Wiltshire Council

The Planning (Listed Building and Conservation Areas) Act 1990

Listed building consent - Approve with Conditions

Application Reference Number: PL/2023/10327

Decision Date: 05 April 2024

Applicant:	St Aldhelm's Catholic Church St Aldhelms Roman Catholic Church , 26 Cross Hayes , Malmesbury, Wiltshire, United Kingdom, SN16 9BG
Particulars of Development:	Proposal to demolish existing outbuildings within the courtyard of St Aldhelm's Church and replace with a new Parish Hall.
At:	St Aldhelms Roman Catholic Church, Cross Hayes, Malmesbury, SN16 9BG

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: (4)

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 development hereby permitted shall be carried out in accordance with the following approved plans and documents:

2220/001/B Location and Site Plan. Received on 06 March 2024
2220/005/A First Floor Plan as Existing. Received on 20 November 2023
2220/004/A Ground Floor Plan as Existing. Received on 20 November 2023
2220/006/A Roof Plan as Existing. Received on 20 November 2023
2220/007/A West and North Elevations as Existing. Received on 20 November 2023
2220/008/A South and East Elevations as Existing. Received on 20 November 2023
2220/014/D East and North Elevations as Proposed. Received on 06 March 2024
2220/015/D South and East Elevations as Proposed. Received on 06 March 2024
2220/010/E Ground Floor Plan as Proposed. Received on 06 March 2024

2220/011/D First Floor Plan as Proposed. Received on 06 March 2024
2220/012/D Roof Plan as Proposed. Received on 06 March 2024
2220/016/C Sections AA and BB as Proposed. Received on 06 March 2024

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

3 No development shall commence on site until details and samples of the materials to be used for the external walls, roof and fenestration 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 shall commence within the application site until the approved programme of archaeological work has been carried out in accordance with the Written Scheme of Investigation for Archaeological Recording submitted in support of this application. Reference C1/EVA/23/23/AMW and received on 20 November 2023

Informatives: (4)

5 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.

6 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.

7 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

8 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.

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