planning Authority gives written consent to any variations.

REASON: To ensure that the development 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.

Informatives: (7)

9 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.

10 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.

11 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further

information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

12 No construction/demolition vehicle access may be taken along LMIL133 & PURT42A without prior consultation with the Wiltshire Council Countryside Access Officer. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Wiltshire Council Countryside Access Officer.

13 No materials, plant, temporary structures or excavations of any kind should be deposited/undertaken which obstruct or adversely affect the public right of way whilst development takes place.

14 No gates, fences or stiles should be erected across the public right of way without prior consultation with the Rights of Way team Countryside Access Officer (contact rightsofway@wiltshire.gov.uk).

15 it is noted that there are currently three extant planning permissions already on this site. For the avoidance of any confusion, it is requested that when works are due to commence, the developer contacts the Local Planning Authority to advise which planning permission is going to be implemented.

Parvis Khansari - **Corporate Director, Place**

NOTES

1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**

1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);

1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;

1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - http://www.planningportal.gov.uk/planning/appeals).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk