Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/07785

Decision Date: 18 December 2023

Applicant:	Mr & Mrs R Nourse Temple House, Temple Estate, Rockley, Marlborough , SN8 1RU
Particulars of Development:	Alterations and extensions to existing dwelling to include two storey rear extension to house, repositioned staircase, single storey rear extension to provide new kitchen and living area, and associated access and landscape works
At:	Totterdown Cottage, Temple Farm, Marlborough SN8 1RU

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: (4)

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: [insert plan numbers, including any revision number and date]

Doc Title: Application Form.
Drg Title: Proposed Floor Plans. Drg No: P-NTD-001. Rev: B.
Drg Title: Proposed Log Store. Drg No: P-NTD-008. Rev: A.
Drg Title: Proposed Site Plan and Section. Drg No: P-NTD-007. Rev: B.
Drg Title: Temple Estate Context Plan. Drg No: P-NTD-006.
Doc Title: Swift Box Details ‘The Swift Solution’.

Doc Title: Bat Box Details ‘Vivara Pro Beaumaris Woodstone Bat Box Maxi’.
Doc Title: Bat Emergence and Re-entry Surveys. Produced by: Arbtech.
Drg Title: Existing Sheet 1 / 2. Drg No: P-NTD-004. Rev: A.
Drg Title: Existing Sheet 2 / 2. Drg No: P-NTD-005. Rev: A.
Doc Title: Hibernaculum Details. Produced by: Wiltshire Wildlife Trust.
Drg Title: Existing Location Plam and Proposed Location Plan. Drg No: P-NTD-003.
Doc Title: Preliminary Ecology Appraisal. Dated: April 2023.
Drg Title: Proposed Elevations. Drg No: P-NTD-002. Rev: B.

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

3 Prior to first occupation, Bat roosting and bird nesting features provided as mitigation will be incorporated into the development in accordance with drawing numbers: P-NTD-002 Rev: B, P-NTD-008 Rev: A. The installation of these 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. Features for bats and birds will continue to be available for the target species for the lifetime of the development.

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

4 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 to minimise unnecessary light spillage above and outside the development site.

Informatives: (4)

5 The existing dwelling 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. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

6 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.

7 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.

8 The applicant should note that it is a criminal offence to obstruct a public right of way under section 137 of the highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

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