Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/10566

Decision Date: 23 April 2024

Applicant:	Mr James Greening 3 Barnleaze, Edington, Westbury, Wiltshire, BA13 4PJ
Particulars of Development:	Extension & Alterations to Dwelling
At:	Bullen Hill Farm, Ashton Common, Steeple Ashton, Trowbridge, BA14 6DY

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: (7)

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 DWG No PL01 - Received 04.12.2023
Existing Site Plan DWG No PL02A - Received 28.02.2024
Existing Ground Floor Plan DWG No PL03 - Received 04.12.2023
Existing First Floor Plan DWG No PL04 - Received 04.12.2023
Existing Roof Plan DWG No PL05 - Received 04.12.2023
Existing Elevations DWG No PL06 - Received 04.12.2023
Proposed Site Plan DWG No PL10B - Received 28.02.2024
Proposed Ground Floor Plan DWG No PL11 - Received 04.12.2023
Proposed First Floor Plan DWG No PL12 - Received 04.12.2023
Proposed Roof Plan DWG No PL13A - Received 04.12.2023
Proposed East Elevation DWG No PL14A - Received 04.12.2023

Proposed West Elevation DWG No PL15B - Received 28.02.2024
Proposed North and South Elevations DWG No PL16A - Received 04.12.2023
Proposed Garage Plans and Elevations DWG No PL17B - Received 28.02.2024
Proposed Horse Shoe Bat Roost DWG No PL18 - Received 28.02.2024

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

3 The development hereby permitted shall be carried out in accordance with the following documents:

Section 5 Bat Survey Report Report ref: 2021-087 V2. Smart Ecology - Received 04.012.2023
Proposed Garage. Drawing no: PL17B - Received 28.02.2024
Proposed Horse Shoe Bat Roost. Drawing no: PL18 - Received 28.02.2024
Proposed Elevations. Drawing no: PL15B - Received 28.02.2024
Proposed Site Plan. Drawing no: PL10B - Received 28.02.2024

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

4 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.
The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by bats.

5 No external lighting will be operated overnight (for the avoidance of doubt this means sunset to sunrise inclusive) during the construction phase of the development.

REASON: in the interest of conserving functionality of habitats for protected species

6 Bat roosts and bat access points will be incorporated into the development in accordance with :

Section 5 Bat Survey Report Report ref: 2021-087 V2. Smart Ecology - Received

04.012.2023
Proposed Garage. Drawing no: PL17B - Received 28.02.2024
Proposed Horse Shoe Bat Roost. Drawing no: PL18 - Received 28.02.2024
Proposed Elevations. Drawing no: PL15B - Received 28.02.2024
Proposed Site Plan. Drawing no: PL10B - Received 28.02.2024

or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be dischargedwhen 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.

7 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building 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: (5)

8 The main house (B4) and an outbuilding (B6) are 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.

9 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.

10 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.

11 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 SASH9 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

12 The applicant should note that no gates, fences or stiles should be erected across the public right of way without prior consultation and approval from the Countryside Access Officer (contact rightsofway@wiltshire.gov.uk). Unauthorised structures across a right of way are an obstruction and gates may only be authorised for the control of stock under section 147 of the Highways Act 1980.

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