Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/10494

Decision Date: 07 March 2024

Applicant:	Mr Luke McCullough 61 Murhill, Limpley Stoke, Wiltshire, BA2 7FG
Particulars of Development:	Single and double storey rear extension to a detached house to replace an existing single storey structure, terrace realignment, and a new garden office (the latter under permitted development rights).
At:	61 Murhill, Limpley Stoke, Bath, BA2 7FG

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:

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:

Site Location Plan – dwrg no. 178_EX000_B – received 01/12/2023
Existing Site Plan – dwrg no. 178_EX00 – received 01/12/2023
Proposed Site Plan – dwrg no. 178_PL00_D – received 01/12/2023
Existing Ground Floor Plan – dwrg no. 178_EX01 – received 01/12/2023
Proposed Ground Floor Plan – dwrg no. 178_PL01_C – received 01/12/2023
Existing First Floor Plan – dwrg no. 178_EX02 – received 01/12/2023
Proposed First Floor Plan – dwrg no. 178_PL02_C – received 01/12/2023
Existing Elevations – dwrg no. 178_EX03 – received 01/12/2023
Proposed Elevations – dwrg no. 178_PL03_E - received 04/03/2024
Existing Section – dwrg no. 178_EX04 – received 01/12/2023

Proposed Sections – dwrg no. 178_PL04_C - received 04/03/2024
3D Views – dwrg no. 178_3D – received 01/12/2023
Design and Access Statement – dwrg no. 178_DA Statement_Rev C_compressed – received 01/12/2023

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

3 The mitigation measures as detailed within section 6 of the approved Ecological Assessment (dated September 2023) Bat Survey Report, Rev 2 produced by Avondale Ecology) including the provision of automatic rooflight blinds, a bat loft, 2 access points and integrated bat box, shall be completed and carried out in full prior to the development hereby approved being brought into use, and in accordance with the approved timetable as detailed in the Ecological Assessment.

REASON: To define the terms of the permission and to safeguard existing biodiversity and nature habitat.

4 Prior to the development hereby apprpved being brought into use, the bat roosts and bat access points shall be incorporated into the development in accordance with the hereby approved proposed elevation plan Ref: 178 PL03 Rev E, and the poposed section AA & BB plan. Ref: 178 PL04 Rev C.

The installation of these bat roosts and access features shall be supervised by a professional ecologist and this part of the condition will be only be discharged when photographic evidence of the respective installations have been submitted to and approved in writing by the local planning authority.

Thereafter, the bat roosts and access points shall continue to be available for bats for the lifetime of the development.

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

Informatives:

No.61 Murhill supports roosting bats. 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.

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