

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

Date of Meeting	4 May 2016
Application Number	15/10251/FUL and 15/10390/LBC
Site Address	6 Oxford Street, Malmesbury, Wiltshire, SN16 9AX
Proposal	Proposed Change of Use from Ground Floor Shops (A1) to Residential, Conversion & Extension of Existing Brew House to Residential Unit, Conversion & Extension of Existing Garage & Stores to Residential Unit. Proposed Refurbishment & Extension to Dilapidated Red Brick Dwelling & All Associated Works.
Applicant	Ms Liza Gozza
Town/Parish Council	MALMESBURY
Electoral Division	MALMESBURY – Cllr Simon Killane
Grid Ref	393343 187229
Type of application	Full Planning
Case Officer	Sam Croft

Reason for the application being considered by Committee

Applications called in by Councillor Simon Killane for the following reasons:

- Relationship to adjoining properties
- Change of use from retail to residential and the concerns of local retailers and residents that there is no case for change from retail to residential use.

1. Purpose of Report

To consider the above applications and to recommend APPROVAL subject to conditions.

2. Report Summary

The main issues in the consideration of this application are as follows:

- Principle of Development
- Impact on the Listed Building & Conservation Area
- Design and Site Layout
- Impact on the locality/amenity
- Highways
- Ecology

Malmesbury Town Council and Malmesbury and St Paul Without Resident's Association support the application. 45 letters were received from local residents of which 32 were objections and 13 were in support.

3. Site Description

The site is located on the north side of Oxford Street, which is a major east-west thoroughfare lying to the south of the Malmesbury Abbey precinct and to the east of the Market Cross. The site is occupied by the Manor House and a number of associated

outbuildings. The Manor House was added to the statutory List of Buildings of Special Architectural or Historic Interest as Number 6 and attached outbuildings, 6, Oxford Street at Grade II* on 19 January 1949. It is therefore deemed by Historic England to be a heritage asset of more than special interest. The site is also located within the Malmesbury Conservation Area which is focused upon the historic core of the town, and also covers the remains of the medieval town walls and the surrounding Avon valley.

The Manor House is of three storeys plus attic rooms and a cellar, with stone external walls, timber floors and roof structure. It is generally in a dilapidated state, but was in use until about ten years ago. It has a more recent two storey element to the rear, which is also dilapidated. The outbuildings associated with the manor house are of varying ages and is various states of repair.

4. Planning History

N/87/02066/LBC	Conversion of existing buildings to form 4 no. new housing units and 2 no. shops	Approved
N/88/00620/FUL	Renovation of existing buildings to form 4 no. New residential units and 2 no. New shops	Approved
N/03/02979/LBC	Internal alteration to partition	Approved

5. The Proposal

The applications seeks a change of use from ground floor shops (A1) to residential, conversion and extension of existing brew house to residential unit, conversion and extension of existing garage and stores to residential unit. Along with the proposed refurbishment and extension to dilapidated red brick dwelling and all associated works. The development would result in the creation of 4 residential units within the Manor house and associated outbuildings and would result in the renovation of the Listed Building.

6. Local Planning Policy

National Planning Policy Framework 2012 (NPPF)

Paragraph 7, 14 and 17

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting Healthy Communities

Section 12 – Conserving and Enhancing the Historic Environment

Wiltshire Core Strategy (Adopted January 2015)

CP1 - Settlement Strategy

CP2 - Delivery Strategy

CP3 - Infrastructure requirements

CP13 - Spatial Strategy for the Malmesbury Community Area

CP45 - Meeting Wiltshire's Housing Needs

CP57 - Ensuring High Quality Design and Place Shaping

CP58 - Ensuring the conservation of the historic environment

CP60 - Sustainable Transport

CP61 - Transport and Development

CP62 - Development Impacts on the Transport Network

North Wiltshire Local Plan (Saved Policies) 2011

R2 Town centre secondary frontage areas

Malmesbury Neighbourhood Plan (Adopted February 2015)

Policy 4

Policy 13

7. Summary of consultation responses

Malmesbury Town Council - Support the application for the following reasons:

- The property is in a state of severe dilapidation and the retail units had been unlet for over a decade.
- The proposed street frontage, which would greatly enhance the appearance of Oxford Street.
- An application that did include the retail units may not come forward before the buildings had deteriorated irrevocably.
- Secure the preservation of the 17th century Manor House and associated 18th and 19th century buildings, at the loss of two small retail units outside the primary frontage.

Malmesbury and District Chamber of Commerce - The Chairman of the Malmesbury and District Chamber of Commerce objects to this application based on the fact that no attempt has been made to advertise this space as a commercial property.

Malmesbury Civic Centre - Malmesbury Civic Trust supports the application for the following reasons:

- The current application provides a sympathetic and sustainable 21st Century use for this historic house and outbuildings.
- There have been only intermittent, short term occupancies for over a decade and the ground floor layout is not ideal for retail use.
- Restoration and reuse of these important premises and the Civic Trust recommends approval.

Malmesbury & St Paul Without Residents' Association - The Association support the application for the following reason:

- The retail units have been unavailable for six or seven years and previously the businesses that operated from the site were unsuccessful.
- Restoration of this building is the principal consideration when determining the application. The property is extremely run down and probably not far from being 'at risk',

Historic England – Historic England welcome the approach to the conversion of the Manor House and have no issues to raise on this aspect of the scheme. With careful investigation into the building's fabric and sensitive handling of the restoration, this proposal should help to bring this building back to life and enhance its more significant features such as the staircase. In relation to the conversion of the ancillary buildings within the grounds to form separate residential units they state that given the need for a pragmatic approach to a site that has been problematic for many years, they consider that the harm caused will be of a minor nature. Therefore the scheme should be judged against the benefits that will come from the site being once again in use and fully restored.

Conservation Officer - Overall, the officer considers that the number of units that are being proposed for this site is too great. By converting all the storage spaces to residential units and taking a significant proportion of the garden as parking, the setting of the heritage assets will be harmed and the site will be cramped. The Officer also raised more specific concerns relating to specific aspect of the development in relation to:

- The retention of the shop frontage
- The number of openings be proposed

- The inclusion of roof lights
- Structural integrity of the cellar and ventilation
- Additional doorways in existing partition
- Servicing of new bath rooms
- Conversion of the attic space into accommodation

Highways – No objection

Ecology – No objection

8. Publicity

Local Residents - 45 letters were received from members of the public in respect to this application. Of these 13 were in support of the application and 32 were in objection. The letters objecting to the application raised the following concerns:

- Loss of an important retail space within the commercial heart of Malmesbury.
- Negative effect on neighbouring and nearby commercial properties.
- Loss of local heritage in a conservation area - these premises have been a shop for at least 200 years.
- Over development of an historic site in a conservation area.
- Would set a precedent for other commercial premises in the town centre to gain change of use.
- Contrary to policies and guidance of The Malmesbury Neighbourhood Plan (2015), The Conservation Area Management Plan for Malmesbury (2010) and The Wiltshire Core Strategy (2015).

The letters in support of the application stated that the buildings have been derelict for at least 10 years and that the building is currently an eyesore.

The applications were advertised in the Wiltshire Gazette and Herald on the 29/10/2015.

9. Planning Considerations

Principle of Development

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006). A number of the NWLP policies continue to be saved to sit alongside the policies of the Core Strategy. These policies will be subject to further review as part of the Core Strategy Partial Review process.

Core Policy 1 of the WCS sets out the Settlement Strategy and identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. The policy classifies Chippenham as a Principal Settlement. Principal Settlements are strategically important centres and the primary focus for development. They will provide signify cant levels of jobs and homes, together with supporting community facilities and infrastructure, meeting their economic potential in the most sustainable way to support better self containment. Core Policy 2 sets out that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements. The proposal is considered to comply with these relevant policies of the WCS in respect to it being for residential development within the defined settlement boundaries.

The site is located within the Malmesbury town centre secondary frontage area, meaning that saved policy R2 of the NWLP is of particular relevance to this proposal. The policy sets out that proposals for shops, financial and professional services, food premises, leisure facilities and night clubs (Use Class A, D1 and D2) will be permitted within the defined town centre secondary frontage areas of Chippenham, Calne, Wootton Bassett, Corsham, Malmesbury and Cricklade, subject to all the following criteria:

- i) They do not individually or cumulatively undermine the vitality or viability of the town centre.
- ii) The proposal is consistent with the scale and function of the town centre.
- iii) Consideration is given to ensuring that proposals do not eliminate separate access arrangements to the upper floors, which could be used for residential, community or employment uses.

Policy R2 does not however seek to control the conversion of retail units into residential. The development is therefore not considered to be contrary to policy R2 of the NWLP. It is noted that concerns have been raised by local residents as to the loss of the retail units in this location; however, their conversion is not considered to be contrary to policy.

In respect to the Listed Building Consent the relevant legislation is Sections 16(2), 66 and 72 of the Town and Country Planning (Listed buildings and conservation areas) Act 1990 and the guidance set out in section 12 of the NPPF. In section 12 of the NPPF, paragraph 132 it sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, including grade II* listed buildings such as this, should be wholly exceptional.

Further to this paragraph 134 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Whilst the Council's Conservation officer has set out a number of concerns about the proposal and its impact on the fabric and setting of the listed building it is considered that this would amount to less than substantial harm, for the reasons set out in the Listed Building Section below, and that the public benefits are sufficient to outweigh this harm. This is supported by the consultation response from Historic England. In addition it is considered that this development would secure the optimum viable use of the heritage asset.

The proposal is considered to comply with the relevant policies of the WCS in respect to residential development within the defined settlement boundaries and the change of use of the retail unit. Furthermore, the development is considered to comply with the relevant section of the Town and Country Planning (Listed buildings and conservation areas) Act 1990 and the NPPF. Accordingly, the principle of the development is supported.

Strategy for Malmesbury

The NPPF is clear that the local planning authority should plan positively for housing and employment development and promote sustainable development. Core Policy 13 of the WCS sets out the spatial strategy for the Malmesbury Community Area. A large proportion of the housing numbers allocated for this area are to be located within the Framework boundary of Malmesbury with the remaining houses being allocated to the rest of the community area. As set out above the proposed development is considered to comply with

Core Policy 1 and therefore would be considered acceptable in respect to the spatial strategy for the Malmesbury Community Area set out in Core Policy 13.

Malmesbury Neighbourhood Plan

Policy 4 of the Malmesbury Neighbourhood Plan (MNP) sets out that planning applications for new housing must be tested against the current evidence of local demand and supply from sources including Wiltshire Council population forecasts, the Social Housing Register, the Strategic Housing Market Assessment and the most recent Neighbourhood Survey. As set out above it is considered that development complies with this policy.

In terms of retail development on page 35 of the MNP it sets out the primary and secondary retail frontage in Malmesbury. It is noted that the site is located within the secondary frontage as defined in the MNP; however, the supporting text does not prevent the conversion of retail units into residential

Policy 13 of the Neighbourhood Plan Design Guide as set out in Volume II of this Plan should be taken into consideration in all developments to ensure a high quality of design that respects the specific character of Malmesbury Town and the surrounding area.

Impact on Listed Building

The Manor House, otherwise known as Malmesbury House, is a Grade II* listed building located centrally within the town's Conservation Area. The property has considerable townscape value with a strong presence on the street, reinforced by its ancillary buildings. It has been empty or partially in use for many years and has consequently become neglected with little maintenance and repairs carried out to the building's fabric, especially in recent years. It is not on the National Heritage at Risk Register. The shop has not been in use commercially for some years.

Given that the building is Grade II* Listed and located within the Conservation Area the Council's Conservation Officer was consulted on the application alongside Historic England. The key concerns raised by the Conservation Officer were:

- The number of units being proposed
- The retention of the shop frontage
- The number of openings proposed and roof lights
- Structural integrity of the cellar and ventilation
- Additional doorways in existing partition
- Creation and servicing of new bath rooms
- Conversion of the attic space into accommodation in outbuildings

Number of Units

The Conservation Officer has raised concerns about the number of units being proposed within the associated outbuildings. It should be noted that no objection has been raised to the principle of the conversion of the Manor House into a single residential unit, nor the loss of the retail use on the ground floor. The Officer has stated that converting the storage areas to residential units and converting a significant proportion of the garden to a parking area will result in a cramped form of development and thereby harming the setting of the heritage assets.

In response to these concerns the applicant has stated that to reduce the number of units would make it unviable to fully restore the building and return it to its optimal viable use. The applicant also provided financial details relating to the development to support the viability of the scheme. The Council's Estate Team confirmed that the cost of works in the BCIS range from £1,800/m² to £4,000/m² for conversion of similar properties. This is dependent on the

extent and scope of the work, state of the existing building and the level of historical importance associated with certain parts, particularly if elements need to be replaced on a like for like basis. Given the current condition and the level of historical importance associated with certain parts of the property it is considered that the number of units proposed is reasonable in terms of the viability of the scheme.

Historic England has similarly confirmed that they are in support of the conversion of the existing building. In relation to the conversion of the outbuildings Historic England sets out that the main issue in terms of Heritage is to weigh up any harm caused by the conversion of these buildings into separate residential units with the consequent subdivision of the back garden upon the setting to the principle building. Given the need for a pragmatic approach to a site that has been problematic for many years, it is considered that the harm caused will be less than substantial. In this regard the scheme should be judged against the benefits that will come from the site being once again in use and fully restored. As previously set out the benefits of the scheme are considered to be the renovation and reuse of a building that has been vacant for a number of years and the positive impact this would have on the surround area and Conservation Area. In addition to this the development would result in the creation of housing units for Malmesbury.

Retention of the shop frontage

The Conservation Officer raised concerns about the loss of the existing shop frontage, setting out that whilst the existing shop front is not particularly historic, the building has been a retail unit at ground floor level for many years and that is part of its evolution. If the existing shop front were to be altered, the officer would still expect to see far larger windows on the ground floor to ensure that the retail period for this building is still evident. Whilst the comments of the Conservation Officer are noted the comment of Historic England need to be taken into consideration. Historic England have set out that it is not appropriate to pick one period in the building's lifetime to which to restore the frontage (and this approach is not usually deemed appropriate to Historic England). While it may be possible to restore the existing shopfront, it is unsympathetic and of low significance, not worthy of restoration. It is suggested that redesigning the frontage to reflect its proposed new use would be a more honest approach. Though the comments of the conservation officer are noted it is considered that the changes will, rather than harm, will benefit the heritage asset.

Number of openings proposed

The Conservation Officer has raised concerns about the number of proposed openings in the Manor House and outbuildings. Whilst the Conservation Officers comments are noted the amenity of future occupiers needs to be taken into account and it is understood that it would be difficult for an acceptable level of residential amenity could be achieved without the creation of new opening and roof lights . Given the position of the roof lights on the rear of the building, these would not be entirely visible from public vantage points. Therefore any harm would be less than substantial and any harm would be at the lower end of the scale.

Structural integrity of the cellar and ventilation

In respect to the Conservation Officer's comments relating to the Cellar the applicant provided a structural report as part of the application which does not set out that there is a need for any structural work in the cellar. It is considered that appropriate ventilation could be provided, without intrusive works being carried, which would satisfy the Conservation Officers concerns. No harm to the heritage asset would occur

Additional doorways in existing partition

In respect to these alterations it is understood that these are required in order to update the building so that it is suitable for modern living and that any works carried out would be done sympathetically. Historic England concluded, in relation to the conversion of the manor house, that they welcome this approach and have no issues to raise on this aspect of the

scheme. With careful investigation into the building's fabric and sensitive handling of the restoration, this proposal should help to bring this building back to life and enhance its more significant features such as the staircase. Overall it is considered that the alteration to the existing manor would amount to less than substantial harm in some respects but the benefits of the scheme, in terms of the renovation and reuse of a building that has been vacant for a number of years and the positive impact this would have on the surround area and Conservation Area would outweigh the harm.

Creation and servicing of new bath rooms

As with the creation of the additional doorways the creation of the bathrooms are required in order to update the building so that it is suitable for modern living and that any works carried out would be done sympathetically. It is considered that appropriate servicing could be provided, without intrusive works being carried, which would satisfy the Conservation Officers concerns. Overall, the alterations are considered to amount to less than substantial harm in some respects but the benefits of the scheme, would outweigh the harm.

Conversion of the attic space into accommodation in outbuildings

Whilst the Conservation Officers concerns are noted this could only be resolved by reducing the size a number of units provided as part of the development. As set out above it is considered that the number and size of the units proposed is required in order to fully restore the building and return it to its optimal viable use. .

Paragraph 132 of the NPPF it sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, including grade II* listed buildings such as this, should be wholly exceptional. Further to this paragraph 134 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Whilst the Council's Conservation Officer has set out a number of concerns about the proposal and its impact on the fabric and setting of the listed building it is considered that this would amount to less than substantial harm and that the public benefits are sufficient to outweigh this harm, supported by the consultation response from Historic England. In addition it is considered that this development would secure the optimum viable use of the heritage asset.

Impact on the Conservation Area

The building is located within the Chippenham Conservation Area and is located in close proximity to a number of listed buildings, meaning that Core Policy 58 of the Wiltshire Core Strategy (WCS) is of particular relevance. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment, and should not have an unacceptable impact on the historic environment, particularly where this could be avoided or mitigated. The impact of the development on the listed building has been considered above. In terms of the impact on the Conservation Area neither the Conservation Officer nor Historic England has raised any specific concerns about the impact of the development on the wider historic environment. It is considered that the development of the property which is currently empty and in a state of disrepair would have a positive impact upon the character of the Conservation Area by way of bringing the building back into use and renovation of the Heritage Asset which occupies a prominent position in the Centre of Malmesbury and within the Conservation Area. Any minor harm through installation of rooflights openings etc. are considered to be outweighed by visual improvements (removal

of shop front restoration of building). The proposed development is therefore considered to comply with Core Policy 58.

Design and Layout

Core Policy 57 of the WCS requires that development respect the local character and distinctiveness of the area with regard to the design, scale, density, massing, materials, siting and layout of the proposal. The proposed development seeks the conversion of the existing buildings within the site which are in varying states of repair. The development is considered to make efficient use of the site whilst also seeking to be compatible with adjacent uses and the heritage asset itself. The development would result in renovation of a Grade II* Listed Building which has been empty for a significant period of time. The scheme is considered to be the most viable option for restoring this property and would have a positive impact on the entire street scene. It is therefore considered that the proposal complies with Core Policy 57 of WCS. Furthermore it is considered that the proposal complies with paragraph 134 of the NPPF, as it is considered that the renovation of the building and the positive impact this would have on the surrounding area would be a significant public benefit.

Impact on the locality/amenity

Core Policy 57 also seeks to avoid creating developments with unacceptable low levels of privacy and amenity and avoid the unacceptable loss of privacy and amenity to adjacent dwellings. It is not considered that the development would result in loss of privacy and amenity to adjacent dwellings nor would it result in unacceptable low levels of privacy and amenity for the future occupiers such that permission ought to be refused on this basis. It is therefore considered that the proposal complies with Core Policy 57 of WCS.

Highways

The application has been reviewed by the Council's Highways Officer. While at first this is a development for four dwelling units with only two parking spaces, the Officer notes the town centre location of this proposal and consider two parking spaces to be an improvement upon the one space that is currently utilised at a driveway.

The officer noted from the amended plan that parking and turning is shown to be achievable on site. It is also noted that the bin store has four standard bins in the drawing and that if this is to be the bin store for all four units then there should be space for storage of 8 total bins and four small black box recycling bins (noting that a shelf can hold the black box bins. The officer considers that this type of storage is available on site and that four bins can be placed adjacent to the public highway without causing an obstruction to the footway.

Although the visibility splays are less than ideal at the access the officer considers that the nature of the traffic along Oxford Street given the speed controls in place and the fact that it is an existing access mean that it is not considered to have a severe impact on the public highway to have two cars use the proposed access.

Subject to appropriately worded planning conditions no highway objection has been raised.

Ecology

The application was supported by a bat survey which has been reviewed by the Council's Ecologist. The bat survey has confirmed that the building have limited potential to support roosting bats and while there appears to be some evidence of a feeding perch in the barn, the evidence does not indicate any significant roosting activity. Accordingly the Council's Ecologist has raised no objection to the proposals.

10. Conclusion (The Planning Balance)

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. Overall it is considered that the development complies with Core Policy 1 and 2, of the Wiltshire Core Strategy, Policy R2 of the North Wiltshire Local Plan, as well as the relevant policies in the Malmesbury Neighbourhood Plan. Furthermore, the proposed development is considered to have a positive impact on the character of the Conservation Area and would represent the optimal viable use of a heritage asset which has been empty for a number of years and has fallen into disrepair. The development would appear to be appropriate given the proposed use of the building and would not result in the loss of amenity to neighbouring developments. It is therefore considered that the proposal complies with Core Policy 51 and 57 of WCS. On balance, it is considered that the development will result in less than substantial harm and that the public benefits are sufficient to outweigh this harm. Furthermore, it is considered that this development would secure the optimum viable use of the heritage asset. For this reason, it is considered that to comply with S16(2) and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 132 and 134 of the NPPF.

It is noted that a number of consultees have raised concerns about the precedent that the approval of this application would set in terms of other retail units within Malmesbury. It is enshrined, in planning legislation, that all development be considered on its own merits. Accordingly, it is not considered that the granting of permission for this site would result in precedent having been set for the conversion of retail to residential.

RECOMMENDATION

Planning Permission is APPROVED subject to the following 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 No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON:

In the interests of highway safety.

- 3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;

- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

REASON:

The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 4 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(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.

- 5 The development hereby permitted shall not be occupied until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON:

In the interests of public health and safety.

- 6 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - h) measures for the protection of the natural environment.
 - i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

Heritage Assessment
Design and Access Statement
Bat Survey 2015
Structural Report
4173/11 Site Location Plan
4173/50 Rev B Proposed Cellar Floor Plan
4173/52 Rev D Proposed First Floor Plan
4173/53 Rev D Proposed Second Floor Plan
4173/54 Rev D Proposed Attic Floor Plan
4173/55 Rev C Proposed South Elevation
4173/56 Rev C Proposed North Elevation
4173/57 Rev C Proposed East Elevation
4173/58 Proposed West Elevation
Received on 14/10/2016

4173/51 Rev F Proposed Ground Floor Plan and Site Plan
Received on 02/03/2016

REASON:

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

- 8 **INFORMATIVE TO APPLICANT:**
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 9 **INFORMATIVE TO APPLICANT:**
The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
- 10 **INFORMATIVE TO APPLICANT:**
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.

11 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

12 INFORMATIVE TO APPLICANT:

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

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

Listed Building Consent is APPROVED subject to the following conditions:

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON:

To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON:

In the interests of visual amenity and the character and appearance of the area.

- 3 No external stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON:

In the interests of visual amenity and the character and appearance of the area.

- 4 No development shall commence on site until details of all eaves, verges, windows

(including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 5 No paint or stain finish shall be applied to external timber (including window joinery), until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied.

REASON:

In the interests of visual amenity and the character and appearance of the area.

- 6 No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON:

In the interests of visual amenity and the character and appearance of the area.

- 7 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);
- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Full details of proposed meter and alarm boxes;
- (vi) Large scale details of proposed eaves and verges (1:5 section);
- (vii) Full details of proposed internal service routes;
- (viii) A full schedule and specification of repairs including:
- (ix) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects
- (x) proposed timber and damp proof treatment
- (xi) proposed method of cleaning/paint removal from historic fabric
- (xii) a full schedule of internal finishes to walls, ceilings and floors
- (xiii) Full details of external decoration to render, joinery and metalwork; and
- (xiv) Full details and samples of external materials.

The works shall be carried out in accordance with the approved details.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

- 8 No works shall commence on site until a watching brief has been arranged to be maintained during the course of the works affecting the historic fabric of the building. The watching brief shall be carried out in accordance with a written specification which shall have been first agreed in writing by the Local Planning Authority, by a professional archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to safeguard the identification and recording of features of historic and/or archaeological interest associated with the fabric of the building.

- 9 No works shall commence on site until a scheme for the protection of existing architectural / historic features in situ (including fireplaces, doors, windows, staircases, staircase balustrading and other woodwork) has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

- 10 The works hereby granted consent shall be carried out in such a manner as to ensure that the existing building(s) is/are preserved and not structurally or superficially altered in any way whatsoever, save in accordance with the approved plans and the said building(s) shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.

REASON:

To preserve the special architectural and historic interest of the listed building.