Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/07085

Decision Date: 02 November 2023

Applicant:	Mr & Mrs Prior Herons Rest, Monmouth Road, Tisbury, Wiltshire, SP3 6NR
Particulars of Development:	Variation of condition 2 of planning application PL/2021/05213 (Replacement of existing dwelling and garage)-Additional small window added to first floor bathroom, in North-West Elevation
At:	Herons Rest, Monmouth Road, Tisbury, Salisbury, SP3 6NR

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: (5)

1 The development hereby permitted shall be commenced on or before 22nd September 2024, before the expiration of three years from the date of the original planning permission ref PL/2021/05213.

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:
Location Plan Date rec. 17/05/2021
Drg. no. 2046 P.01A Garden Plan (revised) Date rec. 20/08/2021
Drg. no. 2046 P.02 Ground – South East Elevation Date rec. 23/06/2021
Drg. no. 2046 P.03 Rev B Proposed Ground and First Floor Plans, and North West Elevation –

Date rec. 05/11/2023
Drg. no. 2046 P.04 Roof – South West Elevation Date rec. 23/06/2021
Drg. no. 2046 P.05 Section – North East Elevation Date rec. 23/06/2021
Drg. no. 2046 P.07 Garage – Plans & Elevations (revised pitched roof design) Date rec. 27/08/2021
Drg. no. 2046 P.08A Site Section – View from East Date rec. 22/09/2021
REASON: For the avoidance of doubt and in the interests of proper planning.

3 The precautionary mitigation measures, recommendations and enhancements detailed in the approved Ecological Assessment [Lowans Ecology & Associates, Version no. 3, Dated 17/05/2021] shall be carried out in full prior to the first occupation of the development and in accordance with the approved timetable detailed in the Ecological Assessment.
REASON: To mitigate against the loss of existing biodiversity and nature habitats.

4 No part of the development hereby approved shall be first occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.
REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

5 Before the development hereby permitted is first brought into use the first-floor bathroom window in the north west elevation shall be glazed with obscure glass only [to an obscurity level of no less than level 5] and the window shall be maintained with obscure glazing in perpetuity. REASON: In the interests of residential amenity and privacy.

Informatives: (2)

There is mention of the verge being planted with wild flowers, the verge is public highway and therefore a Section 142 Licence would be required from the Local Highway Authority. A formal application via Helen Pickett helen.pickett@wiltshire.gov.uk would be able to determine if a licence could be granted.

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.

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