Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/11102

Decision Date: 15 February 2024

Applicant:	Mrs Holly Simkiss The Stonewood Office, West Yatton Lane, Castle Coombe, Chippenham, Wiltshire, SN14 7EY
Particulars of Development:	Variation of condition 7 - Vary visibility splays to as shown on submitted drawing 230602-TP-3200 P01 - Access Visibility "Conversion of existing agricultural buildings to form 8 No dwellings and erection of 6 No new dwellings with associated access, engineering and landscaping works."
At:	MANOR FARM, THE STREET, GRITTLETON, CHIPPENHAM, SN14 6AN

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: (18)

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan
(received 31 March 2021)

16.1367.14B B7 (ONLY) Elevations as Proposed
16.1367.12D B7 (ONLY) Plans as Proposed
(received 4 February 2019)

16.1367/05 rev.A Existing Plan Area B
16.1367/01 rev.A Site Plan as Existing

16.1367/04 rev.A Elevations as Existing – Building Seven & Eight
16.1367/10 rev.A Elevations as Existing – Building Six
16.1367/09 rev.A Elevations as Existing - Building Six
16.1367/08 rev.A Elevations as Existing – Building Four & Five
16.1367/07 rev.A Elevations as Existing – Building Two & Three
16.1367/06 rev.A Elevations as Existing – Building One
MFG.P.19 B1 Elevations as Proposed
MFG.P.18 B6 Plans as Proposed
(received 26 February 2021)

MFG.P.15.P1 B1 Plans as Proposed
MFG.P.30.P1 B2/3 Elevations as Proposed
MFG.P.16.P1 B2/3 Plans as Proposed
MFG.P.21.P1 B4/5 Elevations as Proposed
MFG.P.17.P1 B4/5 Plans as Proposed
MFG.P.22.P1 B6 Elevations as Proposed
MFG.P.14.P1 B7/8 Elevations as Proposed
MFG.P.12.P1 B7/8 Plans as Proposed
MFG.P.48.P1 New Barns Plans and Elevations
MFG.P.49.P1 Dutch Barns Plans and Elevations
(received 20 May 2021)

MFG.S1.15 Building Materials
(received 16 June 2021)

MFG.S1.10.P5 Proposed Site Plan
MFG.S1.14/P1 Landscape Materials
(received 28 July 2021)

1422-A02-H Indicative Drainage Layout
(received 19 October 2021)

MFG.S1.13/P2 Landscape Details
(received 2 November 2021)

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

2 No part of the development hereby approved shall be first occupied until the existing agricultural buildings as shown in dotted red outline on the Proposed Site Plan 16.1367/24 received 04.02.19 have been demolished and removed from site entirely and the land to the north of the proposal site restored to agricultural pasture land

REASON: In the interest of interests of the character and appearance of the area and residential amenity

3 The natural stonework to be used externally on the proposed boundary wall forming the western vehicle access to the development shall match that of the existing wall in terms of type, colour, size, dressing and bedding of stone, coursing, type of pointing and mortar mix

REASON: In the interests of visual amenity and the character and appearance of the area.

4 The development hereby permitted shall not be first brought into use until the first five metres of the access(s), measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5 No part of the development hereby permitted shall be brought into use until the access(s), 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

6 Notwithstanding the approved site plan, the site access and visibility splays shall be carried out in accordance with drawing 230602- TP-3200 P01 (received 21 December 2023), and maintained as such thereafter.

REASON: In the interests of highway safety

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

8 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), 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: In the interests of visual amenity.

9 The development shall not be carried out otherwise than in accordance with the approved Construction Management Plan MFG.P.03 and Construction Method Statement by LPC (Trull) Ltd. dated 11 February 2021 (received 16 February 2021) & delivery arrangements as confirmed within LPC (Trull) Ltd email (received 15 April 2021) submitted under the discharge of condition application relating to condition 10 of 18/07128/FUL, approved on 6 May 2021 (ref.21/01611/DOC).

REASON: To ensure that the development is undertaken in an acceptable manner, 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.

10 The development shall not be carried out otherwise than in accordance with the following approved details of landscaping -

Proposed Site Plan ref: MFG.S1.10.P
Landscape Materials ref: MFG.S1.14/P1
(received 28 July 2021)

Landscape Details ref: MFG.S1.13/P2
(received 2 November 2021)

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

11 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 and the protection of existing important landscape features.

12 The development shall not be first occupied until foul water drainage system has been constructed in accordance with the approved scheme 'Proposed Drainage Layout' ref: 1422 CO2 REV.H (received 19 October 2021).

REASON: To ensure that the development can be adequately drained.

13 The surface water drainage system shall be constructed in accordance with the approved scheme 1422 C05 A Drainage Details Sheet 2, 1422 C02 I Proposed Drainage Layout, 1422 C03 B Drainage Schedules, Storm Drainage Infiltration Testing Summary (all received 17 December 2021)) submitted under the discharge of condition application relating to condition 14 of 21/01311/VAR, approved on 25 January 2022 (ref.PL/2021/11732).

REASON: To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

14 The development shall not be carried out otherwise than in accordance with the approved Drainage Maintenance Statement/Schedule 1422 - Dated July 2022 (received 26 July 2022) submitted under the discharge of condition application relating to condition 15 of 21/01311/VAR, approved on 2 August 2022 (ref.PL/2022/05756). The drainage system shall be maintained in accordance with the approved details.

REASON: To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

15 All development shall be carried out in accordance with the submitted Bat Survey Report (TP Ecology, 2016) and Proposed Site Plan (drawing number MFG.S1.10.P5).

All bat roost mitigation features shall be installed in accordance with the details set out in that report and plan, and shall be retained as such unless agreed in writing by the Local Planning Authority.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

16 All external lighting shall be installed in accordance with the external lighting layout and details as shown in the 'Proposed Site Plan' ref: MFG.S1.10.P5 (received 28 July 2021) and Light Modelling Report Hydrock Consultants Ref: C19042 dated 14.05.2021 (received 28 May 2021). No additional external lighting shall be installed.

REASON: To minimise light spill and illumination of habitats utilised by protected species, including bats and barn owl, and to maintain dark foraging and commuting areas and corridors; and to ensure compliance with Core Policy 50 of the Wiltshire Core Strategy.

17 Before the development hereby permitted is first occupied, all first floor windows in the east elevations of Buildings D1 & D2 shall be glazed with obscure glass only [full height windows to a minimum height of 1.4m].

In addition, the louvres to the east and south elevations of Buildings D1 & D2 shall be fitted to all first floor, full height windows as indicated in Dutch Barn Plans and Elevations ref: MFG.9.49.P1, prior to the occupation of the buildings.

The windows shall be permanently maintained with obscure glazing, and louvres shall be installed as indicated in perpetuity.

REASON: In the interests of residential amenity and privacy.

18 The Air Source Heat Pump (ASHP) installations shall meet the requirements of the MCS Planning Standard; and the ASHP's will produce a noise level of no more than 42dB LAeq (5mins) at the nearest bedroom/lounge window when operating.

REASON: To ensure that appropriate levels of amenity are achievable.

Informatives: (5)

19 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.

20 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.

21 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.

22 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

23 Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

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