Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/08088

Decision Date: 23 January 2024

Applicant:	Mr Steve Foote Douglas Lodge, Romsey Road, Whiteparish, SP5 2RR
Particulars of Development:	Variation of condition 2 of PL/2022/07168 to allow additional rooflight to south elevation
At:	Douglas Lodge, Formerly Of "The Barns near Blaxwell Farm", Romsey Road, Whiteparish, Wiltshire, SP5 2RR

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: (7)

1 The development hereby permitted shall be begun before 8th December 2025.

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:

DWG No: P21-040 02-02-001 Site Location Plan Date Received 24.10.23
DWG No: P21-040 02-02-004 Rev B Proposed Block Plan Date Received 18.12.23
DWG No: P21-040 02-03-002 Rev A Proposed First Floor Plan Date Received 18.12.23
DWG No: P21-040 02-02-005 Rev Proposed Landscaping Plan Date Received 18.12.23
DWG No: P21-040 02-03-001 Proposed Ground Floor Plan Date Received 18.12.23
DWG No: P21-040 02-05-002 Rev A Proposed South Elevation Date Received
DWG No: P21-040 02-05-003 Rev B Proposed East Elevation Date Received 20.11.23
DWG No: P21-040 02-05-004 Rev A Proposed West Elevation Date Received 18.12.23

DWG No: P21-040 02-05-001 Rev A Proposed North Elevation Date Received 20.11.23
Planting and Management Schedule Date Received 20.11.23
DWG No: P21-040 02-02-04 Rev A Proposed Entrance Planting/Biodiversity Net Gain Plan Date Received 20.11.23

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

3 The development works hereby approved shall be carried out in strict accordance with the submitted Materials Schedule Rev A and Materials Palette date received 18.12.23 unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to ensure the development is undertaken in an acceptable manner to ensure a satisfactory landscaped setting for the development.

4 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), there shall be no extensions or alterations to the roofslopes or the insertion of windows or other forms of openings other than those shown on the approved plans to the development hereby approved other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area.

5 Any external lighting that is installed across the site shall be designed and implemented to minimise sky glow, glare and light trespass. It shall be designed in a downward facing position at all times and shall meet the criteria for Environmental Zone E0 as defined by the Institute of Lighting Professionals ‘Guidance Notes for the Reduction of Obtrusive Light’ 2012. Any external lighting installed at the site shall be retained and maintained as such thereafter for the lifetime of the development.

REASON: To ensure appropriate levels of amenity are achieved and in the interests of conserving biodiversity.

6 Prior to the development first being brought into use, a scheme for the discharge of surface water from the development site including sustainable drainage details shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed in accordance with the approved details and shall be maintained in perpetuity.

REASON: The matter is required to be agreed by the Local Planning Authority in order to ensure that the development can be adequately drained.

7 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwelling or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees, hedgerow or

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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Informatives: (5)

1 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 www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

2 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.

3 **SAFETY/REINSTATEMENT WORKS**
The applicant should note that no works requiring the disturbance of footpath WHIT8 should be undertaken without prior consultation with the Rights of way Countryside Access Officer (CAO). Where appropriate any safety/mitigation/reinstatement measures must be approved by the CAO. It is an offence under section 131A of the Highways Act 1980 to disturb the surface of a public right of way without lawful authority to do so. The Highway Authority have the power to take enforcement action as necessary.

4 **OBSTRUCTION DURING CONSTRUCTION**
The applicant should note that it is a criminal offence to obstruct a public right of way under section

130 of the highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way WHIT8 and 10 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire Council.

5 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

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