Wiltshire Council

The Town and Country Planning Act 1990

Approval of Variation of Conditions

Application Reference Number: PL/2023/06992

Decision Date: 13 November 2023

Applicant:	Mr & Mrs Steven and Pauline Murphy 279 B Uplands Cottage, Green Lane, Turleigh, Bradford On Avon, Wiltshire, BA15 2HH
Particulars of Development:	Variation of condition 2 (approved plans) on PL/2022/02392 for Demolition of modern porch and conservatory, to be replaced with a new porch in the same position, and a single storey extension at first floor level (west), with a recessed glazed link. Omission of lower extension to north and some landscaping associated with enlarging parking space
At:	Uplands Cottage, 279B Green Lane, Turleigh, Bradford on Avon, BA15 2HH

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

Conditions: (6)

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:
Proposed Section AA DWG No 001 Received 30.08.2023
Proposed Extension Front Elevation DWG No 002 Received 30.08.2023

Proposed Extension Rear Elevation DWG No 003 Received 30.08.2023
Proposed Extension Floor Plan DWG No 008 Received 30.08.2023
Proposed Porch Front Elevation DWG No 009 Received 30.08.2023
Proposed Porch Left Elevation DWG No 010 Received 30.08.2023
Proposed Porch Right Elevation DWG No 011 Received 30.08.2023
Proposed Porch Floor Plan DWG No 012 Received 30.08.2023
Location Plan and Existing Block Plan - DWG No 2013/003/A Received 29.08.2023
Existing Site Plan - DWG No 2013/005/A Received 29.08.2023
Existing Ground Floor Plan - DWG No 2013/006/A Received 29.08.2023
Existing East and West Elevations - DWG No 2013/007/B 29.08.2023
Existing North and South Elevations - DWG No 2013/008/A Received 29.08.2023
Existing Sections A B and C - DWG No 2013/009/A Received 29.08.2023
Existing Section FF - DWG No 2013/010/A Received 29.08.2023
Existing First Floor Plan - DWG No 2013/016/A Received 29.08.2023
Existing Roof Plan - DWG No 2013/017/A Received 29.08.2023
Proposed Site Plan - DWG No 2013/020/B Received 29.08.2023
Proposed Ground Floor Plan - DWG No 2013/021/C Received 29.08.2023
Proposed First Floor Plan - DWG No 2013/022/C Received 29.08.2023
Proposed Roof Plan - DWG No 2013/023/B Received 29.08.2023
Proposed East Elevation - DWG No 2013/024/B Received 29.08.2023
Proposed West Elevation - DWG No 2013/025/B Received 29.08.2023
Proposed North Elevation - DWG No 2013/026/B Received 29.08.2023
Proposed South Elevation - DWG No 2013/027/B Received 29.08.2023
Proposed Dropped Kerb Plans - DWG No 2013/030/B Received 29.08.2023

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

3 The development will be carried out in strict accordance with the following documents:

- Bat Survey Report: Uplands Cottage, Thurleigh. Ref: P22-014-A, Date: 28 September 2022, Version 1.1 by Aether Ecology Ltd
- First Floor Plan as Proposed, Uplands Cottage Turleigh, 2013/022/B, Dec 2021 by Chedburn Architects
- Ground Floor Plan as Proposed, Uplands Cottage Turleigh, 2013/021/B, Dec 2021 by Chedburn Architects

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

4 No external light fixture or fitting will be installed within the application site other than that
shown on plans Ground Floor Plan As Proposed (2013/022/C) and First Floor Plan As Proposed 2013/021/C approved under this application, unless details of existing and

proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will
impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

5 The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

6 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

Informatives: (4)

7 The application involves an extension to the existing/creation of a new 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.

8 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species including for example, bats and great crested newts. 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. 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 (Amendment) (EU Exit) Regulations 2019 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.

9 There is a residual risk that amphibians / reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear any vegetation that is scheduled to be removed as part of the works during the winter, remove all the resultant waste arising and maintain the vegetation as short as possible. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk)

10 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.

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