

The Planning (Listed Building and Conservation Areas) Act 1990

Listed building consent - Approve with Conditions

Application Reference Number: PL/2022/01586

Decision Date: 21 April 2022

Applicant: The Badminton Estate
C/O Agent

Particulars of Development: The conversion of a multi-yard farmstead into six new dwellings with associated infrastructure, and the demolition of modern agricultural buildings (Resubmission of 18/03605/LBC)

At: New Farm, Back Lane, Alderton, Chippenham, SN14 6NW

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: (5)

- 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 received on 15 February 2022:
Site Location Plan 1938 – SLP
1938 BARN 1 – 01C
1938 BARN 1 – 02C
1938 BARN 2 – 01C
1938 BARN 2 – 02C
1938 BARN 3 – 01D
1938 BARN 3 – 02D
1938 BARN 4 – 02C
1938 BARN 4 – 01C
1938 BARN 5 – 01D
1938 BARN 6 – 01C
1938 BARN 6 – 02C

1938 BARN 7 – 01A

1938 BARN 9 – 01D

1938 : DET 01

1938 – L02 E

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

- 3 Notwithstanding the approved drawings, no works to the barns subject of this decision shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- (a) Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
 - (b) Large scale details of all internal joinery (1:5 elevation, 1:2 section);
 - (c) Full details of proposed rooflights, which shall be set in plane with the roof covering;
 - (d) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
 - (e) Full details of proposed meter and alarm boxes;
 - (f) Large scale details of proposed eaves and verges (1:5 section);
 - (g) Full details of proposed internal service routes;
 - (h) A full schedule and specification of repairs including:
 - (i) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects
 - (j) proposed timber and damp proof treatment
 - (k) proposed method of cleaning/paint removal from historic fabric
 - (l) a full schedule of internal finishes to walls, ceilings and floors
 - (m) Full details of external decoration to render, joinery and metalwork; and
 - (n) Full details and samples of external materials.
- The works 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.
- 4 No works to the barns subject of this decision shall commence until a full survey, including analysis, and photographic record of the listed building(s) 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 before development commences in order that the development is undertaken in an acceptable manner, to secure the proper recording of the listed building.
- 5 The natural stonework to be used externally on the proposed development shall match that of the existing buildings in terms of type, colour, size, dressing and bedding of stone, coursing,

type of pointing and mortar mix.

REASON: In the interests of visual amenity and the character and appearance of the area.

Informatives: (6)

- 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 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.

- 8 Wessex Water is to be notified should the development require new connections to the public foul sewer. 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.
- 9 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.
- 10 The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. Should only be removed by a licenced contractor Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

- 11 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 www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

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>).