



The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2026/02140
Decision Date: 05/06/2026

Applicant:	Mr Reuben Saunders Lype Fields Farm , Bullocks Horn, Charlton, Malmesbury, Wiltshire, SN16 9DZ
Particulars of Development:	Variation of Condition 2 (Approved Plans) of PL/2025/00898 - Erection of a rural workers dwelling.
At:	Lype Fields Farm, Bullocks Horn, Charlton, Malmesbury, Wiltshire, SN16 9DZ

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 5th March 2029.

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 approved shall be implemented in accordance with the details of approved plan numbers and documents:

- Site Location Plan - RH-JS-01;
- Site Plan - RH-JS-02 (received by the LPA on 17th February 2026);
- P-1-01 P01 – Proposed First Floor Plan;

- P-0-01 P02 – Proposed Ground Floor Plan;
- E-01 P04 – Proposed North-East Elevation;
- E-02 P05 – Proposed South-West Elevation;
- E-03 P03 – Proposed South-East Elevation;
- E-04 P03 – Proposed North-West Elevation.

Reason: In the interests of proper planning and to define the planning permission.

- 3 The construction shall proceed in accordance with the terms of the District Level Great Crested Newt License or in accordance with a Construction Method Statement (CMS) that shall first be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (including any vegetation removal or works to existing structures). As a minimum, the CMS shall include all precautionary measures to be implemented during the construction period, for the protection of sensitive habitats and species known to be present within or adjacent the site, with particular reference to Great Crested Newts (GCN).

REASON: To ensure adequate protection, mitigation and compensation for protected

species and priority habitats throughout the construction period in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy.

- 4 Construction of the dwelling hereby approved shall not proceed beyond finished floor/slab level until details of the external wall and roof materials have been submitted to and approved in writing by the local planning authority.

As a minimum, the details shall include manufacturer/supplier and material name and a photographic sample.

The development shall be completed and maintained in accordance with the approved details thereafter.

REASON: To ensure a satisfactory design and landscape impact in accordance with the aims of Core Policies 51 and 57 of the Wiltshire Core Strategy.

- 5** The development will be carried out in strict accordance with the following documents:

- Sections 4 and 6 of the Preliminary Ecological Assessment (PEA). 06 June 2024.

Ellendale Environmental. Version CIC v1.0.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy.

- 6** The dwelling hereby approved shall not be occupied or brought into use until a surface water drainage system serving all impermeable surfaces (roofs, patios, parking/manoeuvring areas) has been installed/constructed in full in accordance with details that shall first be submitted to and approved in writing by the local planning authority.

As a minimum, the written details shall include:

- a drainage plan (drawn to a recognised scale);
- technical details of all measures to be installed;
- Details of any overland exceedance or discharge routes.

Thereafter, the development shall be maintained in accordance with the approved details.

REASON: To ensure future occupiers of the site and adjacent land are not put at greater risk of surface water flooding than the existing situation in accordance with the aims of Core Policy 67 of the Wiltshire Core Strategy.

- 7** The dwelling hereby approved shall not be occupied or brought into use until the site access to the public highway and areas for the parking and manoeuvring of vehicles have been provided in the locations shown on the approved plans. The development shall be maintained in that state thereafter.

REASON: To ensure the development is provided with safe access and sufficient areas for the parking and manoeuvring of vehicles in the interests of highway

safety in accordance with the aims of Core Policies 61 and 64 of the Wiltshire Core Strategy.

- 8** The dwelling hereby approved shall not be occupied or brought into use until a scheme of ecological enhancements (i.e. bat and bird boxes) has been implemented in full in accordance with details of the number and locations that shall first be submitted to and approved in writing by the local planning authority. The development shall be maintained in that state thereafter.

REASON: To ensure the scheme delivers some integral ecological enhancements in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy.

- 9** The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependents.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 10** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, AA, B, C, E, F, G and H shall take place on the dwellinghouse hereby permitted or within their curtilage.

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

- 11** All external lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

Informative

1 General Notes

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowner's consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. 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.

Community Infrastructure Levy

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 <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy> .

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 the development of land in England is deemed to have been granted subject to the condition “(the 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.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

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.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

In this case, a Biodiversity Gain Plan needs to be submitted and approved prior to the commencement of the development. Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

For further information please refer to:

<https://www.gov.uk/government/collections/biodiversity-net-gain#developer-guidance>

Drainage Information

Condition 06 of this consent requires the submission of surface water drainage details. In order to discharge the drainage condition, the following additional information must be provided:

Evidence that soakage tests have been undertaken in accordance with BRE 365 to demonstrate that infiltration is feasible by the provision of calculations that demonstrate that the soakaway has been designed for:

- 1 in 10yr + cc flows (for individual properties);
- Half drain time <24hrs;
- Appropriate factor of safety in line with CIRIA C753 (Table 25.2) guidance has been included.

Evidence that the highest groundwater level (taking into account seasonal variations) has been determined and this is at least 1m below the proposed bottom of the soakaway.

Soakaways must be designed in line with CIRIA C574 and the Wiltshire Guidance.

All new drainage will need to comply fully with Building Regulations Part H.

In line with the NPPF the applicant should seek to use SuDS wherever practicable as part of the surface water drainage strategy.

Any new connections to sewers will be subject to S 106 agreement under the Water Industry Act with the Sewerage Undertaker.

Discharge to a watercourse will require land drainage consent. This must be sought from Wiltshire Council acting in their capacity as Lead Local Flood Authority.

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