OBJECTIONS TO: PL/2024/01313 SUPERSEDED BY: PL/2023/10288.

This retrospective planning application was to vary condition 2 of the approval for PL/2022/03331 for the construction of an agricultural building on land at Wet Lane, Mere for the PRIVATE stabling of four donkeys.

Condition 2 states that:

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

Site location Plan Date Received 28.04.22

DWG No: 2022-003 Proposed Site Layout Plan Received 29.06.22

DWG No: 2022-004 Proposed Elevations, Section, Floor and Roof Plan Date Received 28.04.22

Materials to be used in the construction of the development hereby permitted as stated on the application form.

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

- The applicant has made THREE retrospective applications for work which has been carried out already in the full knowledge that the buildings are not as permitted (PL/2022/03331 & PL/2024/01313), as well as have no planning permission at all (PL/2023/10288).
- Parvis Khansari set the conditions in place "For the avoidance of doubt and in the interests of proper planning."
- If retrospective planning permission is granted for this application then we believe that Wiltshire Council will be signalling in the future that applicants are able to wilfully ignore any and all conditions set out in the agreed planning permission and that the authority of Wiltshire Council's planning department will be fully undermined and meaningless.
- In the Planning Statement Proposal section at 3.1 the applicant states that 'Planning permission was granted to provide a stable and storage building. *The building as constructed is slightly different to that proposed and this application seeks to regularise the building.'*
- The Floorplans and Elevations submitted in the most recent retrospective application (PL/2024/01313) are not 'slightly different' as the applicant states. The large overhang to the East, West, Front and Rear elevations enlarge the footprint of the building substantially (approximately 30% larger) when compared with the Floorplans and Elevations of PL/2022/03331 which were actually granted.

- It is implausible that the applicant did not realise that by creating these enormous overhangs for which he was **not** granted permission he could in fact fail to comply with Wiltshire Council's wish to avoid doubt and adhere to 'proper planning' as set out in condition 2.
- In his Conclusion the applicant states that 'The proposed building is necessary to provide shelter for these rescue donkeys and storage for equipment and machinery required for the care and upkeep of the land.' However, the applicant has created an enormous area of storage at the eastern end of his land. Behind a mound which he has created are a number of full-sized shipping containers as well as two additional stables. It is not plausible that four donkeys require such an enormous amount of storage space and six stables.
- The applicant states that the building is providing 'shelter' for the four donkeys. In a previous retrospective planning application (PL/2023/03331) he states that he runs a donkey sanctuary. Could the applicant please clarify when he applied for change of usage from a 'shelter' for four donkeys to a 'donkey sanctuary' which would be a commercial enterprise associated with his charity Muddy Mule established in 2018 before any planning permission (retrospective or otherwise) was applied for. It is not credible that the applicant did not realise that there are material differences between those two situations before any of the planning permissions were applied for.
- In his Conclusion the applicant also states that 'The building erected is *similar to that approved…'* As stated above, the addition of the large overhangs to all elevations **substantially and materially** changes the size and appearance of the agricultural building which was granted permission **before** the applicant made his own changes. This seems to directly contradict the condition set out by Parvis Khansari when the initial planning permission was granted for PL/2022/10288).
- In 6.2 of his Conclusion the applicant requests that 'this application be granted without delay.' This again is implausible. The applicant has **already** built the stable building to his own specifications with complete disregard to the planning permission with conditions actually granted.
- Our reasons for objecting to this additional retrospective planning application is that the applicant has shown utter disregard to proper planning procedure and continues to develop the land to his own specifications with no regard to relevant planning policy or indeed the authority of Wiltshire Council Planning Department itself. It is implausible that the applicant needs extra storage to the stable building in addition to his numerous storage containers and two stables at the other end of his land.

** THIS ADDITIONAL RETROSPECTIVE PLANNING APPLICATION HAS NOW BEEN WITHDRAWN / AMALGAMATED BUT WE FEEL THAT THE ABOVE COMMENTS ARE STILL RELEVANT.**

OBJECTIONS TO PL/2023/10288

There have been many versions of these planning applications, most of which are revised and are submitted after the work has been completed and without the relevant planning permission. As has been stated before, this appears to show a blatant disregard towards to Planning Department of Wiltshire Council, the neighbours and 'the interests of proper planning.' (Parvis Khansari.)

Beginning with the APPLICATION FOR PLANNING PERMISSION, the application has a number of confusing and false statements.

- In the section 'Applicant Details' the applicant states that he is an 'agent acting on behalf of the applicant', and yet in the following section under 'Agent Details', the agent is listed as Lydia Dunne. Later in the Application, the applicant states that he is NOT the sole owner of the land to which the application relates and where the Application requests the name of the owner or agricultural tenant, this information is redacted. Why? Could the applicant please confirm WHO owns this agricultural land which once belonged to Mr. T. Chamberlain of Giggs Barn?
- In section 1.3 of his Planning Statement, the applicant states that he is the landowner. Which revised document is correct please?
- In the 'Description of the Proposal' section of the Application, the applicant has answered 'No' to the question of whether the work or change of use has been completed? Given the applicant's history of carrying out extensive works without permission this statement is alarming as the neighbours are wondering what development could be imminent with the potential of more retrospective planning applications.
- Under the section 'Vehicle Parking' the application FALSELY states that the existing number of spaces is '0' and that the total parking spaces proposed is '1'. The hard standing area to the rear of the agricultural building has been extensively developed and enlarged over the winter 2023 and the beginning of 2024 it can now easily accommodate numerous cars and vehicles.
- Under the section 'Trees and Hedges' the applicant answers 'No' to the question 'Are there trees or hedges on the proposed development site.' There WERE trees and hedges on the development site which were felled by the applicant in preparation for the erection of the timber studio without planning permission. As has been cited previously, the presence of the trees is evidenced by Google Earth

photographs which are easy to source and provide incontrovertible evidence against the applicant's statement.

- 'Assessment of Flood Risk' – the applicant states that the proposal is not within 20 metres of a watercourse. This is again a FALSE statement. There are streams which run adjacent to the agricultural buildings which have flooded in February 2024.
- 'Biodiversity and Geological Conservation'. The applicant has answered 'No' as to whether any species or important habitats have been adversely affected by the erection of the timber studio. This is a FALSE statement as the trees which were felled to accommodate the studio provided a natural and mature habitat for birds and other wildlife.
- In the 'Employment' section, the applicant states FALSELY that there are 'existing employees on site.' There is one lady who tends her horse and the four donkeys for an hour in the morning and evening before she goes to other employment. Although she is clearly 'on site' for the duration of her duties, it is implausible to say that this location is where she is employed full time throughout the day. (The applicant answers that he has two part time employees which is the equivalent to '2.0 full time'.) Again, this statement is misleading.
- In the 'Industrial or Commercial Processes and Machinery' section, the applicant states that the proposal does not involve the carrying out of commercial or industrial activities. This assertion is doubtful given that there are a number of large shipping storage containers hidden behind a mound on the east of the agricultural land which cannot be claimed to store the belongings of four small donkeys who already have an enlarged agricultural building for that purpose.
- The applicant states that no assistance has been sought form the local authority about this application but we find this to be disingenuous as the agent for the applicant has been advised to revise all documents under a new Application.

In the REVISED PLANNING STATEMENT of 27th February 2024, the applicant has now decided that the timber studio wasn't erected for the purpose of providing 'holiday accommodation' but that it is now apparently a 'welfare building' (1.1 and 1.2) which 'is required to provide a space for workers and volunteers at this small donkey rescue for shelter, a WC, storing personal belongings or making hot drinks.'

- This is implausible and excessive to the requirements of one local part time worker who attends to the needs of her horse and the donkeys for an hour in the morning and again in the evening.
- As has been stated previously, the agricultural building which is also part of this Application has been enlarged by at least 30% over what was granted

permission. It seems reasonable to suggest that all needs could be reasonably met within that building which is served by running water and electricity.

- It is not credible to expect either the council or the neighbours to believe that what was designed as a space for holiday accommodation with a living area, kitchen and shower room is now necessary for one local part time worker.
- We object as this is entirely excessive to the stated requirements.
- It feels as though the applicant is changing the application frequently in any way possible to gain planning permission for the building which was erected many months ago.
- The keeping of the four donkeys has been variously stated in the numerous applications as 'private stabling of four donkeys', to 'donkey sanctuary' and now 'a small donkey rescue for shelter'. Using confusing and inaccurate language does not help clarify what the actual purpose of keeping these four (small?) donkeys actually is. This is relevant as the 'donkey sanctuary' implies a commercial enterprise and the 'donkey rescue shelter' implies that these donkeys are not being 'privately stabled' as per Parvis Khansari's previous condition of permission in 2022. In the 'interests of proper planning' it would be helpful to have one accurate version of events.
- In 1.3 the applicant calls himself the 'landowner' whereas as stated before, in the Application, the landowner's details have been redacted. What is the truth of this matter and what is the relevance of stating that the applicant 'runs Muddy Mule'? This charity was established in 2018 some years before the applicant first applied for planning permission for the 'private stabling of four donkeys'. It lacks credibility to suppose that the applicant acquired the donkeys initially for 'private stabling' which evolved into a self styled 'donkey sanctuary' and is now a 'small donkey rescue for shelter'. Why did the applicant not make his intentions clear to Wiltshire Council and the neighbours when he first applied for permission? These ambiguous terms are perplexing and misleading to say the least.
- In 2.6 the applicant states that there 'is very low probability of flooding'. This statement is incorrect, the fields, road and ditches have flooded badly directly outside the timber building in February 2024 which can be evidenced by photographs taken.
- In the PROPOSAL at 3.1 applicant again states that 'he runs a private donkey rescue facility'. We find these ambiguous and seemingly interchangeable terms confusing and misleading. If the applicant is not running a commercial enterprise /donkey sanctuary/small donkey rescue for shelter, and is 'privately stabling' the donkeys as permitted, what relevance is it how the donkeys were acquired? Are these terms to prepare the Planning Department for a future retrospective application?

- In 3.2 of the Proposal, we object to the terms ‘small timber building’ (it is not, it has a living space, kitchen area and bathroom) and that it is ‘to provide a welfare space for employees or volunteers caring for the donkeys’. Again, please clarify if these donkeys are being privately stabled as permitted or whether it is now a commercial donkey sanctuary with the need for volunteers. As previously stated, there is one employee who lives locally and this large ‘welfare building’ seems risibly excessive to those limited needs for two hours a day.
- In the PLANNING HISTORY section 4, it states that in PL/2022/03331 the applicant was granted ‘Change of use of land to a mixed use of agriculture and equestrian and the construction of an agricultural and equestrian building with associated storage. Approved with conditions.’
- As stated before, the applicant was granted permission for the ‘private stabling of four donkeys’ (irrespective of whether gifted, bought or rescued). The donkeys have now apparently changed provenance and the building itself was built 30% bigger than was granted permission. It is difficult to keep aligned with the many retrospective changes of use and size of buildings.
- We have commented previously on how these ever-changing applications do not meet any relevant planning policy or any of Wiltshire’s Core Strategies.
- In PLANNING CONSIDERATIONS 6.1, the applicant states that ‘paragraph 11 of the NPPF requires that a presumption in favour of sustainable development be applied and that …..an up-to-date development plan be approved without delay.’ It is hard to imagine how a timber studio which has been erected without permission and is excessive to any reasonable requirements of the one part time employee could be considered ‘sustainable development’ for the needs stated in the application or indeed why permission should be granted ‘without delay’ when the applicant failed to apply for said permission until the building and development has been completed. Again, this request lacks credibility.
- In 6.2 the applicant again uses the interchangeable terms ‘refuge’ and ‘sanctuary’. What is the relevance of these terms? Why not just state that there are four donkeys privately stabled as per previously granted permission?
- 6.3 states that ‘the timber cabin is required to support the running of the donkey rescue facility to provide welfare facilities for rural workers on the site.’ These claims are just not credible or plausible as mentioned frequently previously. It appears that the applicant has developed this site exactly how he has chosen, with scant regard to any permission or conditions granted and is now seeking to garner some sympathy from local planning officers by using terms such as ‘welfare building’ and ‘small donkey rescue shelter sanctuary.’
- In 6.4 the applicant states that ‘The studio is pastoral in design and modest in scale.’ The statement is false and as it is completely excess to requirements the assertion that it is ‘modest in scale’ is incorrect and insulting.

- In LANDSCAPE IMPACT 7.1 the applicant again FALSELY asserts that the timber studio 'replaces a previous shed'. It does not. This point has been proven by using our own time stamped photographs in a previous (retrospective) planning application as well as time stamped images from Google Earth which proves that the applicant's statement is wholly untrue.
- The applicant also states that 'the studio is not visible from outside the site'. This statement again is entirely FALSE and is easy to prove.
- It would be easy to presume that the agent preparing this Planning Statement and Application has not actually visited the site as to claim that the building is not 'visually obtrusive if glimpsed from any nearby vantage point' seems incredulous especially having just claimed that 'the studio is not visible from outside the site'.
- ACCESS AND PARKING. 8.1 states that in regards the access (granted retrospective permission in PL/2022/00291) 'visibility is good in both directions'. I think that the truth that the access is just beyond a dangerous and blind bend in the road has been carefully omitted.
- In 8.2 the applicant again asserts that 'Parking is provided by the access for 1 car'. Again this is incorrect as the hard standing parking area has already been significantly increased to accommodate at least four vehicles.
- In his CONCLUSION the applicant states that he seeks to 'regularise' the existing agricultural building. The applicant has enlarged the 'existing agricultural building' footprint by approximately 30% by adding extra storage spaces and elevations which were not granted permission.
- Additionally claiming that the timber studio which he initially stated was for leisure accommodation in conjunction with his self styled 'donkey sanctuary' is now 'necessary to provide a working space for employees' when this is hugely excessive to needs which could easily be incorporated into the already enlarged main agricultural building is dubious to say the least.
- Why is the applicant requesting that 'this application be granted without delay' when the work has already been completed to his own specifications without apparent regard for the Council's permission, conditions or authority?

In our own Conclusion to our objections, we would like to state that we are now completely distrustful of any applications made with regards this site as so much development has occurred outside the permissions hitherto granted with apparently scant regard for and respect towards Wiltshire Council, their Planning Department, the neighbours or indeed the proper planning process itself.

The alternating terms which the applicant has used throughout his application are ambiguous and misleading. The development so far has done nothing to engender trust

that this frenzy of development without permission will come to an end and that the applicant will abide by any decisions made.

The Application, Planning Statement and Proposed Site Plan all contain false, misleading and confusing statements and assertions despite being superseded and resubmitted.

We would also like to add that in the notice of proposed application sent out by Wiltshire Council on 13th February 2024 (Pl/2024/01313) the closing date for comments was stated as 12th March 2024.

In subsequent communication regarding the updated and superseded planning application dated 23rd February 2024, the closing date has now been brought forward to the 8th March 2024 allowing the residents even less time to respond. Could the Council please inform us why this deadline was foreshortened?