

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	2 nd February 2023
Application Number	PL/2022/07632
Site Address	The Gables, Dean Road, Whiteparish, Wiltshire, SP5 2RJ
Proposal	Partial demolition, rebuild, extensions and internal alterations to the existing house and construction of a detached garage (part retrospective)
Applicant	Mrs L Clewer
Town/Parish Council	Whiteparish
Electoral Division	Whiteparish– (Richard Britton)
Grid Ref	51.012425,-1.649538
Type of application	Full Planning
Case Officer	Joe Richardson

Reason for the application being considered by Committee

The scheme of delegation confirms that due to the relationship of the applicant to the Council, any objection received to this proposal requires the application to be determined by the relevant area planning committee board rather than under delegated powers to officers.

For the purposes of this application, the applicant is the mother of the leader of the Council, Cllr Richard Clewer and the relevant area planning committee board is the Southern Area Planning Committee.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved for the reason(s) set out below.

2. Report Summary

The issues in this case are:

- Principle of development, policy and planning history;
- Design, scale, heritage/conservation matters and impact to the amenity of the area;
- Parking/Highways Impact;
- Ecological Impact and Protection of the River Test SAC
- Other matters

The application has received a total of ten letters of objection from members of the public and an objection from Whiteparish Parish Council to the proposed development. The details of the objections received from the Whiteparish Parish Council and the members of the public are set out in Section 7 (Summary of consultation responses).

A re-consultation of amended and additional plans to all interested parties has taken place following the removal of the proposed parking spaces at the front of the dwellinghouse.

3. Site Description

The site, an existing cottage is located within the village of Whiteparish, set back from the public highway. The dwelling prior to its partial collapse was considered to be historic in nature not listed and is located within the Whiteparish Conservation Area. The dwellinghouse had been identified as a property that makes a positive contribution to the Conservation Area.

4. Planning History

19/00581/OUT - Proposed new traditional dormer style family dwelling located at "The Gables" (Outline application relating to access, appearance and scale) WTD 14.03.19

PL/2021/09435 - Subdivision of the plot and construction of a detached bungalow with associated parking, access and landscaping WTD 17.12.21

PL/2021/11905 - 2 storey front extension, construction of a detached garage, single storey extension and conservatory and internal alterations A.C 05.05.22

PL/2022/03685 - Partial discharge of condition 5 of PL/2021/11905 (Garage material details only) APP 14.07.22

PL/2022/04488 - Discharge of condition 5 of PL/2021/11905 APP 26.07.22

PL/2022/05038 - Variation of condition 2 of PL/2021/11905 - to allow a reposition and revision to the design of the detached garage and regrade the land to the front of the cottage WTD on officer advice 20.09.22

5. The Proposal

The proposal seeks planning permission for partial demolition, rebuild, extensions and internal alterations to the existing house and construction of a detached garage (part retrospective). The works have already commenced under permission PL/2021/11905 but have gone beyond the scope of that permission due to the partial collapse of the dwellinghouse.

6. Local Planning Policy

S72 of the Planning (Conservation and Listed Buildings) Act 1990

National Planning Policy Framework

Section 2 Achieving Sustainable Development

Section 12 Achieving Well Designed Places

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 23 Southern Wiltshire Community Area

Core Policy 50 Biodiversity and Geodiversity
Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the conservation of the historic environment
Core Policy 61 Transport and New Development
Core Policy 69 Protection of the River Avon SAC

Wiltshire Local Transport Plan 2015-2026:
Car Parking Strategy

7. Summary of consultation responses

Whiteparish Parish Council – Objection with comments stating:

Whiteparish Parish Council RESOLVED to object to this application and recommends refusal due to the garage being:

- Inappropriate backland development.
- It will be detriment to neighbour amenity along with the impact on the setting to the existing neighbouring dwellings.
- It will be closer to other dwellings with an increase in noise, along with vehicular and garage lights being detrimental to neighbours.

The Parish Council also noted that it believes the site is being lived in which is contrary to the Wiltshire Councils Highways recommendation of:

Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.
Reason: To ensure that the highway is not inundated with private water.

No part of the development hereby permitted shall be first occupied until the access, turning area & parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

WC Highways – No objection subject to conditions

WC Conservation – No objection subject to conditions

WC Ecology – No objection subject to conditions

8. Publicity

The application has been advertised by way of letters to near neighbours. The publicity has generated ten letters of objection in total with comments received summarised as the following:

- Backland development
- Inappropriate development of a residential garden
- Increase in noise and light disturbance/amenity impacts
- Change in height of the dwellinghouse

The total of ten objections to this scheme is a result of a re-consultation to all interested parties following the submission of additional information by way of the works proposed, the changes proposed to the parking area and comparisons for this scheme and that of the previous approval PL/2021/11905. The Parish Council have responded to this re-consultation and have confirmed that their objection as outlined within this section of the committee report has not changed as a result of this additional information provided and changes proposed.

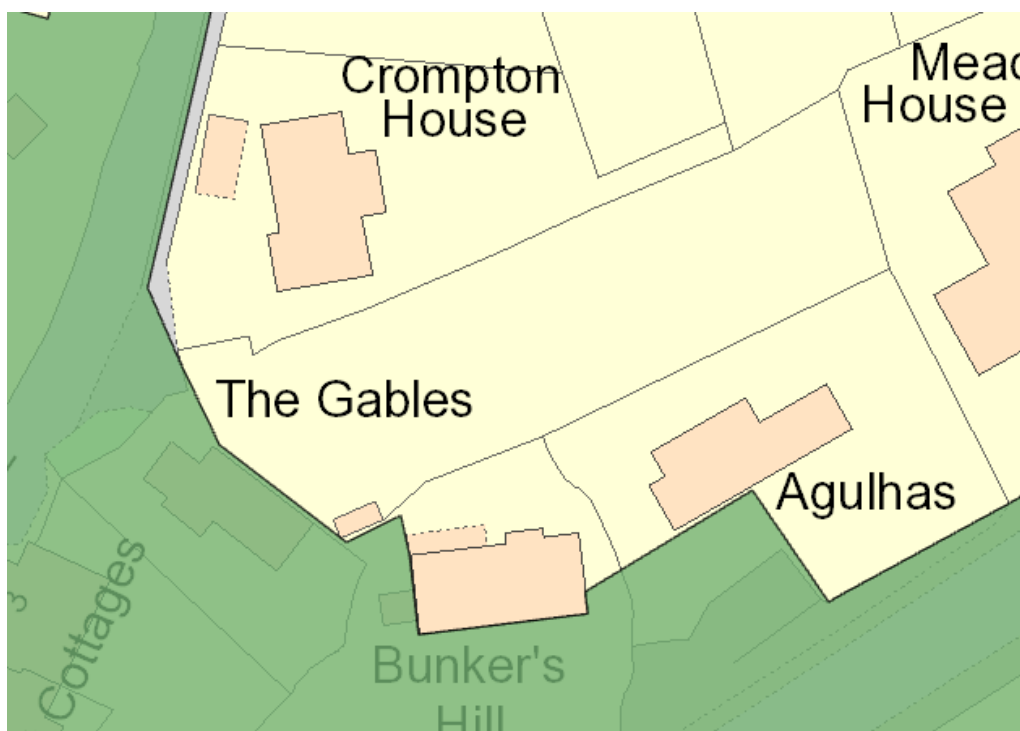
9. Planning Considerations

9.1 Principle of development, policy and planning history

The proposal seeks planning permission for partial demolition, rebuild, extensions and internal alterations to the existing house and construction of a detached garage (part retrospective). The works have already commenced under permission PL/2021/11905 but have gone beyond the scope of that permission due to the partial collapse of the dwellinghouse.

The principle of development has been established by planning permission PL/2021/11905 that granted permission for the erection of a two storey extension, single storey extension and conservatory with internal alterations. The scheme also granted consent for the erection of a detached garage. Works have commenced on site to implement this permission but due to the partial collapse of the dwellinghouse, the works carried out have gone beyond the scope of this original consent.

The site subject to this scheme is located partially within and partially outside the Whiteparish Conservation Area as shown below:



The proposal should aim to conform to the objectives of Core Policy 57 of the Wiltshire Core Strategy (WCS) which aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Core Policy 57 of the WCS requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 130f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Core Policy 58 of the WCS states that development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:

- i.* Nationally significant archaeological remains
- ii.* World Heritage Sites within and adjacent to Wiltshire
- iii.* Buildings and structures of special architectural or historic interest
- iv.* The special character or appearance of conservation areas
- v.* Historic parks and gardens
- vi.* Important landscapes, including registered battlefields and townscapes.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9.2 Design, scale, heritage/conservation matters and impact to the amenity of the area

Planning permission PL/2021/11905 granted consent for the erection of a two storey extension, single storey extension, conservatory and erection of a detached garage. The plans shown below are of the dwelling prior to its collapse and the approved changes under this consent

Elevations of the dwellinghouse prior to its collapse:



DATUM 75.00m AOD
NORTH



DATUM 75.00m AOD
EAST



DATUM 75.00m AOD
SOUTH



DATUM 75.00m AOD
WEST

Approved elevations under consent PL/2021/11905:

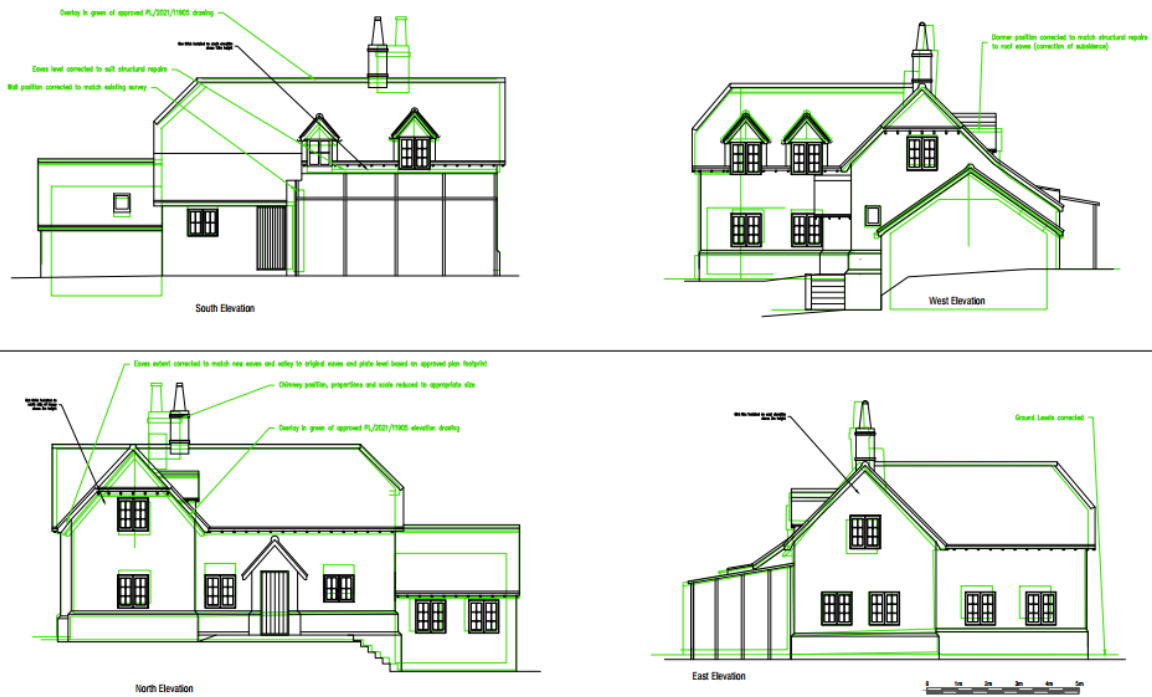


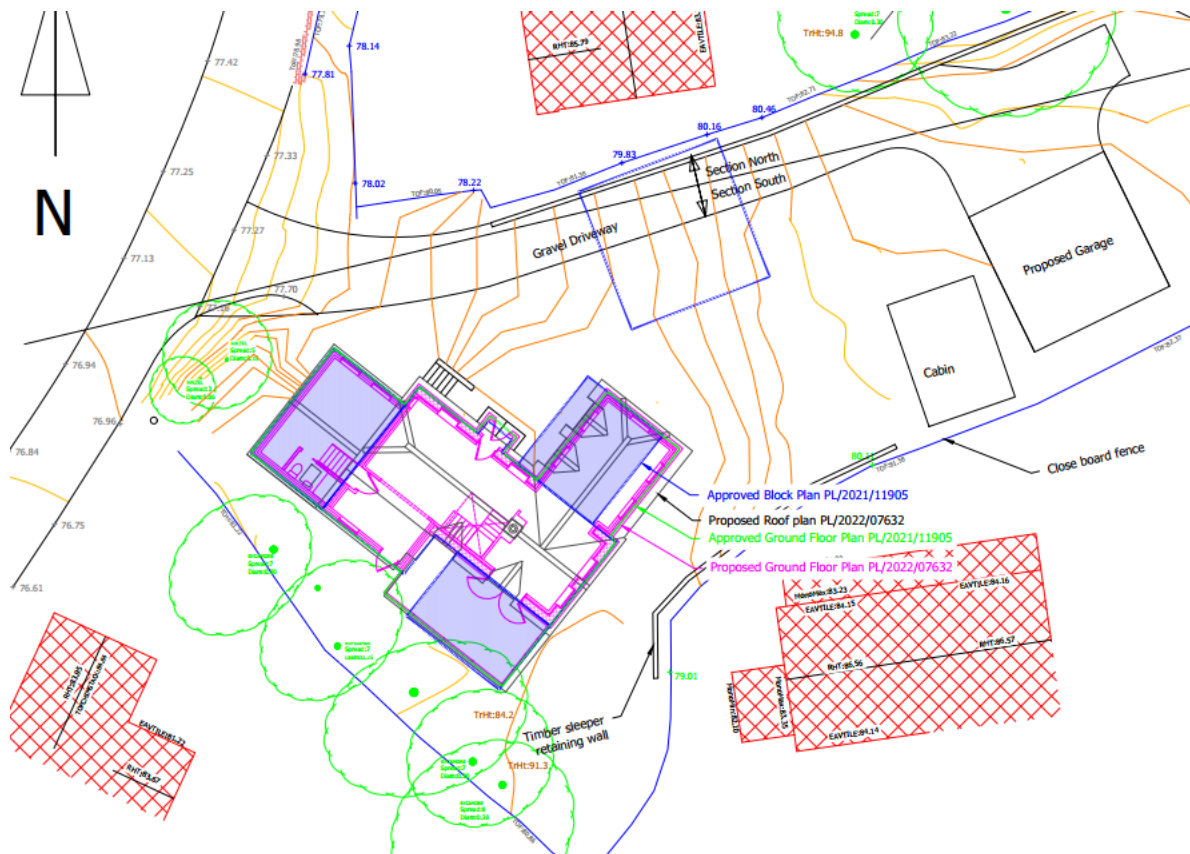
Proposed elevations under this application PL/2022/07632:



The rebuilding of the dwellinghouse subject to this proposal is largely similar to that of the approved changes under consent PL/2021/11905 with the exception of some fenestration

changes and design of the chimney. The footprint of the dwellinghouse is modestly increased due mainly to an increase in the thicknesses of walling for the rebuilding of the dwellinghouse. To confirm this, the agent has provided comparison plans with an overlay (shown in green) of the block plan and elevations plan approved under consent PL/2021/11905 and for this scheme (as shown below) that confirm the dwellinghouse to be rebuilt is the same height to that of previous dwelling.





The plans proposed are identical to that of the previous approval with the exception of some minor changes to comply with building regulations. These changes are:

1. Rafters have now been designed to pitch onto a level wall plate rather than the roof of the building leaning to one side.
2. The ridge is straight, level and horizontal
3. The valley and eaves overhang has now been corrected so that the new eaves coincide with the old eaves and the valley runs evenly between the old and new roofs.
4. The dormers have been corrected to coincide with the eaves.
5. The chimney is now vertical and over the fireplace in appropriate proportions.
6. Ground levels shown on the elevations now match the landscaping.

The appearance of the dwelling prior to its partial collapse was a property that makes a positive contribution to the Whiteparish Conservation Area. The building is not listed. As such comments for this proposal have been sought from the Council's Conservation Officer. Given the location of the dwellinghouse, comments from the Conservation Officer carry significant weight in the determination of this application.

Comments received from the Conservation Officer state:

My understanding is that the current application is required in view of the extent of demolition that has taken place which is unauthorised. One feels that this was almost inevitable, despite the reassurances of the agent which clearly were mis founded. I regret the degree of demolition to this cottage and can only feel that the eradication of historic form and character diminishes

the conservation area in some very modest way. However, providing the cottage is re-built as per the original approved plans, I conclude the proposals would preserve the character of the Conservation Area in accordance with Section 72 of the Planning (LB and CA) Act 1990.

Having regard for the location of the existing partially demolished dwellinghouse within the Whiteparish Conservation Area, the Conservation Officer has suggested a number of conditions to be imposed onto any consent. These suggested conditions are around the external materials to be used with particular reference to the roof tiles that should be handmade clay pegged tiles and a condition requiring the surviving historic fabric of the building shall be retained in accordance with the submitted design and access statement and; a drawn plan of the elevations/floor plans shall be provided demonstrating the extent of the historic fabric to be retained along with the methodology for this prior to further works commencing on site.

The agent has now provided an elevational plan of the areas of the partially demolished dwellinghouse that are to be retained by way of the works proposed and also a methodology statement for these works thus mitigating the need for these details to be conditioned. Subject to a condition imposed onto any consent around the retention of the historic fabric of the dwellinghouse and shown on the elevational plan and as outlined within the methodology statement, officers are of the opinion that the works will preserve the surviving elements of the partially demolished dwellinghouse.

Subject to the imposing of the suggested conditions as outlined by the Conservation Officer and having regard for the recent planning history, officers consider that the alterations and rebuilding of the dwellinghouse would not cause any detrimental impact to the special appearance and character of the Conservation Area that would warrant the refusal of planning permission. The agent has provided a schedule of materials to be used that are identical to that of application PL/2022/04488 for the discharge of condition associated with the previous consent PL/2021/11905 for the materials to be used in the works associated with the dwellinghouse. Officers consider it acceptable to impose the detailing of the materials as provided by the agent onto any consent for this proposal.

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 130f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

A number of objections have been received from members of the public and the Parish Council that object to the erection of a detached garage to the rear of the site. The site has an elongated rear garden set back from the existing (partially demolished dwelling). Planning consent PL/2021/11905 granted planning permission for the erection of a detached garage as per the approved plan below.

Approved layout plan for the detached garage under consent PL/2021/11905:

proposal would need to be considered on its own merits assessed against the relevant planning policies.

It is also evident that the location of the garage is outside the Conservation Area boundary as referred to previously in this report. Therefore, permitted development rights apply for outbuildings of certain dimensions/limitations as set out in the General Permitted Development Order. The dimensions of the garage that are approximately 6.4 metres in depth by 6.5 metres in width by 3.93 metres in height are considered to be smaller in footprint/height to that of what could be achieved on this site under permitted developments but this garage proposal is included within the submission of this planning application for consideration. The materials to be used in the construction of the garage are identical to that of the detail provided in application PL/2022/03685 and therefore in officer opinion, can be imposed onto any consent for this scheme.

Officers note the concerns received from members of the public in respect of this element of the proposal which are summarised within the consultee response section of this report. Such is the elongated nature of the land associated with the dwellinghouse, the parcel of land is surrounded by several residential properties that include Crompton House, Agulhas, Mead House, Bunkers Hill and No's 4 and 5 The Triangle. Whilst the use of the land associated with the curtilage of the residential dwellinghouse and associated garage may increase levels of noise experienced by surrounding properties, given the residential setting of the area, to refuse a scheme on this basis would be difficult to justify given the existing residential use of the land where certain levels of noise associated with residential activities in built up areas as this site are generally considered acceptable in planning terms. As such, the proposal is not considered to be contrary to Core Policy CP57 of the WCS.

Officers also note the siting of a polytunnel within the rear garden of the application site. Providing that the location/size of the polytunnel is within certain limitations, the siting of the polytunnel can be considered as permitted development as set out in the General Permitted Development Order (as amended).

9.3 Highway safety/parking

Core Policy CP61 of the WCS states '*new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives*'.

The Council's Highways Officer has assessed this proposal and returned the comments below with suggested conditions imposed onto any consent.

I note the proposals seek an alteration to the previously granted permissions. I am satisfied that adequate car parking will remain on site and as such, I recommend that no Highway objection is raised, subject to the following conditions being attached to any permission granted;

Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

No part of the development hereby permitted shall be first occupied until the access, turning area & parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

Subject to the imposing of the conditions as outlined by the Council's Highways Officer, officers consider that this proposal adheres to the adopted parking strategy of Wiltshire Council and would not have any detrimental impact to highway safety or parking to warrant the refusal of planning permission.

9.4 Ecological Impact and the River Test Catchment Area

CP50 of the Wiltshire Core Strategy and the National Planning Policy Framework require that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The application is accompanied by a bat survey report by Daniel Ahern Ecology and mitigation measures shown on the elevation plans submitted with this proposal. The Council's Ecologist has assessed this bat survey report and provided the following comments below.

The ecology report submitted with this application is welcomed. The report confirms the building to be partially demolished has low potential for roosting bats and has been subject to a sufficient survey effort that follows best practice guidance. The report also outlines suitable enhancement measures to ensure the project achieves a net gain in biodiversity.

The Council's ecologist has suggested the imposing of several conditions onto any consent around ecological mitigation being provided in line with the recommendation of the submitted bat survey report by Daniel Ahern Ecology and the submitted elevational plans with this proposal.

The site is located within the River Test Catchment Area. The Council's Ecologist has provided the following comments below to this.

WCS policy CP50 (Biodiversity and Geodiversity) and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system. Whilst the application site is not adjacent to any rivers or in any respective flood zones, it is situated within the River Test catchment which drains into the Solent. This region is protected by a number of international designations including the Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, Portsmouth Harbour SPA and Ramsar site, Solent and Southampton Water SPA and Ramsar site; as well as the nationally designated Sites of Special Scientific Interest (SSSI) that underpin these international designations.

The Solent water environment is one of the most important for wildlife in the United Kingdom. It is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations 2017 (as amended) as well as through national legislation for many parts of the coastline and adjacent maritime areas. Natural England has confirmed high levels of nitrogen and phosphorus are entering this water environment and that there is sound evidence that this eutrophication is causing excessive growth of plants and algae which reduces oxygen and light levels and is leading to negative effects on the special features for

which the European sites are designated. These nutrient inputs mostly come either from agricultural sources or from waste water from existing housing and other development.

Natural England currently advises that every permission for new dwellings in the River Test Catchment Area could result in increased nutrients entering the Solent area (Guidance dated June 2020) from the increase in waste water and land use change. Since this application is for the re-development of an existing dwelling The Local Planning Authority considers this proposal is unlikely to lead to significant effects on the European Sites and an Appropriate Assessment (AA) is not required.

Based on the comments, it is considered that the proposal subject to the conditions as suggested imposed onto any consent, will not cause any significant adverse ecological impact in respect of Core Policy CP50 of the WCS or any adverse impact to the River Test SAC in respect of Core Policy CP69 of the WCS.

9.6 Other matters

Concerns received around the use of the existing log cabin within the grounds of the site being resided within are duly noted. Following a site visit to the application site, officers were not aware of any person(s) residing within this log cabin. Concerns of this nature are not a material consideration of this planning application and would be a matter for the Council's Planning Enforcement Team to investigate should the matter be brought to their attention.

10 Conclusion and Planning Balance

The comments received from the Parish Council and members of the public objecting to this scheme are duly noted and have been carefully considered. The planning history of the site is noted where a precedent and principle of development for the works have been established and is referred to within this report.

Written concerns regarding the use of the land and proposed garage to the rear of the site being a precursor to future development of the site are noted. However, each application has to be assessed on its own merits and without prejudice. As such for the reasons outlined within this report, officers consider the proposal for the works as outlined conforms to the objectives of Core Policies 23, 50, 51, 57, 58, 61 and 69 of the Wiltshire Core Strategy and the aims of the NPPF.

Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission. Therefore, retrospective planning permission for the works to the dwellinghouse should be granted for the development and planning permission granted for the erection of the garage and associated works.

11 RECOMMENDATION:

Approve with 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:

Site Location Plan Date Received 03.10.22

DWG No: 154 100 Rev B Proposed Block Plan Date Received 23.11.22

DWG No: 154 017 Rev B Proposed Elevations with Ecological Mitigation Date Received 23.11.22

DWG No: 154 102 Rev A Proposed Site Section South Date Received 23.11.22

Proposed Garage Elevations and Floor Plan Date Received 03.10.22

DWG No: 154 016 Rev A Proposed Ground Floor and First Floor Plans Date Received 03.10.22

DWG No: 154 018 Rev A Proposed Roof Plan Date Received 03.10.22

DWG No: 1352/05 Proposed Dormer Detail Date Received 03.10.22

DWG No: 154 317 Rev A Retained Dwellinghouse Elevations Date Received 16.12.22

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

- 3 The materials to be used in the reconstruction of the dwellinghouse shall be in strict accordance with the details in an email received by the Local Planning Authority dated the 14th December 2022. The materials to be used in the construction of the garage shall be in strict accordance with the details in an email received by the Local Planning Authority dated the 21st November 2022 unless otherwise agreed in writing by the Local Planning Authority.

REASON: To preserve and enhance the appearance of the Conservation Area.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no extensions, alterations or further window openings inserted to the roofslopes or first floor elevations to the dwelling other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area.

- 5 The works associated with the retention of the surviving historic fabric of the dwellinghouse shall be retained in accordance with the approved drawing ref DWG No: 154 317 Rev A Retained Dwellinghouse Elevations and the statement of methodology received by the Local Planning Authority dated the 19th December 2022.

REASON: In order to preserve and enhance the dwellinghouse and the wider Conservation Area.

- 6 Before the development hereby permitted is first brought into use the dormer window in the southern roofslope as shown in approved drawing DWG No: 154 017 Rev B Proposed Elevations with Ecological Mitigation/Enhancement Proposals (serving the ensuite bathroom) shall be glazed with obscure glass only (to level 5 obscurity) and shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 7 No part of the development hereby permitted shall be first occupied until the access, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans.

REASON: In the interests of highway safety.

- 8 Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

- 9 The development shall be carried out in strict accordance with Section 3.6 of the Bat Survey Report by Daniel Ahern Ecology Ltd dated March 2022 and DWG No: 154 017 Rev B Proposed Elevations with Ecological Mitigation. The installation of the bat and bee bricks and bird box as showing on the approved drawing shall be supervised by a professional ecologist and these enhancement measures will continue to be available for their target species for the lifetime of the development.

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

INFORMATIVE TO APPLICANT(S):

1. 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. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

2. Breeding birds

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. 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.

3. Artificial lighting

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 also negatively affects humans' health and has a substantial adverse effect on biodiversity. Therefore, any new external artificial lighting as part of this development should only be for the purposes of security and safe access. Any new lighting should 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 GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

4. Bat roosts

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 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 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.

5. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

