Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/07095

Decision Date: 20 February 2024

Applicant:	Jonny Wheeler The Dower House, Leigh Road, Holt, Wiltshire, BA14 6PR
Particulars of Development: **At:**	Conversion of existing outbuilding to form a new dwelling The Dower House, Leigh Road, Holt, Trowbridge, BA14 6PR

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:

Design and Access Statement, Planning Statement, Viability Appraisal, Location Plan (A17 22 13 S01), Existing Elevations Floor and Floor Plans (A17 22 13 S03), Partial Elevation Plan (A17 22 13 P03), Proposed Bat House Plans and Section (A17 22 13 P04 Rev C) and existing block plan (A17 22 13 S02 Rev B) - all received 21 August 2023

Structural Appraisal - Jonathan Apted Engineering Design (23-1031 - dated Jan 2023) - received 22 August 2023

Protected Species Survey and Mitigation (Malford Environmental Consulting 20 July 2023) - received 4 September 2023

Landscape Plan (proposed floor plans and elevations) A17 22 12 S04 Rev A, Proposed Block Plan (A17 22 13 P01 Rev D) and Proposed Floor Plans and Elevations (A17 22 13 P02 Rev E) - all received 16 October 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:

• Protected Species Survey & Mitigation Strategy. 20th July 2023. Malford Environmental Consulting.
• Proposed Bat House. Drawing no: A17 22 13 P04 Rev C. 11th July 2023. Atelier 17 Ltd.
• Proposed Block Plan. Drawing no: A17 22 13 P01 Rev D. 4th July 2023. Malford Environmental Consulting.
• Proposed Floor Plans. Drawing no: A17 22 13 P02 Rev E. 21st June 2023. Malford Environmental Consulting.

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

4 The building shall not be first occupied until the bat roosts and bat access points (as detailed on Drawing no: A17 22 13 P04 Rev C - Proposed Bat House) have been installed in full accordance with those details; and where the installation of the bat roosts and access features have been supervised by a professional ecologist, evidenced with photographs and have been submitted to and approved in writing by the local planning authority.

These bat roosts and access points shall continue to be available for bats and maintained as such in perpetuity.

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

5 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 have been submitted to and approved in writing by the Local Planning Authority. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication GN01:21, ‘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.

The approved lighting shall be installed and 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, to minimize unnecessary light spillage above and outside the development site and to protect protected species (bats)

6 All soft landscaping comprised in the approved details of landscaping (as shown on the proposed Block Plan -A17 22 13 P01 Rev D - and plan A17 22 13 S04 Rev A) shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Informatives: (3)

7 The Stables 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.

8 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

9 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.

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

4 **CIL.** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy