Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/07320

Decision Date: 23 November 2023

Applicant:	Mr and Mrs T Blight Ashwell Nursery, Burton, Mere, Warminster, Wiltshire, BA12 6BR
Particulars of Development:	Variation of condition 2 (approved plans) on 16/12085/FUL to allow for changes to materials and design
At:	Ashwell Nursery, Burton, Mere, Warminster, BA12 6BR

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: (2)

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

1480-23P/01 Rev A (Proposed Elevations, Floor Plans and Section) received 06/11/2023
1480-23P/02 (Site Plan) received 29/08/2023
1480-23P/02 Rev A (Location Plan) received 05/09/2023

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

2 The building hereby permitted shall be used for the storage of tractor(s) and other agricultural associated machinery, and the storage of hay and other equine associated equipment related to the use and operation of Ashwell Nursery. The building shall not be used for any other purposes at any time apart from the uses specified, including no residential or overnight accommodation.

REASON: The specified uses of the building are acceptable however alternative uses may not be appropriate. This condition defines the terms of this permission and provides clarification of the permitted uses.

Informatives: (2)

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.

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.

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