

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 4

Date of Meeting	9 th August 2012
Application Number	E/2012/0318/FUL
Site Address	Land at Oaklands, 6 Oak Lane, Easterton SN10 4PD
Proposal	Proposed construction of dwelling
Applicant	Mr P Hannant
Town/Parish Council	Easterton
Grid Ref	401991 154980
Type of application	Full Planning
Case Officer	April Waterman

Reason for the application being considered by Committee

This application is referred to committee at the request of the Division Member, Cllr Grundy.

1. Purpose of Report

To consider the recommendation to grant conditional planning permission for the development.

2. Report Summary

The main issues in this case are the principle of residential development at this location and the detailed aspects of the proposal, including:

- a) Grain and density of development in the locality
- b) Character and appearance of the area
- c) Impact on heritage assets
- d) Trees and landscaping
- e) Impact on residential amenity of neighbouring property
- f) Highway, access and parking matters
- g) Wildlife habitat
- h) The provision of affordable housing in the locality

All to be evaluated with regard to the extant development plan, national policy and other material considerations.

3. Site Description

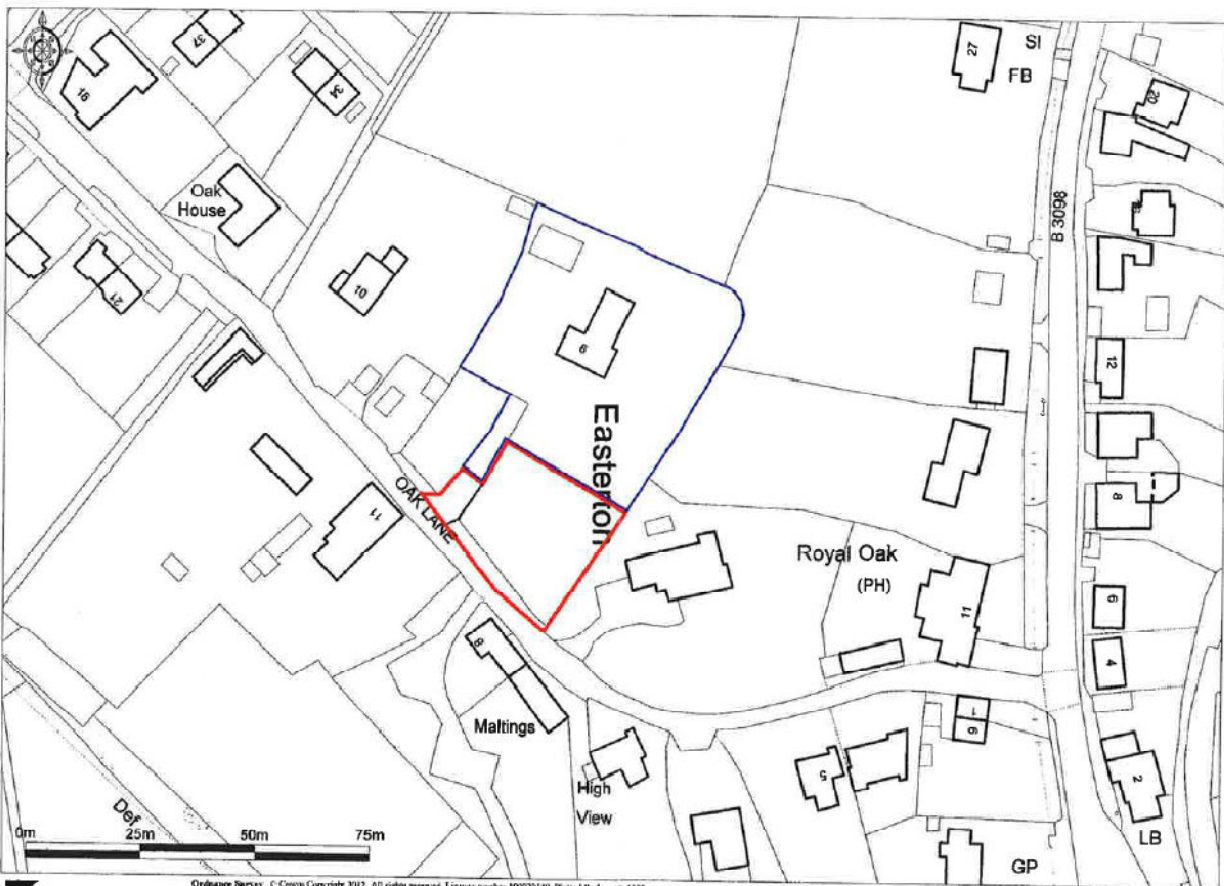
The site comprises a very roughly rectangular plot of the front garden of Oaklands, no. 6 Oak Lane, Easterton. It is between 23 and 29 metres deep, and between 27 and 29 metres wide. Excluding the driveway that would serve any new dwelling on the site, the frontage onto Oak Lane measures 29 metres. It is located within the built up area of this village, with housing on three boundaries and across the road. There are no significant trees within the site, although the eastern boundary is marked by a number of large trees, together with an under storey of hedge plants. The majority of the site is fairly flat (and laid to lawn), having been levelled in recent years, but its plateau still stands above the road level by between 3 and 5 metres. The site levels slope down towards the

road frontage, this gradual slope being partly covered in hedge and shrub plants. The convex slope of the site towards the road results in little of the site interior currently being visible from the lane, except from points close to the junction of the access driveway with Oak Lane.

Public approaches to, and public visibility of the site, are limited to that from Oak Lane, which is a narrow carriageway without pavements leading uphill from its junction with Easterton High Street. Housing on either side of the lane is either hard by the carriageway edge (mainly on the south western side in the vicinity of the site) or set back and above the lane behind hedging and walls. The appearance of the site when moving north-westwards is restricted to its frontage stone and brick wall, with the vegetation above screening views of the site until the access driveway is reached. The vista looking north/north-eastwards from Oak Lane is centred on the replacement two-storey dwelling (Oaklands), with the site itself being partly visible looking back only when having passed the access. Views of the site on approach from the upper part of Oak Lane are similarly restricted: when travelling downhill from the development at Haywards, the lane again narrows between hedges and high brick walls, and the site becomes partly visible when the new thatched dwelling on the north eastern side (Holly Cottage) is passed.

Members are encouraged to walk along Oak Lane, and along the footpaths leading to the south west and north east from the lane at points close to the site, to gauge the degree of visibility into the site from the public domain.

The site lies within the Easterton Conservation Area, and development on the site would be considered to be within the setting of the Grade II* Listed Building "Kestrels" across the road.



4. Planning History

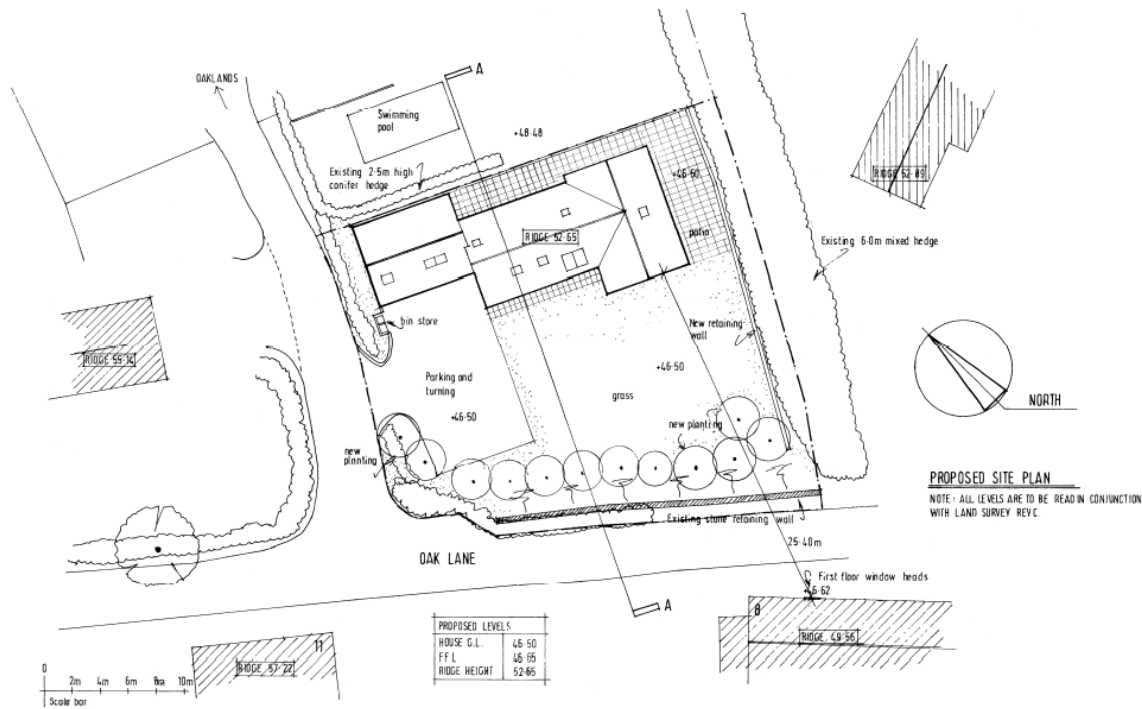
K/58928/FUL - Demolition of bungalow and erection of two storey house: approved 11th August 2008.

E/09/0075/FUL - New dwelling and cartshed-style garage: refused 12th March 2009, appeal dismissed 30th October 2009.

E/10/0485/FUL - Erection of new dwelling and cartshed-style garage: approved 2nd July 2010.

5. The Proposal

Full planning permission is sought for a new dwelling with attached garaging, parking and turning space and garden area.

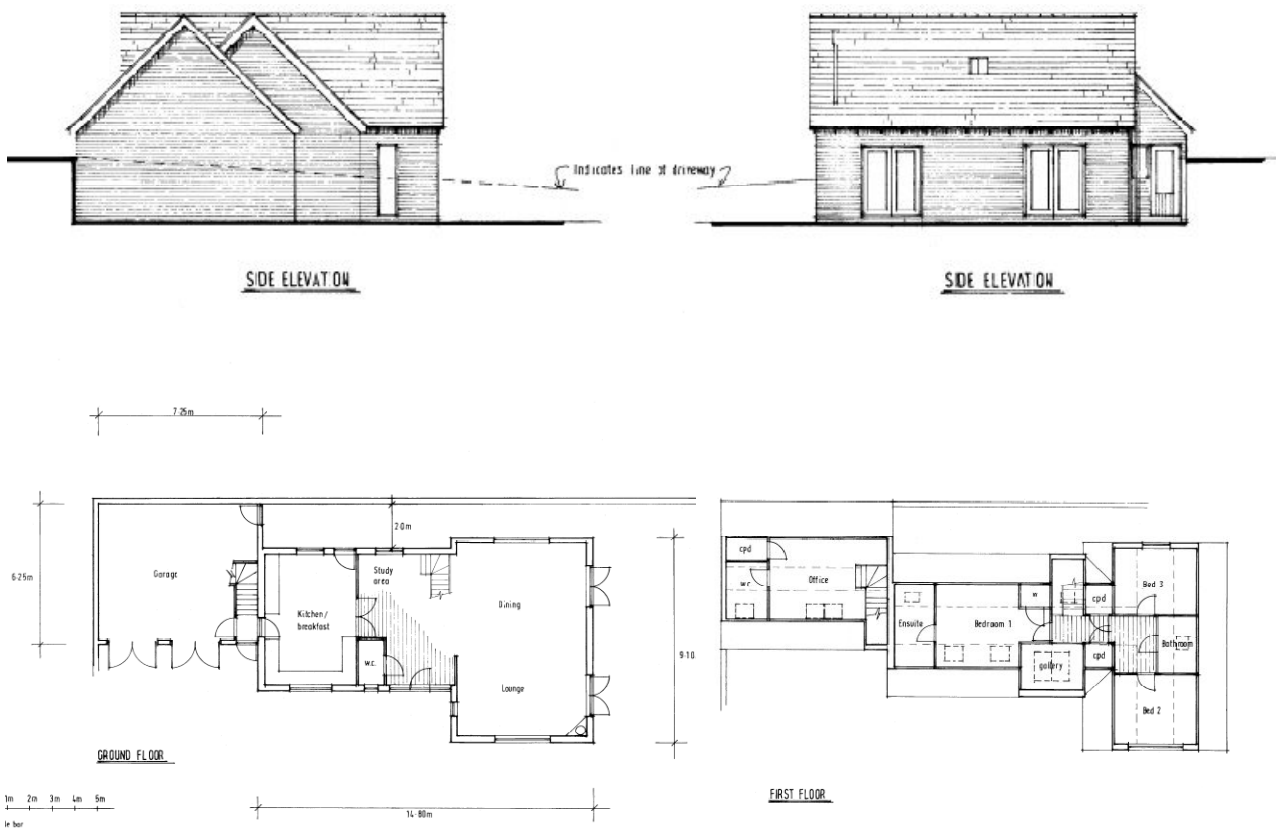


The amended design and location for the scheme shows a building with eaves height at ground floor ceiling level, containing living accommodation on both the ground floor and within the roof space, set towards the eastern corner of the site. The main L-shaped range of the building, together with the dog-legged double garage, is proposed to be finished in red multi brickwork, stained timber boarding and plain clay tiles, with stained timber doors and casement windows, and metal framed rooflights.



FRONT ELEVATION

New hard-surfaced areas would comprise strips of paving on three sides of the dwelling, and a parking/turning area and access connecting to the existing drive serving 6 Oak Lane and Holly Cottage. All hard-surfaced areas are confirmed to be permeable. Structural and living boundary treatments would comprise the retention of the existing stone and brick retaining wall fronting onto Oak Lane, retention of the hedging and shrub plants along the front boundary, retention of the 6 metre high mixed native hedge separating the site from the house and garden to the east, retention of the conifer hedge separating the site in part from the remainder of the garden of no.6 (to the north east) and a new retaining wall marking the break of slope along this sub-dividing line. New planting parallel to the south west (road) frontage of the site would comprise a mixture of rowan and white beam, and new hedging (native species) would line the north western edge of the site for its length except for that section allowing access to the site. A section of existing 2m high close boarded fencing running back from Oak Lane along the side of the existing driveway to no. 6 would be removed.



The amendments that have been secured for the scheme (from its initial submission) comprise a reduced amount of digging out of the site such that site levels would be lowered by only about 0.9 metre compared with those at present (i.e. existing levels average around 47.4 metres at the back part of the site, the initial slab level was proposed at 45.5 metres, and a new level is proposed at 46.5 metres) lessening the degree of major earth-moving engineering operations. The design of the building has been altered to reduce the floor-to-eaves height of the main range, bringing the eaves down to ground floor ceiling height, and consequently, the overall floor-to-ridge height of the building has been reduced. While the proposed slab level of the building has, therefore, changed to be closer to the existing land level (as less digging out is now proposed) the alteration to the scheme would leave the proposed ridge height of the new building at 52.65, as originally proposed. The parallel ridges of the garage and of the main range would now be the same as each other, and their plan alignment would be closer, producing a more (but not completely) continuous line.

No alterations to the existing driveway, leading northwards from Oak Lane, which serves Oaklands and the new thatched dwelling (Holly Cottage), or its junction with Oak Lane are proposed.

6. Planning Policy

National Planning Policy Framework 2012
Historic Environment Planning Practice Guide 2010

Wiltshire and Swindon Structure Plan 2016
DP1 Delivering sustainable development
DP2 Infrastructure
DP3 Development strategy
HE7 Conservation Areas and Listed Buildings

Kennet Local Plan 2011
PD1 Development and design
HC1 Strategic housing provision
HC7 Housing layout
HC24 Villages with limited facilities
HC28 Affordable homes target
HC29 Definition of affordable housing
HC32 Affordable housing contributions in rural areas

Conservation Area Statement for Easterton September 2003
Village Design Statement for Easterton and Eastcott 2005

7. Consultations

Conservation Officer (Initial submission)

Description of the Site

The site forms part of a garden area of a modern dwelling located alongside Oak Lane at the edge of the village. It is within the designated Easterton Conservation Area. The lane is a narrow, sunken, rural lane lined by banks and hedges. On the opposite side of the lane from the site is 'Kestrels', which is a grade II listed building: it lies at right angles to and immediately adjacent to the lane.*

Relevant Legislation/Policies

From the point of view of the historic environment a primary consideration is the duty placed on the Council under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character or appearance of the surrounding Conservation Area.

There is also a duty under Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The NPPF outlines current government policy, including the historic environment.

The PPS5 Practice Guide is still extant.

The Easterton Conservation Area Statement provides supplementary planning guidance.

Assessment & Conclusion

I understand that the application has had pre-application advice. A summary of the comments from the Principal Conservation Officer were as follows:

"In my opinion this new scheme, in combination with changes which have already been approved, would have a significant detrimental impact on the character and appearance of

the conservation area and setting the listed Kestrels. I can see no evidence of any mitigating factors which might justify the harm caused and must conclude that the statutory tests would not be met. As a result, I am unable to provide my support to the proposal.”

The objection to the principle of a new building in this location is largely based on the following concerns:

- A relatively small plot for the level of development proposed,*
- Resultant site being dominated by buildings, hard boundaries and surfaces,*
- Cumulative erosion of the rural character of the immediate area,*
- A prominent dwelling with limited opportunities for mitigation via landscaping,*
- Design is out of character in this context,*
- The scheme will result in significant harm to the rural character of the lane and the setting of grade II* listed Kestrels.*

Upon assessment of the current application, I am of the opinion that none of the concerns identified previously, by both the Principal Conservation Officer and the Senior Planning Officer, have been addressed to mitigate the impact of the new building within its sensitive setting.

The design of the building is out of character with its context and is a large building in a relatively compact plot. The driveway entrance cuts through the bank and over half of the site is given over to the house and its associated garage, parking and patio area. The provision of impermeable or semi-impermeable surfaces significantly erodes the rural character of the area.

Bearing in mind the strong objections to the principle of a new dwelling in this location from my colleague, I see nothing before me that overcomes any of these concerns that may make a new dwelling more acceptable. Therefore I can only voice my objection to the principle of the development and am unable to provide any support to the application.

Summary

Objection to the principle of development in this location, which is considered to further erode the rural character of the immediate area and negatively impact on the setting of a grade II listed building.*

Highways Development Control Engineer

No objection, subject to a condition requiring the provision of a visibility splay being kept clear of all obstruction to vision above 900 mm above the carriageway level between a point on the access onto Oak Lane 2 metres back from the edge of the carriageway to a point on the carriageway edge 18 metres to the south.

A 2 metre distance for the visibility splay is permissible at a quiet traffic location such as this, and consequently no alteration to the front wall will be required. Only some trimming of overhanging vegetation at the end of the wall will need to be carried out to provide the visibility specified.

Affordable Housing Officer

Discussions with the housing team have concluded that there is no established mechanism for translating into financial contributions the normal 50:50 market housing:affordable housing provision ratio that is set out in policy HC32 of the Kennet Local Plan 2011. For small sites in villages and other rural areas this issue will be addressed in the emerging Core Strategy, but it is too early to apply the proposed policy yet. Strictly speaking the only outcome for cases where the second unit of housing is not indicated as being “affordable” is, therefore, a refusal of planning permission as the policy HC32 requirement cannot be met. At present in the northern area of Wiltshire this issue is dealt with by a sum of £26,000 being accepted as a financial contribution towards the Council’s costs in bringing forward affordable housing units off-site. The use of a similar arrangement for this site in the central area could work, on the understanding that such a legal agreement to oblige this payment to the Council would stand outside normal current practice,

and precede whatever mechanisms are to be brought in for the new Core Strategy policies.

Easterton Parish Council (Initial submission)

OBJECT

Reasons for refusal based on local knowledge:-

- 1. Policy PD1, B(7)----With the Grade11* listed building "Kestrels" above (opposite) and a Grade11 building below (opposite) at "High View" 7 Oak Lane, all contained within the Easterton Conservation Area we fail to see how these buildings and the area will be respected/protected by the proposed development.*
- 2. Policy HH5---- This proposal will adversely affect the setting of the Conservation Area being an over development of the existing site and, although efforts have been made to "hide" the proposed dwelling from view, the not inconsiderable roofline will be visible from parts of Oak Lane itself quite apart from the surrounding dwellings.*
- 3. The approved thatched cottage (2011) was the 1st infill in the curtilage of 6 Oak Lane BUT one of the arguments then accepted by this Parish Council was that it would replace a former stable building. This proposal cannot follow that precedent.*
- 4. The considerable number of objections received should be taken into account when reaching a decision.*

(Amended Plans)

The above comments are re-iterated unchanged, except for the final paragraph which, for the amended plans, reads:

- 4. The considerable number of objections received, variously incorporating reasoning related to the above statements, should be taken into account when reaching a decision.*

8. Publicity

The initial planning application submission was advertised in the press, and publicised by on-site notices and delivery of letters to neighbouring properties.

Publicity for the amended plans comprised further on-site notices and neighbour notification letters, giving a full three week period for comment (instead of the usual 14 days for amended proposals).

The application has attracted a large number of representations, at initial and revised stages, of both objection and support, many from long-term residents of the village.

The issues raised in the comments include:

(Initial submission)

- Principle of dwelling on the site is unacceptable
- Oak Lane cannot accept more traffic
- Highway dangers to pedestrians, cyclists and horseriders
- No need for additional housing as the Jam factory site is being developed.
- Creates tandem development
- Does not preserve the appearance of the Conservation Area
- Nearby properties will lose privacy
- Design is not in keeping with other buildings

- Construction works involved with earth removal will be dangerous
- The plans and photos submitted are insufficient and misleading
- Rural setting of Oak Lane is being lost
- House is too large for the plot or its location
- Proposal would be overbearing and invasive
- An office is proposed, increasing traffic over and above that for an additional dwelling
- Harms the setting of the Listed Buildings close by
- Wildlife habitat would be lost
- Loss of outlook towards the plain
- Concerns over soakaway impact on retaining front and side walls
- Affordable housing should be provided
- This is the third house on land that once had just one bungalow
- No objection in principle, but requests for some amendments to lessen impact and improve appearance

(Revised submission)

- Repetition of many objections previously made
- Despite changes the principle of any new dwelling is unacceptable
- Amended plans appear to make no difference
- One previous objector withdraws comments and expresses support for the scheme
- Retention of the frontage wall and foliage is welcomed
- No significant impact on adjoining properties
- Building will be set back and have no effect on Listed Buildings
- New housing helps stimulate the economy, and brings new families to the village.
- New houses adjoining the plot are well designed, this would also be.

The full text of each of the representations received to date is available to view on the Council's website, on the planning pages relevant to this application. Members are encouraged to read the full versions of all comments made, as the above summary is not a verbatim copy of the views expressed.

There have also been numerous questions and comments raised regarding the procedure for dealing with this application, many relating to the public consultation exercise. Care has been taken to explain the processes when requested relating to the normal and, in this case, additional public consultations that have taken place.

9. Planning Considerations

a) Principle of residential development.

The site lies within the built-up area of Easterton, with residential uses surrounding it on all sides. The development would not consolidate an existing sporadic loose knit area of development, and it is considered that in its amended form the development would be in harmony with the village in terms of its scale and character.

b) Grain and density of development in the area, and character and appearance of the area.

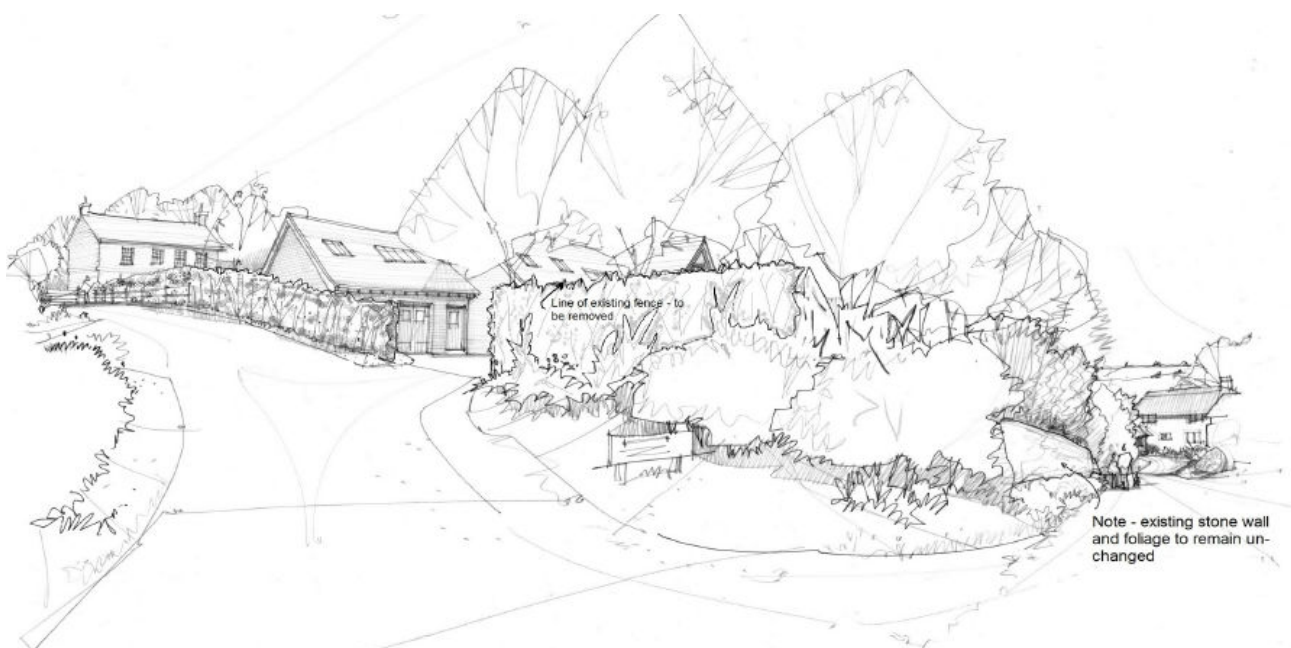
There is a wide variety of plot shape and size for dwellings along Oak Lane, and a similar diversity of size, orientation and location of buildings within each plot. Dwellings included in this range comprise wide span two-storey and roof brick and stone buildings at the edge of the carriageway; modern brick two storey homes set back from the lane; rendered and slate roofed Edwardian detached homes, and whitewashed, rubble stone or brick and thatched cottages. Other buildings along the lane include detached garages, felt-roofed stable ranges and timber and corrugated sheet metal clad outbuildings.

The over-riding character trait of the area is the narrow enclosed nature of the lane itself, as the built structures that either provide that enclosure, or are screened from view because of its sunken nature comprise a very eclectic mix of age, scale, form and materials, such that there is no dominant style to which any new development should necessarily conform.

The ridge heights of the proposed and existing dwellings on and near the site are indicated on the proposed drawings. At 52.65 metres the proposed ridge would be lower than that of Holly Cottage to the north west (55.14 m); that of the two storey house to the east of the site (52.89 m); that of Kestrels opposite the driveway (57.22 m) and of Oaklands itself (57+m). The ridge height of no. 8 Oak Lane, across the lane from the site, is given at 49.56 m, but at a distance of more than 25 metres between the existing and the proposed dwelling, this difference in height is not considered to cause any overbearing effect on the character of the area generally.

The proposed development, in its amended form, is considered to preserve the character of the lane, by retaining and augmenting the street frontage wall and vegetation lining the lane and the access driveway, and by ensuring that the new structures are, where visible from public vantage points, of materials, form, scale and orientation that would not dominate the existing structures along Oak Lane, but instead take reference from some of the more modest buildings in the area. To ensure that other additional householder development (that would normally be permitted by Development Order) does not change unacceptably the impact that the proposed dwelling has on the character and appearance of the locality, it is recommended that a condition restricting normal permitted development rights for extensions to the building, and for the erection of garden buildings, is imposed.

A perspective drawing of the proposed dwelling has been submitted as an illustration of the proposal: as the information shown cannot be scaled, the drawing does not form part of the formal submission for the scheme, but is given as additional information.



Perspective view of proposed new dwelling when viewed from bottom of existing driveway.

c) Impact on heritage assets.

The Listed Buildings in Oak Lane comprise Kestrels (Grade II *, opposite the site driveway) and High View (Grade II, some 40 – 50 metres to the south east of the proposed building, also on the opposite side of Oak Lane from the site). The “setting” of these buildings comprises the public and private space around them with and within which they are read. The opportunities from public

vantage points to view either of the Listed Buildings in the same vista as the proposed building are limited. Where it is possible, other non-listed buildings surrounding the site play as much, if not more of a role in the foreground or background of the listed buildings than would the proposed development. From the principal public close range view of Kestrels and of High View, the site does not form a significant part of that vista, and it is considered that the proposed development would have no detrimental impact on the setting of either Listed Building.

The character and appearance of this part of the conservation area are noted above: with regard in particular to the historic, architectural and natural elements within the locality that contribute to that character, it is considered that the proposed development would not harm or dilute the quality of the street scene by intrusion of new elements, loss of or alteration to built forms, or loss of green features. The proposed structures and landscaping have been designed to create minimal disturbance to existing features of merit.

d) Trees and landscaping.

The significant belt of greenery along the south eastern boundary of the site is marked for retention and the suggested conditions set out requirements for the protection of these plants during the construction period, together with the implementation of the new planting indicated on the plans.

e) Neighbouring residential amenity.

As a result of the distances between the proposed front and rear-facing windows and those of existing dwellings in each of these directions, it is considered that no adverse intervisibility of habitable rooms would ensue from the construction of the proposed development. There are no upper floor windows proposed in either of the side walls of the proposed building, and those shown to serve the eastern ground floor room would be screened from views into or from the neighbouring property by the retained trees and hedging on this boundary.

f) Highway, access and parking.

Adequate and appropriately permeable parking and turning facilities are proposed, and the use of the existing access drive onto Oak Lane (which serves both Oaklands and the new thatched property, Holly Cottage) is acceptable, subject to the permanent provision of the required visibility splay.

g) Wildlife habitat.

The site currently forms a lawned area of garden serving Oaklands. No alert has been received from the Wiltshire Wildlife Trust (who screen all planning applications against records for the existence of protected species and their habitats) and consequently no ecological survey has been requested or carried out. However, the applicant will be reminded that any development on the site would still be subject of legislation relating to protected species and habitats.

h) Affordable housing provision.

This development would represent the second new dwelling to be created on the garden area of no. 6 Oak Lane, and as such should comply with the requirements of policy HC32 of the Kennet Local Plan 2011 regarding a 50% affordable housing provision on the combined site. This proposal does not include any proposal to transfer the unit created to a Registered Social Landlord to provide such affordable housing. To mitigate the lack of provision of affordable housing that this scheme would normally trigger, however, the applicant has agreed to enter into a Section 106 agreement with the Council to make a financial contribution that would assist in such provision in the locality, along the lines of the mechanism currently operating in the north part of Wiltshire. A sum of £26,000 has been discussed with the housing team, which would be used to subsidise an appropriate scheme within the Devizes Community Area of the Council's choosing.

In advance of policies and mechanisms being finalised to address this issue in the emerging Core Strategy, this method of dealing with the existing affordable housing policy requirements is considered to achieve the best interim outcome.

10. Conclusion

The proposed development, as amended and with the legal obligation in place relating to affordable housing, is considered to address and comply with the policies of the development plan and national planning policy framework, and there are no material considerations that would point to the requested planning permission being withheld.

RECOMMENDATION

That authority is delegated to the Area Development Manager to GRANT planning permission for the development, subject to the landowner entering into an agreement with the Council under Section 106 of the Town and Country Planning Act (as amended) to secure a financial contribution of £26,000 towards the cost of provision of affordable housing units within the Devizes Community Area, and subject to the suggested conditions set out below.

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, in accordance with the requirements of policy PD1 of the Kennet Local Plan 2011 and policy HE7 of the Wiltshire and Swindon Structure Plan 2016.

- 3 No development shall commence on site until details of the hard and soft landscaping indicated on the approved plans have been submitted to and approved in writing by the Local Planning Authority, which shall include:

- (a) measures for the protection of the trees and hedge plants on the south eastern boundary during the construction period;
- (b) all species, planting sizes and planting densities for new soft landscaping;
- (c) a planting and maintenance schedule for the new soft landscaping;
- (d) a specification for the materials and installation/construction methods for the hardsurfaced areas, all of which shall be water permeable;
- (e) finished levels and contours, and
- (f) materials and construction details of all new means of enclosure.

REASON:

To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of the character and appearance of

the Conservation Area, in accordance with the requirements of policy PD1 of the Kennet Local Plan 2011 and HE7 of the Wiltshire and Swindon Structure Plan 2016.

- 4 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 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, in the interests of the character and appearance of the Conservation Area, in accordance with the requirements of policy PD1 of the Kennet Local Plan 2011 and policy HE7 of the Wiltshire and Swindon Structure Plan 2016.

- 5 The development hereby permitted shall not be occupied or first brought into use until the area between a point in the centre of the access drive 2 metres back from the carriageway edge and a point at the carriageway edge 18 metres to the south east has been cleared of any obstruction to visibility at and above a height of 900 mm above the carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON:

In the interests of highway safety, in accordance with the requirements of policy PD1 of the Kennet Local Plan.

- 6 The dwelling hereby permitted shall not be first occupied until and unless the parking and turning space indicated on the approved plans have been laid out in accordance with the details required by condition 3 above. These facilities shall be retained for these purposes for the duration of the occupation of the dwelling.

REASON:

To provide appropriate facilities for the parking of vehicles in accordance with the requirements of policy PD1 of the Kennet Local Plan 2011.

- 7 No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON:

To secure an appropriately sustainable standard of construction for the development, in accordance with the requirements of policy DP1 of the Wiltshire and Swindon Structure Plan 2016.

- 8 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 those Orders with or without modification), no development within Part 1, Classes A, B, C or E shall take place on the dwellinghouse hereby permitted or within its curtilage.

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, in accordance with the requirements of policy PD1 of the Kennet Local Plan 2011 and HE7 of the Wiltshire and Swindon Structure Plan 2016.

- 9 No development shall be commenced on the site until details of the location and height of a datum point expressed externally and permanently on a fixed structure within the site or within land associated with Oaklands, no. 6 Oak Lane, shall have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed with a ground floor finished level not exceeding 46.50 m when referenced against this datum point.

REASON:

To secure an appropriate finish for the development, in the interests of the character and appearance of the conservation area in which the site lies and to ensure that the impact of the development on the amenity of the neighbouring residence is acceptable, in accordance with the requirements of policy PD1 of the Kennet Local Plan 2011 and policy HE7 of the Wiltshire and Swindon Structure Plan 2016.

- 10 This decision relates to documents and plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

The relevant documents are:

Application form;
Design and Access Statement;
Land survey drawing referenced DRoakTOP01 Rev C;
Site location plan drawing referenced 11-004/LP1 and
Proposed chimney detail drawing referenced 11-004/D1 received at Wiltshire Council on 12th March 2012;
Site section drawing referenced 11-004/SS1 Rev B;
Ground floor plan drawing referenced 11-004/1 Rev B;
First floor plan drawing referenced 11-004/2 Rev A;
Front elevation drawing referenced 11-004/3 Rev B;
Side elevations drawing referenced 11-004/4 Rev B;
Rear elevation drawing referenced 11-004/5 Rev B;
Additional information sheet May 2012, and
Structural Survey Report dated 11th May 2012 from Structural Solutions Management Ltd, all received at Wiltshire Council on 22nd May 2012, and

Site layout plan drawing referenced 11-004/SP1 Rev C received at Wiltshire Council on 1st June 2012.

11 INFORMATIVE

This permission is governed by and shall be read together with an Agreement made under Section 106 of the Town and Country Planning Act 1990 as amended, between the applicant, landowner and Wiltshire Council, dated xx xx xxxx, to secure a financial contribution from the landowner towards the provision of affordable housing within the Devizes Community Area.

12 INFORMATIVE

The attention of the applicant is drawn to the advice and requirements of the Wiltshire Fire and Rescue Service, as set out in their letter to the Local Planning Authority, of 22 March 2012, referenced KDC00001/SR, which is available within the "View Plans and Documents" tab of the Planning Explorer East pages of the Wiltshire Council website www.wiltshire.gov.uk

13 INFORMATIVE

The developer is reminded that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting bats, or other protected species or their habitats. You should note that the work hereby granted consent does not override the statutory protection afforded to any protected species and you are advised to seek expert advice if you suspect that the works would disturb any protected species. For further advice, please contact the Ecologist at Wiltshire Council.

Appendices: None

Background Documents Used in the Preparation of this Report: None