Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/08517

Decision Date: 19 December 2023

Applicant:	Mr & Mrs J & W Conlin 99 Boreham Road, Warminster, BA12 9JY
Particulars of Development:	Removal of condition 5 and variation of conditions 7 and 8 of 17/05359/FUL - Relating to the removal of hedgerow and location of entrance gates
At:	99 Boreham Road, Warminster, Wilts, BA12 9JY

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:

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

Location Plan received 03/10/2023
23134/01 (Block Plan) received 25/10/2023
23134-02 Rev.A received 27/11/2023

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

2 The hedge planting as shown on the approved plan shall be carried out within 6 months of the date of this permission. The applicant shall inform the Local Planning Authority when this has occurred and provide photographic evidence to the Local Planning Authority of the said planting.

The hedge planting shall be maintained free from weeds and shall be protected from

damage by vermin and stock. Any plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in 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 and replacement of vegetation which has previously been removed.

3 Visibility splays must be provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres in both directions from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 0.6m above the level of the adjacent carriageway.

Reason: In the interests of highway safety.

4 The first five metres of the access, measured from the edge of the carriageway shall remain consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5 Any gates shall be set back a minimum of 4.46 metres from the edge of the carriageway and such gates to open inwards only.

REASON: In the interests of highway safety.

6 The access, turning area and parking spaces shall be maintained for these purposes at all times.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

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