



The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2026/00955
Decision Date: 18/05/2026

Applicant:	Mr & Mrs J Purves c/o Agent
Particulars of Development:	Variation of condition 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 and minor design changes
At:	Mulberry House, 46 The Street, Marden, Devizes, SN10 3RQ

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:

- 1** The development hereby permitted shall be begun before the expiration of three years from the date of consent issued for planning application PL/2022/02666 (i.e. 9 May 2025).

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 and documents:

Doc Title: Application Form.

Drg Title: Elevations - Drawing Number: 191038-03 Rev E.

Drg Title: Plans - Drawing Number: 191038-02 Rev D.

Drg Title: Planting Plan For Formal Gardens. Produced by: Earthwise Garden Design Ltd.

Drg Title: Entrance Gate Design Scheme. Drawing Number: 191038-260. Rev A.

Doc Title: Material Schedule.

Doc Title: Planting Schedule. Produced by: Earthwise Garden Design Ltd.

Doc Title: Protected Species Survey & Mitigating Strategy. Produced by: Malford Environmental Consulting. Dated: 13/09/2018.

Doc Title: Solar Panel Specification. Produced by: Rapid Renewables. Ref: 2.16.73.

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

- 3** The development hereby permitted shall not be carried out other than in full accordance with the requirements (including pre-demolition requirements) of the Mitigation and Enhancement Strategy as set out in the Protected Species Survey & Mitigation Strategy by Malford Environmental Consulting dated 13th September 2018.

Furthermore, the dwelling shall not be first occupied until bat roost and 2 ridge coping access tiles have been installed in full accordance with the approved plans and submitted details.

REASON: To ensure the protection of bats and birds affected by the development, in the interests of the biodiversity of the area.

- 4** i) Rainwater goods to be used in the development hereby approved shall not be other than of cast metal construction with a painted black finish.
- ii) The slate to be used on the garage/ car port/ garden store roof shall not be other than natural slate.

REASON: In the interests of visual amenity and the setting of the adjoining conservation area and nearby listed buildings.

- 5** The hard and soft landscaping shall be carried out in full accordance with the approved Landscaping and Planting Plan and Schedule by Earthwise Garden Design Ltd, dated 09/08/2025, as approved under this permission.

Any trees, shrubs or plants which, within a period of five years from the date of planting, 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, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development in the interests of visual amenity.

- 6** The boundary treatments and entrance gates shall be carried out in full accordance with the approved details and materials set out within:

- Entrance Gate Design Scheme – Drawing No. 191038-260 Rev A; and
- Materials Schedule

and shall thereafter be retained as approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and the character of the area.

- 7** 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), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenities of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 8** i) No 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 spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILP, 2020)", have been submitted to and approved in writing by the Local Planning Authority.

ii) The so-approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of biodiversity and the amenities of the area and North Wessex downs National Landscape and to minimise unnecessary light spillage above and outside the development site.

- 9** The permitted roof lights shall be of conservation style and fitted flush with the roofslope.

REASON: In the interest of visual amenity and the character and appearance of the Marden Conservation Area.

- 10** The development hereby permitted shall not be first brought into use/occupied until the first 5m of the access, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

Informative

- 11** The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle

Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

Nic Thomas - Director of Planning, Economy and Regeneration

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