

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	20 February 2008
Application Number	07/02692S73A
Site Address	Row House Farm, Hoggs Lane, Purton
Proposal	Works to improve surface water drainage in adjacent field and drainage (retrospective)
Applicant	Mr Ivan Marr
Town/Parish Council	Purton
Grid Ref	408558 188435
Type of application	Retrospective

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters or more of objection have been received.

Summary of Report

The application is seeking permission for drainage works in the vicinity of Row House Farm and Hoggs Lane, Purton. The works in respect of restoring the existing ditch have large been undertaken thus the application is retrospective. The proposal also seeks to excavate a collection pond and replace a collapsed culvert under the road to pipe water to and from an existing ditch.

The proposal needs to be considered in the context of:

- Implications on DC Core Policy C3 and Landscape Character Policy NE15
- Affect of the character and appearance of the countryside

Officer Recommendation

Planning Permission be GRANTED subject to the conditions.

Contact Officer	Simon Smith	0129 706332	ssmith@northwilts.gov.uk
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Proposal and Site Description

The application is proposing drainage works to improve surface water drainage in adjacent field and drainage water courses. This predominantly involves restoring ditches, construction of a tank and the excavation of a collection pond. In addition, it is proposed to replace the collapsed culvert under Hoggs Lane with a pipe extended to the existing ditch to the rear of no. 16 Locks Lane.

The land to which this principally relates is located to the west of Hoggs Lane. Hoggs Lane is a byway which was upgraded and given this status in recent years.

The ditches along Hoggs Lane have already been excavated, it is understood that no other works have been undertaken at this time.

The area is located within the open countryside and is not the subject of any designations.

Planning History

There is no other history of engineering/drainage works to the site area. Row House Farm itself has been the subject of numerous applications over the years for various extensions and outbuildings/garages.

Consultations

Purton Parish Council initial comments received in November raised no objection to improved drainage but not at the expense of others.

Wiltshire County Council Highways have no objections subject to conditions.

Discussions with highways officers at Wiltshire County Council have clearly identified that in their opinion there would be no detrimental impact on the bridleway and passage would still be maintained. Consent would need to be sought from Wiltshire County Council to replace the collapsed culvert prior to those works being undertaken.

Environmental Agency comments waited.

NWDC Drainage Engineer no objections.

It should be noted that the Council's engineer has confirmed that the technical performance of the scheme is not in question given they assisted in the design of the scheme and their plans have been used. It is acknowledged that the works undertaken to date are slightly excessive as water has the potential to be held and stagnate. Accordingly, it is advised that the watercourse is partially filled with compacted clay to assist with this. The engineer is happy for the bund, which is necessary for the adjacent properties, to be landscaped.

The engineer comments that the watercourses on the site have been established for many years but lack of maintenance has obscured them over the years. The works undertaken to the ditch are not proportional to its original condition but this cannot be undone thus the situation is best managed as proposed.

Representations

7 letters of objection have been received on the following grounds:

- Flooding impact on 15 and 16 Locks Lane and potential subsidence
- Obstruction of byway 109 and bridleway
- Impact on area of outstanding beauty

Planning Considerations

The works undertaken were in response to the flooding that occurred in the summer months and was largely required due to the fact that ditches and watercourse have become overgrown and infilled over the passage of time both on, and adjacent to, the application site (and therefore outside the control of the applicant).

The works have been proposed in conjunction with the Council's engineer who endorses the clearance of drainage to mitigate impacts of increased surface water run off and who has confirmed that they will work.

Flooding impact on nos. 15 and 16 Locks Lane

The scheme proposed has been technically designed by the Council's engineer and there is no evidence to suggest that if undertaken correctly, that flooding will occur to the adjacent properties.

The works proposed are comprehensive and have been designed to address the problems in the area and ensure a continuous route for the dispersal of water, this might include replacing the collapsed culvert adjacent to the properties but it also includes restoring the ditch that runs along side no. 16 to its original depth and width.

The ditch should have been maintained in any event to prevent flooding.

Impact on the byway and bridleway

The drainage ditch runs along the route of the byway and indeed is part of it, as it always has been.

Officers at Wiltshire County Council raise no objections to the proposals confirming that there will be no effect upon the byway or bridleway (where the clearance pond is proposed to be excavated). They have also confirmed that none of the application site, as identified by the applicant's red-line plan, is owned or under the control of WCC.

Formal consent will be required from WCC highways in respect of restoring the culvert.

Impact on landscape

The site is not the subject of any landscape designations such as an area of outstanding natural beauty. It comprises open countryside which falls away to the south, reaching a plateau near nos. 15 and 16 Locks Lane.

Whilst it is clear that the works so far undertaken are visible in the landscape, it is also likely that any works to clear these ditches would have a similar impact. This is simply a function of the fact of the extent to which they had become filled in over the passage of time. It is considered that the bund created could be seeded to grass, together with some more substantial planting along its length, so as to reduce its visual impact.

Recommendation and Proposed Conditions/Informatives

Subject to no new and substantive issues being raised by the Environment Agency, then:

APPROVE subject to the following conditions:

1. Within six months of the date of this permission, a full landscaping scheme for the ditch created shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for the seeding (to grass) of the created bund and more substantial planting of native species along the length of the ditch and proposed collection pond together with a schedule for its implementation and future maintenance. Development shall be carried out in accordance with the approved scheme and its included schedule for implementation and maintenance.

Reason: In the interests of visual amenity.

2. Prior to any works for the creation of the collection pond hereby approved, full and detailed constructional details shall be submitted to and approved in writing by the Local planning Authority. Development shall be carried out in accordance with those details approved.

Reason: In the interests of visual amenity and to ensure that the drainage scheme is functional.

Reason for Decision

The proposed development is considered to comply with the provisions of Policies C3 and NE15 of the adopted North Wiltshire Local Plan 2011.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.19; 2.01; 2.25; 3.06; 4.02; 4.04; 4.07