The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/07436

Decision Date: 03 January 2024

Applicant:	Mr & Mrs R Dallas c/o Agent, c/o Agent, SN9 5AF
Particulars of Development:	Variation of Condition 2 of PL/2021/11182 - To allow for removal of rooflights, formation of 3 no. dormer windows to north elevation, formation of flat roof dormer to south elevation, formation of 1 no. rooflight to side projection, fenestration changes, removal of gable parapet detailing, increase in width of dwelling by 0.8m, increase in depth of dwelling by 0.4m, reduction in size and height of side projection and formation of ensuite to FF (1.5 storey), reduction in depth of two-storey rear projection by 0.8m (east), increase in depth of two-storey rear projection by 0.5m (west) and increase in usable second floor space
At:	Meadow Farm Stud, Ramsbury, Marlborough, Wilts, SN8 2PP

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: (8)

1 The development hereby permitted shall be begun before the expiration of three years from the date of consent issued for planning application PL/2021/11182.

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:

Application Form
Materials Schedule by Fowler Architecture & Planning
Inspection Survey for Bat Roost Potential by All Ecology dated August 2021
Dusk Emergence and Pre-dawn Re-entry Surveys for Bats dated September 2021
Bat License and Mitigation Letter by ABR Ecology Ltd dated 17th November 2023

Location Plan
Design Scheme Site Plan - Drawing No. 230317-02
Cross Sections - Drawing No. 1162-08 Rev A
Design Scheme Floor Plans - Drawing No. 230317-03
Design Scheme Elevations - Drawing No. 230317_04 Rev A
Car Part and Ancillary Accommodation - Drawing No. 1165-05 Rev A
CMS Site Plan - Drawing No. 230317_05

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

4 The development hereby approved shall be carried out in accordance with the approved Construction Method Statement (by Fowler Architecture and Planning Limited dated November 2023) as approved by the Local Planning Authority on the 17th November 2023 pursuant to Condition 4 of PL/2021/11182 under discharge of condition application reference PL/2023/07514 and the approved CMS Site Plan - Drawing No. 230317_05.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

5 The garage building hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the private dwelling house hereby approved and shall not be sold off, sub-let or used as a separate unit of accommodation, nor used in connection with any trade, business, profession or commercial enterprise.

REASON: The garage building used as a separate dwelling would result in an unacceptable cramped form of development which shall not be occupied separately from the main dwelling in the interest of local amenity and highway safety.

6 The development hereby permitted shall be undertaken in line with the mitigation recommendations and procedures contained within paragraph 6.9 (Provision for Birds) of the of the Inspection Survey for Bat Roost Potential by All Ecology dated August 2021, Chapter 5 (Impacts and Recommendations) of the Dusk Emergence and Pre-dawn Re-entry Surveys for Bats dated September 2021, and the Bat License and Mitigation Letter by ABR Ecology Ltd dated 17th November 2023 and shall be carried

out in full prior to the first occupation of the development and/or in accordance with the approved timetable detailed within the Assessments.

REASON: To mitigate against the loss of existing biodiversity and nature habitats and to ensure biodiversity net gain is secured in line with the NPPF.

7 The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or in horse stud activities, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated, whereby the existing dwelling that is being replaced is also controlled by a similar worded planning condition.

8 Notwithstanding the approved plans, the first floor window on the western side elevation shall be glazed with obscure glass to at least the equivalent of Pilkington Level 4 standard up to a minimum of 2.1 metres above the floor of the room in which the windows are installed, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed. The windows and glazing shall be installed prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

9 The proposed 1.6m balcony screening shall be glazed with opaque glass. The structure and glazing shall be installed prior to occupation of the development and shall be permanently retained and maintained in that position.

REASON: To prevent adverse overlooking and loss of privacy.

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