Wiltshire Council

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/09156
Decision Date: 07 February 2024

Applicant:	Mr & Mrs Giles Redman Bremhill House Farm , Bremhill, Calne, SN11 9HN
Particulars of Development:	Conversion of Barn No 1 as 1No new dwelling in variation of the approved conversion pursuant to Application Ref: PL/2022/01578
At:	Barn 1, Bremhill House Farm, Bremhill, Calne, SN11 9HN

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

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 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 and details:

- Location plan ref. PL001.
- Existing site plan ref. PL002.
- Existing floor plan ref. PL003.
- Existing elevations ref. PL004.
- Proposed site plan ref. PL007.
- Proposed floor plan ref. PL008.

- Proposed elevations ref. PL009.
- Barn 1 Structural Report by Structural Solutions ref. 7802BRE.
- Contamination commentary received 06/02/2024.

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

3 Before their installation, details of the following shall be submitted to the Local Planning Authority for written approval:

- Materials and external finish of the flue.
- External roofing materials.

The development shall thereafter be undertaken in accordance with the approved details.

REASON: in the interests of visual amenity.

4 In the event that contamination is encountered at any time when carrying out the approved development, development shall cease and shall not resume until the Local Planning Authority has agreed in writing a programme to deal with contamination, to include a written remedial statement setting out the steps to be taken by an appropriate contractor. The development shall proceed in accordance with the agreed programme. In this event, the dwelling shall not then be occupied until a written verification report that confirms what works have been undertaken to render the development suitable for use has been agreed in writing by the Local Planning Authority.

REASON: to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives: (5)

5 The applicant should note that no construction/demolition vehicle access may be taken along BREM8 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.

6 The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the highways Act 1980 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 BREM8 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire Council.

7 This application is accompanied by a sister application ref. PL/2023/09152 relating to the neighbouring barn 2. If refused, it is important for the applicant to recognise that the resulting outcome would not give them a full planning permission for barn 1 and a Class Q fallback for barns 1 and 2 to pick and choose from. This is because under paragraph W(12) of the PD regs, a developer is dutybound to build in full accordance with a Class Q approval. In this case, that Class Q encapsulates both buildings as one site. Therefore, any implementation of a full planning permission on barn 1 would make it impossible to complete the development permitted under Class Q on barn 2 because the developer would not be building in accordance with the Class Q approved plans. This would place it contrary to paragraph W(12) and open to enforcement action.

8 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 landowner's 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.

9 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

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

4 **CIL.** 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy