Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/04244

Decision Date: 29 September 2023

Applicant:	Mr Jamie Chance Brook Cottage Rollestone Road, Shrewton, Wiltshire, SP3 4HG
Particulars of Development:	Two-storey and single-storey extensions and alterations to the existing cottage. Demolition of the existing carport and erection of a new timber framed "L" shaped three-car garage and annexe plus associated works
At:	Brook Cottage, Rollestone Road, Shrewton, Salisbury, SP3 4HG

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:

Application Form & Certificate Received 26th May 2023
Plans Ref:
Proposed Location and Block Plan DWG: 2063 D00B Received 24th July 2023
Revised Site Plan DWG: 2063 D06E Received 30th August 2023
Proposed Elevations DWG: 2063 D04D Received 24th July 2023

Proposed Sections DWG: 2063 D05D Received 24th July 2023
Proposed Ground Floor Plan DWG: 2063 D01B Received 26th May 2023
Proposed First Floor Plan DWG: 2063 D02B Received 26th May 2023
Root Protection Plan DWG: 2063 D09 Received 30th August 2023
Proposed Carport Plans DWG: 2063 D07C Received 24th July 2023
Proposed Carport Elevations DWG: 2063 D08C Received 24th July 2023

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

3 The garage and annexe building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Brook Cottage and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, nutrients associated with the River Avon Special Area of Conservation and planning policies pertaining to the area, would not permit a wholly separate dwelling.

4 The development will be carried out in strict accordance with the following documents:
• Phase 1 Bat Surveys. May 2023. Vesper Conservation & Ecology Limited
• Carport Elevations as Proposed. Drawing no: D08 Rev C. July 2023. Temple Ford Design Ltd.
• Root Protection Plan. Drawing no: D09. August 2023. Temple Ford Design Ltd.
• Site Plan at Proposed. Drawing no: D06. July 2023. Temple Ford Design Ltd.

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

5 The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

6 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

7 No building materials or machinery are to enter the 20m buffer zone of the River Avon Special Area of Conservation.
REASON: For the protection and mitigation of the River Avon and its tributaries.

8 Notwithstanding the submitted plans 2063 D04D, 2063 D05D and 2063 D02B Before the development hereby permitted is brought into use the First-floor window to be installed in the Northeast Elevation serving bedroom 4 shall be glazed with obscure glass only to an obscurity level of no less than level 3 and shall be maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

9 The roof area of the single-storey, flat-roofed, rear extension of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

REASON: In the interests of residential amenity and privacy.

10 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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the rear elevation of the main house known as Brook Cottage above ground floor ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

Informatives: (3)

11 Nesting Birds

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.

12 Bats

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet

13 Protected Species General

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. 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.

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