



The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2026/01724
Decision Date: 02/10/2026

Applicant:	Drs Andre Buthe & Christiana Ober Poulton Mill, Poulton Hill, Marlborough, Wiltshire, SN8 2LN
Particulars of Development:	Variation of condition 2 (Approved Plans) relating to application PL/2021/04663 - To regularise several changes in the design of the equine building.
At:	Poulton Mill, Poulton Hill, Marlborough, SN8 2LN

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 policy DM3 (1)(a) 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 carried out in accordance with the following approved plans and documents:

Received 2021

17128.100 Location plan

17128.104-B Proposed stables

Received 2022

Access Plan 17128.108-D

Landscape Mitigation Strategy – WHL-1160-05 Rev.A;

Received 2024

Site Levels and Site Layout– 17128.107-D

Slab levels and Construction facilities 17128.123

Bridge levels and setting-out Plan 17128.110-D
Archaeological Evaluation Report

Received 2025

Construction and Environmental Management Plan - 09.04.25

Received 2026

Site layout – 17128.107-C

Lighting Technical Sheet 08049 ECH3200-W50/DA

Lighting Management Scheme 17128

Main Barn- Elevations and Floor Plans Ref 17128-106-E

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

2. The development hereby approved shall not be occupied or brought into use until a Surface Water Drainage Strategy has been implemented 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 confirm compliance with sustainable drainage systems (SuDS) principles and include the following:
 - A detailed plan showing the existing drainage features on the site and how the proposed drainage strategy will be implemented;
 - A detailed topographical survey that clearly identifies the existing drainage features on the site as well as level contours to show overland flow routes;
 - If infiltration is proposed, soakage tests in accordance with BRE 365 to demonstrate that infiltration is feasible;
 - Consent for any outfalls from the proposed drainage systems into a watercourse, public sewer or other drainage system not owned by the applicant;
 - Evidence that the impact upon existing drainage systems is mitigated by discharging the flow throughout the management train rather than relying upon a single point of discharge;
 - SuDS have been selected to provide a wide range of benefits including amenity, biodiversity and maintaining water quality. Calculations demonstrating that the required 20% betterment against the existing/greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100 year return period storm events;
 - Calculations demonstrating that the proposed drainage design provides a sufficient level of water treatment throughout the management train to prevent pollution of the receiving watercourse;
 - Confirmation that the strategy has been designed in accordance with the Non statutory Technical Standards for Sustainable Drainage Systems and the latest SuDS Manual (C753);
 - Exceedance routes that minimise the risks to people and property;
 - Future maintenance details to ensure the surface water drainage system operates at its intended capacity/efficiency for the lifetime of the development.

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

REASON: To ensure the development reduces flood risk across the site and to adjacent land through the timely implementation of a Surface Water Drainage Strategy informed by SuDS principles in accordance with the aims of Core Policy 67 of the Wiltshire Core Strategy and the objectives of Policies F7 and F8 of the National Planning Policy Framework.

3. The development shall be carried out in accordance with the approved levels, earthworks, access, parking and turning arrangements shown on: Access Plan 17128.108-D received 5 April 2022, Slab Levels and Construction Facilities 17128.123 received 22 October 2024, and Site Layout – 17128.107-C received 13 March 2026.

The approved finished floor levels, site levels, grading, access roads, parking areas, turning areas and associated earthworks shall thereafter be retained as approved.

REASON: To ensure the development is undertaken and retained in a manner that respects the character and appearance of the area, provides an appropriate landscaped setting, safeguards residential amenity and maintains satisfactory access, parking and drainage arrangements, in accordance with Core Policies 50, 51 and 57 of the Wiltshire Core Strategy, Policies MARL17 and MARL18 of the Marlborough Area Neighbourhood Plan and the objectives of Policies N2, N4 and P3 of the National Planning Policy Framework.

4. All soft landscaping comprised in the approved details of the development (approved plan no. Landscape Mitigation Strategy – WHL-1160-05 Rev.A) shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development, whichever is the sooner.

All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, 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.

Thereafter, the site shall be managed in accordance with a Landscape and Ecology Management Plan (LEMP) the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the buildings hereby approved. As a minimum, the LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development site, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure a satisfactory landscaped setting for the development and to ensure the enhancement of the river corridor and biodiversity net gains are delivered in a timely manner in accordance with the aims of Core Policies 50 and 51 of the Wiltshire Core Strategy, policies

MARL14 and 17 of the Marlborough Neighbourhood Plan and the objectives of Policy N2 of the National Planning Policy Framework

5. The manure storage and disposal arrangements hereby approved shall be retained and operated in accordance with the details approved under application PL/2024/09534 and drawing Site Layout – 17128.107-C hereby approved for the lifetime of the development.

REASON In the interests of residential amenity, pollution prevention and environmental protection, including the protection of the River Og corridor and its associated ecological interests, in accordance with Core Policies 50, 56 and 57 of the Wiltshire Core Strategy and the objectives of Policies N2 and P3 of the National Planning Policy Framework.

6 The development shall be carried out in full accordance with the approved Construction Environmental Management Plan (CEMP) received on 02 May 2025, approved pursuant to application PL/2024/09534.

REASON: To ensure the continued protection of ecological receptors, the River Og, neighbouring amenities and the wider environment during the implementation of the approved development, in accordance with Core Policy 50 of the Wiltshire Core Strategy and the objectives of Policies N2 and P3 of the National Planning Policy Framework.

7. The development shall be carried out in accordance with the details of the submitted flood risk assessment and associated technical notes (Report Version 4, Author: Water Resource Associates, Dated: March 2022), and the following mitigation measures detailed within:

- Minimum bridge soffit level of 126.07 metres above Ordnance Datum (mAOD) as outlined in the letter 'Re Mill House Poulton FRA Review of EA modelling of the River Og, Water Resource Associates LLP, 21st December 2022', River Og Modelling Review Technical Note Final and the drawing revised Bridge levels and setting-out Plan 17128.110-D, received 22 October 2024;
- Access ramp to the proposed bridge shall be an open grid structure to reduce the impact on floodplain storage, as outlined in the drawing revised Bridge levels and setting-out Plan 17128.110-D, received 22 October 2024;
- Finished floor level for the proposed barn shall be set at or above 126.5mAOD, and finished floor levels for the stable shall be set at 126.2mAOD as outlined in section 3.4 of the Flood Risk Assessment;
- No raising of ground levels within the 1% 70CC flood extent as outlined in section 3.4
- of the flood risk assessment.

REASON: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that the bridge is designed appropriately and floodplain storage is not reduced in accordance with the aims of Core Policy 67 of the Wiltshire Core Strategy and the objectives of Policies F6 and F7 of the National Planning Policy Framework.

8. The vehicular access, internal access road, visibility splays, radii, gate set-back, parking and turning arrangements shall be retained and maintained in accordance with drawing Access Plan – 17128.108-D and the approved details for the lifetime of the

development. The visibility splays shown on the approved plans shall thereafter be kept free from obstruction at all times above a height of 600mm above the level of the adjacent carriageway.

REASON: To ensure the development continues to benefit from a safe means of access and to prevent harm to highway safety, in accordance with Core Policies 60, 61 and 64 of the Wiltshire Core Strategy and the objectives of Policies TR3 and TR4 of the National Planning Policy Framework.

9. All vehicular traffic associated with the Equestrian Clinic use hereby approved shall be directed to use the southern access point directly from the public highway at Poulton Hill and at no time shall commercial traffic be directed to the private access road that runs to the north of the site.

REASON: To prevent an increase in commercial traffic to the north of the site to prevent any harm to highway safety arising as a result of the operation of the permitted use in accordance with the aims of policies 60, 61 and 64 of the Wiltshire Core Strategy and the objectives of Policies TR3 and TR4 of the National Planning Policy Framework.

10. The development shall not be brought into use until full details of all external plant/machinery (to include external flues, vents, extraction fans etc.) have been submitted to and approved in writing by the local planning authority. As a minimum, the details shall include:

- A site plan (and building elevations if relevant) showing the locations of all external plant/machinery;
- manufacturer's technical specifications, that must include noise ratings; and details of noise/odour suppression measures (if relevant).
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Thereafter, the development shall be completed and maintained in accordance with the approved details.

REASON: To ensure the development is appropriately managed to protect the amenities of nearby residential properties and to ensure no noise pollution of the River Og occurs, to the detriment of the biodiversity value of the site in accordance with the aims of Core policies 50 and 57 of the Wiltshire Core Strategy and the objectives of Policies P3 and P4 of the National Planning Policy Framework.

11. The buildings hereby approved shall be constructed using the external materials and finishes as detailed within approved plan numbers 17128.104-B (Proposed stables) and 17128.106-E (Proposed barn) and shall be maintained in accordance with the approved details thereafter.

REASON: To ensure the development is constructed to a good quality design and protects the rural character of the site and settings of nearby designated heritage assets in accordance with the aims of Core Policies 51, 57 and 58 of the Wiltshire Core Strategy and objectives of Policies DP3, N4 and HE4 of the National Planning Policy Framework.

12. No external lighting shall be installed anywhere within the application 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 plans will 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 08/23 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals. The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed. This condition will be discharged when a post-development lighting survey has been submitted to the Local Planning Authority demonstrating compliance with the approved lighting plans, having implemented and retested any necessary remedial measures.

REASON: In the interests of the amenities of the area, to minimise unnecessary light spillage along the river corridor and to protect the dark skies of the North Wessex Downs National Landscape in accordance with the aims of Core Policies 50, 51 and 57 of the Wiltshire Core Strategy, policies MARL17 and 18 of the Marlborough Area Neighbourhood Plan and the objectives of Policies P3 and N4 of the National Planning Policy Framework.

13. The buildings hereby approved shall not be occupied or brought into use until full details of a management plan for the section of the Scheduled Ancient Monument located within the development site shall be submitted to and approved in writing by the local planning authority. As a minimum, the details shall confirm details of regular inspection of the SAM, all maintenance/enhancement works and procedures to report to Historic England. Thereafter, the development shall be operated in accordance with the agreed details.

REASON: To ensure the Scheduled Ancient Monument within the development site is adequately managed and sensitively enhanced in accordance with the aims of Core Policy 58 of the Wiltshire Core Strategy, policy MARL14 of the Marlborough Area Neighbourhood Plan and the objectives of Policies HE4 and HE6 of the National Planning Policy Framework.

14. The buildings hereby approved shall not be occupied or brought into use until the hard-surfaced areas for the parking and turning of vehicles within the site have been constructed/laid out in full with staff and visitor parking spaces provided with electric vehicle charging points (EVCP) in accordance with details of the surface materials and charging points that have first been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be maintained in accordance with the approved details.

REASON: To ensure that sufficient areas for the parking and turning of vehicles are secured and that EVCPs are provided to encourage the use of low-carbon vehicles in the interests of protecting air quality in the area and preserving the rural character of the site in accordance with the aims of Core Policies 51, 60, 61 and 64 of the Wiltshire Core Strategy, policy MARL17 of the Marlborough Area Neighbourhood Plan and the objectives of Policies TR3, TR4 and CC2 of the National Planning Policy Framework.

15. The bridge hereby approved shall be constructed and thereafter retained in accordance with drawing 17128.110-D and the details approved under application PL/2024/09534.

REASON: To ensure a high-quality design that respects the rural character of the site and the setting of nearby heritage assets, in accordance with Core Policies 51, 57 and 58 of the Wiltshire Core Strategy and the objectives of the Design Policies of the National Planning Policy Framework.

16. The commercial use hereby permitted shall only be as an Equestrian Orthopaedic Clinic use (a sui generis use) and for no other commercial equestrian enterprise (i.e. riding school, commercial livery).

REASON: To ensure that the agreed mitigation measures are suitable for the intended use in the interests of preserving neighbouring residential amenities, the biodiversity value of the site and protecting the valued habitats of the River Og and River Kennett from pollution in accordance with the aims of Core Policies 50, 51 and 57 of the Wiltshire Core Strategy, policy MARL17 of the Marlborough Area Neighbourhood Plan and objectives of Policy S5 of the National Planning Policy Framework.

17. The internal lighting within the building hereby approved shall be installed and operated in accordance with Lighting Specification Reference 08049 ECH3200-W50/DA and Lighting Management Scheme 17128. Between the hours of 20:30 and 07:00, internal lighting shall be restricted to the minimum level reasonably necessary for staff safety, horse welfare, essential husbandry activities, security and emergency veterinary treatment. The indoor school element of the building shall not be illuminated during these hours other than where lighting is reasonably required in connection with emergency veterinary treatment or an animal welfare emergency. All lighting shall be managed so as to minimise unnecessary light spill from the building.

REASON: To minimise unnecessary light spill and protect the dark skies and special qualities of the North Wessex Downs National Landscape in accordance with Core Policies 51 and 57 of the Wiltshire Core Strategy and the objectives of Policies P3 and N4 of the National Planning Policy Framework.

Informatives:

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.

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. 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.

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>

Environment Agency informatives

Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery

- wheel washing and vehicle wash-down
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

Preventing Pollution from Manure Heaps

This site is within a Nitrate Vulnerable Zone (Berkshire Downs NVZ). There are rules about how to safely store manure in a NVZ - Storing organic manures in nitrate vulnerable zones – GOV.UK (www.gov.uk)

Temporary field heaps must:

- be made from manure solid enough to be stacked in a freestanding heap
- not give rise to free drainage from within the stacked material
- be covered with a waterproof material if they contain poultry manure without bedding or litter
- occupy as small a surface area as is needed to support the weight of the heap without it collapsing

Land managers must:

- make sure field heaps are at least 10 metres from any surface water (such as a river, pond or ditch) or land drain, or 30 metres if the land slopes at 12 degrees or more
- make sure the location of the field heap is not liable to being waterlogged or flooded
- locate field heaps at least 50 metres from a spring well or borehole
- move the field heap at least every 12 months
- leave a 2 year gap before returning to the same position
- keep a record of the sites used for field heaps and the dates of use

Drainage informatives

- It is noted that the applicant plans to restrict discharge rates from the site to the greenfield Qbar rate for all events up to the 1 in 100 year + climate change storm; it is acknowledged that for the higher return period rainfall events this will provide betterment, however this will not provide the required level of betterment for lower return period events (such as the 1 in 1 year rainfall event). Wiltshire Council's betterment policy for greenfield sites states: "With regards the control of surface water discharges from greenfield sites, Wiltshire Council requires post development discharges to provide 20% betterment over predevelopment (greenfield) discharges for both peak flow and volume. To demonstrate compliance, the applicant must provide pre and post development runoff rates for a range of return periods (1, 30 and 100 year), and pre and post development runoff volumes for the 100 year, 6 hour rainfall event.

This takes account of national policy, as outlined in the SuDS Technical Standards."

- The applicant will be required to resubmit calculations which demonstrate that the required 20% betterment against greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100 year return period storm events.
- The applicant is required to submit calculations which demonstrate that the proposed drainage design provides a sufficient level of water treatment to prevent pollution of the receiving watercourse.

- Any proposals should be designed in accordance with the Non-statutory Technical Standards for Sustainable Drainage Systems and the latest SuDS Manual (C753).

The surface water drainage strategy should include/demonstrate the following:

- Existing greenfield runoff rates for the site.
- Post development runoff rates in accordance with Wiltshire Council's betterment policy update, which can be found [here](#).
- A detailed plan showing the existing drainage features on the site and how the proposed drainage strategy will be implemented.
- A detailed topographical survey that clearly identifies the existing drainage features on the site as well as level contours to show overland flow routes.
- If infiltration is proposed, soakage tests in accordance with BRE 365 to demonstrate that infiltration is feasible.
- Calculations to demonstrate the attenuation requirements for the 1 in 100 year plus climate change event to support the proposed strategy.
- Consent for any outfalls from the proposed drainage systems into a public sewer or other drainage system not owned by the applicant.
- Evidence that the impact upon existing drainage systems is mitigated by discharging the flow throughout the management train rather than relying upon a single point of discharge.
- SuDS source control measures to manage water quantity and maintain water quality have been implemented wherever possible and throughout the management train so the development is not reliant upon large attenuation features close to the points of discharge.
- SuDS have been selected to provide a wide range of benefits including amenity, biodiversity and maintaining water quality.
- Adequate measures during construction to control pollution to existing watercourses and groundwater.
- The strategy mimics the existing drainage characteristics of the site by retaining and utilising any existing drainage features.
- Existing flood flow routes through the site have been maintained or where they will be affected, adequate measures to intercept and safely control flows through the site have been provided to ensure flood risk is not increased elsewhere.
- If infiltration is proposed, it is implemented in manner that does not create an offsite impact, particularly if there are reports of groundwater flooding in the area.
- Surface water can be safely managed within the proposed development, up to and including a 1 in 100 year plus climate change event.
- All proposed drainage features are outside flood zones 2 and 3 and where they are adjacent to an ordinary watercourse, they are not located within the EA surface water flood maps. Where drainage features are located adjacent to flood zones 2 and 3, they must be above the 1 in 100 year plus climate change flood level. This information can be provided by the EA.
- Exceedance routes that minimise the risks to people and property.
- Details of how the proposed and existing drainage features on the site will be maintained and managed after completion with confirmation from the relevant authority that they will adopt any systems that are being offered for adoption

Nic Thomas - Director of Planning, Economy and Climate

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