Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/08734

Decision Date: 10 April 2024

Applicant:	W Dunkerley March Farm, Lucewood Lane, Farley, Salisbury, SP5 1AX
Particulars of Development:	Variation of conditions 2 and 3 of PL/2022/09727 to allow revised design of approved dwelling to accommodate existing ground levels, provision of basement and changes to elevation treatment
At:	Barns Adjacent to March Farm, Lucewood Lane, Farley, Salisbury, Wilts, SP5 1AX

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: (9)

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/2022/09727 that date being the 11th September 2023.

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:
Site and Block Plan 1:500. Received on 13th December 2023
Plans and Elevations – Drwg. No. Df/p/100, received on 13th December 2023
Landscape Plan 1 Drwg. No 330_LP_03. Rev A received on 13th December 2023

Landscape Plan 2 _Landscape Specification/ Landscape Maintenance and Management. Drwg. No 330_LP_01. Rev A, received on 13th December 2023
Landscape Plan 3. Drwg. No 330_LP_02. Rev A, received on 13th December 2023
Landscape Plan 4. Drwg. No. 330_PN_02. Rev A, received on 13th December 2023

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

3 The external finishes of the development hereby approved shall be carried out in accordance with the details set out on Plans and Elevations – Drwg. No. Df/p/100, received on 13th December 2023.

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 house hereby permitted or within its 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 surfaced and completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

6 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: In the interests of conserving biodiversity.

7 The dwelling 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 compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

8 The development will be carried out in strict accordance with the following documents:

- Landscape Plan 1 Drwg. No 330_LP_03. Rev A (New Enclosure Landscape-LED-Design,
16.12.2022).

- Landscape Plan 2 _Landscape Specification/ Landscape Maintenance and Management.
Drwg. No 330_LP_01. Rev A (New Enclosure Landscape-LED-Design, 16.12.2022).

- Landscape Plan 3. Drwg. No 330_LP_02. Rev A (New Enclosure Landscape-LED-Design, 16.12.2022).
The development will be undertaken in full accordance with the approved Landscape Plans detailed above in perpetuity.

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

9 The means of foul drainage disposal shall be via the approved Bio-Bubble BNF Low Nutrient Model 5 – 2000PE domestic wastewater treatment plants only.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

Informatives: (4)

10 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

11 There is a low risk that bats may occur at the development site. Bats are a transient species and many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England’s Batline through the internet.

12 The applicant should note that it is a criminal offence to obstruct a public right of way under section 130 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 PIFA39 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

13 The access track is approximately 200m in length. This track is limited in terms of width and standard of it is condition. The width is single track, but overall width varies. It appears a fire tender could get in close proximity and a turning area would be available in the vicinity with site and farm. It is therefore suggested that you liaise with the Fire Service to undertake a risk assessment in relation to the access arrangement.

As part of a risk assessment it is suggested that sometimes sprinkler systems reduce requirements.

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