



PLANNING STATEMENT

Woodgate Farm, Livery Road, Winterslow

Planning Permission 21/00336/FUL

s.73A Application - Revised Condition Schedule and Supporting Statement

Revised - 21 May 2026

1. Purpose of this application

This statement supports an application under section 73A of the Town and Country Planning Act 1990 in respect of planning permission 21/00336/FUL for: "Erection of **two holiday cabins**, hard and soft landscaping and associated works" (see [Appendix A](#)).

The purpose of the application is limited and practical:

- to regularise and approve a revised layout and design for the two holiday accommodation units [see Chapter 2]; and,
- to replace the previously proposed on-site woodland/scrub nutrient mitigation with the Council-led S111 nitrogen mitigation credit route [see Chapter 3].

The approved development remains for "two holiday cabins".

The revised units are smaller than the approved units and proposed in amended positions.

The planning permission was granted on 18 December 2024 and remains capable of implementation until 18 December 2027.

The applicant therefore seeks a revised permission which maintains the existing implementation period and carries forward all conditions which remain necessary and relevant [see Conditions schedule at Chapter 4].

2. Revised layout and construction approach

The revised proposal is for two slightly smaller holiday accommodation units, each approximately 4.1m x 12.8m, giving a floorspace of approximately 52.5 sq m per unit, in amended positions (see plans at [Appendix B](#)).

This compares favourably with the extant permission for two larger units of approximately 59 sq m each.

The revised units would be installed onto pre-prepared foundations and services.

The construction methodology would be materially similar to, and no more intensive than, the approved scheme.

The revised units are smaller than those approved and would not give rise to any materially greater construction, landscape, highway, ecological or amenity effects.

3. Nutrient neutrality and S111 mitigation

The original permission secured nutrient neutrality through a package comprising the private water treatment plant and the proposed on-site woodland/scrub mitigation, together with monitoring arrangements.

The applicant now proposes to rely on the Council-led nitrogen mitigation credit scheme as the alternative mitigation package for the additional nitrogen burden arising from the development.

Wiltshire Council has confirmed (15/05/2026) that 1.96 kg TN/yr of nitrogen mitigation credits have been set aside for application 21/00336/FUL.

The applicant has submitted the completed S111 agreement and invoicing details in accordance with the Council-led mitigation process (see S111 at [Appendix C](#)).

On that basis, the previously required woodland/scrub mitigation no longer serves its original nutrient-neutrality purpose. The applicant therefore seeks the deletion of Condition 3 and the variation/replacement of Condition 5 so that the planning permission contains an up-to-date and proportionate Habitats Regulations control referring to the Council-led S111 nitrogen mitigation credit route.

4. Condition-by-condition schedule

No.	Existing condition	Section 73A position	Requested action / proposed wording
1	TIME The development shall begin within 3 years.	The permission was granted on 18 December 2024 and will lapse on 18 December 2027. The revised application does not seek to extend the implementation period.	Re-impose Condition 1, preserving the original lapse date of 18 December 2027.
2	APPROVED DOCUMENTS The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site Plan, Block Plan and plans and elevations, drawing no. rww/p/01, received on 13 January 2021. Private Water Treatment Plant details received on 13 July 2021. Botanical survey produced by EC Ecologists, received on 20 October 2021. Reason: For the avoidance of doubt and in the interests of proper planning.	The applicant seeks to vary Condition 2 so that approved drawing no. rww/p/01 is replaced by revised drawing no. rww/p/101 and 102, Existing and Revised Master Plan, May 2026 - see Appendix A . All other approved documents should remain approved documents, including the approved access, the private water treatment plant documentation and the Botanical Survey, save insofar as the nutrient-mitigation function of the woodland planting is superseded by the Council-led S111 nitrogen mitigation agreement.	Vary Condition 2 to substitute revised drawing nos. rww/p/101 and 102 for drawing no. ~~rww/p/01~~ . Retain the other approved documents, subject to the nutrient mitigation clarification above.
3	WOODLAND PRE-COMMENCEMENT Prior to the commencement of the development hereby approved, details of the woodland planting design and scheme indicated on the Botanical Survey, produced by E C Logic, dated October 2021, shall be submitted to and approved in writing by the LPA. The works shall be carried out in accordance with the approved details prior to the first occupation of the buildings hereby approved. Reason: To ensure that the necessary mitigation is secured to ensure that the development reaches nutrient neutrality.	The Council-led S111 nitrogen mitigation credit route now provides the alternative nutrient mitigation for the development. The woodland/scrub planting condition therefore no longer serves its original nutrient-neutrality purpose. See Appendix B : S111 agreement / credit allocation evidence.	Delete Condition 3.

4	PRIVATE WATER TREATMENT PLANT - PRE-OCCUPATION The Private Water Treatment Plant, details of which are set out in the correspondence from the agent dated 13 July 2021, shall be installed prior to the first occupation of the units hereby approved, and shall be maintained in perpetuity, as set out in the maintenance and management information submitted above. Reason: To ensure that the necessary mitigation is secured to ensure that the development reaches nutrient neutrality.	The approved private water treatment plant will be installed and functional prior to first occupation and maintained in accordance with the approved details.	No substantive change requested. Re-impose Condition 4, unless the Council confirms that revised wording is required to align with the S111 mitigation route.
5	WOODLAND AND PWTP PRE-COMMENCEMENT The development hereby permitted shall not commence until evidence of the monitoring agreement in respect of the mitigation package to be provided under Conditions 3 and 4 of this permission in respect of the River Test Special Area of Conservation Mitigation scheme, <u>or an alternative approved mitigation package</u> addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority. Reason: To accord with the Conservation of Habitats and Species Regulations 2017.	Condition 5 already contemplates <u>an alternative approved mitigation package</u>. The S111 nitrogen mitigation credit route is that alternative package. It is preferable to vary/replace Condition 5 rather than simply delete it, so that the revised permission retains a clear Habitats Regulations audit trail.	Proposed replacement wording: <i>No development shall commence until evidence has been submitted to and approved in writing by the Local Planning Authority that the required nitrogen mitigation for the development has been secured through the Council-led Solent/River Test nitrogen mitigation scheme, including the completed section 111 agreement and/or confirmation of payment of the required mitigation contribution.</i> <i>Reason: To ensure that the development secures appropriate mitigation in accordance with the Conservation of Habitats and Species Regulations 2017.</i>
6	HOLIDAY OCCUPANCY RESTRICTION Notwithstanding Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), the accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. An up-to-date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority. Reason: The buildings are located in the open countryside in a location which the local planning authority considers to be not suitable for unfettered residential development.	The revised application does not seek to alter the approved holiday accommodation use or the occupancy restriction.	No change requested. Re-impose Condition 6.

Informative	RIVER TEST / MITIGATION MONITORING INFORMATIVE Evidence of compliance to the River Test Special Area of Conservation Mitigation scheme means confirmation of the completion of the Unilateral Undertaking to make a payment regarding the monitoring of the mitigation approved, as set out in Conditions 3 and 4 of this planning permission.	The informative should be updated to reflect the S111 nitrogen mitigation credit route. The applicant is separately submitting a deed of variation/release in respect of the previous unilateral undertaking, insofar as it relates to woodland/monitoring mitigation now superseded by the Council-led S111 route.	Replace the existing informative with updated wording referring to the S111 agreement, the Council-led nitrogen mitigation credit scheme and any associated deed of variation/release of the previous unilateral undertaking.
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6. Conclusion

The proposed amendments are limited, controlled and do not alter the underlying planning judgment that holiday accommodation is acceptable on the site.

The revised units are smaller than those approved and the amended layout does not give rise to any materially greater planning harm.

The Council-led S111 nitrogen mitigation credit route provides a clear and proportionate alternative to the previously proposed woodland/scrub nutrient mitigation.

The applicant therefore invites the Council to vary the permission and conditions as set out above, deleting Condition 3, replacing Condition 5 with updated S111-based wording, and otherwise re-imposing the conditions that remain necessary and relevant.

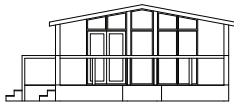
Appendices:

- Appendix A – Planning permission 21/00336/FUL: for two holiday cabins
- Appendix B - Revised Master Plan: drawing no. rww/p/101, Existing and Revised Master Plans, May 2026.
- Appendix C - S111 agreement / Council nitrogen mitigation credit allocation evidence.

Richard Greenwood BA (Hons) BPI MRTPI

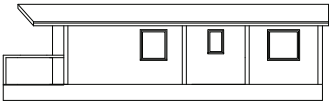
Director

A



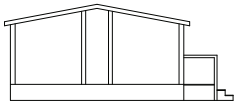
STAINED TIMBER CLADDING

FRONT ELEVATION



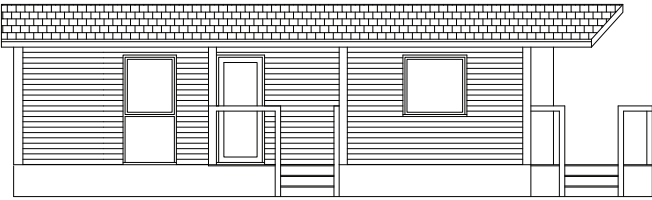
SLATE EFFECT SHEET ROOFING

SIDE ELEVATION 1.100



STAINED TIMBER CLADDING

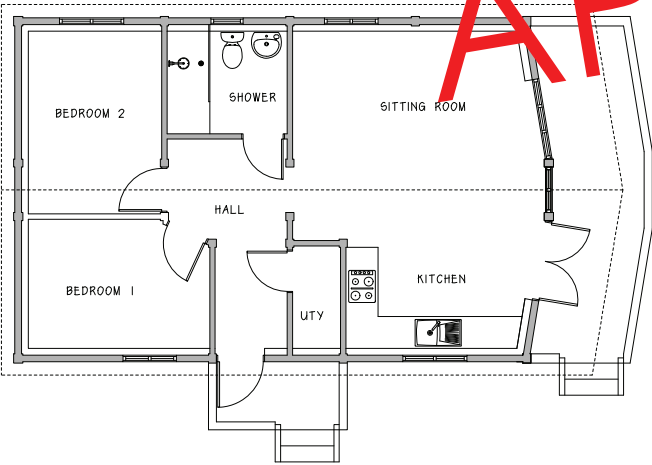
REAR ELEVATION



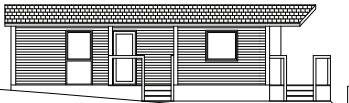
STAINED TIMBER CLADDING

SLATE EFFECT SHEET ROOFING

SIDE ELEVATION 1.50



PLAN AT GROUND FLOOR LEVEL 1.50



entrance
gale

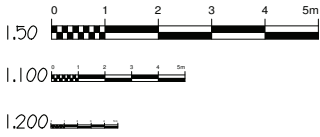
existing ground levels

base level 6.00

TYPICAL SITE SECTION 1.100



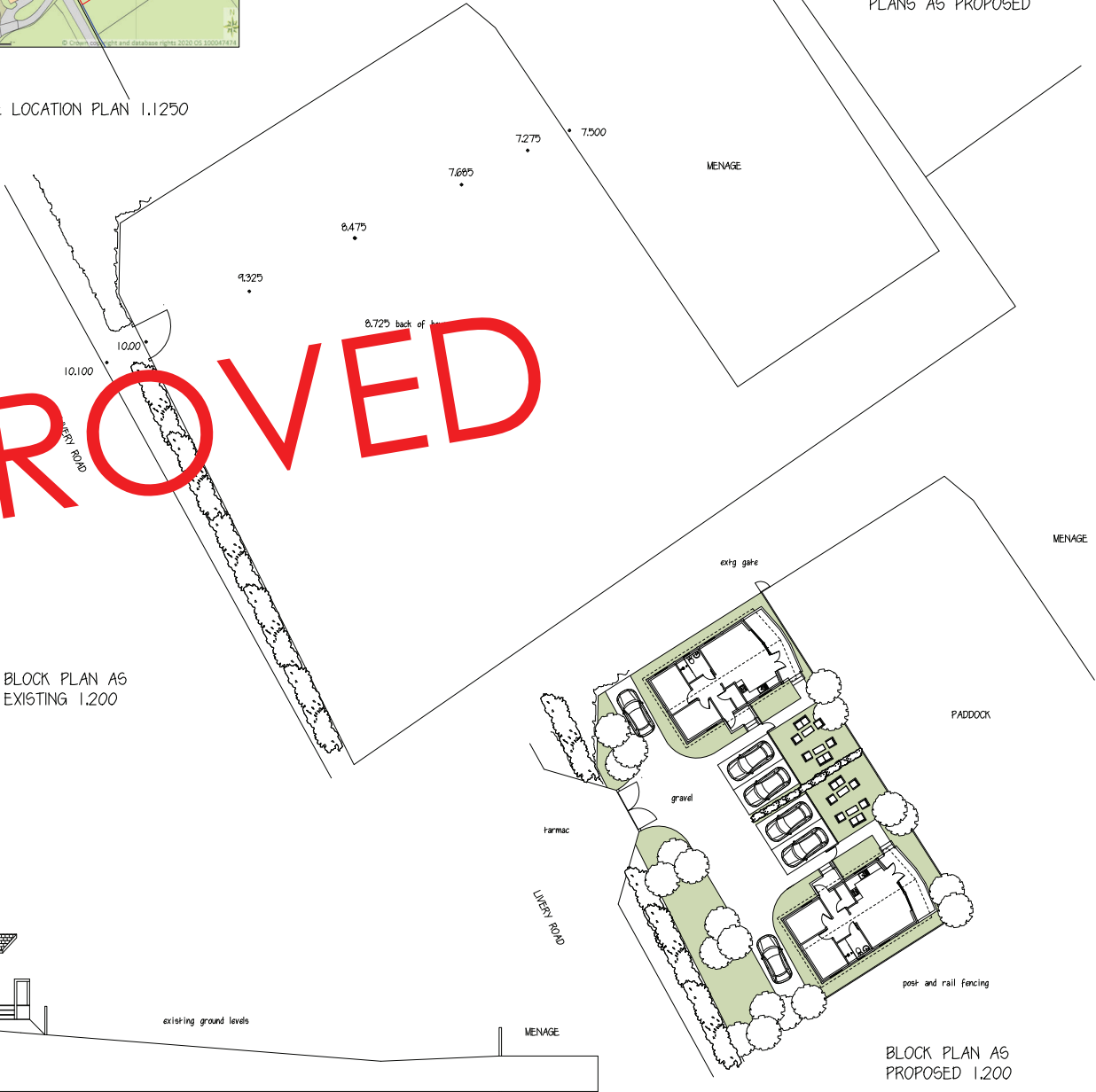
SITE LOCATION PLAN 1.1250



proposed holiday lets
at
woodgate farmhouse
livery road
west winterslow

A1

PLANS AS PROPOSED



BLOCK PLAN AS
EXISTING 1.200

BLOCK PLAN AS
PROPOSED 1.200



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: 21/00336/FUL
Decision Date: 18 December 2024

Applicant: Mr Russell Rowe
C/O Agent, Atlas Planning Group, Bodenham House Barn,
Bodenham, Salisbury, SP5 4EN

Particulars of Development: Erection of two holiday cabins, hard and soft landscaping
and associated works.

At: Land at Woodgate Farm, Livery Road, Winterslow, SP5
1RJ

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 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 the following conditions:

Conditions: (6)

- 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 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Plan, Block Plan and plans and elevations, drawing no rww/p/01, received on 13th January 2021

Private Water Treatment Plant, details of which were received on 13th July 2021
Botanical survey, produced by EC Ecologists, received on 20th October 2021

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

- 3 Prior to the commencement of the development hereby approved, details of the woodland planning design and scheme indicated on the Botanical Survey, produced by E C Logic, dated October 2021, shall be submitted to and approved in writing by the LPA. The works shall be carried out in accordance with the approved details prior to the first occupation of the buildings hereby approved.

REASON: To ensure that the necessary mitigation is secured to ensure that the development reaches nutrient neutrality

- 4 The Private Water Treatment Plant, details of which are set out in the correspondence from the agent dated 13th July 2021, shall be installed prior to the first occupation of the units hereby approved, and shall be maintained in perpetuity, as set out in the maintenance and management information submitted above.

REASON: To ensure that the necessary mitigation is secured to ensure that the development reaches nutrient neutrality.

- 5 The development hereby permitted shall not commence until evidence of the monitoring agreement in respect of the mitigation package to be provided under Conditions 3 and 4 of this permission in respect of the River Test Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017.

- 6 Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) (or any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification), the accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. An up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority.

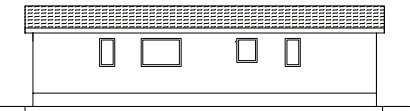
REASON: The buildings are located in the open countryside in a location which the local planning authority considers to be not suitable for unfettered residential development.

Informatives: (1)

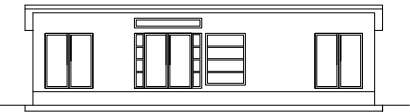
- 7 Evidence of compliance to the River Test Special Area of Conservation Mitigation scheme means confirmation of the completion of the Unilateral Undertaking to make a payment regarding the monitoring of the mitigation approved, as set out in Conditions 3 and 4 of this planning permission.

Parvis Khansari ~ Corporate Director, Place

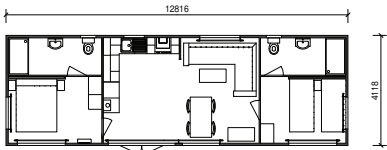
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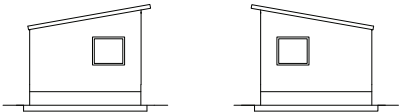
REAR ELEVATION



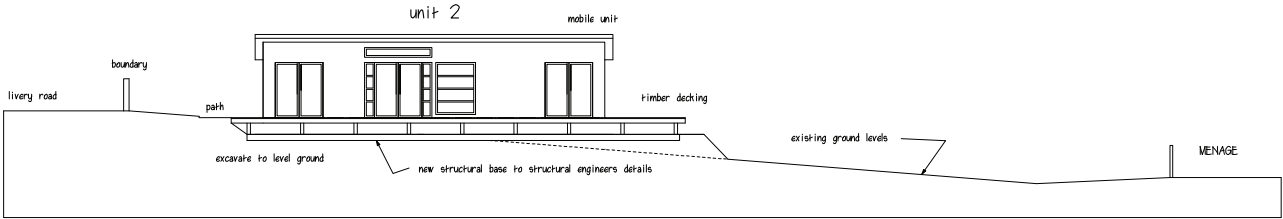
ENTRANCE ELEVATION



FLOOR PLAN



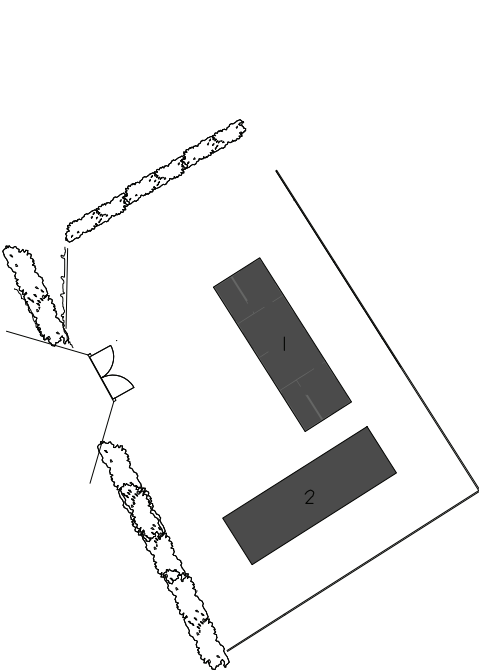
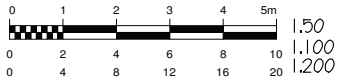
END ELEVATIONS



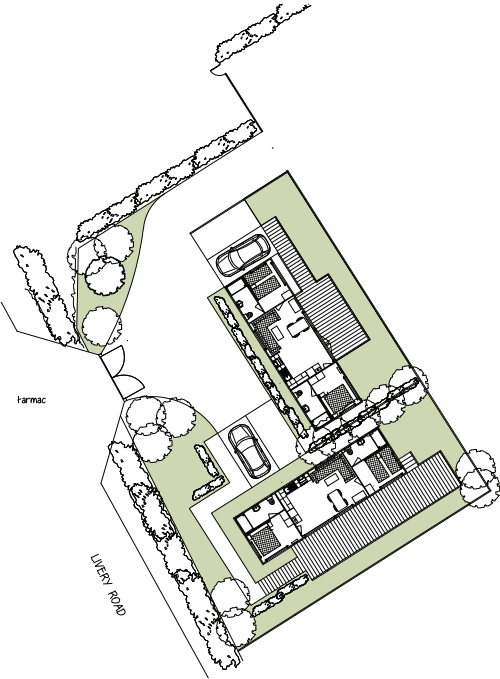
SECTIONAL ELEVATION LOOKING NORTH 1:100



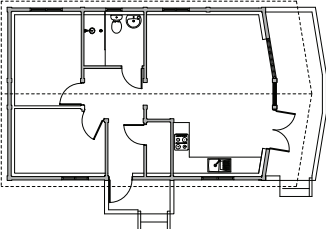
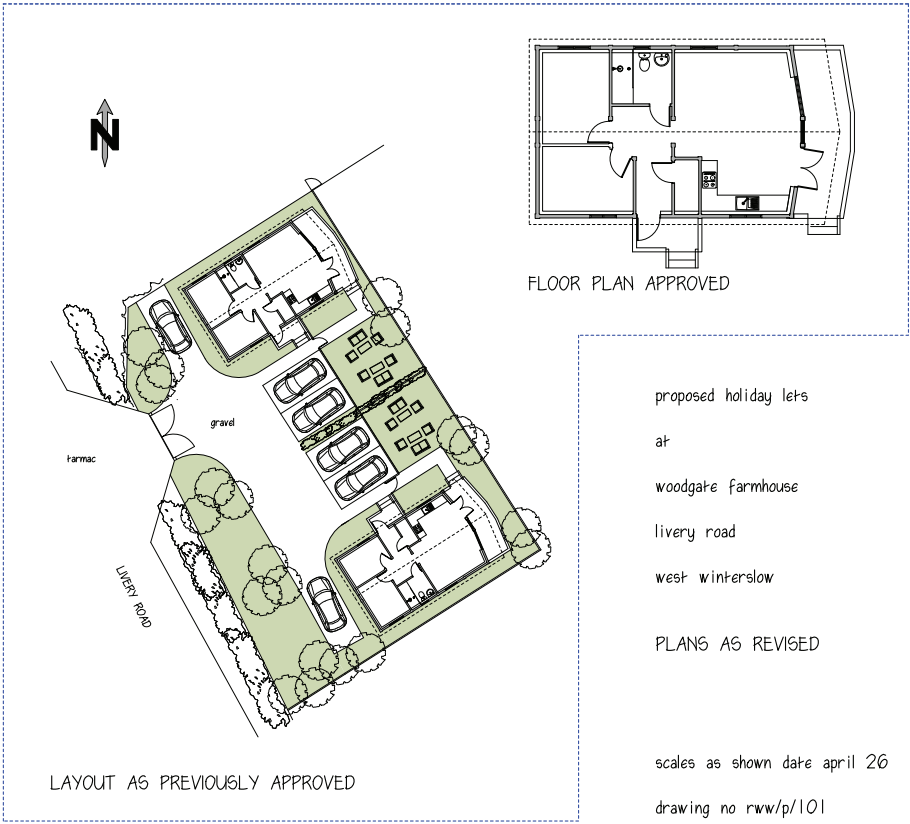
ELEVATION 1:50



ROOF PLAN A5 PROPOSED



BLOCK PLAN A5 PROPOSED 1:200



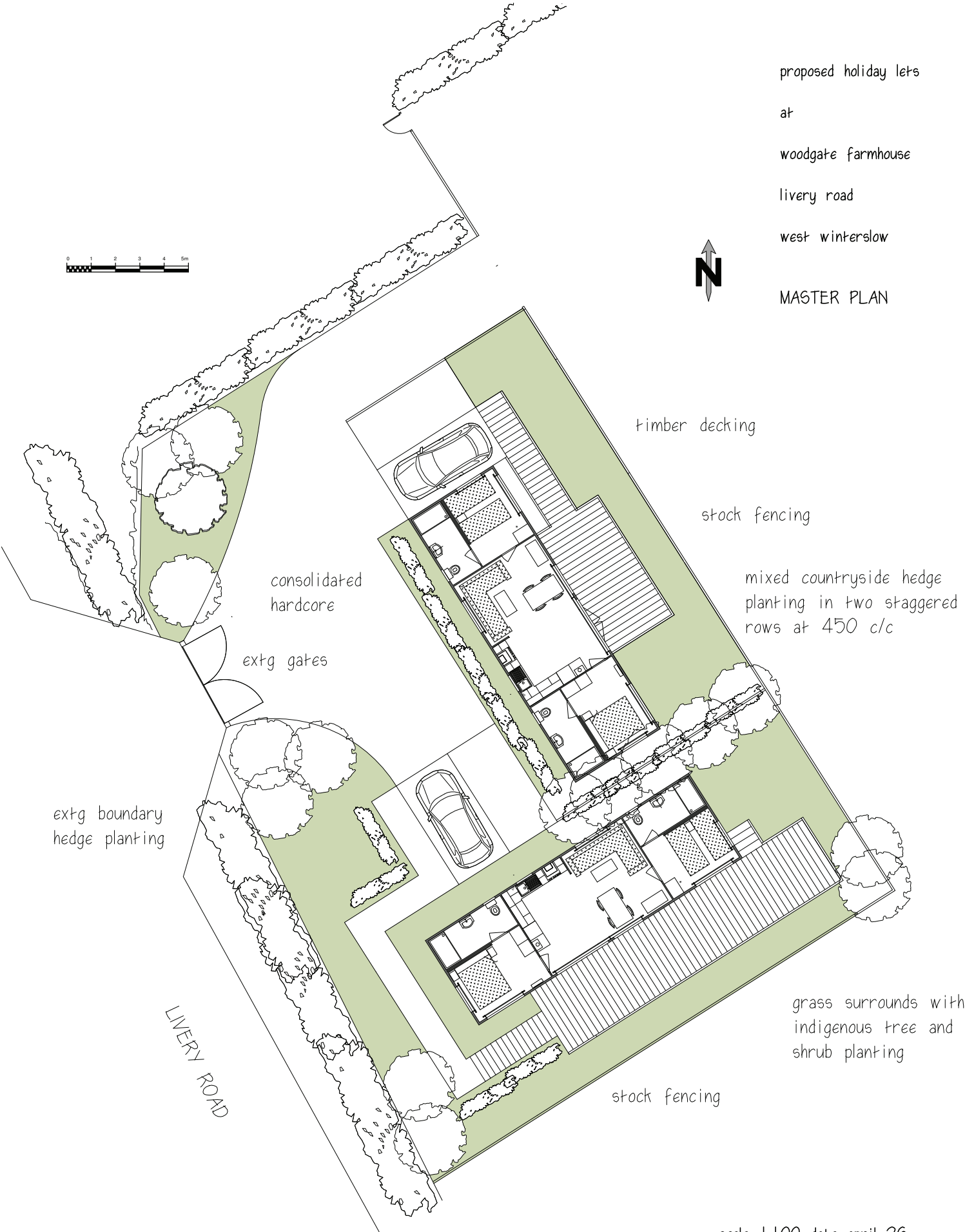
FLOOR PLAN APPROVED

proposed holiday lets
at
woodgate farmhouse
livery road
west winterslow

PLANS A5 REVISED

scales as shown date april 26

drawing no rww/p/101



scale 1.100 date april 26

drawing no rww/p/102

C



SOLENT PROTECTED SITES

Nitrogen Neutrality Mitigation Contribution for the SOLENT PROTECTED SITES – RIVER TEST CATCHMENT

AGREEMENT UNDER S.111 of LOCAL GOVERNMENT ACT 1972

Please submit a signed copy of this agreement with your planning application or on request from the Council. Failure to do so could delay the determination of your planning application.

Guidance notes for this agreement are available on the Council's website and should be referred to before completing the form below.

To Development Management
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8 JQ

I. Application Details

Date	18/05/26
Application reference number: (if known)	21/00336/FUL
Address of property	Land at Woodgate Farm Livery Road Winterslow SP5 1RJ
Description of development	"Erection of two holiday cabins, hard and soft landscaping and associated works."
Full Name(s) of applicant(s) (add contact name if applicant is an organisation)	Rowe Family

Correspondence address of applicant	Woodgate Farmhouse, Livery Road, Winterslow SP5 1RJ
Amount of Nitrogen Burden for Mitigation (kg/TN/yr) within the River Test Catchment	1.96kg/TN/yr
Nitrogen Neutrality Mitigation Contribution [Number of kg/TN/yr x £3000 Cost centre - 71136	1.96 x £ [REDACTED] = [REDACTED]
Nitrogen Neutrality Mitigation 5% Administration Fee Cost centre - 71136	5% x [REDACTED] = [REDACTED]
Section III Legal Fee	£ [REDACTED]
Total Fee	[REDACTED]

2. Applicant's agreement

2.1 I hereby acknowledge and agree that:

- 2.1.1 I will pay the Nitrogen Neutrality Mitigation Contribution and administration fee towards the delivery of the mitigation measures set out in Nitrogen Mitigation Strategy for the Solent Protected Sites 2023 on receipt of the relevant invoice and prior to determination of the Application.
- 2.1.2 I have read the Nitrogen Mitigation Strategy for the Solent Internationally Protected Sites 2023 (*August 2023 as may be amended from time to time*) and I am making this payment as contribution to mitigation of the significant effect of the development set out in the Application on the Solent Protected Sites (Solent Maritime Special Area of Conservation, Chichester and Langstone Harbours Special Protection Area, Portsmouth Harbour Special Protection Area, Solent and

Southampton Water Special Protection Area and Ramsar site) as referred to by the Strategy.

2.1.3 This contribution has been made pursuant to Conservation of Habitats and Species Regulations 2017 (as amended) and Section 111 of the Local Government Act 1972.

2.1.4 I have been informed of the opportunity to complete a unilateral planning obligation in accordance with Section 106 Town and Country Planning Act 1990 to make the Nitrogen Neutrality Mitigation Contribution when development commences, and I have chosen to make the direct payment as an expeditious alternative to relying on such a unilateral planning obligation.

2.2 I understand that:

2.2.1 No refund of this Nitrogen Neutrality Mitigation Contribution will be made unless the Application does not receive approval (whether or not with conditions) or is withdrawn.

2.2.2 In respect of any refund including where the Application is withdrawn, I acknowledge that:

2.2.2.1 The total amount refunded will be the sum of the original Nitrogen Neutrality Mitigation Contribution payment.

2.2.2.2 No interest will accrue to be refunded.

2.2.2.3 No refund will be made until the period for appeal has passed without an appeal being made or an appeal has been dismissed or six months has elapsed since the date of withdrawal.

2.2.2.4 If an appeal against refusal is made and is allowed by the Planning Inspectorate no refund will be made.

2.2.3. Refunds will only be made if a request for a refund is received in writing (sent to cilands106@wiltshire.gov.uk) and made within 12 months of the date of determination of the application (but not before the period set out under 2.2.2.3) or within 12 months of the date of any appeal decision, whichever is the later.

2.2.4 If the planning permission is varied by a section 73 application or amended, then the contribution may be used to cover the *Nitrogen Mitigation Strategy for the Solent Internationally Protected Sites 2023* due for that application.

3. Wiltshire Council's Agreement

3.1 In consideration of the Applicant's agreement, Wiltshire Council will apply the Nitrogen Neutrality Mitigation Contribution in accordance with the Nitrogen Mitigation Strategy for the Solent Internationally Protected Sites 2023, as may be amended from time to time).

- 3.2 For the avoidance of doubt, this Agreement does not: (i) constitute advice on the merits of the Application or the viability of the development referred to in the Application, (ii) guarantee that the Application will be successful or that objections or conditions will not be made, or (iii) bind or commit Wiltshire Council in any way in respect of any planning application.

4. General

This legally binding agreement shall be governed by the laws of England and each party submits to the exclusive jurisdiction of the English courts.

Signature of applicant

[Redacted]

and

[Redacted]

dated: 21/05/26

(digital signature is acceptable)

Application reference number ... 21/00336/FUL.....

Received on behalf of Wiltshire Council

By (authorised officer)

Of (name of department)

on (date)

This receipt signifies the agreement on behalf of Wiltshire Council to this s.I I I Agreement.

A copy signed by both the applicant and on behalf of the Council will be sent to the applicant. Please retain the copy for your records as it is an important legal document.