Wiltshire Council

The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2023/09710
Decision Date: 18th January 2024

Applicant:	Mr & Mrs Hewlett, 195 East Gomeldon Road, Gomeldon, SP4 6NA
Particulars of Development:	Removal of Condition 4 on PL/2023/04743 regarding rooflights to be obscured glass and fixed shut
At:	195 East Gomeldon Road, Gomeldon, SP4 6NA

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: (4)

1 The development hereby permitted shall be begun before the expiration of three years from 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form & Certificate Received 13th June 2023
Plans Ref:
Location Plan Received 13th June 2023
Proposed Elevations DWG: 9644/2 Received 3rd July 2023
Proposed First Floor Plan DWG: 9644/1 Received 3rd July 2023
Supporting statement received 28/11/2023

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

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the first-floor storage area to be served by the windows and rooflights hereby permitted shall not be used or converted into habitable accommodation and shall remain incidental to the residential use of the main dwelling known as Little Dale Farm, 195 East Gomeldon Road.

REASON: The use or conversion of the first floor into additional habitable accommodation would create a distinctly separate dwelling capable of independent function in a location where the Local Planning Authority, having regard to the planning policies pertaining to the area, would not permit a wholly separate dwelling and for which permission is not intended to be granted by this permission for external alterations only.

4 The ground floor annexe within the building shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Little Dale Farm 195 East Gomeldon Road East Gomeldon Wiltshire SP4 6NA and it shall remain within the same planning unit as the main dwelling.

Reason: The accommodation is sited in a position where the Local Planning Authority, having regard to the planning policies pertaining to the area, would not permit a wholly separate dwelling.

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