Wiltshire Council

The Town and Country Planning Act 1990

Approval of Householder Planning Permission with Conditions

Application Reference Number: PL/2023/07290

Decision Date: 28 August 2024

Applicant:	Mr & Mrs Mestaz 79 Wolseley House High Street, Market Lavington, Wiltshire, SN10 4AQ
Particulars of Development:	Demolition of the existing flat roof garages; and rear flat roof kitchen extension. Construction of two-storey side extension; Removal and replacement of existing roofs over the dwelling; changes to external materials walls; roofs, and dormers; Construction of detached double bay garage, with timber feather edge boarding; Construction of Boundary Treatments; Extensive structural works, including the partial demolition and rebuilding of the front elevation, floor structure at the upper floors and replacement of the roof structure; changes to windows and doors (including refurbishment and repairs to existing windows), including installation of conservation rooflight; internal alterations.
At:	WOLSELEY HOUSE, 79 HIGH STREET, MARKET LAVINGTON, DEVIZES, SN10 4AQ

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: (11)

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:

Application Form
Design and Access Statement
Bat Survey Report, Wolseley House, 79, High Street, Market Lavington, Wiltshire SN10 4AQ, A report for Tuttle Architectural Services and on behalf of Mrs Jacqueline Mestaz, Dated August 2023, By Herdwick Ecology.
Historic Building Study, Report No. B6494b, April & May 2023

Drawing Nos:
Wolseley House – 01 - Existing Cellar, Ground Floor Plan, Elevations & Section
Wolseley House – 02 – Existing First Floor, Loft & Roof Plan, Block & Location Plan
Wolseley House – 03 Rev B - Proposed Cellar, Ground Floor Plan, Elevations and Sections
Wolseley House - 04 Rev A – Proposed First Floor, Loft & Roof Plan, Block & Location Plan
All received on 25 August 2023.

Heritage Impact Assessment In Respect of Repair/Rebuilding of the Front Wall, Dated January 2024.
Structural Solutions, Dated 22nd June 2023, Job No: 10086TUT6 (Updated 14th December 2023
Received on 10 January 2024.

Wolseley House – 05 Rev B – Proposed Garage Floor Plan, Elevations & Roof/Site Plan
Received on 6 February 2024.

Drawing Nos:
300 Rev P1 – Detail – Strengthening Existing Timber Floors
301 Rev P1 – Detail – Reinstatement of Existing Joist Bearings
302 Rev P1 – Detail – Tying Inner and Outer Leaves of the Elevation
303 Rev P1 – Detail – Floor Joist Bearings to New Wall
304 Rev P1 – Detail – Roof Wall Plate to New Wall
400 Rev P1 – Key Plan – Existing Ground Floor
401 Rev P1 - Key – Existing Front Elevation
402 Rev P1 – Key – Plan & Elevation For Details
Construction Method Statement By Brackstone Builders Ltd, Dated 08 March 2024 (Roof Bracing/Shoring/Internal & External Propping/Demolition & Rebuild etc).
All received on 22 March 2024.

Photographic Survey
Received on 15 April 2024.

Drawing No.
Wolseley House – 06 – Proposed CMS Site Plan
Both received on 23.06.2024.

Construction Management Statement Rev A
Received on 13.08.2024.

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

3 The double garage hereby permitted shall be constructed from a brick plinth to match the facing bricks on the existing single storey, rear extension, in colour, texture and the pattern of laying. The feather edge timber cladding to the walls of the garage, above the plinth, and the timber, double leaf doors,

shall be stained in Cuprinol, Chestnut. The roof shall be covered in plain clay tiles to match those on the roof of the existing dwellinghouse in terms of their material, colour, texture, profile and pattern of laying. The materials shall remain as such in perpetuity.

REASON: In the interests of visual amenity; the character and appearance of the conservation area; and preserving the setting of the listed building.

4 The development to the dwellinghouse hereby permitted shall not be first occupied until all of the external walls have been painted in white to match that of the external walls of the existing building.

REASON: In the interests of visual amenity; the character and appearance of the conservation area; and to preserve the appearance of the listed building and its setting.

5 Any proposed boundary treatments (fences/walls/gates) shall not be constructed on site until details and proposed elevation plans, showing their design, height and materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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 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.

Informative to applicant: The current submitted plans only show boundary treatments and a gate in plan form on the submitted Proposed Garage Floor Plan, Elevations & Roof/Site Plan, Drawing No. Wolseley House – 05 Revision B – Proposed Garage Floor Plan, Elevations & Roof/Site Plan, dated as received on 06.02.2024.

6 No part of the development hereby permitted shall be brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plan Wolseley House – 05 Rev B – Proposed Garage Floor Plan, Elevations & Roof/Site Plan, dated as received on 06.02.2024. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

7 The development shall be carried out in strict accordance with the following documents:

• Bat Survey Report, Wolseley House, 79, High Street, Market Lavington, Wiltshire SN10 4AQ, A report for Tuttle Architectural Services and on behalf of Mrs Jacqueline Mestaz, Dated August 2023, By Herdwick Ecology.

• Wolseley House – 05 Rev B – Proposed Garage Floor Plan, Elevations & Roof/Site Plan, Received on 6 February 2024.

• Wolseley House – 03 Rev B - Proposed Cellar, Ground Floor Plan, Elevations and Sections, Dated As Received on 25 August 2023.

• Wolseley House - 04 Rev A – Proposed First Floor, Loft & Roof Plan, Block & Location Plan, Dated As Received on 25 August 2023.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

8 Replacement bat roosts shall be incorporated into the development in accordance with the Bat Survey Report, Wolseley House, 79, High Street, Market Lavington, Wiltshire SN10 4AQ, A report for Tuttle Architectural Services and on Behalf of Mrs Jacqueline Mestaz, Dated August 2023, By Herdwick Ecology and those shown on the approved plans set out in condition 7. The installation of these bat roosts and access features shall be supervised by a professional ecologist and this part of the condition shall 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 shall continue to be available for bats for the lifetime of the development.

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

9 No external lighting shall be installed on site until additional plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage overlaid on aerial images have been submitted to and approved in writing by the Local Planning Authority. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of the amenities of the area, to minimise unnecessary light spillage above and outside the development site

10 No development shall be carried out on site until a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include details of;

• Soft landscaping to be retained, ensuring the retention of existing wildlife corridors; and

• Tree protection plan, ensuring the protection of mature trees on site during construction.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and

created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

11 The applicant's attention is drawn to the conditions on the counterpart listed building approval PL/2023/07321.

Informatives: (4)

12 Bat roosts have been confirmed on and near the site. 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.

13 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.

14 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.

15 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 GN08-23 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

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