Wiltshire Council
Where everybody matters

Town & Country Planning Act 1990

Notification of Full Planning

Application Reference Number: E/10/1147/FUL

12 AUG 2010

Agent Brimble, Lea and Partners Wessex House High Street Gillingham SP8 4AG	**Applicant** Mr EJG White Manor Farm Berwick Bassett Swindon SN4 9NG
Parish: Winterbourne Bassett	
Particulars of Development: Change of use of barns and conversion into three units of holiday accommodation and associated stabling	
At: Field Barn Off Fiddlers Hill Winterbourne Bassett Wilts	

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), subject to compliance with the condition(s) specified hereunder:-

Permission granted for the following reason:

1	The decision to grant planning permission has been taken on the grounds that the proposed development would protect the character and appearance of the Area of Outstanding Natural Beauty and would be in accordance with the aims of PPS4 by promoting economic development in this rural area. The proposal would therefore be in accordance with policies PD1; HC26 and NR6 of the Kennet Local Plan.

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years of 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 accommodation hereby permitted shall not be occupied by any person for a period exceeding 8 weeks in any year, nor for a period exceeding 4 weeks at a time, with no return within 4 weeks. A register of occupiers shall be available for inspection by the local planning authority at all reasonable times.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

3 All soft landscaping comprised in the submitted landscaping scheme hereby approved shall be carried out in the first planting and seeding season following the first bringing into use of the first of these buildings to be converted; or the completion of the development, whichever is the sooner; any trees or plants which, within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development.

4 No development shall commence on site until details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

5 There shall be no burning of any animal waste or bedding emanating from the development hereby permitted anywhere on the land the subject of the application or on the site or on the adjoining land under the control of the applicant.

REASON: To preserve the amenities of the area.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order) with or without modification no fences, other than post and rail fences less than 1.5 metres in height, and no outside lights, other than those whose position has been agreed with the local planning authority prior to work commencing, shall be erected or placed within the application site.

REASON: To protect the character and appearance of the landscape.

7 Before the holiday units are respectively first brought into use, their roofs shall be re-covered in natural slate.

REASON: To ensure that the character and appearance of the area of outstanding natural beauty is protected and enhanced.

8 Before the development hereby permitted is brought into use the highway visibility area shall be cleared and kept free of all obstructions to sight above 600mm above the adjoining carriageway level from a line drawn form a point 2.4 metres back along the centre line of the access from the carriageway edge to points on the nearside carriageway edge 160 metres to the north-west and 160 metres to the south east. This visibility area shall thereafter be kept free of such obstructions.

REASON: In the interests of highway safety.

9 Prior to commencing development, details of a barn owl mitigation scheme shall be submitted to and approved in writing by the Council. Prior to bringing into use the first of the holiday units, the agreed mitigation scheme shall be implemented, together with the other recommendations of the submitted Protected Species Survey (Ambios 2010).

REASON: To safeguard the interests of the protected species at the site.

10 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Refs:09048-1A; 2; 3; 4; 5; 6 Revision D; 7 Revision B; 8 Revision A;

Signed

Director for Development Services **Dated: 16 December 2010**

Town and Country Planning Act 1990

PERMISSION FOR DEVELOPMENT

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 district 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.

   In particular the applicant is reminded of the following matters:-

   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 footpath;
   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 public highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD.

   (It is the responsibility of the applicant to ascertain whether his development affects any public right of way or listed building.)

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. (Appeals must be made on a form which is obtainable from the Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

   If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

3. **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

4. **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

5. **Discharge of Conditions.** The Government introduced new fees for the discharge of planning conditions from 6th April 2008. The fee is payable per request and not per condition. The fee chargeable is £25 per request for householder development and £85 per request for all other types of development. The fee must be paid when the request is made, and cannot be received retrospectively. It does not matter when the permission was granted as long as it remains extant. The request, identifying the permission (with reference number) and the conditions concerned, should be made by using the 1 APP forms which are available on the Councils Website or the Planning Portal.

   You are advised that the as local planning authority has up to 12 weeks to consider the request, that you apply well in advance of when you intend to start work