Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2024/00416

Decision Date: 23 April 2024

Applicant:	Mr P Cooper The Old Chalk Pit Gypsy Lane, Petersfinger, Salisbury, SP5 3PA
Particulars of Development:	Variation of conditions 1, 2, 3 and 12 and removal of conditions 6, 7, 13 and 14 on PL/2021/11645
At:	The Old Chalk Pit, Gypsy Lane, Petersfinger , Salisbury, SP5 3PA

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: (10)

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

DWG No: PC17-SLP Site Location Plan Date Received 16.01.24
DWG No: 2023063-HC-EX-XX-DR-E-7080-01-P01 Proposed Site Layout Plan Date Received 16.01.24
DWG No: 2100098/03 Proposed Barn Plan and Elevations Date Received 18.04.24
DWG No: 2100098/02 Proposed Dayroom Plan and Elevations Date Received 18.04.24

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

2 The site shall not be occupied by any persons other than Gypsies and Travellers and those who cease to travel permanently due to ill health or old age as defined in Annex 1 (updated on the 19th December 2023) to "Planning Policy for Traveller Sites" published by the Department for Communities and Local Government in August 2015 (or its equivalent in replacement national policy).

REASON: To define the scope of the consent.

3 No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, as amended, (of which no more than one shall be a static caravan/mobile home) shall be stationed on the land at any time.

REASON: To preserve the character of the area.

4 No commercial activities shall take place on the land, including the storage of materials and there shall be no burning of any manure or other material derived from the keeping of horses or livestock on the development site or any land connected with it.

REASON: To preserve the character of the area.

5 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.

REASON: To preserve the character of the area.

6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

7 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. Should any infiltration works be required, a scheme of works prior to the commencement of any works shall be submitted and approved in writing by the Local Planning Authority. Any works required shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

8 Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. Should any piling methods be required to be undertaken, the details of the proposed methods with appropriate justification prior to the commencement of any works of this nature shall be submitted to and approved in writing by the Local Planning Authority. Any

works required shall be carried out in accordance with the approved details.

REASON: To ensure that the proposed development does not harm groundwater quality or resources.

9 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of conversing biodiversity.

10 The enhancement works shall be carried out in strict accordance with the Biodiversity Enhancement Strategy dated January 2024 undertaken by Co-Ecology Ltd date received 16.01.24

REASON: To provide mitigation/enhancement for biodiversity.

Informatives: (6)

1 Land Contamination
It is recommended that developers should:
1. Follow the risk management framework provided in Land Contamination: Risk Management page on GOV.UK (replaces CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
4. Refer to the contaminated land pages on GOV.UK for more information.

2 Foul Drainage
Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to

any discharge to inland freshwaters, coastal waters or relevant territorial waters. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.
Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone. A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply. Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development. Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit. Further advice is available at: Septic tanks and treatment plants: permits and general binding rules.

3 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

4 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

5 No construction / demolition vehicle access may be taken along CPAR5 without prior consultation with the Rights of Way Team. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Rights of Way Team.

REASON: To ensure the public right of way remains available and convenient for public use.

6 No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way whilst development takes place.

REASON: To ensure the public right of way remains available and convenient for public use.

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