Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/04853

Decision Date: 29 November 2023

Applicant:	Mr and Ms John Comparelli Brookside Cottage , High Street, Tisbury, Wiltshire, United Kingdom, SP3 6JG
Particulars of Development:	Single storey rear extension, dormers to rear elevation
At:	Brookside Cottage, High Street, Fovant, SP3 5JL

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: (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:

Location Plan dated 26/03/2023
Proposed Site Plan Rev.C dated 26/09/2023
Proposed North East Elevation Plan Rev.B dated 26/09/2023
Proposed North West Elevation Plan Rev.C dated 26/09/2023
Proposed South West Elevation Plan dated 26/03/2023
Proposed South East Elevation Plan Rev.B dated 26/09/2023
Proposed Ground Floor Plan Rev.C dated 26/09/2023
Proposed First Floor Plan Rev.C dated 26/09/2023
Proposed Rear Extension Wall Section dated 22/09/2023
Design and Access Statement dated 21/09/2023

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

3 The mitigation measures detailed in the approved Flood Risk Assessment (FRA) [00296 Brookside L3 FRA dated 12/07/2023] and Design and Access Statement dated 21/09/2023 shall be carried out in full prior to the first bringing into use of the development.

REASON: To ensure that the development will be safe for its users for the intended lifetime of the development, without increasing flood risk elsewhere, and be sufficiently flood resistant and resilient to the level and nature of the flood risk.

4 No development shall commence beyond slab level until details of the stone coping for the single storey extension have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved material/details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority in order that the development is undertaken in an acceptable manner, to ensure a satisfactory appearance taking account of the sensitive location of the site in a conservation area.

5 The external walls of the extension shall consist of local squared rubble green stone and the new stonework shall be laid and brought to course to match the elevations of the existing building.

REASON: To ensure a satisfactory appearance taking account of the sensitive location of the site in a conservation area.

6 The clay tiles to be used in the development hereby permitted shall match those of the existing building in terms of their material, colour, texture, profile and pattern of laying.

REASON: In the interests of visual amenity and the character and appearance of the area.

Informatives: (6)

Any alterations to the approved plans, brought about by compliance with Building

Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained from the Environment Agency for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission. For further guidance please visit https://www.gov.uk/guidance/flood-risk activities-environmental-permits or contact Blandford.frap@environment agency.gov.uk with details of the approved works and state the planning reference.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and the Environment Agency advise consultation with them at the earliest opportunity.

The applicant has been made aware of the concerns of the Parish Council and some local residents regarding potential disruption whilst works are undertaken. The applicant is requested to ensure the development is undertaken in a manner that minimises any potential disruption, in particular by taking steps to ensure the High Street is not blocked for any length of time. If the road is needed to be blocked, the applicant should contact Wiltshire Council Highways in advance for further information: Contact us - Highways - Wiltshire Council

Bats

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.

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 whether the building is supporting any breeding birds and if it is, delay any alterations until after young birds have fledged. Any works to any parts of the building 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