# CASE OFFICER'S REPORT

| | |
|---|---|
| **Application Reference:** | PL/2023/08165 |
| **Application Type:** | Full planning permission |
| **Site Inspection:** | |
| **Consultation ends:** | 14 March 2024 |
| **Case officer:** | Lucy Rutter-Dowd |

| | |
|---|---|
| **Site Address:** | Malt House, Patney Road, Chirton, Devizes, SN10 3QX |
| **Proposal:** | Demolition of existing dwelling and outbuilding, the erection of a replacement dwelling with a detached garage, the creation of a new vehicular access, hard and soft landscaping and associated works. |
| **Recommendation:** | Approve with Conditions |

**Proposal and Site Description**

The application site comprises The Malt House, an historic detached dwelling, built using render and painted brick to the walls with slate roofs above. The property benefits from extensions, detached out buildings, off street parking and large gardens area. The property is one of three sitting in a relatively isolated location, surrounded by open countryside. Public Right of Way (PROW) MARD4, a bridleway runs along the western boundary of the site, immediately adjacent to the existing dwelling, with gardens positioned to the east. The nearest neighbour sits approximately 45m to the north. The site is washed over by the North Wessex Downs National Landscape (NL) and lies within the Hampshire River Avon catchment area.

The proposal involves the total demolition of the existing property and the erection of a new replacement dwelling. The replacement dwelling would be two storeys and positioned further east in the plot. Materials would include, brickwork, slate tiles, painted casement windows, lead canopy porch, timber doors, rubble stone plinth, aluminium rainwater goods, and vertical timber cladding. Solar panels are to be placed on the south-facing roof elevation. brick garden wall with gate will be erected to the north of the garden area and new mixed native hedge planting will be planted along the eastern boundary. The house will be traditional in form and design, with the single-storey elements offering a contemporary contract with flat roofs and vertical cladding. The flat roof elements will also serve as a rear balcony space serving the master suite and first-floor landing.

Other works include alterations to the access, the formation of a driveway and parking area and the erection of a timber-clad, detached garage with a store room above. The store room will be accessed via an external staircase. The garage will be positioned to the north of the site. The purpose of the works is to replace the dwelling due to ongoing damp conditions in the existing property which cannot be eradicated through standard refurbishment.

**Policies**

National Context:

National Planning Policy Framework (NPPF) Planning
Practice Guidance (PPG)

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015

**WCS** - CP1 Settlement strategy
**WCS** - CP2 Delivery strategy
**WCS** - CP18 Spatial Strategy: Pewsey Community Area
**WCS** - CP50 Biodiversity and geodiversity
**WCS** - CP51 Landscape
**WCS** - CP57 Ensuring high quality design and place shaping
**WCS** - CP60 Sustainable transport
**WCS** - CP61 Transport and development
**WCS** - CP64 Demand management

Chirton and Conock Neighbourhood Plan 2018-2026. Made 9 August 2019

Kennet District Local Plan - Adopted April 2024: Saved Policy: HC25 Replacement of Existing Dwellings

**Key Issues**

• Principle of development
• Landscape and visual Impacts
• Impact on neighbour amenity
• Heritage Impacts
• Parking / Highways
• Ecology

**Constraints**

• North Wessex Downs National Landscape (NL)
• Public Right of Way (PROW) - MARD4 Bridleway
• Hampshire River Avon Catchment
• Salisbury Plain SPA – 6400M Buffer

**Relevant Planning History**

There is no relevant planning history.

**Consultation Responses**

Chirton Parish Council - One letter received making the following comments:

*"The planning sought on the boarder of the Parishes of Chirton & Conock and Marden, invited to comment, was discussed at the Full meeting of the Parish Council on 10th October 2023. The owner and neighbour attended the meeting. Questions were asked and discussed during and at the close of the Meeting in Part II*

*The PC wish to comment with the following concerns:*

*1.The question of the demolition of this building - Local interest represented to The Chair and Councillors present, given the historic value of the building, which although not listed is of importance locally and meets resistance to planning which has been strongly expressed to the PC.*

*2. The Road - A single track road with bank dropping down the the level of the property raises questions of erosion and ongoing track maintenance since this is the only available means of transporting building materials (even with suitable vehicles) the volume of traffic that this will require, on a byway that must remain open and accessible and the potentially associated dangers to the public.*

*3. Neighbouring property - effect of road use and potential damage to road and property.*

*4. footprint - moved further back inside the plot."*

Marden Parish Council -

*"Marden Parish Council considered this at a recent meeting with all councillors present. It also had the benefit of the applicant being present to respond to questions and it had carefully considered all documents on the planning portal.*

*In most cases the Parish Council would seek to preserve buildings within the Parish to maintain integrity and minimise the environmental impact that inevitably arises from a redevelopment involving demolition and a rebuild.*

*Whilst this is a general objective we can depart from this aim if there are compelling reasons to do so.*

*This application is considered to be one of those exceptions for the following reasons.*

*1. The current building is of no particular architectural merit even though it is old.*
*2. The current building is not listed nor in a Conservation Area.*
*3. The proposal to resite the building's footprint elsewhere within the land has no adverse impact on nearby buildings, improves access to the property and the safety of users of the right of way and improves the amenity of the building and its potential for green energy. It is also not substantially larger than the existing building.*
*4. We accept the applicant's evidence that the current building suffers from excessive damp and that many efforts and expense have been incurred to remedy this health hazard but with no permanent success and limited interim relief. Regardless of the applicability of this to strict*

*planning merits this reinforced our conclusion that demolition and rebuild is the best practical solution. We accept that the owners were not aware of this problem at the time of purchase.*
*5. We are aware of some concerns regarding construction vehicle access to the property but believe that these can be resolved through a proper management plan and with expert advice from the appropriate authorities.*
*6. We would expect and have seen evidence that the approach to the project will have strong environmental credentials including re-use/disposal of demolition materials, selection of materials for the build and future greener power generation where possible.*

*In conclusion the Marden Parish Council was supportive of the application."*

Conservation - No objections. Comments included within report.

Ecology - Initial objection raised. No further objections raised subject to conditions following submission of revised details. Comments included within report.

Highways - No objections subject to conditions securing the visibility splay, parking area and a construction management statement.

**Representations**

Four letters received. Two in support, one in objection and one mixed. The full comments can be read on the councils website. The material considerations are bullet point below for ease of reference:

Support:

- Existing building is in a poor state of repair.
- Existing building is inappropriately close to the adjacent byway.
- Existing building lacks architectural interest.
- The existing garage is unsightly, its demolition is welcomed.
- The repositioning of the dwelling and overall scale are appropriate for the area.
- Supports efforts to encourage bat population to take up residence.
- The proposed building will have a lesser visual impact being set further into the plot.
- The works are justified given the poor state of the existing building.
- Impacts to the access road would be expected whether the dwelling is renovated or replaced.

Objections:

- Concerns that the proposed design will mimic a period building and that an opportunity for a contemporary building of a higher architectural interest in this location has been missed.
- Demolition of the existing building which is of historic interest has not been properly justified.

- Loss of the historic building would have a negative impact on the landscape setting of the NL (formally AONB).
- The building should be retained/re-used or retrofitted due to its historic significance as a Malthouse.
- The design of the replacement building does not reflect the character of the existing building.
- The proposed materials would be unsympathetic to the area.
- The proposed building would be a prominent feature, visible from near by PROW.
- The repositioning of the access would cause a safety hazard for the neighbours and users of the PROW.
- The construction traffic could cause damage to the access road.
- If approved conditions should be applied to secure proper recording of the existing historic dwelling and protection of the adjacent PROW.

**Planning Considerations and Assessment**

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.

Principle of Development:

Core Policy 1 of the WCS, the Settlement Strategy, identifies the settlements where sustainable development will take place. Starting with Principle Settlements, Market Towns, Local Service Centres, through to Large and Small Villages.

Core Policy 2 of the WCS states 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, Market Towns, Local Service Centres and Large Villages… At the Small Villages development will be limited to infill within the existing built area*."

Saved Policy HC25 of the Kennet District Local Plan offers guidance for the replacement of existing dwellings and states: *"In the countryside, the replacement of an existing dwelling which has not been abandoned will be permitted where:-*

*a) the siting is closely related to the footprint of the dwelling it replaces, unless the re-siting of the dwelling would remove a road safety hazard; and*
*b) the scale of the replacement dwelling is not significantly larger than the original structure.*

*In cases where a dwelling is re-sited to remove a road safety hazard careful attention will be given to the potential impact of the proposed development on the wider landscape, particularly where the site is located within the North Wessex Downs Area of Outstanding Natural Beauty* (now National Landscape) *or the Special Landscape Area."*

The site lies on the border between Chirton and Marden, both of which are defined as small villages within the WCS. Whilst the property is grouped with two neighbouring dwellings, it is considered to be positioned within an area of open countryside. Saved Policy HC25 of the KDP provides support for replacement dwellings. The existing property is an unabandoned, 4-bed dwelling and will be replaced with a detached property of similar scale (4-bed with detached garage building) albeit slightly larger in overall mass but principally similar in terms of bedroom and living space provision. It is noted that the siting of the new building will not be over the existing footprint of the current dwelling but positioned further east into the site. Whilst not expressly mentioned in the policy, logic would suggest this is to minimise visual impact. Should resiting not cause an issue in visual terms (or indeed with regard to other policy), there would appear no valid reason to object to this. Furthermore, it is considered that the policy is relatively dated and that there is scope for repositioning the building within the site in this instance. In addition, moving the property away from the adjacent byway would be an improvement in safety (noted as a reason in the policy to allow for resiting) and privacy terms, especially during the construction period. Subject to compliance with other policies within the local development plan, the proposal is considered acceptable in principle.

Landscape and Visual Impacts:

CP51 of the WCS proposes that Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

Core Policy 57 of the Wiltshire Core Strategy states that *"A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality."* Proposals should seek to enhance local distinctiveness and have regard to existing townscapes, patterns of development and the historic environment and landscape setting.

The site lies within the North Wessex Downs National Landscape (NL). No harm is expected to be caused to the landscape setting of the NL due to the nature of the proposal being for a replacement dwelling. The site is a well-established residential use, which currently hosts a detached 4-bedroom property with an associated garage building. The existing building is in a poor state of repair and the current garage certainly has no architectural merit and its demolition is supported. The proposal to replace the existing structure with an alternative 4-bedroom dwelling and garage building will not have a significant impact on the character of the area, nor will it increase the prominence of the residence when compared to the existing arrangement which sees a large property built immediately adjacent to a PROW. The proposed building will be situated further into the plot, removing the overbearing impact the current building has on the adjacent right of way, and providing the dwelling with a more secluded position, reducing its visual impact and simultaneously improving the occupier's privacy.

Materials will be traditional, including facing brick, slate tiles, and timber frame doors and windows, all of which are commonly used in the wider area and perfectly acceptable for the proposal. The vertical timber cladding of the single-storey elements offers a contemporary contrast to the dwelling and the use of cladding on the proposed garage will have an agricultural

feel to it, which is considered acceptable for the remote location within the open countryside. In order to ensure the quality of the building, samples of the materials to be used should be conditioned so that the LPA can consider these in more detail prior to their installation. Comments on design have been made, in relation to concerns regarding mimicking period design and also missing an opportunity to build something more contemporary. It is not the duty of the LPA to suggest alternative design styles, but to assess the proposal presented by the applicant, in this instance, no significant harm would occur from the design of the building which is complementary and reflective of its surroundings. It is also not a requirement for replacement dwellings to be built in the same character as the building which they are to replace.

No landscaping is proposed with the application as it is proposed to retain the existing. This is considered acceptable and as such, no landscaping scheme is requested. However, in order to ensure a satisfactory landscape setting remains for the development, it is important to ensure this landscaping is protected during the course of the development. This can be conditioned.

The proposal is considered to comply with the design principals as set out in CP57 and 51 of the WCS.

Heritage Impacts:

Due to the historic nature of the dwelling being a Malthouse, the proposal raised some initial concern from a heritage perspective specifically in relation to whether it could be considered as a significant unlisted building. As such, the conservation officer was formally consulted and was provided with further justification for the proposed demolition of the building, this particular 'Justification' document has not been made public due to the personal and legal information it holds. The conservation officer offered the following comments on the scheme:

***"Information considered/provided:*** *Paragraph 200 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, the application is accompanied by a "Justification for Demolition Statement" which provides sufficient information to understand the impact of the proposal and is proportionate to the scope. The requirements of the NPPF are therefore met in this respect.*

*However, paragraph 201 also provides for the local planning authority to make its own assessment of impact and the following heritage recommendations are offered on this basis.*

***Significance of assets and contribution of setting (as appropriate):*** *The NPPF defines significance as the "value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting." Historic England assesses significance in a similar manner, referring to evidential, historic, aesthetic and communal values of a place.*

*Having inspected the building, internally and externally, in this case there is insufficient significance in the building and its fabric for the structure to be considered as a NDHA. The property historically formed part of a larger mill house complex and the current cottage is a*

*remnant of this complex. The building is much altered and is suffering from damp having been badly tanked both externally and internally.*

***Assessment:*** *Having inspected the building, I do not consider that there is sufficient plan form or historic fabric for this cottage to be considered as a NDHA. There is no evidence of the former use as a Malthouse. The property has gone through extensive change and modification.*

***Summary & conclusion:*** *The impact of the proposal will not have any impact on any heritage assets and as such the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application."*

On the basis of this assessment, conditioning a building recording would not be reasonable or necessary in this instance.

Neighbour Amenity:

No harm is expected to be caused to neighbour amenity in this instance. There would be a fair separation distance between the proposed dwelling and the northern neighbour to ensure no over shadowing or loss of privacy would result from the works. First floor windows are proposed in the eastern elevation which would overlook land within the ownership of the neighbours to the north, however, this land is an area of woodland which does not form part of the domestic curtilage of the neighbouring property, as such there is no significant harm found here. There immediate curtilage remains free from overlooking which is sufficient in planning terms.

Highways Safety:

The highways officer has raised no concerns regarding the proposal. The access and parking provision are considered acceptable for the location and no harm to highway safety is expected to occur. A construction management statement will be secured by way of condition, the details of which will ensure no unacceptable impact will be caused to the adjacent public right of way, and that any potential damage caused through the construction period will be rectified.

Ecology:

The ecologist initially requested that the proposed bat mitigation included within the submitted survey be clearly shown on elevational drawings and proposed site plan. As the proposal would destroy a bat roost, the mitigation is required to be put in place prior to the demolition of the existing building. The applicants intend to continue living in the existing building while the development is carried out, as such the roost would not be destroyed prior to construction, but it would be beneficial to condition the proposed mitigation to be installed prior to demolition of the existing roost. It was also highlighted that surrounding habitats (including a number of significant trees) stand to be affected by the development but had not been properly considered within the submitted details. In light of this, further details were summitted by the applicant and the following comments were received from the councils ecologist:

*"Thank you for consulting Ecology, I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species.*

*The application is supported by a Bat Activity Survey Report (Ref: 4695.3, August 2023, Daniel Ahern Ecology). The bat surveys confirmed the presence of a common pipistrelle maternity roost and soprano pipistrelle day roost in the roof of the Malt House.* ***A European Protected Species (EPS) bat Mitigation Licence will need to be obtained for the lawful construction of this development.*** *The proposed mitigation for the loss of the bat roosts appears acceptable. The development must be carried out in strict accordance with the recommendations in Section 4.2 and Figure 5 of the Bat Activity Survey Report (Ref: 4695.3, August 2023, Daniel Ahern Ecology). The details of the compensatory roost must be shown on the Proposed Garage Elevations plan prior to determination to ensure this detail can be secured.*

*It is understood that the construction of the proposed garage and compensatory bat roost will be completed prior to demolition of the Malt House. Note to case officer: is it possible to secure this via condition if planning permission is granted?*

*The proposed dwelling is in a different location from the existing dwelling footprint and the provided plans indicate that an area of garden which includes woody vegetation, and potentially a shed will be lost. Furthermore, the new dwelling footprint appears to be less than 5 m from trees outside the boundary to the east and construction activities could therefore impact these trees if works are required within the root protection zone. Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and encourages developments to seek opportunities to enhance biodiversity.*

*Further Information Required:*

*The requests for further information have been satisfactorily addressed, further details are provided below.*

*1. Ecological Assessment*

*A Preliminary Ecological Appraisal has been submitted. I am satisfied that there is sufficient information to be able to make a judgement as to whether protected habitats and/or species are likely to be adversely impacted by the proposed development and that no further survey is required in relation to the current application. The ecology report makes a series of recommendations in Section 5.3 for precautionary measures to be implemented as part of the development, to ensure that protected species are not adversely impacted by the works. Recommendations include:*

- *Precautionary working methods for birds, reptiles, amphibians and hedgehogs*
- *Sensitive lighting strategy*
- *Two integrated swift bricks and a nest box*
- *Features for invertebrates*
- *New planting to comprise native or wildlife friendly species*

*These recommendations have been incorporated into the development design. This is welcomed as these features are likely to provide an enhancement for biodiversity on the site. This would be in accordance with Core Policy 50.*

*2. Trees*

*A pre-development arboricultural report has been submitted. It demonstrates that the proposed dwelling is outside of the root protection area of retained trees.*

*3. Bats*

*Site plans and elevations drawings have now been updated to show mitigation and enhancement measures for protected species.*

***Salisbury Plain***

*This application lies within the 6.4 km buffer zone of the Salisbury Plain Special Protection Area (SPA) and in light of the Habitat Regulations Assessment (HRA) for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects. In April 2023 Natural England (NE) confirmed that the 2018 Appropriate Assessment for Salisbury Plain continues to be supported by NE. That Appropriate Assessment reached a conclusion of no likely significant effect on the conservation objectives of the SPA, for development within 6.4 km of the SPA boundary provided that the mitigation scheme continues to be implemented. Annual stone curlew monitoring and protection measures continue to be secured by the Council.*

***Habitat Regulations Assessment (HRA) - River Avon***

*This development falls within the catchment of the River Avon Special Area of Conservation (SAC) and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species Regulations 2017 (as amended). This concluded that as the proposals constitute the replacement of an existing dwelling with a single dwelling that there is no mechanism for adverse effect and operational impacts would be de-minimis."*

**Conclusion:**

In conclusion, the proposed application seems fitting with regard to scale, design, and materials. The proposal is considered acceptable in the context of its surroundings and is in accordance with the general criteria set out in the aforementioned policies of the local development plan.

---

**Conditions:** (12)

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 and documents:

Doc Title: Application Form.
Doc Title: Bat Activity Survey. Dated: August 2023. Produced by: Daniel Ahern Ecology.
Doc Title: A Pre-Development Arboricultural Report. Dated: 18/01/2024. Produced by: Sharples Tree Services.
Doc Title: Preliminary Ecological Appraisal. Dated: February 2024. Produced by: David Leach Ecology Ltd.
Drg Title: Existing Elevation. Drg No: 23/803/E110.
Drg Title: Existing Ground and First Floor Plans. Drg No: 23/803/E100.
Drg Title: Existing Landscape Plan. Drg No: 23/803/E003.
Drg Title: Existing Outbuilding. Drg No: 23/803/E200.
Drg Title: Existing Roof Plan. Drg No: 23/803/E101.
Drg Title: Existing Site Block Plan. Drg No: 23/803/E002.
Drg Title: Proposed Coloured North Elevation. Drg No: 23/803/P114.
Drg Title: Proposed First Floor Plan. Drg No: 23/803/P101.
Drg Title: Proposed Garage Elevations. Drg No: 23/803/P210. Rev: A.
Drg Title: Proposed Garage Plans. Drg No: 23/803/P200.
Drg Title: Proposed North Elevation. Drg No: 23/803/P110.
Drg Title: Proposed Site Block Plan. Drg No: 23/803/P002.
Drg Title: Proposed Site Plan. Drg No: 23/P003. Rev: B.
Drg Title: Proposed South Elevation. Drg No: 23/803/P112.
Drg Title: Proposed West Elevation. Drg No: 23/803/P113. Rev: A.
Drg Title: Proposed Ground Floor Plan. Drg No: 23/803/P100.
Drg Title: Proposed East Elevation. Drg No: 23/803/P111.
Drg Title: Site Location Plan. Drg No: 23/803/E001.

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

3 No development shall commence above ground floor slab level until details of the materials to be used on the walls and roofs of the development 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: In the interests of visual amenity and the character and appearance of the area.

4 No development above ground floor slab level shall occur until a scheme for the demolition of the existing buildings on the site has been submitted to and approved in writing by the Local

Planning Authority. The scheme shall include a timetable for:

- the permanent demolition of all the existing buildings on the site; and,
- the removal of the materials and debris resulting therefrom.

Development shall be carried out in accordance with the approved scheme.

REASON: To ensure the existing dwelling is not retained on site, in the interests of the character and appearance of the area, neighbour amenities, to comply with planning policy pertaining to dwellings in the open countryside and in the interests of ecology.

5 No development shall commence on site (including any works of demolition), until a Construction MANAGEMENT Statement, together with a site plan, which shall include the following:

1. the parking of vehicles of site operatives and visitors;
2. Number and size of delivery vehicles/ construction vehicles
3. loading and unloading of plant and materials;
4. storage of plant and materials used in constructing the development;
5. wheel washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries;
10. pre-condition photo survey – any damage related to the development will be put right (to the satisfaction of the LHA) within 6 months of the development completion.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: 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.

6 No part of the development hereby permitted shall be first occupied until the access and parking spaces (at least one to have an EV charging point) have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

7

The development hereby permitted shall not be first occupied until the first 2m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

8 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to a point 10m to the north and 10m to the South to the nearside carriageway edge, in accordance with plans to be submitted to and approved by the Local Planning Authority. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area within is within the North Wessex Downs National Landscape, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

10 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until tree protection measures have been put in place in accordance with British Standard 5837: 2012: “Trees in Relation to Design, Demolition and Construction -Recommendations” for all retained trees and hedgerows on site.

The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 “Tree Work – Recommendations” or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

The development hereby permitted should be carried out in accordance with good practice as set out in British Standard "Trees in Relation to Design, Demolition and Construction - Recommendations" (BS 5837) (2012), in order for all retained trees on site to be appropriately protected during construction and demolition, and for the Root Protection Areas to remain clear from the storage of plant machinery and materials. The protection measures will stay in place throughout the course of the construction, demolition and removal of all waste from site.

[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity and to ensure a satisfactory landscape setting for the development remains.

11 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

12 Prior to the demolition of the existing property, known as The Malt House, Bat roosts and bat access points will be incorporated into the development in accordance with:

• Bat Activity Survey. Report ref: 4695.3. September 2023. Daniel Ahern Ecology.
• Proposed Garage Elevations. Drawing no: 23/803/P210 Rev A. Richmond Bell Architects.

or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the local planning authority. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

REASON: To mitigate for impacts to bats arising from the development.

**Informatives:** (4)

13 The roof space of the Malt House 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.

14 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.

15 The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England’s website for further information on protected species.

16 Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses or abuts the site.