Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/10168

Decision Date: 28 March 2024

Applicant:	Temple Farming Partnership Estate Office, Temple Farm, Temple, Marlborough, SN8 1RU
Particulars of Development:	Internal and external alterations and extensions to Grade II listed barn including demolition of modern extensions, all in association with continued use as multi-purpose events venue
At:	Wick Bottom Barn, Temple, Marlborough, Wiltshire, SN8 1RU

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

Conditions: (9)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- 328_P_00_100 Rev.P02 – Proposed Site Plan;
- 328_P_00_101 Rev.P02 – Proposed Ground Floor Plan;
- 328_P_00_102 Rev.P03 – Proposed Roof Plan;

- 328_P_00_201 Rev.P03 – Proposed Elevations;
- 328_P_00_202 Rev.P03 – Proposed Elevations;
- 328_P_00_203 Rev.P03 – Proposed Elevations;
- 328_P_12_201 Rev.P01 – Demolition Elevations;
- 328_P_12_202 Rev.P01 – Demolition Elevations;
- 328_P_12_203 Rev.P01 – Demolition Elevations;
- 328_P_00_301 Rev.P02 – Proposed Sections;
- 328_P_00_302 Rev.P01 – Proposed Sections;
- 328_P_00_303 Rev.P01 – Proposed Sections;
- 328_P_12_301 Rev.P01 – Demolition Sections;
- 328_P_12_302 Rev.P01 – Demolition Sections;
- 328_P_12_303 Rev.P01 – Demolition Sections.

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

3 **External materials schedule**

Notwithstanding the submitted details, construction of the extensions to the listed building hereby approved shall not proceed beyond finished floor/slab level until a schedule of all external materials and finishes has first been submitted to and approved in writing by the local planning authority.

As a minimum, the schedule shall include a description of the material, supplier/manufacturer name, details of the colour/application of external finishes (paint, wood stain etc.) and a photographic sample of the material/finish. The development shall be completed and maintained in accordance with the approved details thereafter.

REASON: To preserve the settings of the nearby designated heritage assets, the character and appearance of the site and wider landscape character in accordance with the aims of Core Policies 51, 57 and 58 of the Wilshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

4 **Ecological Enhancements**

The development hereby approved shall not be occupied or brought into use until the ecological enhancement measures have been implemented in full in accordance with the details of the following approved documents:

- 328_P_00_100 Rev.P02 – Proposed Site Plan;
- Ibstock Ecohabitat Swiftbox details;
- Wiltshire Wildllife Trust - Reptile and Amphibian Hibernaculum construction guidance;

- The Nestbox Company Ltd. Roost Maternity Nestbox details.

Photographic evidence of all installed features shall be submitted to and approved by the local planning authority within three months of the date of first use/occupation.

The development shall be maintained in accordance with the approved details thereafter.

REASON: In the interests of preventing harm to protected species and conserving the habitat value of the site in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

5 **Bat Mitigation**

The development hereby approved shall not be occupied or brought into use until the bat mitigation measures as detailed within approved documents:

- 328_P_00_102 Rev.P03 – Proposed Roof Plan;
- 328_P_00_201 Rev.P03 – Proposed Elevations;
- 328_P_00_202 Rev.P03 – Proposed Elevations;
- 328_P_00_203 Rev.P03 – Proposed Elevations;
- Bat Access Vent. May 2019 - Dynamic Edge Innovation;
- TLX Bat Safe Breather Membrane - technical details.

Photographic evidence of all installed features shall be submitted to and approved by the local planning authority within three months of the date of first use/occupation.

Thereafter, the development shall be maintained in accordance with the approved details.

REASON: In the interests of preventing harm to protected species and conserving the habitat value of the site in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

6 **Foul and surface water drainage**

The extension hereby approved shall not be occupied or brought into use until it has been connected into drainage systems for the disposal/treatment of foul and surface water installed in accordance with written details that shall first be submitted to and approved in writing by the local planning authority.

As a minimum, the written details shall confirm how the scheme has been designed in accordance with Sustainable Drainage Systems (SuDS) principles and shall provide design specifications for the proposed construction and maintenance of the system. Thereafter, the development shall be maintained in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority to ensure the development can be adequately drained causing pollution in accordance with the aims of Core Policies 50 and 67 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

7 **Rainwater goods**

No new or replacement rainwater goods shall be installed at the existing building or extension until details of the rainwater goods (which shall be of cast metal construction and finished in black) 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 and maintained in accordance with the approved details thereafter.

REASON: To preserve the significance of the designated heritage assets within the site, the character and appearance of the site and wider landscape character in accordance with the aims of Core Policies 57 and 58 of the Wiltshire Core Strategy, policy 8 of the Pewsey Neighbourhood Development Plan and the planning policy advice of the National Planning Policy Framework.

8 **Flues, vents, chimneys**

No new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings other than those detailed within the approved plans/documents shall be constructed/installed unless full details have first been submitted to and approved in writing by the local planning authority. The works shall be carried out and maintained in accordance with the approved details thereafter.

REASON: To preserve the significance of the designated heritage assets within the site, the character and appearance of the site and wider landscape character in accordance with the aims of Core Policies 51, 57 and 58 of the Wilshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

9 **External lighting**

No additional external lighting shall be installed, or existing external lighting replaced within the site of the development hereby approved unless full details of the

new/replacement lighting design, measures to prevent light spill and protect biodiversity have been submitted to and approved in writing by the local planning authority.

Thereafter, the development shall be maintained in accordance with the approved details.

REASON: To preserve the character and appearance of the designated heritage asset, wider landscape character and biodiversity in accordance with the aims of Core Policies 50, 51, 57 and 58 of the Wilshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

Informatives: (1)

10 **INFORMATIVES**

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 landowner's 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.

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.

This permission relates to planning permission and does not provide any type of listed building consent. Please refer to the local planning authority's decision of listed building consent application PL/2023/10625 that may include different conditions to the above permission that are required to be complied with in addition to the conditions of this permission.

Bats

The roof space of Wick Bottom Barn is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and

advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

Nesting Birds

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.

The site is located in an area that may contain below ground archaeology. Due to previous ground disturbing works within the site there is only a low expectation that archaeology of any significance would be discovered during construction of the approved development. However, should any historic structures, material or artifacts be encountered during ground disturbing works, the applicant is advised to cease works and to contact the County Archaeology Department at archaeology@wiltshire.gov.uk for further advice.

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 https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy

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 - http://www.planningportal.gov.uk/planning/appeals).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk

4 **CIL.** 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. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy