

Date of Meeting	7 th April 2016
Application Number	16/00831/FUL
Site Address	Paddock View, The Street, Teffont, Wiltshire, SP3 5QP
Proposal	Demolition of existing bungalow and construction of a replacement dwelling with associated works
Applicant	Miss Rebecca Smith
Town/Parish Council	TEFFONT
Ward	NADDER AND EAST KNOYLE
Grid Ref	399012 131770
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

Councillor Wayman has called in the application for the following reasons:

- Scale of development
- Design- bulk, height, general appearance
- Relationship to adjoining properties
- Car parking
- Matters raised by the Parish Council

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission should be APPROVED.

2. Report Summary

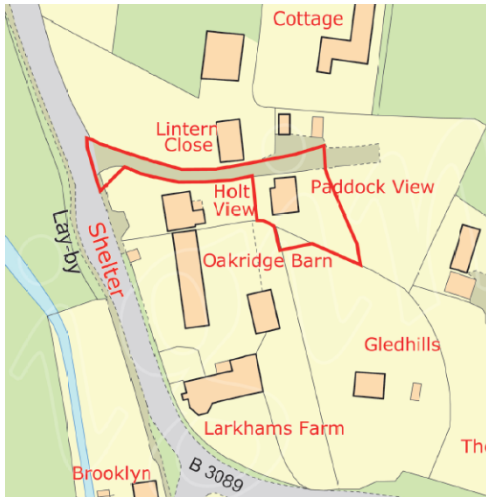
The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Scale, design, impact to character and appearance of Conservation Area, Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty
- Residential amenity/living conditions
- Highway safety/parking
- Sustainable construction and low carbon energy
- CIL

The application has generated an Objection from Teffont Parish Council and 6 letters of objection.

3. Site Description

The site is within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), and Teffont conservation area (a designated heritage asset).



The site is accessed off a shared driveway leading from the B3089 (The Street) which runs through the village. A public footpath also extends along the shared driveway along the northern boundary of the site before continuing in a northerly direction away from the site.

There is an existing single storey dwelling occupying the site with vehicular access and parking area to the west of the site. The existing dwelling is of rendered elevations above a red brick plinth and plain tile roof.

A new dwelling is currently under construction to the east of the site.

4. Planning History

None relevant to the red line of the application site, but the following applications are relevant to the adjacent site for the dwelling currently under construction:

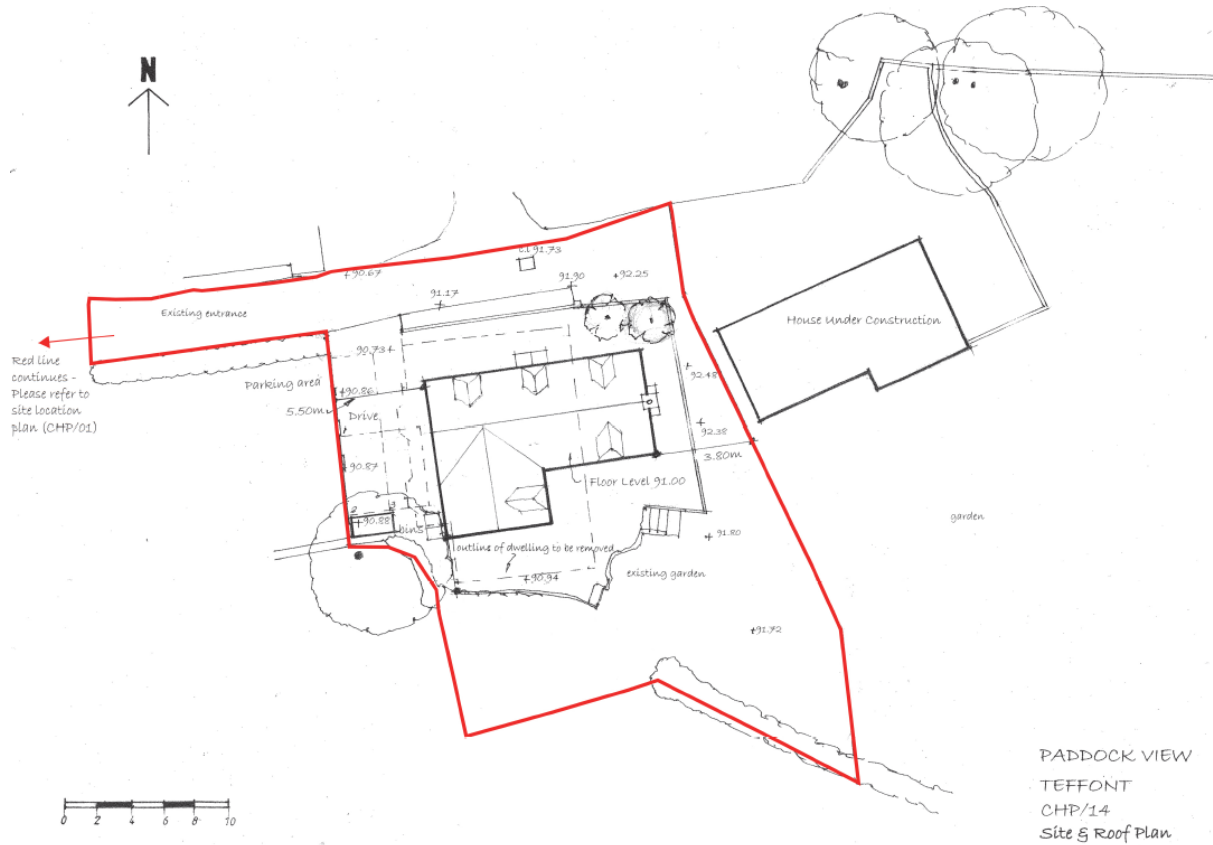
Application Ref	Proposal	Decision
15/07470/VAR	Vary condition 2 of 14/02238/FUL to amend the plans to replace 2 Velux windows with 2 dormer windows on north elevation, and raise ridge and eaves of new dwelling by 600mm	Refused 16.10.2015
15/02941/VAR	Vary condition 2 of approved application 14/02238/FUL to amend the plans to replace 2 Velux windows with 2 dormer windows on north elevation	Approved with Conditions – 01.06.2015
14/02238/FUL	Demolition of garage and stables and erection of a 4 bed dwelling, associated works and hard and soft landscaping and improved access to The Street. Refused	Refused – 09.06.2015. Appeal Allowed – 20.01.2015
13/03417/FUL	Demolition of stables and erection of a 4 bed dwelling, detached car port, associated works and hard and soft landscaping and improved access to 'The Street'	Refused – 05.11.2015

5. The Proposal

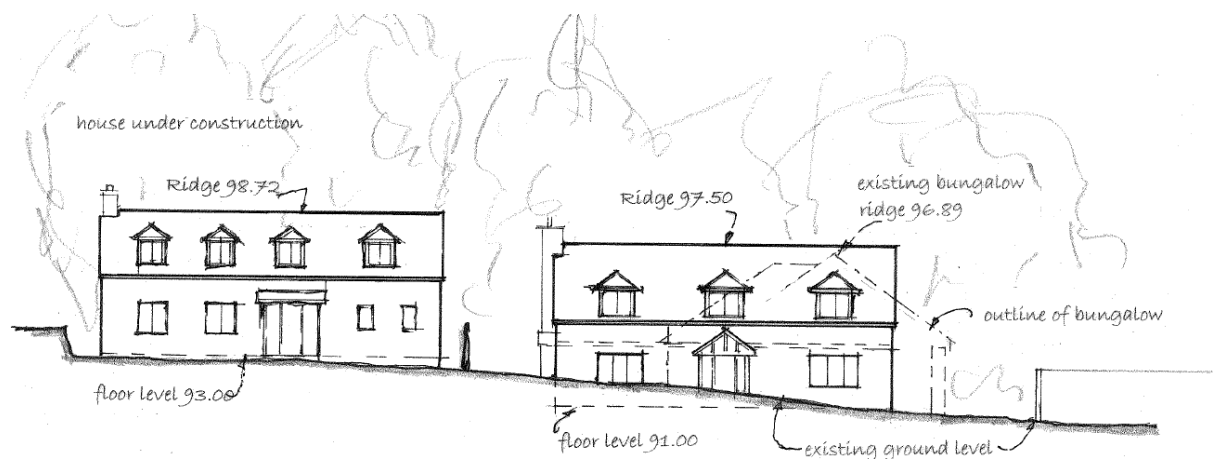
It is proposed to demolish the existing single storey bungalow and replace this with a one ½ storey dwelling (with first floor rooms set within the roof space and dormer windows).

The proposed plans show the outline of the existing dwelling (to be demolished) and also the outline of the approved dwelling on the adjacent site currently under construction.

The ridgeline of the replacement dwelling is proposed to be 610mm higher than the existing.



Extract from proposed site plan showing outline of proposed replacement dwelling and existing (in dashed lines)



Extract from proposed elevation plan showing outline of existing dwelling and new dwelling under construction

The replacement dwelling is proposed to be built of natural stone walls under a clay tile roof with timber windows.

6. Planning Policy

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20th January 2015:

Core Policy 1 (Settlement Strategy)

Core Policy 2 (Delivery Strategy)

Core Policy 33 (Spatial Strategy for the Wilton Community Area)

Core Policy 41 (Sustainable Construction)

Core Policy 43 (Providing affordable homes)

Core Policy 50 (Biodiversity and Geodiversity)

Core Policy 51 (Landscape)

Core Policy 57 (Ensuring high Quality Design and Place Shaping)

Core Policy 58 (Ensuring the Conservation of the Historic Environment)

Core Policy 61 (Transport and New Development)

Core Policy 64 (Demand Management)

Saved policies of the Salisbury District Local Plan:

H30 (Replacement dwellings)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

NPPG

Supplementary Planning Guidance:

Adopted Supplementary Planning Document 'Creating Places Design Guide' Adopted April 2006

Teffont Village Design Statement Adopted 24/01/2015

Planning (Listed Building and Conservation Areas) Act 1990

7. Summary of consultation response

Conservation: No objections

Paddock View is within the conservation area but makes a neutral contribution to its character. The proposal to demolish is acceptable without a requirement for replacement. The proposed replacement is very similar to the new dwelling approved to the east of this site, and would have a lower ridge. Due to its level and distance from the street, it is considered the proposal would at least preserve the character of the CA, if not enhance it (depending on the final details and materials). There would be no adverse impact on the setting of the listed building to the south.

Highways: No objections subject to condition and informative

It is considered the proposed replacement dwelling will not detrimentally affect highway safety, subject to condition (construction method statement) and informative that all public rights must be safeguarded in respect of Public Footpath Teffont 7 which runs along the site access road.

Rights of Way: No objections subject to informative

A public footpath (TEFF7) runs along the access road and past the front of the property. I note this is included within the applicant's ownership. This has a definitive width of up to 2

metres and should be kept clear and accessible to members of the public at all times during and after development.

AONB: Comments

The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation's heritage assets and environmental capital. This AONB's Management Plan is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities' Objectives and Policies for this nationally important area. The national Planning Practice Guidance [Natural Environment paragraph 004] confirms that the AONB and its Management Plan are material considerations in planning.

The National Planning Policy Framework states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes which include AONBs. Furthermore it should be recognised that the 'presumption in favour of sustainable development' does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.

The location is in the Donhead – Fovant Hills landscape character area. Greater details of the landscape, buildings and settlement characteristics can be found in the Landscape Character Assessment 2003.

More detailed information in connection with AONB matters can be found on the AONB web site. In particular when considering construction within the AONB I would draw attention to our Good Practice Note on Colour in the Countryside. I note that the proposal is for a substantial four bedroomed dwelling within the Conservation Area. The documentation indicates that the proposed building would be more than ½ m higher on the ridgeline and the ridge appears to be somewhat more extensive than that of the existing building. Ensuring that any proposal does fit in with the existing development and does not stand up and create an irregularity does seem to be important within a Conservation Area.

Regarding materials and detailed design the AONB is quite happy to be guided by your Conservation Architect. Nevertheless, the AONB would be concerned about any external lighting and any lighting should comply with the AONB's Position Statement on Light Pollution. Clearly matters of solar energy capture and utilisation have to take into account the Conservation Area. However, the AONB Management Plan indicates that affordable housing is the priority within the AONB. I note that in the documentation from the agent passing comment is made about the AONB but the requirement of the Wiltshire Core Strategy Policy 51 does not seem to have been acted upon.

Teffont Parish Council: Object

- a) The impact of the proposed building on the privacy of its neighbours.
- b) The two stories and proposed roof line.
- c) The dormer windows.

TPC does not object in principle to a replacement building on this site. However, the

proposed building is not a bungalow as stated on the plans. Any such new building should be set back on the plot and be no higher than the existing bungalow. TPC would like the proposed building to be orientated and positioned so it does not overlook neighbouring properties.

The dormer windows are not in line with the Village Design Statement.

Wiltshire Fire & Rescue: No objections

Comments relating to fire safety measures which could be added as an informative

8. Publicity

The application was advertised by press / site notice and neighbour consultation letters.

6 representations have been received objecting to the scheme, summarised as follows:

- Existing bungalow relatively inconspicuous
- Overdevelopment of the site, area of residential curtilage small, insufficient open space remaining around proposed dwelling (2 storey height).
- Fails to integrate well with its surroundings. Will appear cramped against the new dwelling under construction and visually appear as one dwelling leaving no views of the landscape (to Holt woods) between and beyond them
- Floor plan increase over existing dwelling of over 20%
- Addition of first floor - Higher than existing bungalow and increase in scale - far more prominent in street scene
- Will dominate views from public footpaths to the north and west in raised position in landscape
- Proposal is too similar to adjacent dwelling under construction. Would diminish local character of this part of Teffont which is epitomised by unpredictable juxtaposition of different architectural styles, sizes and orientation of dwellings and traditional buildings of simple proportions (occasional more modern buildings)
- Design, character, size and cramped appearance of dwelling is not in accordance with the Adopted Village Design Statement (VDS)
- Dormer windows contrary to VDS. 4 dormers already on north roofslope of adjacent dwelling under construction. Will add a further 3 regimented large dormers incongruous to village character in extended expanse and repetitious form. Prominent and intrusive to longstanding and established neighbouring dwellings
- Contrary to NPPF as scheme will not contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes
- Dormers proposed on both sides of building – overlooking, loss of privacy and overshadowing (also from increased ridge height) to neighbouring dwellings and gardens, contrary to Core Strategy 57
- Do not object in principle to replacement dwelling of similar modest scale, size, proportion, rectangular plan with simple detailing and quality finishes in accordance with the guidelines in the VDS
- Recommend ridge height should remain as existing, dormers should be replaced with conservation flush rooflights
- Roofs have a visual impact on the landscape particularly in Teffont with many thatched roofs. Tiles should be muted colour and material which gathers patina over time (natural clay or slate)
- Disagree with Inspector's decision on adjacent site which gave clear reasons for granting the appeal including 'its limited footprint and scale would give it a modest appearance'
- Concerns that development may not be built in accordance with the approved plans
- Concerns that scheme would set a precedent for further similar development

- No acceptable means of access to the site - concerns over damage and obstruction to shared driveway and properties/boundary fencing/hedging from construction/delivery vehicles and how construction will be managed

9. Planning Considerations

9.1 Principle of development

The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and makes it clear that planning law (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF confirms that the 'NPPF does not change the statutory status of the development plan as the starting point for decision making' and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) which sets out Central Government's planning policies, and the adopted Wiltshire Core Strategy (WCS) which also includes some saved policies of the Salisbury District Local Plan (SDLP).

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles and the Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 33 confirms that development in the Wilton Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1 and growth in the Amesbury Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating 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.

Within the Settlement Strategy, Teffont is identified as a small village which do not have limits of development/settlement boundaries.

The proposed site is therefore outside the limits of development as defined on the policies map and is therefore considered to be open countryside where there is a general presumption against development. However Core Policy 1 explains that some very modest development may be appropriate at Small Villages which will be carefully managed by Core Policy 2 (which states that limited development within the built area is acceptable) and the other relevant policies of the development plan.

Saved policy H30 of the Salisbury District Local Plan is specifically relevant to replacement dwellings and the proposal to demolish and replace the existing dwelling is acceptable in principle, subject to the criteria in saved policy H30 of the Salisbury District Local Plan:

H30 The replacement of an existing dwelling in the countryside will be permitted provided that:

- (i) the proposed replacement dwelling is not significantly larger and has no greater impact than the existing dwelling;*
- (ii) the design of the new dwelling is of a high standard and is appropriate to the rural surroundings;*
- (iii) the siting of the replacement dwelling is closely related to that of the existing;*
- (iv) current parking and access standards can be met; and*
- (v) the existing dwelling has not been abandoned.*

Where the residential use of the existing dwelling is the result of a temporary or a series of temporary permission, any permanent replacement dwelling will only be permitted in exceptional circumstances.

In addition to considering the acceptability of the proposals in principle; it is also necessary to consider the other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts also considered below.

9.2 Scale, design, impact to character and appearance of the Conservation Area, Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty

The NPPF sets out Central Government's planning policies. It states the purpose of the planning system is to contribute to the achievement of sustainable development. It defines core planning principles which include that planning should always seek to secure high quality design. Paragraph 58 of the NPPF in particular states that development should respond to local character and history, and reflect the identity of local surroundings and materials and paragraph 132 requires development to enhance heritage assets and make a positive contribution to their setting.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty to require that '*special attention*' shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In paying '*special attention*' an assessment must be made as to whether the proposals cause '*substantial harm*', '*less than substantial harm*' or no harm to the asset, which in this case is the Conservation Area.

Core Policy 57 of the WCS requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses (including in terms of ensuring residential amenity is safeguarded).

Core Policy 58 *'Ensuring the conservation of the historic environment'* requires that *'designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance.'*

Objective 16 of the Councils Design Guide states (page 67) also refers to the need for new development proposals to exhibit *'How the new dwelling(s) will relate to the context and to each other to create a particular place'*.

The NPPF states the planning system should protect and enhance valued landscapes and paragraph 115 explains that great weight should be given to conserving landscape and scenic beauty in AONBs which alongside National Parks and the Broads have the highest status protection in relation to landscape and scenic beauty.

Development proposed in AONB should demonstrate particular regard to the character and appearance of the landscape setting. The AONB is characterised by a diversity of landscapes and these variations and differences are represented by 8 landscape types in the AONB Landscape Character Assessment (LCA) 2003. The application site is in the Donhead- Fovant Hills landscape character area. The LCA explains that villages such as Teffont are sited at the heads of shallower valleys which drain through the greensand to the valley below and although these villages are hardly visible within the wider landscape they do have a particular character, reflecting their unusual valley-head location and the use of local building materials (such as the local Chilmark stone) and styles and clay tiles and thatch are the dominant roof materials. The LCA includes a management objective that built development should respond to the villages' character and avoid the use of standard suburban designs and details.

Objections raised to the application (summarised above) include that the proposed dwelling is too close to the dwelling currently under construction; is too similar in design and includes dormer windows (contrary to the Teffont Village Design Statement); is too high and will be unduly prominent/incongruous within the street scene and conservation area.

The Village Design Statement refers to dormer windows helping to keep the overall height of a building lower, but that they are not traditional in the village except where thatch is 'swept' over attic floor windows and that if used they are more discreet when placed on the backs of buildings. The VDS refers to piecemeal development along the eastern side of the B3089 and concerns that further development would compromise important gaps and open views of the countryside and the intrinsic character and special charm of the village. The VDS guidelines for new development include that it should sit comfortably within its immediate surroundings; use natural materials (with natural stone being the preferred material for walls of new dwellings and tiles should be good quality handmade or hand finished clay peg tiles in muted colours); respect the traditional and vernacular feel of the village with high quality design and sensitive scale and proportions to not overwhelm neighbouring dwellings; include ample ground to the sides and rear so the sense of space is maintained along with views into and beyond the plot; enclosure by natural boundaries and building heights limited to single or two storeys with a mix of roof heights and levels adding character.

The design of the proposed replacement dwelling is similar to the dwelling currently under construction on the adjacent site, which was refused planning permission but was allowed at appeal. The Inspector's full appeal decision is attached at Appendix A.

The approved dwelling under construction on the adjacent site is of stone and slate roof construction; of cottage style design; and includes dormer windows on its front façade. The Appeal Inspector considered that the *'Although the proposed dwelling would result in an increase in mass as compared to the existing garage and stables, its limited footprint and scale would give it a modest appearance, not out of character with properties in the CA'*. A

condition was however imposed to remove the property's permitted development rights as this would '*prevent extensions or additions that might mean that the dwelling is enlarged excessively in its context*'.

The ridge line of the replacement dwelling will be 610mm higher than the existing dwelling, but is set down from the level of the adjacent dwelling currently under construction and is at an angle, and has different dormer windows, such that it is not considered that the dwellings will read as one within the street scene.

The application documentation includes photographs of the site from The Street and artist's impressions of the proposed development:



The design and access statement explains that it is proposed that the replacement dwelling will be built of natural stone elevations under a clay peg tile roof to accord with the preferred material choices within the VDS and that windows will be of timber painted in a muted colour.

The conservation officer has advised that the existing dwelling makes a neutral contribution to the character of the conservation area. The replacement is very similar in design to the new dwelling under construction but is set at a lower level with corresponding lower ridge height. Due to its level and distance from The Street, the conservation officer considers that the replacement dwelling would at least preserve the character of the conservation area, if not enhance it (depending on the final details and materials) and that there would be no adverse impact on the setting of the listed building to the south of the site.

The design and access statement explains that as emphasised in the VDS a natural boundary hedge will be added to the front boundary to protect the rural feel of the village. Details of the soft and hard landscaping of the site can be agreed via condition.

The AONB have raised concerns about any external lighting and that this should comply with the AONB's Position Statement on Light Pollution. As an existing dwelling, external lights could be added without requiring planning permission. As such it is considered unreasonable to condition that external lighting should be controlled via condition on any planning approval for the replacement dwelling. However, it is considered that an informative can be included advising the applicants of the AONB's Position Statement on Lighting.

It is considered that the proposal will cause no harm to the character or significance of the Conservation Area or have a significant impact on the visual amenities or character of the area or AONB.

It will be appropriate to add conditions requiring materials to be agreed; sample stonework panel and large scale details of the dormer windows and to also remove permitted development rights for further extensions.

9.3 Impact on residential amenity

Policy CP57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF's Core Planning Principles (paragraph 17) includes that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'

Residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions.

Objective 16 of the Councils Design Guide states (page 67) also refers to the need for new development proposals to exhibit 'How the new dwelling(s) will relate to the context and to each other to create a particular place'.

Objections to the application include that the footprint of the replacement dwelling is different to the existing bungalow and due to the relocation of the position of the dwelling within the site compared to the existing property, combined with the fact that the windows on the existing dwelling face west and east with only one small ground floor window on the north elevation, whilst the replacement dwelling proposes the majority of the windows facing north; that these will overlook dwellings and gardens to the north (Orchard Cottage and Lintern Close).

The extract from the proposed site plan showing the outline of the proposed replacement dwelling and the existing (attached above) show that the replacement dwelling will project further east within the plot, but is also set back further in the plot than the existing dwelling. Whilst dormer windows face north, taking into account the distances between the proposed replacement dwelling and Orchard House and as the footprint is off set from Lintern Close, it is not considered that the replacement dwelling would result in a significant adverse impact upon residential amenity.

It is considered that the dwelling has been designed to avoid unacceptable overlooking/overshadowing impacts in terms of layout of the development and position of windows and habitable rooms between both proposed and existing dwellings and it is not considered that the proposal will unduly impact on residential amenity.

It will be appropriate to remove permitted development rights for further windows/dormer windows being added to the replacement dwelling.

9.4 Highway safety & parking

The supporting text to Wiltshire Core Strategy Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas.

The resulting LTP3 Car Parking Strategy (the third evolution of the Wiltshire Local Transport Plan) was adopted by the council in February 2011 and includes policy PS6 – Residential parking standards. The parking standards for new dwellings are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

Vehicular access onto the site and the existing space for 3 parking spaces will be retained, in accordance with the parking standards.

The highways authority has raised no objections to the proposal but has recommended a condition for a construction method statement to be submitted and agreed pre-commencement of development.

Public Footpath Teffont 7 runs along the site access road and both the highways and rights of way teams recommend an informative is included that all public rights must be safeguarded.

9.5 Sustainable construction and low carbon energy

The Wiltshire Core Strategy's key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction.

For new build residential development this is achieved through Level 4 of the Code for Sustainable Homes (CSH4) which seeks a 19% reduction in Green House Gas (GHG) emissions over the benchmark set in Part L of the 2013 Building Regulations.

CP 41 - New homes (excluding extensions and conversions) will be required to achieve at least Level 4 (in full) of the Code for Sustainable Homes⁶⁶.

86. For residential development post-construction Code for Sustainable Homes assessments will be required which must be undertaken by an accredited assessor. For conversions and for non-residential development an appropriate post-construction BREEAM assessment will be required which must also be undertaken by an accredited assessor. Replacements for the BREEAM standards are being developed and this policy will apply the equivalent replacement standards. The policy will also apply to any future replacements to the Code for Sustainable Homes.

<http://www.wiltshire.gov.uk/wiltshire-core-strategy-web-version-new-june.pdf> (p238)

The Planning Inspector for the Wiltshire Core Strategy (WCS) endorsed and made specific reference to the above position in his final report of December 2014:

137. Secondly, the policy addresses the notion of sustainable construction. Once again the Council has proposed changes to the policy to reflect the passage of time and to clarify that the Code for Sustainable Homes Level 4 will need to be secured for new homes and BREEAM76 'Very Good' standards in other circumstances. I am satisfied that the evidence base, particularly Topic Paper 1, establishes a sound basis for local policy to supplement national aspirations with regard to sustainable construction.

<http://www.wiltshire.gov.uk/wiltshire-core-strategy-inspectors-report.pdf>

The local planning authority have been adding the following standard condition to planning consents for new build residential development in Wiltshire:

The dwellings hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

REASON: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

Wiltshire Council has received challenges from developers seeking not to apply CSH4 to new developments. These challenges have argued that Section 43 of the Deregulation Act 2015 and a Ministerial Statement dated March 2015 brought CSH4 into question.

Legal advice has confirmed that:

a) The Department for Communities and Local Government, through the then Secretary of State, The Right Honourable Eric Pickles, delivered on the 25/03/2015 in the House of Commons a policy statement specifically dealing with energy efficiency in buildings and Planning system:

'the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code level 4 equivalent. This statement does not modify the National Planning Policy Framework policy allowing the connection of new housing development to low carbon infrastructure such as district heating networks.'

<https://www.gov.uk/government/speeches/planning-update-march-2015>

b) Section 43 of the Deregulation Act is still not in force and has, accordingly, altered neither the Planning nor Energy Act 2008, nor the policy led approach under CP41 of the WCS that Wiltshire Council can and should apply to any new application for new build residential development.

c) The Government's intention (set out at 4(a) above) to retain higher energy standards in the move towards sustainable homes is consistent with WCS Core Policy 41 which requires CSH4. By only requiring up to the pre-existing level 4 of the Code for Sustainable Homes, Wiltshire Council has not set the bar above what was envisaged by the Minister or Government at paragraph 4(a) above.

In view of planned changes to national policy, and following a recent appeal decision in Salisbury (14/10442/FUL), Wiltshire Council's standard condition relating to Code for Sustainable Homes for new build residential development has been replaced by the following:

The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

The Inspector's appeal decision explains *'At the Hearing the parties indicated that there was not agreement about the Council's requirement for the dwellings to comply with Code 4 of the Code for Sustainable Homes. The relevant development plan policy, CS Policy CP41, creates a need to achieve at least level 4 of the Code for Sustainable Homes and, until amendments are made to the Planning Energy Act 2008, it is accepted that this may continue to be applied by condition, but limited to achieving equivalent energy standards.'*

The key difference is that the local planning authority is now seeking energy performance at "or equivalent to" Level 4 of the Code for Sustainable Homes. Evidence of achievement is still required prior to occupation.

9.6 CIL

The Community Infrastructure Levy (CIL) came into effect on the 18th May 2015. CIL is a new levy charged that local authorities can choose to charge on development in their area, and which Wiltshire Council has taken the decision to implement on all liable development. CIL will contribute towards the “funding gap” between the total cost of infrastructure necessary to deliver new development and the amount of funding available from other sources.

The Wiltshire Community Infrastructure Levy Charging Schedule charge for residential development in this area (Charging Zone 1) is £85 per sq. m payable upon commencement of development and is non-negotiable, although there are exemptions including ‘self-build’ relief.

CIL is charged on commencement of development and is separate from the planning decision process, being administered by a separate department. A separate Community Infrastructure Levy Liability Notice would be issued only if planning permission is granted.

The comments from the AONB include that affordable housing is the priority within the AONB Management Plan. Core Policy 43 of the Wiltshire Core Strategy also sets out a requirement for 40% on site affordable housing provision with a net gain of 5+ dwellings, as this replacement dwelling scheme will result in no net gain of dwellings, no affordable housing provision would be sought.

10. Conclusion

It is considered that the proposed re-development of the site will maintain the character and appearance of the area and avoid adverse impact upon the character and appearance of the conservation area, landscape (also designated as an AONB), setting of the listed building to the south west of the site and will not unduly impact upon residential amenity.

RECOMMENDATION: Approve subject to the following conditions:

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) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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.

3) No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

4) No development shall commence on site (including any works of demolition) until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The statement shall include details of the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) measures for the protection of the natural environment;
- i) hours of construction, including deliveries

The approved Statement shall be adhered to throughout the construction period.

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.

5) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- all hard and soft surfacing materials

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 to ensure a satisfactory landscaped setting for the development, in the interests of visual amenity and the character and appearance of the area.

6) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7) No development shall commence until large scale detailed elevation and section plans of the dormer windows 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: 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 visual amenity and the character and appearance of the area, to ensure that the development is appropriately detailed due to its location within the conservation area.

8) All windows shall be of timber. No paint or stain finish shall be applied to external timber until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied.

REASON: In the interests of visual amenity and the character and appearance of the area, to ensure that the development is appropriately detailed due to its location within the conservation area.

9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes or gable ends of the development hereby permitted.

REASON: To safeguard the character and appearance of the area and in the interests of residential amenity.

11) The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

12) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Ref: CHP/01 1:1250 Site Location Plan, received by this office 10/02/2016

Plan Ref: CHP/14 Site & Roof Plan, received by this office 10/02/2016

Plan Ref: CHP/15 North & West Elevation, received by this office 10/02/2016

Plan Ref: CHP/16 Side & Rear elevations, Ground floor and first floor plan, received by this office 27/01/2016

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

INFORMATIVE: Material samples

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.

INFORMATIVE: External lighting

In considering any proposed external lighting, the applicant should comply with the Cranborne Chase and West Wiltshire Downs AONB position statement on Light Pollution available from: http://www.cwwdaonb.org.uk/projects/pub_other.htm

INFORMATIVE: Public right of Way

A public footpath (TEFF7) runs along the access road and past the front of the property. This has a definitive width of up to 2 metres and all public rights must be safeguarded. The footpath should be kept clear and accessible to members of the public at all times during and after development.

INFORMATIVE: Wiltshire Fire & Rescue

The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on fire safety measures. This letter can be found on the application file which can be viewed on the council's website against the relevant application record.

INFORMATIVE: CIL

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.

Appendix A Inspectors Appeal decision to dwelling currently under construction on adjacent site



Appeal Decision

Site visit made on 15 September 2014

by Veronica Bond LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 October 2014

Appeal Ref: APP/Y3940/A/14/2220743

Land adjacent to Paddock View, The Street, Teffont, Salisbury SP3 5QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nigel Weir against the decision of Wiltshire Council.
 - The application Ref 14/02238/FUL, dated 25 February 2014, was refused by notice dated 9 June 2014.
 - The development proposed is demolition of garage and stables and erection of a 4 bed dwelling, associated works and hard and soft landscaping and improved access to 'The Street'.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of garage and stables and erection of a 4 bed dwelling, associated works and hard and soft landscaping and improved access to 'The Street' at Land adjacent to Paddock View, The Street, Teffont, Salisbury, SP3 5QP in accordance with the terms of the application, Ref 14/02238/FUL, dated 25 February 2014, subject to the conditions at Schedule 1.

Application for costs

2. An application for costs was made by Mr Nigel Weir against Wiltshire Council. This application is the subject of a separate Decision.

Procedural Matters

3. The original applicant was Miss Julie Spence but written confirmation was received from Miss Spence for the appeal to proceed in the name of Mr Nigel Weir. Accordingly, Mr Weir was accepted as a substitute appellant and I have referred to Mr Weir as the appellant in my banner heading above.
4. The appellant has submitted a planning obligation in connection with the Council's third reason for refusal, relating to the provision of public open space.

Main Issues

5. The main issues are:
 - the effect on the character and appearance of the area, bearing in mind the location of the site within a Housing Restraint Area and the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty and whether the proposed development would preserve or enhance the character or appearance of the Teffont Conservation Area; and

- the effect of the proposal on highway safety.

Reasons

Character and appearance/Conservation Area/AONB

6. The appeal site is in the Teffont Conservation Area (CA) and also within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB) and a Housing Restraint Area (HRA). The site is the plot of an existing dwelling being 'Paddock View', together with a stables and substantial garage, with much of the site comprising an area of grass described as 'the paddock'. It is reached by what is apparently a private road (also being a public footpath).
7. Some of the characterising features of the Conservation Area include properties of a traditional appearance, a number of which have thatched roofs and a cottage-like appearance and scale. The buildings within the CA form a linear pattern with clusters of dwellings following the road and stream. Open spaces alongside the road or easily visible between gaps in the houses are also defining features of the CA and HRA, adding a sense of rural character.
8. The appeal proposal would introduce a new dwelling onto the site, with a footprint broadly over the area currently covered by the garage and stables. Although the proposed dwelling would result in an increase in mass as compared to the existing garage and stables, its limited footprint and scale would give it a modest appearance, not out of character with properties in the CA. Further, the proposed dwelling would replace a substantial double garage of modern appearance with a dwelling of a more traditional design and materials, which would be more in keeping with other buildings within the CA. The stables appear from the private road and footpath as a generic outbuilding and so the loss of the stables of itself would not be contrary to the character of the area.
9. Although the proposed development would be visible to users of the private road and public footpath, passing views from the main road are very limited, notwithstanding the prevailing topography. This is due to the set back from the main road, curvature of the private road and existing screening. Views from the public footpath on approach to the village from the north are also restricted due to the angle of the approach and existing tree screening. The proposed dwelling and its residential curtilage and parking area, like the existing garage, would only be easily visible once fairly close, and would be seen as part of the cluster of surrounding dwellings, with the dwelling at Orchard Cottage marking the entrance into the village.
10. On approach up the private road from the direction of the village, the paddock area is not a prominent open rural view as it appears almost as part of the curtilage of Paddock View, being adjacent to substantial garages. Further, the presence of trees along its boundaries draw the eye and detracts from open views. Given the surrounding trees and shrubs and that the site is not a prominent open space, further hedge or tree screening of any domestic paraphernalia would not be out of character with the surroundings. Visible parked vehicles and a turning area would not be contrary to the established setting on the private access road. As such, and given the appeal site's position close to a number of surrounding properties, I also do not consider

that the proposed development would be incompatible with the conservation of the natural beauty of the AONB, within which the site lies.

11. The proposed dwelling would be positioned reasonably close to the property at Paddock View but would increase the distance from this dwelling, as compared to the existing double garage and would not be so close as to appear cramped. A condition restricting permitted development rights would prevent extensions or additions which might mean that the dwelling is enlarged excessively in its context. I have taken into account also the requirements of the Teffont Village Design Statement (VDS) but have in any event found that the proposal would not, in view of the context above, affect views of the countryside and would harmonise with the existing properties. It would not appear as backfill development, given that it has a frontage to the private road and also would not harm the linear pattern of the village, appearing as part of an existing cluster of development.
12. I have noted that in a previous appeal (Ref: T/APP/T3915/A/99/1027133/P7) the Inspector indicated that a scheme on a site to the north of the appeal site was not acceptable due to the loss of open space. However, the site in that appeal appears to have been immediately adjacent to The Street and thus a more prominent area of open space than the appeal site. That proposal also did not appear to entail the demolition of a substantial existing building. It can thus be distinguished in these respects.
13. I therefore conclude on the first main issue that the proposal would preserve the character and appearance of the area, bearing in mind the location of the site within the HRA and the AONB and would also preserve the character and appearance of the CA in accordance with the expectations of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such, it would accord with saved Policies G1 (iii), G2 (iv) and (v), D1 of the of the Adopted Salisbury District Local Plan (June 2003) (LP), which have amongst their aims the conservation of the natural environment and heritage of the district, respect for the existing landscape, the avoidance of the loss of important open spaces and development which is compatible with its surroundings.
14. I also find no conflict with saved Policies H19, C4 and C5 of the LP, which seek, amongst other things, to avoid development which would have an adverse impact on the character of a Housing Restraint Area, or which would harm the natural beauty of the AONB landscape. It would also accord with the guidance contained within the VDS, which includes similar aims and with saved Policy CN10 of the LP which seeks to avoid the loss of important open spaces where this would detract from the special character of the Conservation Area.

Highway Safety

15. The private access road leading to the appeal site currently serves 3 dwellings. Although wider at its entrance, its width for much of its length allows only for the passing of a vehicle and pedestrian, rather than for two vehicles to pass. For vehicles exiting the private road, visibility in a southerly direction is reasonable whereas visibility to the north is impeded by the presence of a mature hedge on the boundary of the property at Lintern Close.
16. The proposal would result in the occupants of one additional dwelling using the already established access. There remains at least a degree of doubt on the evidence before me that the full visibility required by the Council in a northerly

direction could be achieved in view of the presence of the hedge on the Lintern Close boundary and ownership issues surrounding this. However, this is an existing operational access serving the adjacent dwellings, and the increase in traffic arising from the appeal proposal (even taking account of visitors and other occasional vehicles) would be very modest, and cars would be able to enter and exit the access road in forward gear. Similarly the increased risk of two cars meeting at the entrance, causing cars to brake on the main road would also be very slight.

17. As such, given that the proposal should not be required to remedy existing deficiencies, I consider that the adequate improvements could be made to mitigate against the very modest increase in use by widening the private road entrance to the south. Such a conclusion also accords with that of the highways officer supported in the delegated officer report presented in the appeal questionnaire. Although I note that service vehicles currently need to reverse up the private road and construction vehicles would most likely need to do the same, I consider that these could be accommodated under the current proposal and these would in any event not be permanent or very regular occurrences. Although the proposal would see a reduction in parking spaces given the loss of the garage, and whilst I accept that parking in the area is limited, the car parking proposed and the spaces which would remain for the Paddock View property would appear to be adequate for the needs of the respective occupants, bearing in mind the Council's standards.
18. With respect to the second main issue, I therefore find that the proposal would, if appropriately conditioned, to secure an acceptable remodelling of the access, not have any materially adverse effect upon highway safety. It would accord in this regard with saved Policy G2(i) of the LP, which seeks a satisfactory means of access and turning space within the site, where appropriate, together with parking spaces in accordance with parking spaces in accordance with the LP guidance.

Other matters

19. Concerns have been raised in relation to the effect of the proposal on the living conditions of nearby residents including in terms of overlooking, overbearing impact and noise arising from increased use of the access road. Given the separation distances and intervening landscaping, I do not consider that any loss of privacy or overbearing impact would be caused and, in view of the very modest increase in the use of the access, no undue noise and disturbance would result. Although the proposal would reduce the garden available to occupants of Paddock View, I consider that a reasonably sized and usable outdoor amenity space would remain for the occupants of that property. The reduction in size would not harm the character or appearance of the area, bearing in mind the limited views available. On this basis I conclude no material harm to the living conditions of adjacent occupiers would result.
20. I have noted that a previous scheme was refused on site but I consider that the appeal proposal has overcome past concerns. As planning proposals fall to be considered on their own merits, concerns as to precedent are due only very limited weight. Legal issues in connection with continued arrangements for the delivery of oil to dwellings on the private road, bearing in mind the proposed pipework position, are not for me in determining this appeal.

Planning Obligation

21. The Council has indicated that it considers that a financial contribution is required towards the provision of open space in accordance with saved Policy R2 of the LP, which states that new residential development will be required to make provision for recreational open space to the stated standard. Appendix 4 to the LP indicates that on smaller developments, a commuted payment should be provided in place of open space provision, in accordance with the Council's scale. The appellant has not disputed the requirement and has provided, during the course of the appeal process, a certified copy of a completed Unilateral Undertaking.
22. The Council has identified a deficiency of public open space provision in the vicinity of the appeal site and has noted the effect that the proposal might have on that provision. As such, on the evidence before me, I consider that the contribution sought is necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind. A contribution has also been sought towards fire and rescue facilities but I have no evidence that a planning obligation is the only means of securing such payment. The contribution sought in respect of public open space provision would though, for the reasons above, comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the proposal would not result in any conflict with Policy R2 of the LP. I am therefore able to take it into account.

Conclusion and Conditions

23. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should succeed. I have imposed conditions based upon those contained in the Officer's Report, slightly modified in the interests of clarity and enforceability. I have imposed the standard time limit condition and specified approved plans in the interests of proper planning. Conditions in relation to materials samples and hard and soft landscaping are imposed in the interests of the character and appearance of the area. A condition has been imposed requiring the widening of the access road entrance in the interests of highway safety.
24. Construction hours are controlled by condition in the interests of the living conditions of nearby residents and a condition is imposed requiring a construction method statement to be approved and adhered to in the interests of highway safety. A drainage condition has been imposed in the interests of ensuring that the site can be adequately drained. A requirement for compliance with the Ecology survey recommendations is imposed by condition in the interests of preventing harm to protected species. I have imposed a condition restricting permitted development rights in the interests of the character and appearance of the area, given the sensitive context. I have not though imposed a condition requiring sustainability in construction in the absence of a policy basis for this.
25. For all the reasons set out above, and having considered all matters raised, I conclude the appeal should be allowed.

Veronica Bond

INSPECTOR

Schedule 1 – Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No's: 2014/981/1, 2014/981/2, 2014/981/3, 2014/981/4 and AJB/2.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include
 - (a) details of trees and hedgerows to be retained, together with measures for their protection during the course of development;
 - (b) details of any new trees and hedgerows to be planted, including species;
 - (c) means of enclosure;
 - (d) car parking layouts
 - (e) hard surfacing materials; and
 - (f) minor artefacts and structures (e.g. refuse and other storage units, oil tanks).
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become (in the reasonable opinion of the local planning authority) seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation. All hard landscaping comprised in the approved details shall be carried out prior to the occupation of any part of the development, unless the local planning authority gives written approval to any variation.
- 6) No development shall commence until details of the proposed widening of the site access bellmouth have been submitted to and approved in writing by the local planning authority. Such works shall be carried out in accordance with the approved details and to a programme to be agreed and approved, in writing, by the local planning authority.
- 7) No development shall be commenced until drainage details including a scheme for the discharge of surface water and incorporating sustainable drainage details, have been approved in writing by the local planning authority. The approved drainage works shall be carried out prior to the occupation of the dwelling hereby approved.

- 8) No development shall take place, including any works of demolition, until a Construction Method Statement, detailing how construction traffic will be managed, has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.
- 9) No development shall take place until there has been submitted to and approved in writing by the local planning authority measures in respect of the protection of reptiles and nesting birds during the course of demolition and construction in accordance with the recommendations of the extended phase 1 survey by Ahern Ecology dated 9 September 2013.
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development within Part 1, Classes A – F (i.e. extensions, outbuildings, hard surfaces) shall be erected or constructed on the appeal site.
- 11) No demolition or construction works shall take place outside the following times: 0730 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank or Public Holidays.