Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/08166

Decision Date: 05 December 2023

Applicant:	Mrs Gillian Hartley 31 Astley Close , Pewsey, Wiltshire, SN9 5BD
Particulars of Development:	Extension and alteration works including replacement of the former single storey extension at the rear with a new 2-storey rear extension and a single storey orangery which allows for the ground and first floor layouts to be replanned and modernised. The existing garage is to be replaced and repositioned further away from the house, and a new greenhouse is to be erected in the garden.
At:	Hartwood House, Woodborough, Pewsey, SN9 5PN

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: (5)

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
Design and Access Statement, 11 September 2023
Preliminary Roost Assessment, 22 September 2023
Bat Report V2.0, received 17/11/2023
Greenhouse Specification Sheet, Alitex Greenhouse Collection

Plans:
544 001, Exg. Location Plan
544 040, Pro. Site Plan
544 050A, Pro. Ground Floor Plan
544 051A, Pro. First Floor Plan
544 052, Pro. Roof Plan
544 053A, Proposed Bat Mitigation, received 17/11/2023
544 060B, Pro. Elevations, received 17/11/2023
Proposed Garage Plans
Mottisfont Proposal - 1 of 4, National Trust - The Mottisfont (Greenhouse Proposal drawing)
Mottisfont Proposal - 2 of 4, National Trust - The Mottisfont (Bench & internal layout options)
Mottisfont Proposal - 3 of 4, National Trust - The Mottisfont (Cold Frame options - sheet 1 of 2)
Mottisfont Proposal - 4 of 4, National Trust - The Mottisfont (Cold Frame options - sheet 2 of 2)

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:
•Proposed Bat Mitigation. Ref: 544 053A. Absolute Architecture.
•Proposed Elevations. Ref:544 060B. Absolute Architecture.
•Bat Report.V2.0. 16th November 2023. Ecology by Design Ltd.

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

4 Bat roosts and bat access points will be incorporated into the development in accordance with Proposed Bat Mitigation(Rev A. 20th October 2023). The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the local planning authority. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

REASON: To mitigate for impacts to bats arising from the development.

5 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.

Informatives: (3)

6 Evidence of roosting bats was identified in the loft of Hartwood House. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 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 fresh 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.

7 The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

8 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