Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/06295

Decision Date: 07 February 2025

Applicant:	Mr Kerry Pfleger 4 Woodleys Yard, West Street, Aldbourne, Marlborough, Wiltshire, United Kingdom, SN82BL
Particulars of Development:	Conversion of redundant building into holiday let
At:	MOOR FARM, ASHTON ROAD, MINETY, MALMESBURY, SN16 9QP

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 39 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 the following conditions:

Conditions: (4)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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 Subject to the conditions below the development hereby permitted shall be carried out in accordance with the following approved drawings and details:

Existing Elevations and Plans 1331-01A (26/07/2023)
Bat Survey: Preliminary Roost Assessment 29/06/2023 (26/07/2023)
Interim Bat Survey Report PRI24354_Bat_Report (02/04/2024)
Ecological Enhancement Plan PRI24354_67 (16/09/2024)
Proposed Elevations and Plans 1331-02F (08/10/2024)

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

3 i) The development shall be carried out in full accordance with the Mitigation and Compensation measures as set out in section 7 of the approved Interim Bat Survey Report.

ii) There shall be no occupation of the development until all the ecological enhancements as shown on the approved Ecological Enhancement Plan (PRI24354_67) have been implemented in full, and there has been submitted to and approved in writing by the local planning authority a report and evidence prepared by a suitably qualified and experienced ecologist to demonstrate that the enhancements have been satisfactorily carried out.

REASON
To provide for biodiversity mitigation and enhancement in accordance with local and national planning policies.

4 i) The accommodation hereby permitted shall not be used other than to provide temporary holiday accommodation. The dwellings shall not be occupied as permanent, unrestricted accommodation or as a place of residence.

ii) No person shall occupy any part of the holiday accommodation hereby permitted for a continuous period of more than 28 days and no part of the accommodation shall thereafter be occupied by the same person/s within 28 days following the end of the preceding period.

iii) A register of names and main home addresses of all occupiers shall be maintained at all times and shall be made available at all reasonable times to the local planning authority upon request.

REASON: This site is in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation, and permission has been granted solely on the basis of the development providing tourist accommodation.

Informatives: (3)

5 Biodiversity Net Gain
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition)

that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.
Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun due to the statutory exemption for development which:

i) does not impact upon an on-site priority habitat, and

ii) impacts less than 25 square metres of on-site habitat that has biodiversity value greater than zero and less than 5 metres in length.

6 The development will need to be carried out in full compliance with the terms of the **European Protected Species Licence that is required** due to the identified use of the building by bats.

7 This decision must be read together with the associated Listed Building Consent (reference **PL/2023/06594**) which contains additional conditions and requirements for the approval of details before works are carried out.

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

4 **CIL.** 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website Community Infrastructure Levy (CIL) - Wiltshire Council