Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2022/05507

Decision Date: 23 September 2022

Applicant:	Mr K Archer Stitchcombe Mill , Ramsbury Road , Stitchcombe, Mildenhall, SN8 2EU
Particulars of Development:	Extension to dwellinghouse following demolition of barn and associated works
At:	Stitchcombe Mill, Ramsbury Road, Stitchcombe, Mildenhall, SN8 2EU

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: (10)

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:

Dwg Ref: E 00.0 Rev D Location and Site Plans
Dwg Ref: P 01 Proposed Ground Floor Plan
Dwg Ref: P 02 Proposed First Floor Plan
Dwg Ref: P 03 Proposed Second Floor Plan
Dwg Ref: P 04 Proposed Roof Plan
Dwg Ref: P 05 Proposed Elevations Sheet 1
Dwg Ref: P 06 Proposed Elevations Sheet 2

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

3 Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

A. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.

B. Working method statements for protected/priority species and habitats such as those outlined in the ecology reports and any other measures for designated wildlife sites (River Kennet SSSI and Deciduous Woodland HPI), nesting birds, bats (including measures to avoid and reduce artificial light), badgers, amphibians and reptiles.

C. Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats and birds; this shouldcomprise the preconstruction/construction-related elements of strategies only.

D. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.

E. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

4 No development shall commence on site above ground floor slab level until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area which is within the AONB.

5 No external lighting shall be installed on-site unless plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of ecology and the amenities of the area which is within the AONB.

6 The mitigation measures detailed in the approved Flood Risk Assessment (FRA) by Unda Consulting Ltd and dated June 2022 shall be carried out in full prior to the first occupation of the development hereby approved.

7 The mitigation and enhancement measures detailed in the approved Preliminary Roost & Nest Assessment dated May 2021 and the Bat Emergence Survey dated August 2021 by ES Ltd (notably section 7 on page 32 of the Bat Emergence Survey entitled Map of Mitigation and Enhancement Provisions) shall be carried out in full prior to the first occupation of the development and in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

8 The windows in the development hereby approved shall be of timber framed, constructed, and maintained in perpetuity.

REASON: In the interests of preserving the character and appearance of this non-designated heritage asset which occupies a prominent roadside location within the AONB.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (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 preserving the character and appearance of this non-

designated heritage asset, to ensure it retains a mill-like character, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

10 Bat roosts and bat access points will be incorporated into the development in accordance with the mitigation strategy agreed with the Local Planning Authority or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the local planning authority. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

REASON:
To mitigate impacts to bats arising from the development.

Informatives: (3)

11 The roof space of the residential dwelling is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

12 The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August, but some species are known to breed outside these limits.

13 For applications where a bat roost is impacted and an EPSL is required.

The roof space of the property known as Stitchcombe Mill is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

Parvis Khansari - **Corporate Director, Place**

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 12 weeks of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - https://www.gov.uk/appeal-householder-planning-decision).