Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/10791

Decision Date: 31 January 2024

Applicant:	mR Adrian Gott Soley House, Crooked Soley, Chilton Foliat, Wiltshire, RG17 0GW
Particulars of Development:	Variation of Condition 2 of PL/2021/07750 - To amend roof height to allow thatch to be installed at a steeper pitch to approved farm manager's annexe
At:	Soley House, West Soley, Chilton Foliat, Hungerford, RG17 0GW

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: (11)

1 The development hereby permitted shall be begun before the expiration of three years from the date of consent issued for planning application PL/2021/07750.

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 and documents:

- Dwg Ref: Application Form
- Dwg Ref: 2076-080 Rev A Location Plan
- Dwg Ref: 2076-090 Rev D Proposed Site Plan
- Dwg Ref: 2076-091 Rev C Proposed Block Plan

- Dwg Ref: 2076-095 Rev B Proposed Plan and Elevations
- Dwg Ref: 2076-097 Rev C Proposed Sections/Elevations in Context

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

3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

• location and current canopy spread of all existing trees and hedgerows on the land;
• full details of any to be retained, together with measures for their protection in the course of development;
• a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
• finished levels and contours;
• means of enclosure;
• all hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development which is within the North Wessex Downs National Landscape where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

4 No development shall commence on site above ground floor slab level until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area which is within the North Wessex Downs National Landscape.

5 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 building(s) 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 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 which is within the North Wessex Downs National Landscape where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

6 The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, 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.

7 The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Soley House and it shall remain within the same planning unit as the main dwelling.

REASON: The development is in a position where the Local Planning Authority, having regard to the planning policies pertaining to the area would not normally permit a wholly independent dwelling, but approval is warranted in this instance solely due to the circumstances of the use of the building as set out in the application.

8 No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area which is within the North Wessex Downs National Landscape where, in accordance with the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape

and scenic beauty, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area which is within the North Wessex Downs National Landscape where, in accordance with the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

11 The mitigation and enhancement measures detailed in the approved Ecological Assessment by Envirotech and dated 28th May 2021 shall be carried out in full prior to the first occupation of the development.

REASON: To mitigate against the loss of existing biodiversity and nature habitats and to ensure biodiversity net gain is achieved in accordance with the requirements of the National Planning Policy Framework.

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