

The Planning (Listed Building and Conservation Areas) Act 1990

Listed building consent - Approve with Conditions

Application Reference Number: PL/2022/09717

Decision Date: 26 March 2024

Applicant: Martingate Corsham Ltd
The Stables Studio, The Spring, Market Lavington,
Wiltshire, SN10 4EB

Particulars of Development: Change of use from Bank to boutique hotel with ancillary brasserie style restaurant and retail wine merchant at ground floor, including additional new accommodation at the rear of the building for kitchen and plant rooms, demolition of more recent elements and minor alterations to interior and exterior, together with the remodelling of stone boundary wall and adjacent access stair from service yard at rear to 1st floor flats of the Martingate Centre also integrating a new enclosure to conceal refuse bins, and the installation of a PV panel array at flat roof over ground and south facing pitched roof over 1st floors of the Martingate Centre with battery energy storage for the onsite generated electricity.

At: 13 High Street, Corsham, SN13 0ET

In pursuance of its powers under the above Act, the Council hereby GRANT LISTED BUILDING CONSENT for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:-

Conditions: (9)

- 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 The works hereby permitted shall be carried out in accordance with the following approved plans:

SA97 01 PL site location plan

SA97 02 PL site block plan existing
SA97 10 PL ground floor plan – existing
SA97 11 PL 1st floor plan – existing
SA97 12 PL 2nd floor plan – existing
SA97 14 PL roof plan – existing
SA97 30 PL East _High St_ and West elevations_site section 3-3- existing
SA97 31 PL N and S side elevations – existing
SA97 32 PL approach from Post Office Lane service yard and car park - site section 2-2-existing
SA97 33 PL N and S car park_service yard elevations_site sections 4-4 and 5-5 – existing

SA97 40 PL Sections showing East _High St and West internal elevations – existing
SA97 41 PL Section C-C through location of proposed kitchen extension – existing
SA97 51 PL Attic 1 to be Bedroom 1 elevations and sections – existing
SA97 52 PL Attic 2 to be Bedroom2 elevations and sections – existing
SA97 53 PL office1 and store to be Bedroom3 family bathroom and linen room elevations and sections - existing
SA97 54 PL office2and3 to be Bedroom4 and 5 elevations and sections – existing
SA97 55 PL office 4 to be Family Bedrooms 6 and 7 elevations and sections – existing
SA97 56 PL store and boiler room to be Bedroom 8 elevations and sections – existing
SA97 57 PL kitchen and escape to be Bedroom 9 elevations and sections – existing
SA97 58 PL M WCs and corridor (to be Bedroom10) elevations and sections – existing
SA97 59 PL F WCs (to be Bedroom11) elevations and sections - existing

SA97 002 PL site block plan - proposed
SA97 003 PL site layout at ground floor - proposed
SA97 004 PL site layout at 1st floor - proposed
SA97 005 PL site layout at 2nd floor - proposed
SA97 100 PL ground floor plan - proposed
SA97 101 PL revA 1st floor plan – proposed – received 03/01/2024
SA97 102 PL 2nd floor plan - proposed
SA97 104 PL roof plan - proposed
SA97 300 PL East_High St_ and West elevation_site section 3-3- proposed
SA97 301 PL N and S side elevations - proposed
SA97 302 PL approach from Post Office Lane service yard and car park _site sections 1-1 and 2-2 - proposed
SA97 303 PL N and S car park_service yard elevations_site sections 4-4 and 5-5 - proposed
SA97 400 PL Sections A-A_B-B_ showing East (High St) and West internal elevations - proposed
SA97 401 PL Section C-C showing new kitchen extension and internal elevations - proposed

SA97 501 PL bedroom 1 elevations and sections - proposed

SA97 502 PL bedroom 2 elevations and sections - proposed
 SA97 503 PL bedroom 3 elevations and sections - proposed
 SA97 504 PL bedroom 4 elevations and sections - proposed
 SA97 505 PL bedroom 5 elevations and sections - proposed
 SA97 506 PL revA family bedrooms 6 and 7 elevations and sections - proposed –
 received 03/01/2024
 SA97 507 PL family bathroom_ensuite to bedroom 7 and linen room
 elevations_sections - proposed
 SA97 508 PL bedroom 8 elevations and sections - proposed
 SA97 509 PL bedroom 9 elevations and sections - proposed
 SA97 510 PL bedroom 10 elevations and sections - proposed
 SA97 511 PL bedroom 11 elevations and sections - proposed
 SA97 600 PL proposed dado panelling in rooms with exposed roof structure
 SA97 601 PL proposed dado panelling 1st floor front rooms
 SA97 602 PL proposed fan assisted convector integration
 SA97 603 PL proposed fan assisted convector integration in banquet seating at
 ground floor
 SA97 604 PL proposed re-instated door to High St elevation
 SA97 605 PL proposed new High St entrance door in existing opening
 SA97 606 PL proposed re-instated windows in place of stone infill ground floor West
 elevation
 SA97 607 PL proposed new window and stone infill at 1st flr North elevation
 SA97 608 PL proposed new window in blank stone wall at ground floor South
 elevation
 SA97 609 PL proposed new level access entrance door at ground floor West elevation
 SA97 610 PL proposed new level access and courtyard door at ground floor West
 elevation

(all received 08/12/2022 unless otherwise specified)

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

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No part of the proposed extensions and / or external works shall commence above slab level on site until the exact details and samples of the materials to be used for any external walls and roofs 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 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.

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The proposed metal gates on the southern elevation shall not be installed until further details of their design has been submitted to and approved in writing by 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 in order that this element is of an appropriate design and quality, in the interests of preserving the character and appearance of the listed building and its setting.

- 5 None of the proposed hanging signs, recessed signs, awnings or lanterns shall be installed until further details of their design and method of fixing has been submitted to and approved in writing by 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 in order that this element is of an appropriate design and quality, in the interests of preserving the character and appearance of the listed building and its setting.

- 6 The proposed re-laid stone garden area shall not be installed until further details of its materials, design and levels have been submitted to and approved in writing by 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 in order that this element is of an appropriate design and quality, in the interests of preserving the character and appearance of the listed building and its setting.

- 7 No replacement rainwater goods (which shall be of cast metal construction and suitable matching colour) shall be installed on site until full details and specification, and their means of fixing to the building, have 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 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.

Within six months of completion of the new openings, all adjoining surfaces which have been disturbed by any of the approved works (including brickwork, stonework, plaster and floor tiles, cills and surrounds) shall be made good with materials and finishes to match those of existing undisturbed areas surrounding the new opening.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

- 9 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 as necessary during the construction period in accordance with established building practice.

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

Informatives: (7)

- 10 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.
- 11 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.
- 12 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.
- 13 There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity

walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

- 14 The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.
- 15 The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.
- 16 This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

Parvis Khansari ~ Corporate Director, Place

NOTES

- 1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.
 - 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
 - 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
 - 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
 - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).
- 2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <https://www.gov.uk/appeal-planning-decision>).
- 3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. Adapting historic buildings for the future and making them energy efficiency is a challenge and unique solutions may need to be found. Historic England provide guidance on this, including practical guidance on draught-proofing, insulating and ways of generating energy. The Energy Saving Trust provides more general information and resources on energy in homes. Also, Warm & Safe Wiltshire offers all residents across the county free and impartial telephone advice on energy saving. The developer is encouraged to contact the climate team to discuss this further: climate@wiltshire.gov.uk