

Our Ref: ST/191038/P6

10 September 2025

Development Services Central Area
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN



BY PLANNING PORTAL

Dear Sir/Madam,

Section 73. Town and Country Planning Act 1990

Proposal: Minor material amendment to vary Conditions 2 (Approved Plans), Condition 7 (Hard & Soft Landscaping) and Condition 8 (Details of Boundary Treatments) of PL/2024/02465 to allow for changes to the site plan; comprising the realignment of the entrance gates, removal of front boundary wall (replaced with hedgerow) and adjusted parking area – following approval of PL/2025/08495.

At: Mulberry House, Hawthorn Farm, The Street, Marden SN10 3RQ

PP-14691347

Fowler Architecture & Planning Ltd have been instructed by Mr & Mrs J Purves to submit a Section 73 Application to Wiltshire Council for the above development at Mulberry House. The application has been submitted via the Planning Portal and comprises:

- Completed Application Form and certificates;
- Planning application fee of 586.00;
- Drawing No.191038-260: Location & Site Plan;
- Drawing No.191038-02D: Proposed Floor Plans;
- Drawing No.191038-03E: Proposed Elevations;
- Protected Species Survey by Malford Environmental Consulting;
- Solar Panel Project Report by Rapid Renewables Ltd;
- Landscape and Planting Plan by Earthwise Garden Design Ltd;
- Planting Schedule by Earthwise Garden Design Ltd;
- Material Schedule by Fowlers; and
- CIL Form 1: Additional Information.

1. Introduction

The Proposal Site (the 'Site') is located within the village of Marden, Wiltshire. The site is approximately 5.2 miles south-east of Devizes and 9.3 miles south-west of Marlborough.

The nature of the application site remains very similar to that considered under the previous planning applications. Since the approval of the previous planning applications, the barns on the site have now been demolished pursuant to planning permission 20/00979/FUL, that permission thus having now formally commenced implementation.

This minor material amendments application follows four previously approved applications for a proposal of a very similar nature, design and scale to this current application. Those previous applications, reference nos. 18/08874/FUL, 20/00979/FUL, PL/2022/02666 and PL/2024/02465 were approved on 01/02/2019, 31/03/2020, 09/05/2022 and 08/05/2024 respectively.

In addition to this, householder planning application PL/2025/08495 was approved in December 2025 for the realignment of the entrance gates, removal of front boundary wall (replaced with hedgerow) and adjusted parking area.

The details of the changes now being sought compared to those previously approved schemes are considered below.

2. Planning History

The most relevant planning application is as follows:

18/08874/FUL - *Demolition of existing buildings in mixed use and construction of single detached family dwelling* – Approved 1 February 2019.

20/00979/FUL - *Demolition of existing buildings in mixed use and construction of single detached family dwelling* - Approved 31 March 2020.

PL/2022/02666 - *Erection of single detached family dwelling with linked garage; associated change of use of land* – Approved 9 May 2022.

PL/2024/02465 - *Variation of condition 2 of PL/2022/02666 - To enable 2no. dormer windows, 4 no. roof lights, installation of solar panels to NE elevation, formation of new entrance gates, change in roof style and fenestration to approved orangery, fenestration changes, formation of play room to second floor and retention of storage space, and internal alterations to ground and first floor layouts* – Approved 8 May 2024

PL/2025/08495 - *External works - comprising the realignment of entrance gates, replacement of boundary wall with 2m high hedgerow and adjusted parking area* – Approved 18 December 2025.

3. Proposed Development

This current application is being made under S73 of the Town and Country Planning Act 1990, and seeks to vary Condition 2 of PL/2024/02465, to allow for minor material amendments to the approved scheme. The amendments that are being sought are as follows:

- Realignment of entrance gates to centralise them with the front door of Mulberry House;
- Replacement boundary wall with 2m high hedgerow; and
- Adjusted parking area.

This application also comprises the submission of landscaping and material details, as detailed under conditions 7 & 8 of PL/2024/02465.

These details have all previously been approved under application PL/2025/08495 – however following correspondence with the planning and enforcement department, it was deemed prudent to vary the 2024 permission to include the 2025 details under one application to ensure works continue to commence in accordance with the correct plans.

This application wishes to vary Condition 2 (approved plans) of planning permission PL/2024/02465 to allow for the approval of new site plan which incorporate the above amendments.

4. Planning Analysis

Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with an application for planning permission the LPA shall have regard to the provisions of the development plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

For the purpose of this application, the development plan comprises the **Wiltshire Core Strategy (CS)** adopted January 2015 covering the period 2006 to 2026, and retained saved policies (not deleted by the adoption of the CS) of the **Kenet District Local Plan 2011 (LP)** adopted June 2004.

The Government's policies are within the **National Planning Policy Framework** (the Framework) published December 2024, describing how the planning system should achieve sustainable development and when the presumption in favour of sustainable development is engaged. The Framework is to be read in conjunction with the **Planning Practice Guidance (PPG)**.

There are no supplementary planning guidance and documents published by the LPA which are relevant to the proposed development.

Core Policy 57 of the CS states *'a high standard design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place though drawing on the local context and being complementary to the locality'*.

CP58 is concerned with the conservation of the historic environment. The policy states *'development should protect, conserve and where possible enhance the historic'*

environment'. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance.

Principle of Development

The principle of development has already been established under planning application 18/08874/FUL which was approved in February 2019 and subsequently amended in March 2020, May 2022 and May 2024.

In addition, the works to the boundary treatment, access and parking were approved under householder application PL/2025/08495 in December 2025. This application seeks to approve all details under one application to ensure works commence in accordance with the correct plans, and all discharge of condition details.

Design & Appearance

The proposed changes to the scheme are minor in nature and will not cause any adverse impacts to the site or locality over the previously approved schemes – as approved under PL/2025/08495.

The works consist of the realignment of the entrance gates, new hedgerow planting to front boundary (instead of the previously approved brick wall) and an adjustment to the existing parking area. The works are not considered to be contentious and the front boundary hedgerow will help to soften the site and is consistent with other boundary treatments in the locality.

The site is well screened from neighbouring dwellings by mature vegetation to the north, leading to no or minimal inter-visibility.

The building envelope of the main form of the approved dwelling has not changed – with the proposals only relating to boundary treatments and the proposed parking area. The proposed development is not considered to adversely affect the previously approved dwelling, and the alterations are considered to be entirely acceptable.

Heritage

The changes to the approved dwelling are not considered to give rise to any adverse impacts to the designated conservation area or the street scene over and above those considered as part of the previously approved application.

The overall visual appearance will not cause any material harm to the site and surroundings compared to what has already been approved.

Biodiversity

The Bat Inspection Report prepared by Malford Environmental Consulting and submitted with the previous application is considered to remain applicable to this application proposal.

The previously existing barns have been recently demolished in complete accordance with the requirements of that Report (including the timing and also the securing the required Licence from Natural England), and this current application proposal includes sufficient mitigation measures as advised by the report. As such, there is not considered to be a need for any additional ecology information and the relevant mitigation measures as previously approved can again be appropriately secured by way of Condition.

List of updated details (with the S73 revised plans identified in bold):

Condition	Approved Plans/Documents	Decision Date
2	191038-260 Location & Site Plan 191038-02D Proposed Floor Plans 191038-03E Proposed Elevations	Originally approved: 18.12.2025 (PL/2025/08495) 08.05.2025 (PL/2024/02465)
7	Landscape and Planting Plan by Earthwise Garden Design Ltd Planting Schedule by Earthwise Garden Design Ltd	Originally approved: 18.12.2025 (PL/2025/08495)
8	Material Schedule by Fowlers	Originally approved: 18.12.2025 (PL/2025/08495)

5. Conclusion

It is considered that the proposed changes are necessary to the approved scheme and will not have a materially detrimental impact, either visually or in terms of amenity than what was previously approved under application PL/2024/02465.

The application site is large enough to accommodate the proposed changes, allowing continued use of the private amenity space for the future occupiers.

The proposed amendments to application PL/2024/02465 therefore accord with policies CP57 and CP58 of the Wiltshire Core Strategy.

I trust that the enclosed information is sufficient for this application to be registered at the earliest opportunity. Please do not hesitate to contact me should you require any additional information, or to make arrangement to visit the site.

Yours faithfully,

Stella Turner MSc MRTPI

Associate

FOWLER ARCHITECTURE AND PLANNING

cc: Clients