Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/05068

Decision Date: 13 September 2023

Applicant:	Mr N Smart & Miss M Shikhashvili Kite View, Church Lane, Middle Woodford, Salisbury SP4 6NP
Particulars of Development:	Re-construction of roof to dwelling to provide accommodation and extension to garage with roof configuration over for home office use (Resubmission of PL/2022/06687)
At:	Kite View, Church Lane, Middle Woodford, Salisbury SP4 6NP

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 documents and plans:
Plan reference: Location and Block Plan 03922 3, dated July 2022, received by this office 23/06/2023
Plan reference: Alterations to Garage 03922 2, dated July 2022, received by this office 23/06/2023
Plan reference: Proposed Extension 03922 1 Rev A, dated July 2022, received by this office 21/07/2023 (with the exception of the location of bat access tiles which are amended by Figure 4 ‘The location of habitat enhancement measures for building 1; lead bat access tiles included in the Bat Activity Survey Report dated August 2023, received by this office 23/08/2023)
Document reference: Bat Activity Survey Report August 2023 (Daniel Ahern Ecology)

received by this office 23/08/2023
Document reference: Preliminary Roost Assessment October 2022 Daniel Ahern Ecology), received by this office 23/06/2023 including Lead Bat Access Tile photo detail.
Document reference: Proposed materials list received by this office 06/09/2023 and 12/09/2023 (amending roofing material to natural slate)
Document reference: Planning Statement received by this office 30/06/2023
REASON: For the avoidance of doubt and in the interests of proper planning.

3 The development shall be carried out in accordance with the approved materials and finishes list received by this office 6/09/2023 and 12/09/2023 (amending the roofing material to natural slate), unless otherwise agreed in writing by the local planning authority (which would require the submission of the exact details of alternative materials/finishes and approval in writing by the local planning authority prior to their use).
REASON: In order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4 The resultant outbuilding following the works to the garage hereby approved (comprising the side extension and addition of first floor area) should be used for the purposes of a garage, home office and storage purposes only and should not be used or occupied at any time other than for purposes incidental to the residential use of the main dwelling, known as Kite View and it shall remain within the same planning unit as the main dwelling.
REASON: The use of the building for incidental uses to the main dwelling complies with saved Policy H33 of the Salisbury District Local Plan (which is otherwise restrictive of development to create annexe/ancillary living accommodation other than as an integral extension to the main dwelling); and incidental development is considered to be phosphorus neutral, in accordance with the Strategic Appropriate Assessment of Developments in Wiltshire Occurring in The River Avon Sac Catchment and Memorandum of Understanding relating to development within the catchment of the River Avon Special Area of Conservation (SAC).

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window, rooflight or other opening (other than those shown on the approved plans), shall be inserted on the NE elevation/roofslope above eaves level of the main dwelling or the SE roofslope of the garage/home office roof.
REASON: In the interests of neighbour amenity and privacy.

6 The vehicle access and parking area shall remain ungated.
REASON: In the interests of highway safety.

7 The first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area shall be consolidated and surfaced (not loose stone or gravel) within 6 months of the completion of the works to create the revised access/parking area hereby approved (or otherwise in accordance with a timetable to be submitted to and approved in writing by the local planning authority). The access shall be maintained as such thereafter.
REASON: In the interests of highway safety.

8 Notwithstanding the submitted details, means/works shall be implemented to avoid private water from entering the highway within 6 months of the completion of the works to create the revised access/parking area hereby approved (or otherwise in accordance with a timetable to be submitted to and approved in writing by the local planning authority).
REASON: To ensure that the highway is not inundated with private water.

9 The access and parking spaces [3] shall be completed in accordance with the details shown on the approved plans within 6 months of the completion of the works to create the revised access/parking area hereby approved (or otherwise in accordance with a timetable to be submitted to and approved in writing by the local planning authority). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.
REASON: In the interests of highway safety.

10 The development will be carried out in strict accordance with the Bat Activity Survey Report dated August 2023 by Daniel Ahern Ecology received by this office 23/08/2023 and the bat mitigation and enhancement measures detailed in section 4.2 and the lead bat access tiles detailed in Preliminary Roost Assessment October 2022 Daniel Ahern Ecology, received by this office 23/06/2023, OR as otherwise specified in a relevant European Protected Species Licence superseding this permission. The bat mitigation and enhancement measures will continue to be available for bats for the lifetime of the development.
REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of protected species and biodiversity.

Informatives: (3)

Bats
The roof space of Kite View is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), 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.

Breeding Birds
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.

Vehicle access works
The application involves an extension to the existing vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website
at http://wiltshire.gov.uk/highways-streets to make an application.

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 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