ALLEN PLANNING Ltd
Town Planning and Development Consultants

Wiltshire Council
Planning Department
By email only

13th September 2023

Planning application for Change of Use from Office (B1) to Residential (C3) (ancillary accommodation to main dwelling) at the South Stable Block and North Stable Block and listed building consent applications for internal and external alterations to the North and South Stable Blocks
Site at Trafalgar Park. Witherington Road, Downton, SP5 3QR

We are submitting via the Planning Portal revised planning and listed building consent applications for the North and South stable blocks on the above site.

These applications follow the refusal of the planning application for change of use of the South Stable building submitted under LPA reference 2023/00106. The table below provides a list of all of the recent applications on the site.

TRAFALGAR PARK Witherington Road, Downton, Nr Salisbury SP5 3QR						
LIST OF APPLICATIONS SUBMITTED FOR CURRENT OWNER						
APPLICATIONS	TYPE	APPLICATION REFERENCE	DATE SUBMITTED	STATUS/ OUTCOME	DATE OF DETERMINATION	NOTES
Conservation, Repairs and Alterations to Trafalgar Park	Householder Planning Application	PL/2022/06010	03.08.2022	REFUSED	13.12.2022	Refused on grounds of Ecology
Conservation, Repairs and Alterations to Trafalgar Park	Householder Listed Building Consent Application (in association with Planning)	PL/2022/06321	03.08.2022	APPROVED WITH CONDITONS	13.12.2022	Pre-execution of works conditions
Proposed Re-Roofing and Alterations to Stable Blocks	Householder Planning Application	PL/2022/07690	04.10.2022	REFUSED	13.12.2022	Refused on grounds of Ecology
Proposed Re-Roofing and Alterations to Stable Blocks	Householder Listed Building Consent Application (in association with Planning)	PL/2022/07906	04.10.2022	APPROVED WITH CONDITIONS	13.12.2022	
Variation to Condition	LBC Proposed Re-Roofing and Alterations to Stable Blocks – Amend Condition 3 Wording	PL/2022/07906	07.02.2023	Amendment to wording on Condition 3 (relating to reuse of Westmorland Slates)	16.03.2023	Agreed by correspondence
Part Change of Use from Office (B1) to Residential (C3) to South Stable block	Householder Planning Permission	PL/2023/00106	05.01.2023	REFUSED	17.04.2023	Refused on grounds of Ecology
Demolition of 2 no. Victorian single chimney stacks on the North Pavilion	Listed Building Consent Application	PL/2023/03443	09.05.2023	APPROVED WITH CONDITIONS	21.06.2023	

Application documentation

This application is supported in addition to this covering letter by:

- Detailed existing and proposed plans for B6 and B7
- Design and Access statement
- Heritage Assessment
- Bat Activity Surveys North and South stable block
- Masterplan

Prior to assessing the amendments undertaken and the overall merits of these applications we do note that the sole reason for refusal of that previous application was in terms of matters of ecology impacts as set out below:

"This application for the South Stable block is part of the redevelopment of the wider estate which hosts multiple bats roosts including three Annex II species. The site also lies within an area of Priority Habitat (deciduous broadleaved woodland, National Forest Inventory 2014). Circular 06/2005 para 116 states that when dealing with cases where a European protected species may be affected, a planning authority is a competent authority within the meaning of the Habitats Regulations, and therefore has a statutory duty to have regard to the requirements of the Habitats Directive in the exercise of its functions.

The Ecological Impact Assessment (EcIA) submitted with this application includes sufficient survey effort for the southern stable block (Building 6) but does not include survey information for the northern stable block (Building 7). The Preliminary Roost Assessment March 2022 report (submitted with application PL/2022/06010 for the main house) confirmed the northern stable block contained several hundred bat droppings, which indicates this building hosts an important roosting site for bats. The northern stable block is within 10m of where works are planned and there is potential for these bats to be significantly disturbed. Without survey, the species of bat using this building is unknown. The implications for Annex II bats could be deleterious. Therefore, sufficient survey effort that follows best practice guidance is required on Building 7 to characterise the significance of this roost and inform the appropriate mitigation.

An EcIA is required that provides a holistic assessment for the other structures and habitats that would be impacted as part of the proposed development. The EcIA should also assess the potential in-combination effects of this planning application and other proposed development phases within the wider site including the house. Additionally, suitable detailed mitigation is required that ensures the continued functionality of the area for protected and notable species/habitats. In the absence of this information, it is not possible for the LPA to conclude that the development as proposed in the application would not result in significant adverse effects on protected habitats or species.

A phased approach to licensing is required given the scope and scale of the proposals and this can only be supported in principle by submission of a suitable Master Plan accompanied by a site wide strategy for ensuring the continued functionality of the habitats within the site for bats. Natural England has provided guidance on the submission of a Master Plan which should assess the overall impacts of the proposed development, future mitigation and future management across the whole project. The Master Plan submitted with the application details the location of all the buildings across the scheme and the proposed works for Phase One. It does not detail the impacts of subsequent phases, their in-combination effects, future mitigation measures or how the site will be managed after all the developments have been completed.

More information is required on the proposed mitigation on the southern stable block. The exact location, dimensions and materials used to create the mitigation bat loft and access tiles should be detailed and incorporated into the proposed building plans.

In its current form, without the information identified above, the current proposal conflicts with Para 116 of Circular 06/2005, Paragraphs 11d (i), 174 (d), 179 (b), 180 (a) and 182 of the National Planning Policy Framework July 2021 and Core Policy 50 of the adopted Wiltshire Core Strategy 2015.

On that basis the sole reason for objection to the previous application was on grounds of "ecology".

In overview these applications seek planning consent for the change of use to residential of building B6 (southern stable block) and also building B7 (northern stable block)]together with listed building consent for internal and external alterations to the buildings B6 and B7.

Change Of Use of buildings B6 & B7

In terms of the change of use clearly no reasons for refusal were offered by the LPA in terms of the previous planning application on the site in terms of the principles of such a change of use of the South Stable Block.

Indeed, the Officer Report in terms of matters of land use for that previous application concluded:

"For the reasons that have been set out above, it would be difficult to support a reason use for refusal for ancillary staff accommodation on sustainability grounds if the application was refused and challenged. There is already staff accommodation in the north stable block. For the reasons given, the proposal is considered to comply with CP48, which specifically refers to buildings in isolated locations and the special circumstances set out in para 79 of the NPPF. The development would result in an enhancement to the immediate setting of the disused buildings and would also represent a viable use for the buildings to secure their maintenance and retention within the parkland. The proposal for a residential use (ancillary staff accommodation) is therefore acceptable in principle and would be considered to be sustainable development in accordance with CP48 and para 79 of the NPPF. A restrictive condition would be applied to any permission to secure the use as ancillary staff accommodation.

Therefore, in policy principle terms, the proposals are acceptable in policy principle, subject to the detailed heritage, technical, ecological and amenity issues set out in this report."

The northern stable block already contains living accommodation for the Estate Manager at the eastern end of the first floor. There appear from an online search to be no records clarifying when this was converted but clearly such occurred a number of years ago possibly in 1991 when the house itself was granted conditional approval for change to hotel use and staff accommodation.

This application therefore proposes to adapt this long-standing residential use within the northern stable block and provide an overall planning permission for its residential use.

It can be concluded therefore that the LPA raised no issues regarding matters of land use in terms of the South stable block as part of the last application and clearly the northern stable block has been predominately residential use for significant number of years.

On that basis, it is submitted that the change of use to residential of these two buildings is entirely acceptable in terms of development on policy.

Operational Development

These applications also include physical alterations to the South and North Stable blocks. These revised applications seek permissions for some works that have been previously approved by Listed building consent as set out in the planning history "table" above together with works that now require listed building consent and also approvals are sought for alterations as yet to be undertaken.

Both buildings had long been in a state of decline with a great deal of maintenance required. In particular, roof coverings had failed in many places with holes through the roof fabric.

In overview works for the buildings include:

• Re-covering the roofs, with associated repairs/replacement to sarking boards.
• Replacement of rooflights with Stella Conservation Rooflights and modification to the configuration/positioning
• Replacement of rainwater goods with metal powder coated
• Removal of the lean-to structures to the south of the southern block
• Part conversion of the first floor of Southern Stable block to provide staff accommodation as a change of use.
• Removal of modern glazed partition walls in existing office rooms
• Modification of existing staff flat in the north stable block with associated new drainage connection to existing septic tank.
• New staircase at the western end of the north block to access the storage loft.
• Replacement of modern casement windows in the South Stable block with traditional sliding sashes

The accompanying design and access statement in paras 3.5 – 3.17 inclusive set out in some detail all of the works which are proposed to both the North and South stable block both internally and externally. In terms of works undertaken to these buildings to date these are set out below:

South Stable

Following listed building consent granted on the 13th December 2022 (Ref: PL/2022/07906.) and Natural England's issue of a bat licence (Ref: NE ref: 2022-62817-EPS-MIT) which covered the south stable block, the following works have been carried out.
• Re-roofing and rooflight modifications
• The modern lean-to removed
• New window openings on the south side have been made (whilst access from the scaffolding was available) - no windows are fitted.
• Internal modifications have commenced

North Stable

In early January 2023, the north stable block flat suffered catastrophic water damage from burst heating pipes damaging over 2/3rds of the living areas and making the flat entirely unusable. The flat has required urgent refurbishment, being accommodation for the Estate Manager who had to be temporarily moved out. Minor configurations to the layout have been undertaken during this refurbishment:

• A new loft hatch with ladder has been installed to provide access the smaller roof space

• A modern partition wall has been relocated and a hot water tank cupboard formed
• A new partition wall has been installed to create a small new shower room to improve sanitary provision for the 4 bed accommodation

In addition, an order to provide clarity in terms of the status of the works proposed within these Applications in context with existing consents such is contained in Appendix A of the detailed Design and Access Statement as shown below:

ITEM		WORKS COMMENCED		WORKS NOT COMMENCED	
		Listed Building Consent Previously Approved	Requiring approval	Listed Building Consent Previously Approved	Requiring approval
ROOFING WORK	Replacement of coverings with new Welsh slate, build up of counterbattens on existing sarking boards, Type 1F felt, with appropriate ventilation detailing	South Stable block completed		North stable block	
	Rooflights	South Stable block removal of 9 no. Velux windows, replacement with 8 no. Stella, in modified configuration	NORTH STABLE BLOCK 1 no. new rooflight on north slope		NORTH STABLE BLOCK 1 no. replacement rooflight to existing on south slope, remove 1 no. rooflight on south slope.
	Rainwater goods replacement	South Stable block		North Stable block	
DEMOLITION	Removal of lean to structures to the south of the southern block	Removal undertaken			
INTERNAL ALTERATIONS SOUTH BLOCK	Modifications to create new accommodation	Removal of modern glazed partitioning in offices at first floor level			
			Removal of fire surround, strip back plasterboard false chimney breast		
				Replacement of wcs at ground floor to create boot room and boiler room	
				New division wall to form gardeners WC	
		One doorway blocked		Block one doorway	
				New partition walls and new doorway off landing to form layout to flat	
				Install ceilings over principle bedroom, en-suite and access corridor	
	Remaining office space			Recreate new layout for office WCs and kitchenette	
EXTERNAL ALTERATIONS SOUTH BLOCK	New windows	Openings for 3 no. new windows within brickwork		Install windows to new openings	
	Replacement windows				Replace modern casement style windows with traditional sliding sash design (p.16)
CHANGE OF USE	Convert existing offices into staff accommodation				Change of use from B1 to C3
	Adapt long standing use				Change of use formalising residential status
INTERNAL ALTERATIONS NORTH BLOCK	Alterations to existing flat (as part of refurbishment following water damage event)		Replacement plasterboard ceiling following ceiling collapse with new loft hatch incorporated (p.17)		
			Reconfiguration of existing studwork wall to bathroom and creation of HWC cupboard (p.17)		
			Installation of new studwork wall with plasterboard lining to form shower room (p.17)		
			Installation of fire surround from South block over existing hearth/woodburning stove (p.17)		
				Installation of new staircase to western storage room (p.18)	
EXTERNAL ALTERATIONS NORTH BLOCK			New cast iron drainage pipes on north elevation connecting to existing tank (p. 17)		

APPENDIX A: Table clarifying status of works in context of consents

Heritage

In respect of these applications an assessment of significance report for proposed alterations to the Grade II listed stable blocks at Trafalgar Park supports these proposals. The report describes the heritage significance of the stable blocks in accordance with the requirements of the Framework and it should be read in conjunction with the recent heritage assessment produced for Trafalgar Park (Heritage Assessment, March 2022.

The main house on site was added to the *List of Buildings of Special Architectural or Historic Interest* at Grade I on 23 March 1960 and the parkland surrounding the house was added to the register of parks and gardens at Grade II on 1 September 1987 (see Heritage Assessment for details). There are six separately listed buildings within the park, all listed at Grade II. The *'Stables at Trafalgar House with attached walls'* were listed on 4 July 1985. The list description reads:

'Two parallel stable blocks. Late C18. English bond brick, Welsh slate hipped roofs, brick stacks. 2-storey, 11-window fronts. 4- panelled doors, stable doors with semi-circular heads and large panelled carriage doors at east ends of blocks, windows to ground floors are pivot-hung. First floor has 8-pane sashes and 4- panelled doors. Dentilled eaves cornice. Interiors have tiled floors, planked and cast-iron loose boxes with feed troughs and cast-iron loops with lions heads for tethering. The two blocks face each other across a narrow cobbled yard, semi-circular brick walls enclose yard at either end.'

The list description notes the stables' contribution to group value with the house and other listed buildings within Trafalgar Park.

There is of course the statutory test in terms of s66 of the Act and in addition **Core Policy 58** "ensuring the conservation of the historic environment" adds:

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.

Distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced. The potential contribution of these heritage assets towards wider social, cultural, economic and environmental benefits will also be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Core Policy 57. Heritage assets at risk will be monitored and development proposals that improve their condition will be encouraged. The advice of statutory and local consultees will be sought in consideration of such applications.

In such regards the assessment of significance concludes:

"7.1 The stables comprise a high-quality pair of 18th century mirrored stable blocks associated with the highly significant Grade I listed Trafalgar Park, possibly, like the house pavilions, to designs by John Wood the Younger.

7.2 The stables contribute to the ensemble of historic buildings within the parkland, which is registered at Grade II.
7.3 The stables are set down below the level of the drive and are surrounded by trees and shrubs such that they are screened from the house and access routes.
7.4 The design and disposition of the courtyard elevations are of greater significance than the rear elevations, which are more altered and of lower evidential value.
7.5 The ground floor of the north range is the most intact area of the stables, with the original stalls, brick flooring and feeding troughs.
7.6 The first floor of the south range has been much altered with the conversion to office use. In particular, the casement windows visibly alter the original character of the openings and affect the overall integrity and consistency of the elevations. Some historic queen post trusses, however, remain.
7.7 Maintaining the building in use would clearly facilitate the necessary repairs and restoration of the building and help secure its future conservation."

The Heritage Assessment conclusions quite clearly identify that these works both existing and proposed would avoid harm to either the appearance or fabric of these Grade II listed buildings and would enhance their overall longevity to the benefit of the buildings themselves and also the heritage asset of the wider site in accord with s66 of the Act and Core Policy 58.

Matters of Ecology

The Framework provides advice in terms of matters of ecology and development specifically at Paragraphs 11d (i), 174 (d), 179 (b), 180 (a) and 182 and **Core Policy 50** of the development plan deals with Biodiversity and geodiversity advising:

Protection
Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services.
All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

Any development potentially affecting a Natura 2000 site must provide avoidance measures in accordance with the strategic plans or guidance set out in paragraph 6.70 above where possible, otherwise bespoke measures must be provided to demonstrate that the proposals would have no adverse effect upon the Natura 2000 network. Any development that would have an adverse effect on the integrity of a European nature conservation site will not be in accordance with the Core Strategy.

Biodiversity enhancement
All development should seek opportunities to enhance biodiversity. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. Such enhancement measures will contribute to the objectives and targets of the Biodiversity Action Plan (BAP) or River Basin/Catchment Management Plan, particularly through landscape scale projects, and be relevant to the local landscape character. Wiltshire Core Strategy Adopted January 2015

Local sites
Sustainable development will avoid direct and indirect impacts upon local sites through sensitive site location and layout, and by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will generally, be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:

i. Cannot reasonably be avoided
ii. Are reduced as far as possible
iii. Are outweighed by other planning considerations in the public interest and
iv. Where appropriate compensation measures can be secured through planning obligations or agreements.
Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term.

It is clear that there are numbers of bats at Trafalgar Park, and some species of such are of significance. In terms of this application a Phase 1 & 2 Restoration Bat Survey Report has been undertaken for the north and south stable blocks.

This report undertook during January and February 2023 a hibernation surveys of Building 7 recorded no bat activity within the structure. In addition, the bat activity surveys of Building 6, the southern stable block, were completed during May, June and August 2022. Three bat activity surveys of Building 7, the northern stable block, were completed during April and May 2023. An additional internal inspection survey and activity survey were also completed during June 2023.

The executive summary of this September 2023 report are set out below:

- *Requirements for bat mitigation measures and habitat enhancement are set out in Section 5,2*
- *There has been no evidence of birds recorded using the buildings covered under Phase 1 and 2 of the restoration works. No nests, droppings or feeding remains have been observed. Based on this data birds are not considered to constitute an ecological constraint to the scheme of works.*
- *The proposed works covered under Phase 1 & 2 of the restoration will not have any significant impact to any natural habitats recorded within the zone of influence. No tree work of any kind will be required, no external work under artificial lighting will take place.*
- *In March 2022 Daniel Ahern Ecology Ltd were commissioned by Affinity Architects on behalf of Mr B. Jones to undertake a Preliminary Roost Assessment (PRA), also known as a bat inspection survey, of the main house and two stable blocks at Trafalgar Park near Standlynch in Wiltshire*
- *No Special Areas of Conservation (SAC) relating to Annex II bat species were recorded within 7.5km of the site. No European Protected Species Licences (EPSL) were recorded within 2km of the site.*
- *The PRA determined that other buildings on site, the Southern Pavilion, the Mansion House, the Northern Pavilion and the northern stable block, buildings 1, 3, 5 & 7 respectively, housed CONFIRMED roosts for several bat species. The Northern Link Gallery and southern stable block, buildings 4 and 6 respectively, were assessed as having HIGH bat roost potential due to the nature of construction and the number of PRF in the structures.*
- *During January and February 2023 hibernation surveys of Building 7 recorded no bat activity within the structure.*
- *Three bat activity surveys of Building 6, the southern stable block, were completed during May, June and August 2022. Three bat activity surveys of Building 7, the northern stable block, were completed during April and May 2023. An additional internal inspection survey and activity survey were also completed during June 2023.*

This report for both the north and south stable blocks which accompanies this application has identified species and the proposed mitigation set out clearly in the report would accordance with guidance in such regards. In addition of course this Report sits alongside the ecology masterplan for the entirety of the site which also accompanies these applications.

Drawing nos. 21-11-ST 132 and 21-11-ST-N133 which accompany this application provide further explanation as to where the existing lofts are located and where the proposed reintroduction of ceilings will be, with approximate position of the lead bat tiles shown.

It is submitted that there is sufficient information contained within these applications to allow the Local Planning Authority to appropriately determine that these proposals subject to adherence to the conclusions of the relevant statements and reports would avoid any harm either to protected species or their habitat.

On this basis the proposed development in respect of matters of ecology accords with the advice within the framework the requirements of Core Policy 50 and fully addresses the previous reason for refusal in terms of the southern stable block application

Conclusions

The information which accompanies the revised applications fully responds to the only reason for refusal previously offered by the LPA in terms of matters of ecology on the application for the South Stable building.

The stables comprise a high-quality pair of 18th century mirrored stable blocks associated with the highly significant Grade I listed Trafalgar Park, possibly, like the house pavilions, to designs by John Wood the Younger. The stables contribute to the ensemble of historic buildings within the parkland, which is registered at Grade II.

The additional physical works to the buildings which are proposed through these applications which do not possess listed building consent are relatively minor and would improve both the appearance and fabric of these listed buildings and would thereby accord with the statutory test set out in section 66 of the Act.

The residential use of these buildings has either occurred for some considerable amount of time in the case of the Northern stable block and clearly in terms of the Southern stable block no objections were raised in terms of matters of land use by the LPA to the previous application.

Overall, these applications would result in significant positive impact upon these listed buildings and also their appearance within the overall site to the significant benefit of this exceptionally important heritage asset site.

If any further information is required then please do not hesitate to contact me

Yours sincerely,

Anthony Allen

Anthony Allen MRTPI
Managing Director

The Old Fire Station Enterprise Centre, Salt Lane Salisbury SP1 1DU
www.allenplanning.co.uk
Tel: 01722 503527 or 07827 446075
tony.allen@allenplanning.co.uk