Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/09283

Decision Date: 25 March 2024

Applicant:	Mrs L Barlow and Mr N Ludlow Ludlow Developments Limited, Lower Woodgate Farm, Livery Road, Winterslow, SP5 1RJ
Particulars of Development:	Variation of conditions 2, 3, 7, 8 and 9 of PL/2022/09079
At:	Peartree Farm, Pitton Road, Pitton, Salisbury, SP5 1EG

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 decision date of the original permission granted under LPA ref: PL/2021/07202 that date being the 26th October 2022.

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:
Location Plan – received 19th July 2021
Proposed Site Plan and Landscape Plan – Drawing no. ACLA/BLU 01 Rev D, received on 26th October 2023
Proposed Plans and Elevations (Barn 1) – Drawing no.04923 -1 Rev C, received 19th January 2024
Proposed Plans and Elevations (Barn 2) – Drawing no.04923-2 Rev C , received on

19th January 2024
Proposed Plans and Elevations (Replacement dwelling) – Drawing no. 1433/01, received on 1st December 2022

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

3 The development hereby approved shall be carried out in accordance with the Materials Schedule (ref. APG/01) received on 19th January 2024.

REASON: To ensure the development enhances the character and appearance of the area.

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), no development within Part 1, Classes A- H shall take place on the dwelling houses hereby permitted or within their curtilage.

REASON: To safeguard the character and appearance of the area which lies outside the settlement boundary of the village, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions or enlargements .

5 No part of the development hereby permitted shall be first occupied until the 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 The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with (which includes external water usage).

REASON: To ensure that the development delivers betterment in terms of the level of discharge of nutrients.

7 The Package Treatment Plant (PTP) must be monitored and maintained in accordance with the details set out in Appendix A to the covering letter in respect of application PL/2023/00591, received on 25th January 2023, along with the letter confirming that the Plant will be maintained in accordance with the manufacturer's recommendations, received on 28th February 2023.

REASON: To secure appropriate mitigation measures for a favourable HRA.

8 The development will be carried out in strict accordance with the following documents:
• Preliminary Ecological Appraisal (updated- final) (Ecosupport, 30th November 2021).
• Landscape Proposals Drwg. No. ACLA/BLU 01 Rev D (ACLA Ltd,13/10/23).

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

9 Pursuant to the findings of the Contaminated Land Intrusive Investigation Report by Apple Environmental, dated may 2023, which identified the presence of contaminants in the vicinity of Plots 2 and 3, no development (other than demolition) shall commence until further details of a Remediation Strategy and a follow up Verification Report have been submitted to, and approved in writing, by the LPA.

REASON: To ensure that the site is free of any contaminants, in particular asbestos, prior to the use of the site for residential purposes.

10 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.

11 Within three months of the replacement dwelling being occupied the existing dwelling and garage shall be permanently demolished and all of the demolition materials and debris resulting there from shall be removed from the site.

REASON: In the interests of the character and appearance of the area and to ensure that only 3 dwellings are developed on this site in the open countryside.

Informatives: (1)

12 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.

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