Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/04861
Decision Date: 04 September 2023

Applicant:	Mr J. Winfield, Gilboa Barn , Brokenborough, Malmesbury, Wiltshire SN16 0HX
Particulars of Development:	Operational development, creation of curtilage and parking area to facilitate the change of use from agricultural building to flexible commercial office use (with reference to Class R notification under PL2023/02180)
At:	GILBOA BARN, BROKENBOROUGH, MALMESBURY, SN16 0HX

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

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 the following 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 shall be completed in accordance with the following drawings and plans:

Location and Site Location Plan ref 1057-TB-XX-XX-DR-A-1001 rev PL05 dated 3/7/23
Location and Site Block Plan ref 1057-TB-XX-XX-DR-A-1101 rev PL05 dated 31/8/23
Proposed Ground Floor ref 1057-TB-XX-GF-DR-A-2251 rev PL04 dated 22/5/23

Proposed Elevations ref 1057-TB-XX-XX- DR-A-3251 rev PL05 dated 31/8/23
Proposed Roof Plan ref 1057-TB-XX-RF-DR-A-2252 rev PL03 rev 1/2/23
Visual Inspection Letter dated 15th June 2023
Preliminary Ecological Appraisal and Bat Risk Assessment dated June 2023 by Bombus Ecology

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

3 The materials to be used for the walls and roof of the conversion development hereby approved shall be in accordance with the materials schedule in the approved plans namely:

Walls - natural Cotswold stone to match the existing stonework on the buildings. Oak posts. Horizontal timber cladding.
Windows – Crittall glazing and sliding glass panels
Rooflights - conservation style
Roof – corrugated metal roof and Cardinal slates

Reason: To secure a harmonious form of development

4 Before the office accommodation is first occupied, foul water drainage shall be provided in accordance with the approved plans (package treatment plant).

Reason: To ensure that the development can be appropriately drained and to avoid any adverse effects upon the integrity of the nearby watercourse.

5 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), the site and buildings shall be used solely for purposes within Schedule 2, Part A, Class E (g) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or reenacting that Order with or without modification).

REASON: The proposed office use in this location is acceptable but the Local Planning Authority wishes to consider any future proposal for a change of use, other than a use within the same class, having regard to the circumstances of the case.

6 The development will be carried out in strict accordance with the Recommendations Section 5, Mitigation and Enhancement measures set out in the Preliminary Ecological Appraisal and Bat Risk Assessment dated June 2023 by Bombus Ecology.

The permanent bird and bat boxes shown on the approved elevation plans ref PL05 shall be installed before the office is first used and retained for the lifetime of the development.

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

7 Parking spaces shall be made available for the office use hereby permitted, for the lifetime of the development, in accordance with the approved site plan ref Site Block Plan ref 1057-TB-XX-XX-DR-A-1101 rev PL05 dated 31/8/23.

Reason: To ensure that off street parking is available for the office use in the interests of highway safety and visual amenity.

8 No new artificial external lighting shall be installed on the site or buildings.

Reason: In the interests of the amenity of the landscape setting for the site and in the interests of biodiversity.

Informatives:

Community Infrastructure Levy
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. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

BARN CONVERSIONS- EXTENT OF PERMISSION
The applicant should note that this permission is for the conversion of the existing barn in accordance with the permission granted and the approved drawings. Any significant demolition or rebuilding of the existing structures on the site [other than that shown on the approved plans] will mean that the permission hereby granted would no longer be in effect and any further development would then be unauthorised and in breach of planning control.

FLOOD RISK
The applicant is advised that the buildings lie within an area identified to be at risk from groundwater flooding and the site access is identified as an area of surface water flood risk. The approved office use is a less vulnerable use identified in the NPPF 2021 Annex 3 and a site specific flood risk assessment is not required.

Signed:

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