

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	6th November 2019
Application Number	19/01991/VAR
Site Address	Oaksey Park Cottages, Wick Road, Oaksey SN16 9SB
Proposal	Removal of conditions 8, 9 & 10 of application reference N/10/03612/S73A to allow unrestricted residential occupancy of units 3, 5, 6, 8, 10 & 11 and 20-25
Applicant	Oaksey Park Ltd
Town/Parish Council	Oaksey
Division	Minety – Cllr Chuck Berry
Grid Ref	399519 194174
Type of application	Variation/Removal of Condition(s)
Case Officer	Lee Burman

Reason for the application being considered by Committee

The Application was called in for Committee determination by Councillor Berry to consider the proposals and conflicts with the Made Oaksey Neighbourhood Plan.

1. Purpose of Report

1.1 To consider the proposals in the context of the development plan and all other material considerations and recommend that consent be granted subject to conditions and completion of a S106 agreement within 6 months of the date of the Committee Resolution. In the event that the applicant declines to enter into the s106 Agreement to refuse permission for the reasons set out below.

2. Report Summary

2.1 The application has resulted in 93 representations of support; 3 representations of objection; and 18 representations making general comments. Oaksey Parish Council object to the application.

2.2 The main issues raised by the proposals are: -

- The principles of the development proposal and compliance or conflict with the development plan
- The viability of the existing units of accommodation with the currently attached conditions restricting the scope and nature of the residential use and occupancy i.e. as Holiday let accommodation
- And whether or not the properties have been marketed appropriately reflecting the restrictive occupancy conditions;

- Residential amenity

3. Site Description

3.1 The site is located within the open countryside to the east of the village of Oaksey. The application relates to a development of 25 semi detached and detached structures located adjacent a 9 hole golf course and its supporting clubhouse facility. The structures are modern in design two storey buildings utilising render and timber with substantive glazing elements. The structures are surrounded by shared amenity spaces with planting separating the properties from the golf course. The structures are residential in character but occupancy is restricted to holiday lets. Similarly there is established mature planting to the northern boundary separating the site and its access road from adjoining open countryside. The properties have ancillary group parking areas and the access road to the site runs from Wick Road, adjacent the golf course itself though the golf course car park and passed the clubhouse facility. The land rises to the west and in the direction of the villages and adjacent unmaintained scrub land is situated against the western boundary of the site, albeit this land benefits from an extant consent for a final phase of the development which is as yet unbuilt.

4. Planning History

89/03470/F	Change of Use to residential holiday and staff accommodation of agricultural buildings. Reconstruction of Guest Lounge. Alts To Access and Driveway. Approved
02/01841/FUL	Erection Of 18 No 2 & 3 Bed Holiday Lodges And 1 No Bunkhouse With Covered Parking (1 No Space/Lodge) And Implement Shed, Workshop, Office And Reception Area And Associated Access Approved
03/02072/S73A	Variation of conditions attached to 89/03470/F (Condition 5) and 02/01841/FUL (Condition 7) Appeal allowed conditions varied
10/03612/S73A	Variation of Condition 7 of 02/01841/FUL & 1 of APP/J3910/A/04/1145607 - Relating to Residential Occupancy Relates to units: 3, 5, 6, 8 and 10 - 19 inclusive. Approved
11/02036/S73A	Variation of Condition 1 of APP/J3910/A/04/1145607 - Relating to Residential Occupancy (Original Variation of Condition 7 of 02/01841/FUL) Relates to unit 2. Approved
12/00034/S73A	Variation of Condition 1 of APP/J3910/A/04/1145607 - Relating to Residential Occupancy (Original Variation of Condition 7 of 02/01841/FUL).Relates to unit 4. Approved.
12/00050/S73A	Variation of Condition 1 of APP/J3910/A/04/1145607 - Relating to Residential Occupancy (Original Variation of Condition 7 of 02/01841/FUL). Relates to unit 7. Approved.
13/00958/S73A	Removal of Conditions 8, 9 and 10 imposed on application reference 10/03612/S73A which varied condition No 7 of 02/01841/FUL and appeal APP/J3910/A/04/1145607,

allowing the unrestricted residential occupancy of units 12 to 19 (8 in total). Approved

18/02717/CLE Certificate of lawfulness for use of holiday accommodation as independent residential accommodation. Withdrawn

18/05105/CLE Certificate of lawfulness for use of holiday accommodation as independent residential unit. Withdrawn

5. The Proposal

The application proposes the removal of conditions 8, 9 & 10 of planning permission 10/03612/S73A – Relating to residential occupancy in order to permit unrestricted residential use of units 3, 5, 6, 8, 10 & 11 and 20-25. The conditions are as follows:-

10/03612/S73A

8 Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and the Use Classes (Amendment) Order 2005 (or any Order revoking and re-enacting those Orders, with or without modification), the building(s) hereby permitted shall be used for holiday accommodation only and for no other purpose.

REASON :- This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY: C3 of the adopted North Wiltshire Local Plan 2011, RLT9 of the Wiltshire and Swindon Structure Plan 2016 and the Good Practice Guide on Planning for Tourism

9 The building(s) hereby permitted shall not be occupied as a persons' sole or main place or residence.

REASON:- This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY: C3 of the adopted North Wiltshire Local Plan 2011, RLT9 of the Wiltshire and Swindon Structure Plan 2016 and the Good Practice Guide on Planning for Tourism

10 The owners / operators of the site shall maintain an up-to-date register of the names of all owners / occupiers of individual units identified in red upon drawing No. JC/001/2 and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

REASON:- This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY: C3 of the adopted North Wiltshire Local Plan 2011, RLT9 of the Wiltshire and Swindon Structure Plan 2016 and the Good Practice Guide on Planning for Tourism

6. Planning Policy

Wiltshire Core Strategy (Adopted Jan 2015) (WCS)
CP1, CP2, CP3, CP13, CP57, CP60, CP61 & CP62

Saved Policies of the North Wiltshire Local Plan (Adopted 2006) (NWLP)
H4 & NE18

Oaksey Neighbourhood Plan Made (March 2019) (ONP)
P1, P2, P3, P6, P10, P14 & P17

National Planning Policy Framework (June 2019) (NPPF/The Framework)
- in particular but not exclusively Paras 2, 7, 8, 11, 12, 38, 47, 55, 77, 79

National Planning Practice Guidance
– in particular but not exclusively - Use of Conditions

7. Consultations

Highways Officers – No objection subject to conditions

Education Officers – No objection and no requirements identified

Open Spaces Team – No objections additional playspace requirement identified

Butler Sherbourne (Independent Surveyors) – Advice addressed in detail the main body of the report but in summary concludes that the marketing undertaken was reasonable and appropriate and the conclusions reached as to lack of demand for the units with the conditions attached are agreed.

Oaksey Parish Council – Strongly object. The proposals are considered to conflict directly with Policy 3 Holiday Accommodation, Leisure & Recreation of the made neighbourhood plan.

8. Publicity

8.1 The application was advertised by Site Notice, press Notice, Neighbour notification, Notification to the Parish Council, Notification to the Local Ward member, Publication of documentation on the Council's website and identification in the Council's weekly list of applications.

8.2 The vast majority of public representations received identify support for the proposals identifying a shortage of housing in the locality and significant benefits to local families and persons wishing to stay or become resident in the village. In addition a lack of demand for holiday lets, no site specific harmful impacts including to the character and appearance of the area. 93 representations of support were received in total.

8.3 3 representations of objection were received. Issues raised centred on the importance of the golf course and holiday lets to the local economy; the location outside the defined settlement and the view that limited weight should be given to previous decisions at the site removing conditions and the lack of demand for holiday lets at the site/locality.

8.4 18 representations making general comments or no objection were received, a limited number of persons made multiple submissions. Issues raised centred on:-

- Some of the supporting information submissions are not fully accurate e.g. property numbering on plans
- Parking and bin collection provision on site is inadequate
- Unauthorised development of the erection of boundary treatments has taken place
- Previous applications to remove restrictive conditions on properties at the site have been granted consent

- More homes are required and challenge to the previous decisions has been lost
- Prior approval for change of use sets a precedent that is material
- Will help the local economy
- Will support local services and create a better living environment at the site
- Better to use existing properties than build new housing
- Concerned about impact on businesses servicing the existing properties
- No detrimental impacts.

9. Planning Considerations

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006); and the Oaksey Neighbourhood Plan (ONP) (Made March 2019).

WCS Core Policies CP1 and CP2 define requirements for housing and employment development in the plan period and the development strategy for addressing those requirements. That strategy is based on a defined settlement hierarchy with significant development being directed to the most sustainable settlements in the hierarchy based on the infrastructure, facilities and employment opportunities and scope for self-containment within each of the settlements identified. Allocations to meet identified requirements are to be brought forward through neighbourhood plans and / or specific development plan documents. In this housing market area Chippenham is the most sustainable strategic location for significant development. A series of community area based policies then distribute the identified quantum of growth to locations throughout the market area with further definition of the settlement hierarchy in each community area. In this instance the relevant policy is CP13 and Oaksey is identified as a large village with a defined settlement framework boundary within which limited residential development to meet local needs is considered appropriate.

Oaksey has prepared and adopted a Neighbourhood Plan and this includes housing allocation to meet identified requirements and so can be given full weight. The Wiltshire wide housing site allocations development plan document is well advanced and can be given considerable weight.

Outside of the identified settlements and allocated sites new housing development is strictly controlled and, in accordance with the guidance in the framework, limited to a series of exceptions. Principally these exceptions focus on limited residential development required to allow persons to live close to their places of work in rural based employment activities, re-use of existing buildings, exceptionally innovatively designed dwellings or replacement dwellings.

The application site is not allocated for residential development and sits outside of the defined settlement framework boundary for Oaksey. The residential properties that would result from the removal of restrictive occupancy conditions as proposed would not fall within the exceptions categories of new residential development in the open countryside. The development would not be directly in accord with the development plan in respect of the development strategy and core policies of the WCS informing the location and distribution of new residential development.

At this point it is important to note that the WCS does not include a specific policy that deals with this particular situation – removal of restrictive occupancy conditions allowing unfettered residential use. However, the ONP does – Policy P3. The second part of this policy specifically states the following:-

The removal of occupancy restrictions on holiday accommodation to allow their use as a permanent residential dwelling will not be supported unless the property is located within the settlement boundary.

The ONP as noted above is a made plan and therefore carries full weight. However as with the WCS and all adopted and made plans it is subject to the statutory provision repeated throughout the Framework starting at para 2 that planning applications must be determined in accordance with the development unless material considerations indicate otherwise.

It is therefore necessary to consider what if any material considerations arise that would support and justify a decision other than in accordance with the development plan.

In this later respect it is considered that such circumstances do exist. Firstly the properties already exist having been constructed some years ago. As such this is not a proposal for new build residential development. The development that was permitted and which has taken place was also a form of residential development, that being for holiday let/ accommodation purposes. This falls within the same residential use classification of the town and Country Planning (Use Classes) Order England 1987 as amended being defined as an ordinary dwelling (C3). Whilst occupancy is restricted by condition the characteristics of the use of these structures is residential in nature as opposed to other land uses i.e. employment or retail. Finally the site has been the subject of a marketing exercise and the application is supported by a report in this respect which concludes that there is no demand for the properties with the restrictive conditions attached.

The considerations identified and especially the marketing of the properties with the relevant conditions attached are considered to be material to the weight to be given to the development plan including policy 3 of the ONP in determining this application.

In this context the submitted marketing report has been the subject of independent review and assessment by local surveyors with experience and knowledge in the tourism sector – Butler Sherborn. Their report concludes that the approach undertaken in the marketing report is appropriate and its findings reasonable and therefore the proposition of disposing of the properties to individuals as second/holiday homes is unviable. Both the marketing report and its assessment have been published to the public record and made available to interested parties. Queries arising from the Butler Sherborn assessment, including whether or not the use of auctions or marketing of the site as a whole going concern as opposed to individual units would have altered the conclusions have been put to the author who has confirmed that additional marketing by these means would not in their professional opinion and experience have materially altered their conclusions/the outcome of the marketing exercise. Butler Sherborn consider that the market is well provisioned for holiday homes and the available and planned facilities in the locality are of a comparable nature but in most instances are of a higher price but with a greater range of supporting facilities and of a higher specification in design. The assessment identifies that funding is not considered to be freely available to support investment/purchase from mortgage providers.

Oaksey Parish Council has reviewed and considered both the submitted marketing report and the Butler Sherborn assessment and does not agree the findings. The Parish Council considers that the application site is not comparable to other holiday let sites in the locality and referenced in the report having not been well maintained in a number of respects and requiring improvements. In addition the Parish Council considers that the site has not been

fully operated in accordance with the identified restrictive conditions. The Parish Council identifies that there is no requirement for additional housing in the locality following adoption of and provisions made within the ONP alongside other identified residential development having taken place/having been permitted. Whilst the Parish Council's concerns are noted it is not considered that these matters in and of themselves result in a different conclusion than that reached by the Butler Sherborn review which considers the identified sites at the Cotswolds Water Park and Wiltshire Leisure village to be reasonable as comparable sites for assessment purposes and that the properties have been marketed at an appropriate valuation reflecting site circumstances and the restrictions applied.

Retention of the restrictive conditions and their enforcement is ultimately likely to lead to a series of vacant structures and / or persons having to relocate to other dwellings with properties that they can not sell and not use except for restricted periods each year. Such a position / decision is not considered to be reasonable and defensible given the identified material considerations and could lead to deterioration of the site to the detriment of the character and appearance of the locality.

It is also material to note that a previous consent for similar proposals has been approved based on evidence demonstrating no demand for other units at the site with the restrictive conditions attached. Furthermore, the large representation of support from members of the local community with respect to the current application proposals is also notable.

On the basis of the above and in particular the findings of the independent assessment of the marketing of the application properties it is considered that it has been demonstrated that there are material considerations that support a decision otherwise than in accord with the development plan, including policy P3 of the ONP.

Residential Amenity

Concerns have been raised by interested parties as to the future occupancy of the properties as permanent and principal residences without restrictive conditions limiting occupancy in terms of the adequacy of residential amenities.

As noted previously the existing units are in a form of residential occupancy and this requires an appropriate level of residential amenity in terms of privacy, overlooking, outlook and interrelationship between properties, daylighting and overshadowing, ancillary amenity spaces, access and parking arrangements. The scheme as approved and implemented to date secures adequate arrangements in these respects and it is not considered that this is significantly less than would be required had the units/properties been proposed and approved as unrestricted market dwellings.

Specific reference has been made to amenity spaces and boundary treatments with the existing units being approved largely as a more open plan arrangement with shared spaces than is often seen on market/unrestricted residential developments. Whilst this is true shared spaces with open arrangements are not completely unheard of or totally unique and it is not considered that this arrangement results in an inadequate level of amenity including in respect of privacy. The concerns raised at least in part stem from the use of conditions attached to previous consents requiring approval of boundary treatments by removing permitted development (PD) rights. Removal of PD rights by condition does not in any way indicate that such development is unacceptable in perpetuity, merely that it raises matters, such as impacts to the approved design character of a development, over which the LPA wishes to give further consideration and retain control. This reflects recent revisions to the NPPF at para 130 which exhorts LPAs to ensure that design quality is not undermined or diminished by multiple minor amendments to an approved scheme. Such minor amendments can be achieved through the exercise of permitted development rights.

It is also material to note that a similar previous consent has been granted and in that context the proposed arrangements were considered acceptable in residential amenity terms. The consultation response in respect of this application is also noteworthy in identifying significant levels of support for the proposal with the facility being considered desirable for the unrestricted residential use and meeting local residential need.

In summary it is considered that the units subject of the application will provide for an adequate level of amenity for future occupants with the restrictive occupancy conditions removed and that there is no conflict with the provisions of the development plan or the framework in this respect and no sound and defensible reason for refusal on this basis.

Highways and Parking

On the basis of the initial submissions the Council's Highways officers raised no objection but did seek additional information in respect of car and cycle parking provision. Information has been submitted by the application as to available provision and on that basis Highways officers raise no objection subject to conditions.

The site access has been found acceptable in relation to the consented use. Similarly the previous determination of applications seeking variation of occupancy conditions attached to the properties at the site have given consideration to the adequacy of the arrangements. It is not considered that the material circumstances at the site and in relation to the access have changed significantly in this respect. The removal of the current restrictive occupancy conditions attached to the properties the subject of the application is not considered to result in revised vehicular movements to an extent that revisions to the site access or alternative site access arrangements are necessary.

Other Matters

Phase 4 of the development/Extant permission

It should be noted that a final phase of development of holiday let units at the site remains unimplemented and is not covered by the current application proposals to remove restrictive occupancy conditions. The consent remains extant given the implementation of earlier phases and related works. In the determination of the previous application reference number 13/00958/S73A legal advice was sought as to voiding that element of the consent. The report to committee for the application addresses the matter in full and confirms that advice received identified that it was not appropriate or lawful in relation to material circumstances and considerations relevant to the site and the application. That is considered to remain the position.

However, correspondence indicating a possible intention to consider implementation of the remaining element of the scheme in 2017/2018 was submitted to the Council. Given this position it is considered necessary and reasonable to address the matter formally and on this basis it is agreed with the applicant that the S106 agreement / planning obligation will include covenants preventing the building out of phase 4 of planning permission ref N/10/03612/S73A without the applicant demonstrating to the Council's reasonable satisfaction that there is demand for the units contained within phase 4.

Waste Collection

Concerns have been raised during the consultation period that waste collection facilities and arrangements are inadequate for the proposed alternate living arrangements arising from the removal of restrictive occupancy conditions. The applicant has confirmed that the bin storage

area has been completed as per agreed details previously required by condition. Again it is also material to note that the existing properties the subject of the application are in a form of residential use. No significant concerns were raised at the time of determination as to future waste collection and the proposals were approved. A compound for bin storage has been approved through the discharge of condition attached to the previous consent and provision made in accord with the approved details. Waste collection frequency is not a matter that can be controlled through the determination of planning applications, this is a matter that is addressed by the Council on an area wide basis in accord with its business plan and a range of other considerations and objectives. It could be open to residents to make private arrangements if considered necessary. The storage provision facilities are considered adequate for the development and the removal of restrictive occupancy conditions in respect of the properties which are the subject of this application is not considered to generate a requirement for additional or revised provision such that there is conflict with the policies and provisions of the development plan or framework and consent ought to be refused on this basis.

Planning Obligation / S106 Agreement

The Council's Education Department has assessed the proposals and identifies that based on the current school place planning and projections the development does not generate a requirement for education provision at primary or secondary level but that the previously identified requirement remains.

The Council's Open Spaces Team has assessed the scheme proposals and has identified that additional playspace provision is required. Officers identify that the requirement can be addressed either by on site facilities in addition to the previously identified requirement or through off site financial contributions. The preferred option of Officers being on site provision. The applicant has agreed to meet the requirement through on site provision and this will be addressed through the S106 agreement. The previous covenants / requirement as to open space provision has yet to be fully discharged as triggers in the relevant S106 agreement in that respect have not yet been met but the current application if approved will do so once implemented. The applicant has confirmed that on site provision can be made and willingness to enter into the S106 agreement on this basis.

The Council's Housing Officers have considered the scheme proposal and the site history. In light of the previous determination and the current policy position Officers do not consider that a contribution toward affordable housing provision arises from the scheme proposals.

Commitments and requirements with respect to the Phase 4/extant elements of the consent re: further holiday lets at the site are addressed above.

Given the nature the triggers contained in the existing section 106 in part tied to the units that are the subject of the current application and the matters addressed therein that remain extant it is considered that agreement must be varied to apply to the consent that is recommended for approval. In so doing it is possible to include the additional provisions relating to the extant unimplemented element of the development and additional open space requirements. The Council's legal department has confirmed that this is appropriate and necessary.

Drainage/Landscape/Ecology/Heritage

It is not considered that the proposals result in any impacts in respect of these matters and no conflict with relevant policies of the plan or national guidance arise.

10. Conclusion

The application proposals are not directly in accord with the provisions of the development plan with particular regard to the development strategy of the Wiltshire Core Strategy set out in policies CP1 CP2 CP13; and the requirements and provisions of the Oaksey Neighbourhood Plan in particular policy P3. The Wiltshire Core Strategy does not however contain specific policies that directly address the proposed variation of conditions as a matter of principle.

On the basis of the assessment of the submitted Marketing Report undertaken by independent surveyors instructed by the Council it is considered that it has been demonstrated that there is no demand for the holiday let units that are the subject of this application with the restrictive conditions attached. Similarly it is considered on the basis of the advice received that appropriate marketing of the properties has been undertaken at an reasonable valuation reflecting site circumstances. The Council has no detailed marketing evidence or submissions before it that demonstrates a demand for the units with the conditions attached. The applicant has confirmed their willingness to enter into a planning obligation to restrict further development of holiday lets at the site in accordance with the extant permission unless evidence is available to demonstrate demand for provision.

It is material to consider that the units subject of the application already exist and are in a form of residential use. It is therefore not considered that proposed removal of restrictive occupancy conditions will result in site specific impacts to interests of acknowledged importance such that harm arises and the application could and ought to be refused on this basis. Again the applicant has agreed to enter into a planning obligation to meet the identified infrastructure needs arising from the proposals and to vary the existing agreement to apply to the latest permission.

On this basis it is considered that there are material considerations of significant weight that do justify and support a decision otherwise than in accordance with the development plan in this instance. As such and in accordance with paragraph 12 of the Framework permission is recommended.

RECOMMENDATION

Grant Planning Permission subject to the conditions below and the completion of a S106 agreement within 6 months of the date of the Committee resolution to vary the existing agreement to apply to this permission; address open space requirements; and prevent the Applicant from building out phase 4 of planning permission ref N/10/03612/S73A without demonstrating to the Council's reasonable satisfaction (to be confirmed in writing and such approval not to be unreasonably withheld or delayed) that there is demand for the units contained within phase 4. In the event that the applicant declines to enter into the s106 agreement to refuse permission for the following reasons:-

The application fails to make provision for the requisite services, facilities and infrastructure needs arising from the proposals and is therefore contrary to Wiltshire Core Strategy Policy CP3 and paras 54 and 56 of the National Planning Policy Framework June 2019.

The material circumstances supporting and justifying a decision otherwise than in accordance with the development strategy of the plan as set out in Wiltshire Core Strategy policies CP1, CP2 & CP13; and Oaksey Neighbourhood Plan Policy P3 have not been demonstrably established as evidence is available to indicate an intent to erect further holiday lets at the site.

Conditions

- 1 The area between the nearside carriageway edge and lines drawn between a point 2.4 metres back from the carriageway edge along the centre line of the access and points on the carriageway edge 160m back from and on both sides of the centre line of the access shall be kept clear of obstruction to visibility at and above a height of 900mm above the nearside carriageway level and maintained free of obstruction at all times.

REASON: In the interests of highway safety.

- 2 The development hereby permitted shall be served solely from the access shown in drawing c310/1.

REASON: In the interests of highway.

- 3 The workshop / estate yard shall be used only for purposes ancillary to the golf course.

REASON: To prevent an inappropriate independent use

- 4 The development hereby permitted relates solely to units 3, 5, 6, 8, 10 &11 and 20-25 Inclusive as shown on site layout plan received 19/09/2019.

REASON: In the interests of proper planning.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

- 8 INFORMATIVE TO APPLICANT: 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.
- 9 INFORMATIVE TO APPLICANT:
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the XX/XX/XXXX.
- 10 INFORMATIVE TO APPLICANT:
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 landowners 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.

Background Documents Used in the Preparation of this Report:

Wiltshire Core Strategy

Oaksey Neighbourhood Plan

NPPF

NPPG

Application File N/13/00958/VAR

Application submissions 19/01991/VAR

Butler Sherborn Assessment