Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/04933

Decision Date: 19 September 2023

Applicant:	Mr Mark Landau Old Manor Cottage, Church Street, Little Bedwyn, , SN8 3JQ
Particulars of Development: **At:**	The demolition and replacement of a garage outbuilding Old Manor Cottage, Church Street, Little Bedwyn, Marlborough, SN8 3JQ

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: (8)

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:

Application Form
Heritage Statement by Handforth Heritage dated June 2023
Arboricultural Report by Certhia Consulting Ltd dated September 2023
Preliminary Roost Assessment (PRA) by MPEcology dated June 2023

Location Plan - Drawing No. 001 Rev A
Site Plan - Drawing No. 002 Rev A
Proposed Elevation Left & Right Outbuilding 2 - Drawing No. 168 Rev A
Proposed Elevation Front & Rear Outbuilding 2 - Drawing No. 167 Rev B

Proposed Section Outbuilding 2 - Drawing No. 361 Rev A
Proposed Elevation Front with Context - Outbuilding 2 - Drawing No. 358 Rev A
Proposed Elevation Right with Context - Outbuilding 2 - Drawing No. 357 Rev A
Proposed Elevation Front with Context - Outbuilding 2 - Drawing No. 258 Rev A
Proposed Elevation Rear with Context - Outbuilding 2 - Drawing No. 259 Rev A
Proposed Elevation Right with Context - Outbuilding 2 - Drawing No. 257 Rev A
Proposed Plan Outbuilding 2 - Drawing No. 165 Rev A
Proposed First Floor Plan Outbuilding 2 - Drawing No. 166 Rev A
Proposed Roof Plan Outbuilding 2- Drawing No. 169 Rev A

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

3 No development above slab level shall commence on site until details and samples of the materials to be used for the external walls, roofs and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. 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 and the setting of the listed host building.

4 No works above slab level shall commence on site until details of all new external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting permission in the interests of preserving the character and appearance of the listed building and its setting.

5 Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the approved Arboricultural Report by Certhia Consulting Ltd dated September 2023. The tree protection measures shall be retained for the duration of the construction works.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity.

6 The development will be carried out in strict accordance with the following documents:
• Preliminary Roost Assessment (PRA) of Garage – Old Manor Cottage, Little Bedwyn. Rev. 1. June 2023. MPEcology.
• Proposed Elevation. Left & Right Outbuilding 2. Drawing no: 168. Rev. A
• Proposed Elevation. Front & Rear Outbuilding 2. Drawing no: 167. Rev. B

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

7 Prior to works above slab level details of the number, design and locations of nesting opportunities for birds and native planting shall be submitted to the local authority for approval. These details should be clearly shown on a site plan. The approved details shall be implemented before occupation of the final works. Biodiversity enhancements will continue to be available for the target species for the lifetime of the development.

REASON: To provide mitigation/enhancement for biodiversity.

8 No external lighting shall be installed on-site until 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 the amenities of the area and conserving biodiversity and to minimise unnecessary light spillage above and outside the development site.

Informatives: (2)

9 The outbuilding 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. Works to trees could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

10 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.

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