

The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2022/01141
Decision Date: 26 October 2022

Applicant: Mr and Mrs J Phillips
Kingsdown Farm Lords Hill, Wiltshire, Longbridge Deverill,
BA12 7DY

Particulars of Development: Variation of condition 3 (timescale for deposit of waste materials) on 17/09988/VAR

At: Kingsdown Farm, Lords Hill, Longbridge Deverill, BA12 7DY

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:

Location plan scale drg no. 01020-31 A received on 26.07.2010
Topographic Survey drg no. 3158/01 received on 29.06.2022
Site Sections A-A, B-B, C-C and D-D drg no. 3158/03B received on 29.06.2022
Site Section E-E drg no. 3158/04B received on 29.06.2022
Site layout drg no. 01020-35 A
Proposed plans and elevations buildings 4 and 5 drg no. 01020-37 received on 12.10.2017
Proposed plans and elevations building 6 drg no. 01020-26 F received on 12.10.2017
Proposed plans and elevations 'Dung Store' drg no. 01020-32 A received on 26.07.2010
Proposed site section scale 1:1000 drg no. 01020-38 received on 13.12.2017
Landscape plan scale 1:1250 drg no. 1069/PL1 dated 7 March 2018

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

- 2 The deposit of waste and all earthworks required to form the approved development shall be completed by 31st December 2025. Within a period of a further 12 months, all plant and machinery shall be removed from the site (except which the local planning authority agrees in writing is required for future maintenance of the site).

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase.'

- 3 Within 1 month of the granting of this permission, a detailed phased landscaping scheme to include full planting stock specification and a detailed planting programme for the next 3 years shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscaping shall be carried out during the associated planting and seeding season(s), for each phase. Any trees or plants which 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.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and in the interests of the character of the area and character of the AONB.

- 4 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (Alan Webb Engineering Consultant - Revision A, dated December 2009 approved under application W/10/02377/FUL), and the mitigation measure as detailed within this document.

REASON: To prevent flooding by ensuring the satisfactory storage of or disposal of surface water from the site.

- 5 No materials other than inert waste and topsoil shall be imported into and deposited on the site. There shall be no screening or processing of inert waste material on the site at any time.

REASON: To control the type of waste imported and to safeguard the amenities of local residents and the wider environment during the construction phase.

- 6 No operations relating to the formation of the raised platform, including HGV vehicles entering and leaving the site, shall take place except between the hours of 07.00 - 17:30 on Mondays to Fridays and 08.00 - 13.00 on Saturdays. No operations related to the formation of the raised platform shall take place on Sundays, Bank or Public Holidays.

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase

- 7 No more than 50 HGVs (heavy goods vehicles) associated with the importation of waste shall enter the site on any working weekday, and no more than 25 on Saturdays.

REASON: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site and highway safety.

- 8 All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers where noise levels adjust automatically to surrounding noise levels.

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase.

- 9 During the permitted working hours the free-field equivalent continuous noise level (LAeq, 1 hour) for the period due to normal waste importing and depositing operations shall not exceed 55dB as recorded at the boundary of any inhabited property.

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase.

- 10 No additional external lighting shall be installed on site until plans showing the type of

light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Informatives: (1)

11 **INFORMATIVE 1:**

The applicant's attention is drawn to the comments of the Environment Agency advising the tonnage authorised to be deposited under the existing permit has been reached. If further waste is to be deposited under this permit, a variation (from the Environment Agency) will be required.

INFORMATIVE 2: The applicant's attention is drawn to the compliance clauses applicable to conditions relating to details in conditions 2 (material samples), 3 (submission of a programme of archaeological works), 6 (submission of a CEMP), 7 (scheme for the reception of waste materials) and 17 (highway works) under Decision Notice W/10/02377/FUL.

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>).