ALLEN PLANNING Ltd
Town Planning and Development Consultants

Wiltshire Council
Planning Department
By email only

20th September 2023

Planning and listed building consent applications for Restoration, Repairs and Alterations to Grade I Listed building.
Site at Trafalgar Park. Witherington Road, Downton, SP5 3QR

We are submitting via the Planning Portal both planning and listed building consent applications for the restoration, repairs and alterations to the main building on this site which is Grade I listed. In terms of recent planning history, 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	

In addition, planning and listed building applications have also been made for the change of use and internal/external alterations to both the North and South stable blocks which are Grade II listed as separate applications.

Application documentation

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

- Detailed existing and proposed plans
- Design and Access statement
- Heritage Assessment
- Bat Activity Surveys
- Ecology Masterplan
- Structural Survey

Proposed Development

These applications seek the following changes to the original scheme approved for Listed Building Consent to the main building on site and these are in shorthand:

• The mansard roof over the central well will be covered in Code 8 sandcast lead, rather than single ply.
• The cast iron rainwater downpipes for the Mansion House block will be increased from 4" to 6" when replaced
• The existing chimney pots, topping the original chimneys, will be removed.
• Modifications to the location of the soil vent pipes, following the finalisation of the drainage scheme

Heritage

In respect of these applications an assessment of significance report for proposed alterations to this Grade I listed building is submitted in support of these proposals. The report describes the heritage significance of the building 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.

A statutory duty exists under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') for the local planning authority in considering whether to grant planning permission for development that affects (a listed building or) its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 193 in the NPPF states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be. It goes on to say, in Paragraph 194 that 'any harm to, or loss of, the significance of designated heritage asset (from its alteration or destruction, or from development within it setting) should require clear and convincing justification'.

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:

5.1 Trafalgar Park is a highly significant Grade I listed country house that was constructed in the early 18th century to designs by John James and was, in the late 18th century, extended by John Wood the Younger and added to by Nicholas Revett.

5.2 The recent Heritage Assessment for the house identified that the special interest of the heritage asset derives from its impressive scale, plan form, wealth of 18th century features, architectural achievement and association with notable historical figures.

5.3 The current proposals form part of a first phase of an ambitious plan by the new owners to restore the house to its former glory and make it suitable for modern family living, objectives that should be welcomed after years of underinvestment and given the potential for alternative, harmful uses resulting from previous planning approvals.

5.4 The proposals have been informed by detailed research and analysis and considering the feedback from pre-application enquiries to Historic England and the local planning authority.

5.5 As can be seen from the Heritage Impact Assessment summary above and the table in the appendix of the report, most of the proposed works would be minor in scale and nature resulting in negligible or no harm or indeed benefits to the heritage asset

The Heritage Assessment conclusions quite clearly identify that these works would avoid harm to either the appearance or fabric to this Grade I listed building and would enhance its overall longevity to the benefit of the building itself 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 works proposed in these applications to the main building on the site.

This report was undertaken in September 2023 and its executive summary is set out below:

- *Building 1 – the Southern Pavilion was confirmed to house summer, day roosts for brown long-eared, common pipistrelle and serotine bats.*
- *Building 2 - The southern link gallery, no bats were recorded roosting in this structure. Greater horseshoe bats are believed to use the ground floor corridor as an occasional commuting route.*
- *Building 3 - The Mansion House was confirmed to house summer, day roosts for brown long-eared, common pipistrelle and soprano pipistrelle bats.*
- *The results of the preliminary roost assessment, dusk emergence, and static monitoring surveys confirm that bats present an ecological constraint to the proposed building works to Buildings 1, 2 & 3.*

- *Subject to receiving planning approval, it will be necessary to apply for and obtain an European Protected Species Licence (EPSL) from Natural England under the conservation (Natural Habitats, &c) (Amendments) 2017 Regulations, to legally allow the proposed works to take place.*
- *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 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 Buildings 1 & 3 recorded no bat activity within the structure.*
- *Three bat activity surveys of Building 1, 2 & 3, were completed during May and June 2023. An additional internal inspection survey of Buildings 1, 2 & 3 was also completed during July 2023.*

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.

Conclusions

The site is the highly significant Grade I listed Trafalgar Park, and the restoration, repairs and alterations to the main building proposed are essential to its longevity and overall visual improvement.

The works to the building which are proposed through these applications are relatively minor and would improve both the appearance and fabric of the listed building and would thereby accord with the statutory test set out in section 66 of the Act.

Overall, these applications would result in significant positive impact upon this Grade I listed building as well as its overall appearance to the significant benefit of this exceptionally important heritage asset site.

The works will also avoid harm to protected species and habitat on the site in accordance with policy.

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

Yours sincerely,

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