

REPORT FOR SOUTHERN AREA PLANNING COMMITTEE Report No.2

Date of Meeting	30 May 2017
Application Number	16/11817/FUL
Site Address	Land at Grove House, Maddington Street, Shrewton, Wiltshire, SP3 4NZ
Proposal	Erection of 3 dwellings with parking and landscaping
Applicant	Landmark Estates (GB) Ltd
Town/Parish Council	SHREWTON
Electoral Division	SHREWTON – COUNCILLOR WEST
Grid Ref	426382 150983
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the Application Being Considered by Committee

Councillor West has called the application to committee for the following reasons:

- Visual impact upon the surrounding area;
- Relationship to adjoining properties;
- Design – bulk, height, general appearance;
- Environmental/highway impact; and
- There is a lot of public concern about this application on the reasons stated above.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

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

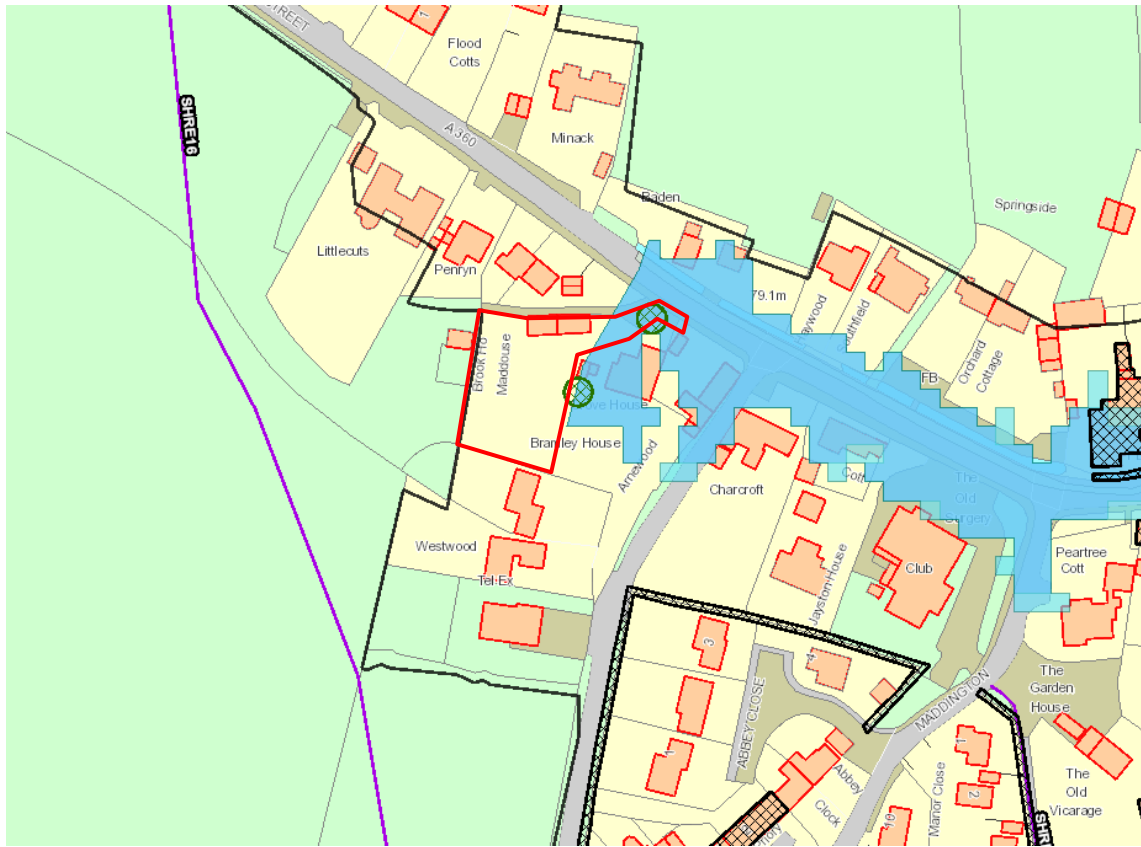
- Principle of development
- Character & Design
- Residential amenity/living conditions
- Highway safety/parking
- Ecology
- Flooding/Drainage
- S106/CIL

The application has generated objection from Shrewton Parish Council and 10 letters of objection.

3. Site Description

The site is situated within but on the edge of the Large Village of Shrewton, as defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). It is surrounded to the north, east and south by other residential properties and their associated amenity/parking provision. To the west the site abuts fields/open countryside. A public footpath (SHRE16) extends through the adjacent field approximately 56 metres away from the eastern boundary of the site. Access to the site is served off an existing driveway leading from Maddington Street/A360 in the north eastern corner of the site. Maddington Brook borders the northern boundary of the site while the River Avon Special Area of Conservation (SAC) and River Till Site of Special Scientific Interest (SSSI) exist within 20 metres of the site. The existing access onto Maddington Street and part of the driveway serving this site is

also situated within Flood Zones 1, 2 and 3, as a result of its proximity to the existing river network. The main bulk of the site is however situated outside of Flood Zones 2 and 3.



The Site

The site currently consists of part of the garden serving Grove House (to the east). The aforementioned access driveway is a secondary access serving this property with a further access also being achieved from the south eastern corner of the main Grove House site, directly off The Common. The application site is predominantly laid to lawn with a mix of planting and trees within its boundaries. It has also already been informally sectioned off from the rest of the garden with a beech hedgerow. Along the northern boundary of the site an existing pair of outbuildings exist. One is used as a garage/store/workshop incidental to Grove House and is of stone, flint and timber construction with a corrugated metal roof. The other outbuilding is a more modest, stable block of timber construction with a metal roof. The boundary with the adjacent paddock to the west is defined by a post and rail fence. Two Yew Trees exist on/in the vicinity of the site (depicted as hatched circles on the above plan) which are protected by virtue of individual Tree Preservation Orders (TPO). One is within the access to the site whilst the other is just off site within the retained garden serving Grove House.

4. Planning History

None

5. The Proposal

This is a full application seeking planning permission for the redevelopment of this parcel of Grove House's garden with three new dwellings. The three dwellings are to be of two storey form extending to a ridge height of 8.1 metres. One of the dwellings (Plot 1) is to be provided as a 3/4 bedroom detached dwelling. The other two dwellings (Plots 2 and 3) are to be provided as a pair of semi detached, three bedroom dwellings. A total of 7 car parking spaces are identified to serve the three dwellings.



The Block Plan



FRONT / EAST ELEVATION
SCALE 1:100



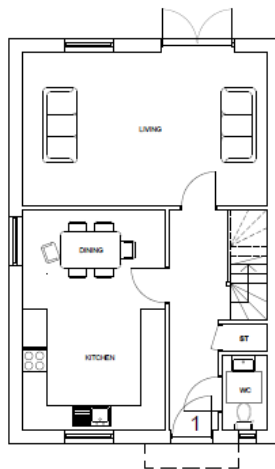
SIDE / NORTH ELEVATION
SCALE 1:100



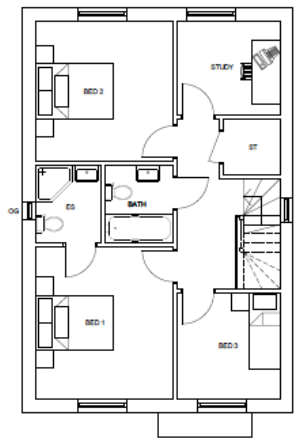
REAR / WEST ELEVATION
SCALE 1:100



SIDE / SOUTH ELEVATION
SCALE 1:100



GROUND FLOOR PLAN
SCALE 1:50



FIRST FLOOR PLAN
SCALE 1:50

Plot 1



Plots 2 & 3

As part of the works, the stable block along the northern boundary is to be removed. The attractive brick/stone/flint building on this boundary is however to be retained and used as a store incidental to Plot 1. Access to the site is to be gained from the existing access onto Maddington Street in the north eastern corner of the site.

The application is accompanied by a Planning Statement; and a Transport Statement. During the course of the application, a set of amended plans/statements have been received which have slightly changed the layout; appearance and internal layout of the proposed dwellings (so that the proposals now involve 2x3 bed and 1 x 4 bed unit); as well as providing more information about ecology (in the form of an Ecological Appraisal) and archaeology (in the form of an Archaeological Evaluation).

6. Local Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy) (SDLP):

C6 – Special Landscape Area

R2 – Public Open Space

Wiltshire Core Strategy (WCS):

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP3 (Infrastructure Requirements)

CP4 (Amesbury Community Area)

CP43 (Providing Affordable Housing)

CP45 (Meeting Wiltshire's Housing Needs)

CP50 (Biodiversity and Geodiversity)

CP51 (Landscape)

CP57 (Ensuring High Quality Design & Space Shaping)
CP58 (Ensuring the Conservation of the Historic Environment)
CP61 (Transport & Development)
CP62 (Development Impacts on the Transport Network)
CP64 (Demand Management)
CP67 (Flood Risk)
CP68 (Water Resources)
CP69 (Protection of the River Avon SAC)

Supplementary Planning Documents:

Creating Places Design Guide SPG (April 2006)
Achieving Sustainable Development SPG (April 2005)
Affordable Housing SPG (Adopted September 2004) Affordable Housing SPG (Adopted September 2004)
Wiltshire Local Transport Plan – Car Parking Strategy

7. Summary of Consultation Responses

Shrewton Parish Council - Objection

- Environmental/highway impact
- Visual impact upon the surrounding area
- Overdevelopment of the area
- Design – bulk, height, general appearance
- Relationship to adjoining properties
- Concerns that Bats may be present in either/or the barn (Coach House) and Stables due for demolition.
- The area is prone to flooding
- Poor Utility infrastructure within the area.

Wiltshire Council Highways – No Objections subject to conditions

- I am satisfied that car parking can be achieved in accordance with current standards.
- It is considered that the development proposed will not have any significant impact on highway safety
- I therefore recommend that no highway objection be raised to this application.
- I am satisfied that adequate facilities can be provided to accommodate refuse storage/collection.
- You may consider that a condition requiring a Construction Method Statement should be attached to any permission granted

Wiltshire Council Ecologist – No Objection subject to conditions

- I have reviewed the updated report and unfortunately the report still does not adequately address the issue of the very close proximity of the River Avon SAC and in fact the report now highlights that there is a potential long-term issue but does not include an assessment of whether there could be any residual adverse effects on the SAC, taking into account the proposed drainage design.
- However, it is considered that conditions can be imposed to address this omission.
- Also, the report does not address my third bullet point with respect to the barn being a confirmed bat roost but there not having been confirmation regarding the associated species provided.
- Given that this baseline information has not been provided and no further surveys have been recommended by the consultant as they are working on the premise that the barn will be retained, and that lighting measures will suffice, I suggest a condition be imposed securing a lighting plan.

Wiltshire Council Trees – No Objection subject to conditions

- I have measured the two protected trees and calculated the root protection areas.
- The Yew near the entrance to the driveway has a diameter of 0.75m and a root protection area of 9m (roughly to the position of the gate). The Yew to the rear of Grove House has a diameter of 0.8 metres and a root protection area of 9.6 metres. This can be offset to the east because of the open grown nature of the tree. Therefore the root protection area can be reduced to 8 metres on the western side, where the new driveway is to be constructed.
- The new driveway will encroach significantly into this root protection area but the lie of the land allows it to be constructed above existing ground level (using a 3D cellular confinement system) without disrupting the run-off required across the site (the ground rises fairly significantly across the site from the east to the west).
- A method statement will be required by condition to demonstrate fully how the driveway can be constructed without causing damage to the roots of the tree (i.e. zero ground disturbances).

Wiltshire Council Archaeology – No Objections

- Some archaeological features were identified in the evaluation.
- However, I consider that these have been characterised by this phase of archaeological work and so do not recommend that further archaeological works are necessary.
- I would therefore change my advice to No Objections.

Wiltshire Council Drainage – No Objection subject to conditions

- The application states that they will connect into the existing mains sewer – note that the Parish Council's and several residents' responses make note of the fact that the existing system is at capacity and overflows in times of high groundwater & heavy rain.
- There is therefore an indication that offsite works would be required to upgrade the existing system. Potential Grampian condition to cover any off site capacity improvements
- The application states that the site is not within the Flood Risk 2/3, but the EA response comments that the site is affected by the flood risk area and goes on to set minimum floor levels to protect the property. Applicant's statements are therefore incorrect.
- The application states that the disposal of captured surface water will be via soakaway. As the site is affected by the Flood Risk area 2/3 and the adjacent river is known to vary its flow rate in relation to local groundwater levels, it is unclear how the soakaways will obtain sufficient clearances from the groundwater level and from the river/properties to be effective.
- Applicant's proposals are unlikely to work especially as any soakaway will need to have its base at least 1m of unsaturated above the agreed top ground water level taking into account seasonal variation – as in Council's ground water strategy
- No Flood Risk Assessment has been included by the applicant with regards the site, although it is noted that there is a surface water flood risk for the entrance to the site on their application drawings.
- No mention of any form of SUDS is made with relation to the capture and transfer of the surface water. Wiltshire Council would expect a betterment of at least 20% below the existing greenfield run off rate.

Environment Agency – No Objection subject to conditions

- The Maddington Brook, designated a 'main' river, flows in an easterly direction adjacent the site of the proposed development.
- The site is affected by flood zones 2 and 3.
- We are pleased to see that the proposed dwellings appear to have been positioned in the part of the site at least flood risk.
- The application does not include a Flood Risk Assessment (FRA)
- However we have no objection to the amended plan showing a revised finished floor level for plot 1 and agree that the previously advised condition, in respect of finished floor levels, is no longer required.
- The incorporation of water efficiency measures into this scheme will provide resilience to some of the extremes of weather conditions that climate change brings. It benefits future residents by reducing water bills, and also benefits wider society by reducing shortage in times of drought.
- This is particularly important in the Hampshire Avon catchment due to known over-abstraction and its SAC/SSSI status. A condition should therefore be attached to any decision accordingly

Wessex Water – No comments received

8. Publicity

This application was advertised through the use of a site notice, press notice and letters of consultation.

Dorset & Wiltshire Fire & Rescue – No Objection subject to informative

Letters – 10 letters of objection were received from the residents of Arnewood, Minack, Penryn, Brook House & Yew Tree Cottage, Maddington Street; Bramley House & Westwood, The Common; and 6 Newmans Way. The following comments were made:

- The proposed number of houses for the size of the site seems excessive.
- This is not in fill it is new development of countryside garden land that abuts green fields
- People live on the edge of villages because they want to look out onto countryside not live cheek by jowl with their neighbours
- Overall this development is attempting to fit a number of houses on a plot that just does not have the right location or infrastructure to take them.
- These houses are not modest homes
- Twelve private dwellings are currently for sale in the village, the need for more in is unsupported, and this scheme is purely a revenue raising exercise.
- There is no Planning Application to convert the existing barn to an upstairs study and parking underneath yet the present day owner of Grove House said that this is going to happen.
- Question the sustainability of the proposals. Rural Shrewton has limited public transport
- The barn (once listed on Right Move as a former coach house consisting of garage with double doors and adjacent store room) is not a residential dwelling.
- This is not brownfield land which is defined in PPG3 as land which is or was occupied by a permanent structure and associated fixed surface infrastructure
- The NPPF confirms that residential gardens fall outside the definition of previously developed land

- The draft Shrewton Neighbourhood Plan says that infill will only be allowed if it matches the character of existing properties; it does not adversely impact on existing properties (view and access); it can be accommodated within existing infrastructure; it contributes to the aim of a balanced and sustainable development; and there is no loss of nature, trees or hedges or ponds.
- The village does not require any development of this size
- The buildings and their gardens would not fit in with the scale of surrounding properties and the designs are not in keeping with the existing properties
- The brick and flint building is of significant historical interest
- Land levels mean that the dwellings may be higher than the surrounding properties in the area
- The reduced size of dwellings is nonsense, bedrooms have just become bathrooms. The dwellings have not been reduced significantly in size
- It would severely affect amount of light enjoyed by neighbouring properties
- It will affect the effectiveness of the solar panels I am thinking of installing
- Cause overlooking.
- The conifer trees no northern boundary will be under threat causing amenity issues
- South West boundary is owned by neighbour not the development company/Grove House, as stated on their plans.
- The ground floor plans of unit 3 shows to have the kitchen next to our boundary fence & patio doors. Concerned about noise from boiler outlet etc
- Ruin the outlook/views from neighbouring properties
- Result in noise, disturbance and nuisance to the detriment of neighbouring residential amenity.
- Parking area will cause light, noise and disturbance
- Protocol 1, Article 1 of the Human Rights Act states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. Article 8 states that a person has the substantive right to respect for their private family life, which also encompasses not only the home but also the surroundings.
- I do not relish a car park in my backyard.
- Concerned about the foul-water drainage that serves this area
- In August/September in 2016 the foul-water drains near the junction of The Common and the A360 overflowed for a period of a couple of weeks, seeping up through the manhole cover. The water people, when they came to pump out the drain (numerous times), told us that there was no blockage in the system rather that the drainage system from here, through Shrewton was operating at, and over, capacity.
- This foul-water was overflowing across the road into the Till River stream on the other side of the A360.
- There is only one small pipe along The Common, feeding into the main system, but even this is not adequate for the entire village.
- The extra sewage from adding three dwellings is predictably a foul water disaster for all concerned
- Concerned about the water table.
- We fear that any new development nearby will have unpredictable impacts on the underground flow and level of water.
- The Till River is a Bourne stream meaning that it rises each year. If this coincides with heavy rainfall then there is flooding
- There have been 3 big flood years in the last 30 years. Flooding is already an issue with several houses along Maddington Street had the stream simply rising through the floor. This development will cause greater risk of flooding

- The walls of the stream at the rear of the property of Maddouse have collapsed when there have been excess flood pressure
- Maddington Street has become increasingly busy and the speed of traffic has increased, including large commercial vehicles.
- The new access will create yet another junction on this short stretch of road
- The access is hard to make clearly visible and is impractical for large delivery vehicles etc
- The entrance/driveway should be large enough for two cars to pass in safety if it is to serve more than one dwelling. The existing access is insufficient
- Widening the access would result in the tree being felled which is beautiful and is important for flood defence
- Parking arrangement is contrived and insufficient.
- Unit 2's plans show 2 car parking spaces one in front of the other. How will access work in this instance?
- The current plans show a lack of turning area for vehicles within the site, which has safety implications for exiting onto the A360 main road.
- No visitor parking
- Any potential development would not have a detrimental impact on wildlife and habitation as per the legislation of the Wildlife and Countryside Act 1981.
- The submitted bat survey has been undertaken when bats/protected species would not be flying about
- The submitted bat survey does not seem to understand that the barn is part of the application and will be subject to changes that will affect bats
- A large beautiful, healthy beech tree was hastily removed from the site before any Planning Application was submitted - was permission granted for the felling of trees on this site?
- Impact for mature trees, flora and fauna in the location.
- Not enough room 4 recycling bins for each dwelling.
- Equally, on collection days, where would these bins be placed?
- Bin storage is adjacent to my boundary which will create smells
- what provision has been made to ensure broadband capability can be made available, when my understanding from BT is that the exchange is at capacity
- This permission is going to be sold on. Will the developer have to adhere with the plans or can a subsequent application be submitted – as happened at the Nursery site off Britford Lane in Salisbury where a subsequent scheme for more houses was submitted
- This would set a precedent for other similar sites in the village
- I don't believe that the scale of the plans is correct or has been measured correctly. It looks too tight
- The revisions made are nominal, inconsequential and do not adequately address the neighbouring residents real concerns.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 Principle of Development:

Much local concern has been made about whether this site is greenfield/brownfield land or previously developed land. However whilst this site is currently garden land which falls outside the definition of previously developed land (as set out in the NPPF); the site is situated wholly within the defined parameters of the Large Village of Shrewton, as

defined by WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). In such a location, the NPPF and WCS policies confirm that there is a general presumption in favour of sustainable development and therefore the principle of the site's redevelopment for residential purposes is accepted.

This general acceptability is however subject to the detail in terms of how the development will integrate into the character of the area; its design; implications for highway safety; neighbouring amenities; drainage/flooding; ecology; and trees. These matters will therefore be assessed in more detail below.

It should also be noted that local representation has suggested that the development is contrary to the provisions of the draft Shrewton Neighbourhood Plan, which only allows infill development where it matches the character of existing properties; it does not adversely impact on existing properties (view and access); it can be accommodated within existing infrastructure; it contributes to the aim of a balanced and sustainable development; and there is no loss of nature, trees or hedges or ponds. How the proposals respond to these matters will be assessed in more detail below, but given the very early stage that the Neighbourhood Plan is at, it is not considered that the provisions of this document currently have any significant weight for the determination of a planning application and instead these proposals need to be assessed in line with the adopted Core Strategy (WCS) and NPPF.

9.2 Character of the Area:

This part of Shrewton has an eclectic mix of residential development with properties of different styles, ages and sizes extending along the junctions of Maddington Street and The Common. There is no uniformity to the plot sizes, grain or vernacular of the existing development, although, in the main, especially along Maddington Street, the existing properties have a strong relationship with their respective street scenes.

The existing plot serving Grove House is somewhat of an anomaly in the area. Its plot is of significant size and the existing dwelling on this wider plot effectively turns its back on the road frontage and is fairly well hidden in both the Maddington Street and The Common street scenes. A number of other properties in the immediate vicinity (mainly along The Common) also sit behind dense/strong front boundaries and have their main outlook to the rear/open countryside beyond.

The proposed development is to sit within the grounds of Grove House. Whilst the dwellings will effectively create a backland form of development; their position relative to the western boundary will be similar to that of the existing properties to the south of the site (Bramley House etc). The existing boundary treatment and intervening properties/landscaping will ensure that the development will be hardly discernible from Maddington Street and The Common. Whilst the properties will be clearly visible from the nearby public footpath that extends across the field to the rear, it is considered that the potential impact and relationship from this public vantage point will be similar to that created by the existing Bramley House and Westwood to the south. Overall it is therefore considered that the redevelopment of this part of the site with further residential development is likely to relate well to the character of the area and is unlikely to introduce a particularly prominent, strident or innocuous form of development into the respective street scenes.

Local concern has been raised that the proposals represent over development of the plot. However as is identified above, there is a diverse range of houses and plot sizes in the area. There are also no adopted policies that set a minimum garden size or density for development. It is considered that sufficiently sized gardens are provided for the size and type of dwellings proposed; and as will be addressed in more detail below,

there is also sufficient onsite parking and turning provision provided. Overall it is considered that the proposed development will have a density that is comparable with other development in the vicinity, particularly those fronting onto Maddington Street and the density proposed will appear in keeping with the type and style of development that can be seen from the public footpath and from the public domain.

9.3 Design:

Again, as is identified above, the existing development in the vicinity of the site is an eclectic mix of different house types, ages and styles. There is no uniformity in the vernacular and there is a real mix of modern and more traditional forms of development.

The proposals involve the redevelopment of the plot with a detached dwelling and a pair of semi-detached properties. The semi-detached properties are to be constructed in a red brick with clay tile effect roof. Their design also incorporates traditional features including brick window surrounds; brick quoins; chimneys; and porches. The detached property that is also proposed is to be of similar design but its upper floor is to be of rendered finish. It is considered that the design is fairly modern but is appropriate for this particular site and will integrate effectively into the existing character created by the more modern development of Maddouse and Brook House to the north; and Bramley House and Westwood to the south.

Local concern has been raised about the use of the existing outbuilding that is of attractive design and is shown to be retained along the northern boundary of the site. This outbuilding is already in residential use, in that it is used as a garage/store incidental to the residential use of the existing dwelling (Grove House). Whilst of an age and of attractive design, this building is not listed and therefore under Class E of the Town & Country Planning (General Permitted Development)(England) Order 2015 (GPDO) can be used for purposes incidental to the enjoyment of the main dwelling house, including minor alterations, without the need for planning permission. The proposals continue to involve the incidental use of this building, but identify that it will serve Plot 1 rather than Grove House. It is not considered that this requires a change of use and therefore planning permission is not required for this change or indeed any minor alterations to this building that may be required to enable it to be used as a store; office; garage building. A condition is however considered necessary to ensure that the building remains in incidental use rather than in an ancillary or separate residential use.

9.4 Neighbouring Amenities

The new development is positioned such that it will present its side gables to the existing properties to the north and south of the site. First floor windows are proposed on both side elevations of all three houses. However these are to serve bathrooms and/or landings/stairwells and are also identified to be obscurely glazed (and can be controlled by condition accordingly). Units 2 and 3 are also positioned so that their front elevation overlaps the rear elevation of the property to the south (Bramley House) thereby further reducing any potential impact for direct overlooking. The main outlook of the new dwellings will be to the east and west. To the west is a field while the existing property of Grove House is situated to the east. Grove House is however oriented at a right angle to the proposed dwellings and is positioned at least 16.5 metres away from the proposals. An intervening Yew Tree, which is protected by virtue of a TPO, also provides screening between the new and existing properties. It is not therefore considered that the proposals will result in any particular issue in terms of overlooking or loss of privacy for any neighbouring residential amenities.

Unit 1 is to be positioned approximately 16 metres to the south of the pair of semi-detached properties known as Maddouse and Brook House. An intervening brook, stone wall and conifer hedge/group of trees also exist between the two properties. The

detached flint outbuilding also exists along this boundary but faces away from the northern neighbours. It is not therefore considered that the proposals will result in any particular issue in terms of dominance or loss of light for these neighbouring amenities.

Local concern has been raised about the loss of views and outlook from the neighbouring properties but in planning terms there is no right to a view and just because the proposed dwellings will be visible from these adjacent properties, does not mean that this is unacceptable or would warrant a reason for refusal in planning terms. In this instance, as has been identified above, the level of separation; the intervening boundary treatment; and the orientation of the proposed dwellings all mean that any potential for impact in this regard will not be significant enough to warrant a refusal of the scheme.

Local concern has also been raised about the use of the land for access; car parking and bin storage as it is considered that this would create issues for neighbouring amenities in terms of noise, disturbance, smells and light pollution. However as is identified above, the site is well defined to both the north and south by tall walls; fences and vegetation. The properties to the north are also separated from the site by a brook. The access also already exists and whilst it is not used as a main access serving the site at the moment, it could be used more intensely at any point without any further permissions being required. It is considered that given these factors, it is unlikely that the proposals will result in a significant issue in these regards that would warrant a refusal of the scheme either.

9.5 Highway Safety

Local concern has been raised about the suitability of the existing access to serve the development. The level of onsite parking, visitor and turning provision has also been queried. However the proposals now involve 2x3 bed units and 1x4 bed unit (whilst the fourth bedroom in this instance is identified on the plans as a study, it is of sufficient size to be classed as a bedroom for the purposes of calculating the level of parking required). A total of 7 car parking spaces are identified to serve the development. This level of provision is considered to meet the adopted parking standards for such a development and are therefore acceptable in this regard. It should also be noted that the Council's adopted parking standards factor in both car ownership of the further residents and visitor parking in the identified standards and therefore the identified parking requirement caters for the potential visitor requirement. In addition there is space to the front of spaces 1 and 2 and in front of space 3 which enables sufficient on site turning for all vehicles. The Highway Authority has therefore raised no objection to the proposals in this regard.

In addition whilst concern has been raised about the proposed site access, and the suitability for bin collection/deliveries etc; the Highway Authority has confirmed that it is of an acceptable width, position and visibility to serve this development of three dwellings. No objection has been raised about the proposed use of this access to serve the three new properties and their associated visitor; delivery and bin collection services and a refusal on this basis could not therefore be upheld.

9.6 Ecology & Trees

As has been identified above, Maddington Brook borders the northern boundary of the site while the River Avon SAC and River Till SSSI exist within 20 metres of the site. The barn that borders the northern boundary of the site (and is to be retained as incidental accommodation to serve Plot 1) has also been found to support a bat roost.

During the course of the application an Ecological Survey has been submitted and updated to address possibly concerns regarding ecology. However, the report, despite

revisions, does not currently go far enough to address these potential issues. The Council's Ecologist has however confirmed in this instance that the outstanding matters can be addressed by condition and has therefore raised no objection to the proposals accordingly.

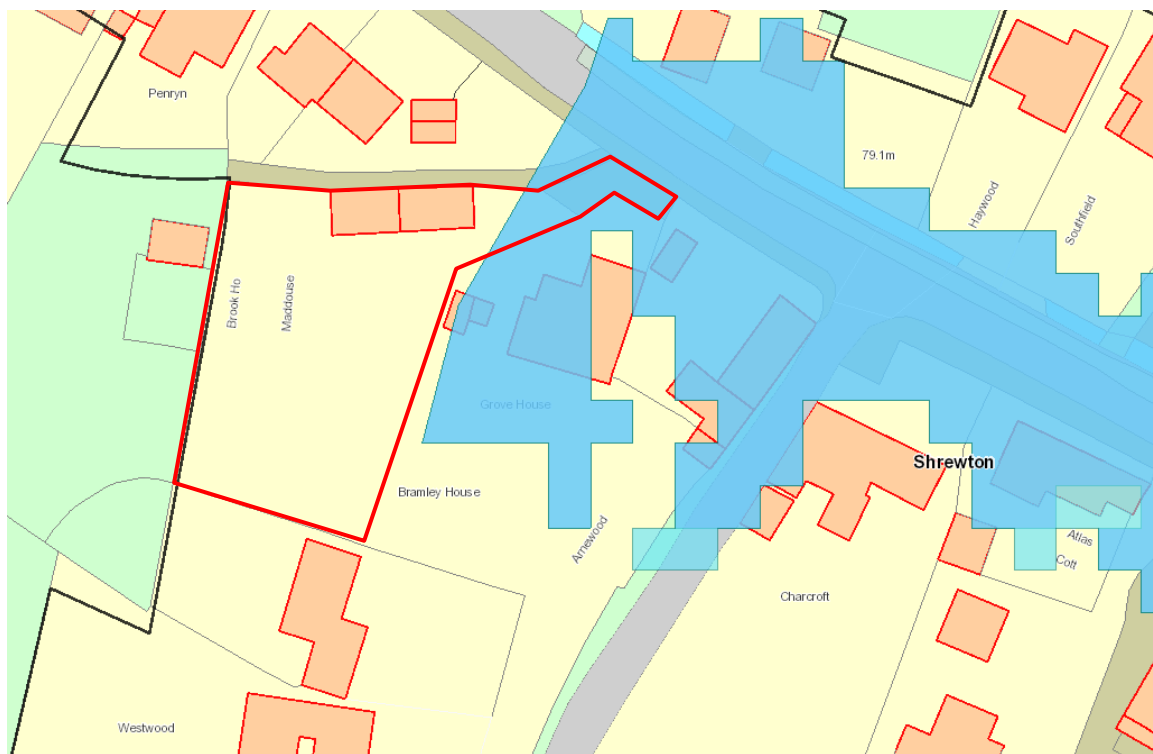
9.7 Trees

Also during the course of the application, the two Yew trees on the site (and on the wider Grove House site) have been protected by Tree Preservation Orders. The Council's Tree Officer has confirmed that the proposed development can be developed without harm to the root or canopy structures of these protected trees and has therefore raised no objection to the proposals subject to tree protection measures being secured to ensure their retention during the construction process.

Local concern has been raised about the trees that were removed from the site prior to the application being submitted. However before the application was submitted, none of the trees on the site were protected by TPO and the site is not situated in a Conservation Area. There was therefore no legal requirement for permission to be sought for the removal of any trees on the site and no mechanism to ensure their retention or replacement.

9.8 Flooding & Drainage

As has been identified above, the site is in close proximity to Maddington Brook and the River Till. The access and part of the driveway serving the development is also situated within Flood Zones 2 and 3.



Flood Zones 2 & 3

There seems to be some confusion between the consultees as to the significance of this for the consideration of the planning application, with the Environment Agency raising no objection and the Council's Drainage Officer raising a concern about this point. However the Environment Agency's standing advice; and the flooding guidance set out in the NPPF, both confirm that for such a size of plot and for such a type of proposal only if the 'development' (in this instance the residential dwellings) is located within

Flood Zones 2 or 3 would a Flood Risk Assessment or a sequential test be required. Given that only the access is situated within these zones in this instance; and given that the site is under a hectare in size, it is not therefore considered that the proposals need to be accompanied by a Flood Risk Assessment and a Sequential Test does not need to be undertaken.

In any event, the Environment Agency has raised no objection to the proposals but has suggested a precautionary approach where the internal floor levels of Plot 1 should be raised to avoid any potential future issue. The amended plans have addressed this matter accordingly. Subject to conditions regarding the water efficiency of the site, the Environment Agency has therefore raised no objection to the proposals.

With regard the possible foul and surface water drainage of the scheme, the local residents have highlighted a local issue where Wessex Water has confirmed that the existing infrastructure is at capacity. However, the local water authority has a duty to connect any new properties to their system and indeed this is something that is usually dealt with and negotiated outside of the planning process, usually as part of the building regulation stage. The Council's Drainage Officer has suggested conditions be attached to the permission to secure an appropriate drainage scheme for the site but has queried their suitability in this instance given that they will require agreement with the Water Authority. However again it is fairly common for the Water Authority to be involved in such drainage strategies and the suggested conditions are considered to be necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects and will therefore meet the 6 tests for conditions as identified in the NPPF. It is therefore considered that the conditions can be attached to the decision and that these adequately address the concerns raised. These will ensure that no development can commence on site until an acceptable drainage strategy has been secured for the development. This issue is therefore considered to be adequately addressed in this instance.

9.9 Other Matters:

Local Concern has been raised that this proposal will set a precedent and also that it has been submitted by a development company as purely a money making exercise. However each application needs to be considered on its own merits. In this instance, as is addressed above, it is considered that the site, which is situated within the defined built parameters of this large village, can accommodate an additional three dwellings without detriment or significant harm to the character of the area; neighbouring residential amenities; trees; highway safety; ecology; or flooding/drainage, and is therefore recommended for permission accordingly. Any alterations that may be required to the scheme by the current or future owners of the site will also need to be considered against these constraints and may require the submission of a revised scheme which will need to be considered accordingly. Furthermore, whether the scheme is put forward by an individual or a developer is irrelevant for the consideration of a planning application.

Further concern has been raised about the Broadband provision in the village however this is not a planning matter for consideration as part of this application.

10. **S106 contributions/Community Infrastructure Levy**

As the proposals involve a net gain of 3 dwellings in the area, WCS policy CP43 (Providing Affordable Housing) is not triggered and no affordable housing is required as part of the scheme. In addition whilst saved SDLP policy requires contributions towards off site public open space provision from any scheme involving one or more dwellings; a recent Ministerial Statement has confirmed that such policies cannot be applied to any

scheme involving 10 or less dwellings and therefore no such provision is sought from this proposals in this regard either.

However as of May 2015 the Council adopted its Community Infrastructure Levy (CIL) which applies to any additional dwellings in the area. A note is therefore added to the recommendation to bring this to the applicant's attention.

11. Conclusion

The site is situated within the defined built up area for the village of Shrewton and is therefore considered to be in a sustainable location for new residential development. It is also considered that the proposed redevelopment of this site with three additional dwellings can be adequately accommodated without significant impact for the character of the area; neighbouring amenities; highway safety; ecology; drainage/flooding; or trees. The proposals are therefore recommended for permission accordingly.

RECOMMENDATION

Permission subject to 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form & Certificate

Ref: 8821/100 Rev F – Site, Block, Location Plans & Street Scenes. Received – 14.03.2017

Ref: 8821/101 Rev C – Floor Plans & Elevations Unit 1. Received – 14.03.2017

Ref: 8821/102 Rev C – Floor Plans & Elevations Units 2 & 3. Received – 14.03.2017

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

3. No development shall commence on site until the exact 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: 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.

4. No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies 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.

6 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:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

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

7 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.

8 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C or E shall take place on the dwelling houses hereby permitted or within their curtilage without the prior grant of planning permission from the local planning authority.

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) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the northern or southern elevations of the new dwellings hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 11 Before the development hereby permitted is first occupied all of the first floor windows annotated with OG on the approved plans, shall be glazed with obscure glass only [to an obscurity level of no less than level 5] and shall be fitted to be top hung only. The windows shall be maintained as such with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 12 The retained outbuilding on the northern boundary of the site (labelled barn on the approved plans) shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling, known as Plot 1 and it shall remain within the same planning unit as that dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings, shall be inserted in the northern elevation of the retained outbuilding on the northern boundary of the site (labelled barn on the approved plans)

REASON: In the interests of residential amenity and privacy.

- 14 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 Construction Method 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 use of oils/chemicals and materials
- 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; and
- i) hours of construction, including deliveries
- j) the use and routing of heavy plant and vehicles

The development shall be constructed in strict accordance with the approved statement throughout the construction period.

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 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.

- 15 No development shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall provide details of the measures that will be implemented during the construction phase to protect the River Avon Special Area of Conservation (SAC) and protected/priority species and habitats.

REASON: To ensure adequate protection and mitigation for the River Avon SAC and protected and priority species and habitats, and to accord with wildlife legislation and policy and Policies CP50 and CP69 of the Wiltshire Core Strategy.

- 16 No development shall commence on site until a scheme for the discharge of foul water from the site, including any offsite capacity works together with all third party permissions/agreements has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until foul water drainage has been constructed in accordance with the approved scheme including any offsite improvement works

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 ensure that the development can be adequately drained without increasing flood risk to others

- 17 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details (testing to BRE 365 and determination of ground water levels) together with all third party permissions in place, has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate that there will be no adverse impact upon the River Avon. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme

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 ensure that the development can be adequately drained without increasing flood risk to others; and to ensure adequate protection of the River Avon

- 18 No development shall commence on site until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed scheme.

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 sustainable development and climate change adaptation.

- 19 No development shall take place on site, including site clearance, storage of materials or other preparatory work, until an Arboricultural Method Statement, has been submitted to the Local Planning Authority and approved in writing, Thereafter the development shall be undertaken only in accordance with the approved details.

- The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.
- The Arboricultural Method Statement should specifically include details of how the driveway can be constructed within the RPA of the adjacent Yew tree without causing root damage. Furthermore, timing should be considered to ensure the roots of the Yew are not damaged by compaction (by vehicle movement) until the special surfacing is put in place.
- The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

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, and to comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- 20 The outbuilding on the northern boundary of the site (labelled as 'barn' on the approved plans), which is a confirmed bat roost, shall be retained in accordance with the details set out within the Ecological Appraisal, (dated March 2017 and prepared by All Ecology Ltd)

REASON: To ensure adequate protection of the confirmed bat roost.

- 21 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: To ensure adequate protection of and mitigation for the confirmed bat roost

INFORMATIVES

- 1 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.
- 2 Please note that the outbuilding that is to be retained which is situated on the northern boundary of the site (and labelled barn on the approved plans), has been found to support a bat roost. Bats are protected by law and if any works are proposed to this building in the future, will need to be undertaken in full consultation with a qualified ecologist and/or Natural England.
- 3 In accordance with condition 17, the development hereby approved should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.
- 4 In order to satisfy condition 17, details will need to be submitted which include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day
- 5 Please note that a separate application will need to be made to the Environment Agency under the Land Drainage Act in relation to any works within 8m of a main river
- 6 Please note that a separate application will need to be made to the Lead Local Flood Authority under the Land Drainage Act in relation to any works within 8m of an open or culverted ordinary water course
- 7 Please note that a separate application will need to be made to the Lead Local Flood Authority under the Land Drainage Act in relation to discharge location and rates to any water course
- 8 please note that in addition to any other permission(s) that you may have already obtained (e.g. planning permission), you may need an environmental permit for flood risk activities (formerly known as Flood Defence Consent prior to 6 April 2016) if you want to carry out work:
 - in, under, over or near a main river (including where the river is in a culvert)
 - on or near a flood defence on a main river
 - in the flood plain of a main river
 - on or near a sea defenceFor further information and to check whether a permit is required please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Or contact your local Environment Agency FRA Permitting Officer, daniel.griffin@environment-

agency.gov.uk / yvonne.wiacek@environment-agency.gov.uk

- 9 The applicant's attention is drawn to the comments made in the letter dated 1st February 2017 from the Dorset & Wiltshire Fire & Rescue Service