

AGENDA

Meeting: Southern Area Planning Committee

Place: Marlborough Room, The Red Lion Hotel, 4 Milford Street, Salisbury, SP1 2A

Date: Thursday 17 October 2024

Time: 3.00 pm

Please direct any enquiries on this Agenda to Lisa Alexander of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01722 434560 or email lisa.alexander@wiltshire.gov.uk

Press enquiries to Communications on direct lines 01225 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership

Cllr Andrew Oliver (Chairman)

Cllr Sven Hocking (Vice-Chairman)

Cllr Richard Budden

Cllr Sam Charleston

Cllr Brian Dalton

Cllr George Jeans

Cllr Charles McGrath

Cllr Nabil Najjar

Cllr Bridget Wayman

Cllr Rich Rogers

Cllr Ricky Rogers

Substitutes:

Cllr Trevor Carbin

Cllr Ernie Clark

Cllr Kevin Daley

Cllr Ian McLennan

Cllr Graham Wright

Cllr Robert Yuill

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

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For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 22*)

To approve and sign as a correct record the minutes of the meeting held on Thursday 12 September 2024.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register **no later than 10 minutes before the start of the meeting**. If it is on the day of the meeting registration should be done in person.

The rules on public participation in respect of planning applications are linked to in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application, and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public and others will have had the opportunity to make representations on planning applications and other items on the agenda, and to contact and lobby their local elected member and any other members of the planning committee, prior to the meeting.

Those circulating such information prior to the meeting, written or photographic, are advised to also provide a copy to the case officer for the application or item, in order to officially log the material as a representation, which will be verbally summarised at the meeting by the relevant officer, not included within any officer slide presentation if one is made. Circulation of new information which has not been verified by planning officers or case officers is also not permitted during the

meetings.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Thursday 10 October 2024, in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Monday 14 October 2024. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

Rights of Way/Village Green/Other Delete as Appropriate

6 Planning Appeals and Updates (Pages 23 - 24)

To receive details of completed and pending appeals and other updates as appropriate.

Planning Applications

To consider and determine the following planning applications.

7 Application Number: PL/2023/07895 - Poles Farm, Swallowcliffe, Wiltshire, SP3 5NX (Pages 25 - 50)

Demolition of existing barns and erection of new four bed residential home and detached car port/garden store.

8 Application Number: PL.2024.03325 - Wyckfield, Homington Road, Coombe Bissett, SP5 4LR (Pages 51 - 72)

Demolition of out buildings and erection of 1 self-build residential dwelling, access, parking, landscaping and associated works.

9 Application Number: PL/2024/05873 - River House, 9 Hadrians Close, Salisbury, SP2 9NN (Pages 73 - 86)

Alterations and extension at first floor level.

10 Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

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Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 12 SEPTEMBER 2024 AT THE PUMP ROOM, THE OLD FIRE STATION, THE ENTERPRISE CENTRE, 2 SALT LANE, SALISBURY, SP1 1DU.

Present:

Cllr Andrew Oliver (Chairman), Cllr Sven Hocking (Vice-Chairman),
Cllr Richard Budden, Cllr Brian Dalton, Cllr George Jeans, Cllr Charles McGrath,
Cllr Bridget Wayman, Cllr Ricky Rogers and Cllr Trevor Carbin (Substitute)

Also Present:

Cllr Richard Britton – Local Member for Item 7

43 **Apologies**

Apologies for absence were received from:

Councillor Nabil Najjar
Councillor Rich Rogers
Councillor Sam Charleston who was substituted by Councillor Trevor Carbin

44 **Minutes of the Previous Meeting**

The minutes of the meeting held on 15 August 2024 were presented.

Resolved:

To approve as a correct record and sign the minutes.

45 **Declarations of Interest**

There were no declarations of interest.

46 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

47 **Public Participation**

The committee noted the rules on public participation.

48 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda.

It was;

Resolved:

To note the Appeals Update.

49 **Application Number: PL/2022/03103 - Land East of Wagtails, Southampton Road, Alderbury**

Public Participation

Mr Mike Dent spoke in objection to the application

Miss Bridget Hollman spoke in objection to the application.

Mr Andrew Black (Agent) registered to speak, but decided not to after hearing the Officer presentation

Cllr Elaine Hartford of Alderbury Parish Council spoke in objection to the application.

The Senior Planning Officer, Lynda King, introduced a report which recommended that the Outline Application for up to 30 dwellings with all matters reserved (except access), be approved.

The main issues which were considered to be material in the determination of the application were listed in the report as, Principle and Policy issues, Impact on residential amenity, Impact on highway systems, Impact on ecology, Drainage and flooding issues and S106 and viability matters.

The site planning history was outlined, including details on a previous Appeal decision, a copy of which was published as supplement 1 to the agenda.

The Officer explained that the Inspector had considered the application site could be treated as infill if a development to the north (also granted at appeal outside of the settlement boundary) had been developed and had dismissed any issues on highways safety. At the time of the appeal, the council did not have a 5-year land supply.

Attention was drawn to page 26 of the report relating to housing supply and delivery issues. The Officer noted that at the time of writing the report the council had a 4-year land supply and that since the publication of the agenda, there had been an appeal decision which had concluded that council now only had a 3.85 years land supply, which meant that the councils current position was that it no longer had a 4 year land supply.

Reference was made to an appeal decision from Dorset where the Inspector had made a relevant point to consider commented that the Written Ministerial Statement that accompanied the consultation on revisions to the NPPF in July 2024 was now . Now part of current national planning policy guidance Lynda can you edit this to make sense please. This document commented that the direction of travel of planning policy was to endeavour to deliver more housing nationally.

The application site was in a sustainable location, surrounded by housing development on all sides, this and the current settlement boundary was set out in the presentation slides.

Pre appeal the site had previously been wooded and the trees had been clear felled prior to the submission of the earlier planning applications in 2018. At the time as there were no TPOs the Forestry Commission investigated whether there was an offence and determined no offence had taken place, as the land was considered an overgrown garden.

The status of the site from a planning point of view was that it was technically brownfield land and therefore, should be considered before greenfield sites were considered for development.

Onsite mitigation for biodiversity net gain could not be provided, the applicant had agreed to enter into a S106 agreement to provide off site mitigation. against issues.

The applicant had also invested in a scheme of mitigation against the impact of phosphates which did not use the Council's own mitigation package.

The site would have 40% affordable housing and there would be a financial contribution towards the playing field in the village.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the mitigation scheme, which was explained to be a biodiversity scheme on a big housing site outside of Salisbury.

The Committee sought clarification on the impact of the changes to the current 3.85 year land supply, where it was clarified that the settlement policies now had less weight than previously and the tilted balance was to be applied.

The Committee also sought clarification on whether the S106 contribution would be lost if the application was refused at Committee but then granted at Appeal. The Officer advised that it would be a matter for negotiation with the applicant and for the Inspector to decide whether all that was in the legal agreement met the relevant tests including necessity.

It was further clarified that there was no objection in terms of biodiversity from the Ecological Officer.

Members of the public then had the opportunity to present their views to the committee as detailed above.

The Unitary Division Member, Councillor Richard Britton then spoke in objection of the application, noting the main issues as, scale of the development, the relationship to adjoining properties, the environmental and highway impact and car parking.

Councillor Britton also noted concerns regarding the play space allocation, drainage and that the high density did not allow sufficient green space for biodiversity provision to justify the previous loss of habitat from the site.

The local depth of objection against the proposals was outlined and a history of delivered developments which totalled over 100 since unitary in 2009.

Cllr Britton recognise that local animosity was due to general resentment to the continued growth in Alderbury and the loss of trees and biodiversity, with added travel on to the A36.

It was accepted that the site would be developed, however he urged the Committee to help to achieve a development more in keeping and respectful of the rural character, with high standards including better layout and design and improved ecological provision to recover what has been lost by the tree clearance.

Cllr Britton also noted that the ecological damage to the village and stated that it was reasonable to expect restoration measures to take place in the village rather than on a mitigation site elsewhere.

Cllr Britton urged the Committee to refuse the application with a suggestion that a revised scheme with significantly less units would be considered more favourable.

The Officer clarified that Highways considered around 250 dwellings at one time to be strategic growth, noting that 30 would not be considered as strategic and that both National Highways and the Council's Highway department were consulted on the Application.

The Committee was reminded that the application was set out in the report for consideration as it stood and that there had been no objections from the statutory consultees except on the layout.

The proposal was an outline application only and the recommendation included conditions. Matters such as scale of development, layout and landscaping. were all separate measures which would require reserved matter applications and condition 14 required an Ecological Management Plan to be submitted and agreed.

Drainage on the site had been discussed with the Engineers who were satisfied that the site could be drained and that it was not in an area for surface water flooding risk or ground water. Mitigation would be required on site. The conditions included the requirement of a surface water and foul water strategy to be submitted.

The proposal differed in terms of density to the other sites around it, however the Officer was satisfied that the proposal would make best use of the development land and included a range of styles.

The Chairman sought a motion for debate. Councillor Sven Hocking moved the motion of approval, in line with Officer recommendation. This was seconded by Councillor Trevor Carbin.

A debate followed where the Committee discussed the new draft Planning Policy Framework and the tree felling which had taken place on the site, noting its disappointment.

The Committee felt strongly that the mitigation should have remained on site or within Alderbury at the least, however noted that the Ecology Officer had no objection to the off-site proposal as the applicant had not been able to find mitigation within the site.

The Committee sought advice from the Legal Officer regarding an appeal, it was clarified that as the Council has less than 4-year housing land supply, the titled balance must be applied. This in essence meant there was a presumption in favour of granting permission for sustainable development. An exception or refusal was possible where the harms caused by the proposed development significantly outweighed its benefits. In the current circumstances and with the facts of the application the chance of success at appeal for the council would be low.

The Committee noted that as an outline application, if approved, the reserved matters application(s) could still be refused, if it was later to come back for consideration by Committee.

The Chairman sought clarification on whether a request for local engagement formed part of the conditions. It was advised that if the Committee was minded to approve the application, an informative could be added which set out the expectation for local engagement on design at reserved matters application.

The original mover of the motion, Cllr Hocking amended the motion to include an informative as discussed. This was seconded by the original seconder, Cllr Carbin.

At the close of debate, the Committee voted on the motion of approval in line with officer recommendation subject to the conditions set out in the agenda, and subject to the applicant first entering into a S106 legal agreement as set out in the details on the agenda, with the added informative, which the Committee had delegated the wording of to the Case Officer.

It was;

Resolved

That outline planning permission be Approved, in line with Officer recommendation, subject to the completion of a S106 Agreement in respect of the Heads of Terms set out above, and subject to the following conditions:

1.The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 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 of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

The scale of the development;

The layout of the development;

The external appearance of the development;

The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3.An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.Approved plans

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

Site Layout Plan –, received on 13th January 2023

Proposed Vehicular Access - drawing no. 11/545/5/R/1B, received on 5th October 2022

Root Protection Plan- Drawing No WMC/SSR/PSK/HE/WIA/FTS/1, received on 9TH May 2022.

Tree Protective Fencing Plan - Drawing No WMC/SSR/PSK/HE/WIA/FTS/1, received on 9th May 2022

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

5. No development above slab level 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.

6.No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish 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.

7.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;
- 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);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports 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.

8.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.

9.The detailed landscaping plans to be submitted pursuant to condition no. 7 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

10.No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following :-

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;

- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2012;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and §Details of all other activities, which have implications for trees on or adjacent to the site.
- Day and sunlight calculations must be submitted in accordance with Building Research Establishment guidance and British standards 8206 Part 2:1992 Light for buildings Part 2 - code of practice for daylighting.
- In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.
- Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

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 order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

11. Details of the surface water drainage scheme, (including sustainable drainage details), the foul water drainage scheme and timetables for their implementation, which amplify the information set out in the submitted Flood Risk Assessment, received 2nd May 2023, shall be submitted to the local planning authority for approval with or before the submission of reserved matters. No development shall commence until those schemes have been approved in writing by the local planning authority, and the surface water drainage scheme and the foul water drainage scheme shall then be implemented in accordance with the approved schemes and timetables, and thereafter retained.

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.

12. The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

13. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.**
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.**
- c) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.**
- d) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).**

e) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence. Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

14. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

15. Prior to the start of construction, a Reptile Mitigation and Enhancement Strategy Plan shall be submitted to and approved in writing by the Local Planning Authority. The strategy will include long term objectives and targets, management responsibilities and maintenance schedules for reptiles and their habitat within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit biodiversity for the lifetime of the scheme.

16. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: to avoid illumination of habitat used by bats.

17. The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage).

Within 3 months of the development being completed and the housing being brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

18. There shall be no burning undertaken on site at any time.

REASON: In the interests of the amenities of local residents.

19. Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

REASON: In the interests of the amenities of local residents

20. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;**
- ii. The cutting or other processing of building materials on site;**
- iii. Wheel washing and vehicle wash down facilities;**
- iv. The transportation and storage of waste and building materials;**
- v. The recycling of waste materials (if any)**
- vi. The loading and unloading of equipment and materials**
- vii. The location and use of generators and temporary site accommodation**
- viii. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts**

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: In the interests of the amenities of local residents.

21. Concurrent with the reserved matters application a Sustainable Energy Strategy (SES) shall be submitted for the approval in writing by the local planning authority. The SES shall set out the measures to deliver sustainable construction and climate change adaption, and include an

implementation schedule and any approved infrastructure shall be provided in accordance with the approved schedule.

REASON: To ensure that the development is carried out to the prevailing sustainable construction and climate change adaption principles.

22.No development shall commence until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

The programme of archaeological work should comprise the following elements:

- i) Exploratory archaeological investigation through trial trenching prior to the commencement of development
- ii) The archaeological investigation of any areas of archaeological interest identified by the exploratory investigation. This may comprise further investigation prior to the commencement of development in the areas of archaeological interest or monitoring during development.
- iii) A programme of assessment, analysis, and publication commensurate with the significance of the archaeological results.

REASON: To enable the recording of any matters of archaeological interest.

23.Prior to commencement of the development hereby approved, detailed drawings showing the access arrangement including kerbing, junction radii, and footway extension; together with drainage details and surface material specification, cross sections and longsections, shall be submitted for further approval of the LPA. The work shall be carried out in accordance with the approved details prior to first occupation.

REASON: In the interests of Highway safety.

24.No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To reduce the risks associated with land contamination

25.No dwelling shall be occupied until details of the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse and recycling storage shall thereafter be maintained in accordance with the approved details.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

Informative Notes

(1) Reference to S106 Agreement

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the XXXX.

- (2) The development hereby approved could be subject to the Community Infrastructure Levy. Wiltshire Council has now adopted a Community Infrastructure Levy (CIL) charging schedule. CIL is a charge that local authorities can place on new development in their area. The money generated through CIL will contribute to the funding of infrastructure to support growth.

More information and the charging schedule for CIL can be found using the following link:

<http://www.wiltshire.gov.uk/planninganddevelopment/dmcommunityinfrastructurelevy.htm>

- (3) The applicant should note that archaeological mitigation required by Condition 22 will include the excavation of a number of areas within the site in advance of development, followed by the assessment, analysis, reporting, publication and archiving of the results. The applicant should not under-estimate the programme and resources required to undertake the full programme of archaeological work, and they may wish to seek the advice of their archaeological consultant in this respect, especially in relation to the post-fieldwork assessment, analysis and reporting stages of the programme.

- (4) A mitigation strategy could be prepared and agreed in advance of the determination of this application so that the applicant is fully aware of the programme of archaeological work required and the programme and resources required to achieve it. It should also be noted that this site is in a location that is prominent to the general public and passers-by, and it therefore provides an opportunity to engage the local community with the archaeological programme.

- (5) A water efficiency calculation will be needed to discharge condition 17. For guidance on how to do this and what is required, please refer to the following document: 'The Building Regulations 2010 – Sanitation, hot water safety and water efficiency', Appendix A (p36-44).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf

- (6) To meet the requirement of condition 23 above, the applicant will be expected to enter into a S278 Agreement with the Highway Authority before commencement of works hereby approved.

- (7) Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme. An alternative mitigation package must be approved by

the local planning authority and Natural England with evidence of allocation to the scheme.

(8) The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

(9) The Local Planning Authority would wish the applicant to enter into constructive engagement with Alderbury Parish Council and local residents about the form of the proposed residential development prior to the submission of the Reserved Matters application to Wiltshire Council.

50 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 4.30 pm)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail lisa.alexander@wiltshire.gov.uk

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk

**Wiltshire Council
Southern Area Planning Committee
17th October 2024**

There are no Planning Appeals Received between 30/08/2024 and 04/10/2024

Planning Appeals Decided between 30/08/2024 and 04/10/2024

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
PL/2023/01376	51 Blue Boar Row, Salisbury, SP1 1DA	Salisbury	Retrospective permission for erection of fascia board sign	DEL	Written Reps	Refused	Dismissed	03/09/2024	None
PL/2023/02802	Woodlee, Underhill, East Knoyle, Salisbury, Wilts, SP3 6BS	East Knoyle	Proposed ground and first floor extensions and refurbishment of existing bungalow	DEL	Householder Appeal	Refused	Allowed with Conditions	02/09/2024	None

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	17 th October 2024
Application Number	PL/2023/07895
Site Address	Poles Farm, Swallowcliffe, Wiltshire, SP3 5NX
Proposal	Demolition of existing barns and erection of new four bed residential home and detached car port/garden store
Applicant	Mr & Ms Caryn and Kenneth Mandabach and Bolen
Town/Parish Council	Swallowcliffe
Electoral Division	Fovant and Chalke Valley – (Nabil Najjar)
Grid Ref	53.395034, -6.108227
Type of application	Full Planning
Case Officer	Joe Richardson

Reason for the application being considered by Committee

The application has been called-in before committee by Cllr Najjar if officers are minded to approve on the basis of the high levels of community tension by way of the proposal necessitating the need for public debate and transparent decision making.

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 for the reason(s) set out below.

2. Report Summary

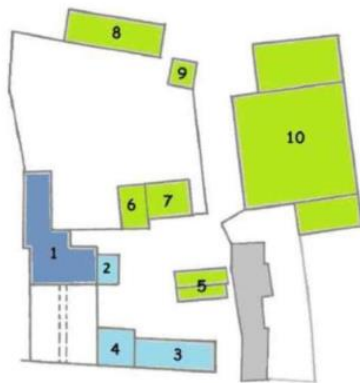
The issues in this case are:

- Principle of development including infill;
- Design and scale;
- Impact to the amenity of the area including the Swallowcliffe Conservation Area and NLCC/AONB including Archaeology;
- Loss of the Hosier outbuilding (Building 5);
- Ecological Impact including the River Avon SAC/nutrient neutrality;
- Parking/Highway Safety;
- Drainage/Flood Risk;
- Other matters

3. Site Description

The application site relates to buildings 5, 8 and 10 within the grade II listed building known as Poles Farmhouse. The Farmhouse forms part of an historic farmstead that comprises of the farmhouse itself, various agricultural buildings of differing ages that date back to the early 18th Century. The buildings subject to this proposal are identified within the extract below from the Wiltshire Building Record that identifies all buildings within the complex.

Poles Farm, Swallowcliffe



Site Plan

- 1. Farmhouse
- 2. Fuel store
- 3. Milking shed A
- 4. Cow shed
- 5. Milking shed B
- 6. Stable/office
- 7. Implement shed
- 8. Implement shed
- 9. Garden pavilion
- 10. Dutch barns



Poles Farmhouse is located within the village of Swallowcliffe and is within the Swallowcliffe Conservation Area and the National Landscape/Cranborne Chase formerly known as the AONB. The majority of the site including the buildings to be demolished are within Flood Zone 1. Part of the site within the northeastern corner is within Flood Zone 2/3.

The existing farmyard complex is shown below and has been subject to three applications in total. Two of these applications (PL/2023/07876 & PL/2023/08256) relate to Poles Farmhouse and the associated outbuildings shown in the red line site plan below and were approved in March 2024. The other application, subject to this report, PL/2023/07895 is for the erection of a new dwellinghouse and garage following the removal of buildings 5, 8 and 10 and the red/blue line plan is shown below.



Red/blue line plan for approved apps PL/2023/07876 & PL/2023/08256 (above)



Proposed red/blue line plan for app PL/2023/07895 (above)

4. Planning History

PL/2023/07876 & PL/2023/08256 – Erection of a proposed rear extension, the replacement conservatory and conversion of attached outbuilding to the existing grade II listed farmhouse, with other internal and external alterations; the conversion of a listed curtilage barn to ancillary accommodation; alterations to listed curtilage existing office, demolition of existing implement store and replacement with an attached WC and garage/car port and; alterations to the highway to add bollards A.C 27.03.24

PL/2024/04451 – Partial discharge of condition 5 (Archaeology) and discharge of condition 8 (CEMP) of PL/2023/07876 APP 07.06.24

PL/2024/04165 – Discharge of condition 3 and 5 of planning consent PL/2023/08256 APP 21.06.24

5. The Proposal

The proposal seeks planning permission for the change of use of agricultural land to residential land, the demolition of buildings 5, 8 and 10 as shown on the Wiltshire Building Record extract and the erection of a new dwellinghouse and detached garage with associated works.

6. Local and National Planning Policy

S66/72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework

Section 2 Achieving Sustainable Development

Section 12 Achieving Well Designed Places

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 50 Biodiversity and Geodiversity

Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the conservation of the historic environment
Core Policy 60 Sustainable Transport
Core Policy 61 Transport and New Development
Core Policy 62 Development Impacts on the Transport Network
Core Policy 67 Flood Risk
Core Policy 69 Protection of the River Avon SAC

Wiltshire Local Transport Plan 2015-2026:
Car Parking Strategy

AONB Management Plan
Wiltshire Design Guide
Creating Places Design Guide SPD (April 2006)
Emerging Local Plan

7. Summary of consultation responses

Swallowcliffe Parish Council – Objection with comments summarised as:

Concerns around authorisation to sub-divide land to site the new dwellinghouse;
The revised application is only marginally smaller than the prior version;
Development is out of keeping with the surrounding conservation area and will result in a loss of visual amenity to nearby residents;
Light pollution within a sensitive area;
North east elevation is not in-keeping;
Outflow from the proposed package treatment plant does not have access to the river and rely on neighbour permissions;
Contrary to Core Policy CP2 of the Wiltshire Core Strategy;
Comparisons with other developments within the village are not valid

WC Highways – No objection subject to conditions with comments received stating:

The site is located in the village of Swallowcliffe which does not have a development boundary and I will be guided by you as to whether you consider the proposal for the conversion of the barns to a two bed annexe to be contrary to policies CP57 (xiv), CP60(i) and CP61 of the Wiltshire Core Strategy and the NPPF 2021 paras 104, 105, 110-112 which seek to reduce the need to travel particularly by private car, and support and encourage sustainable, safe and efficient movement of people and goods. Adequate off street parking is proposed for the dwelling to meet Wiltshire's current parking standards and turning is available within the site to enable vehicles to enter and exit the site in a forward gear. The existing vehicle access will not be altered but a proposal for bollards placed either side of the access in the highway verge will mark the vehicle access. There is currently planting within the highway verge that obstructs visibility from the vehicle access, this must be removed or reduced in height to under 900mm and maintained under this height. I wish to raise no highway objection providing the following conditions are imposed:

WC Ecology – No objection subject to conditions as summarised below:

1. Development carried out in strict accordance with plans;
2. A construction environment management plan to be provided;
3. Installation of the Private Treatment Plant;

4. 110 litre per person water usage;
5. No additional external lighting

WC Archaeology – No objection subject to a condition (full comments within the report)

WC Drainage – No objection subject to conditions for surface water drainage

WC Conservation – No objection subject to conditions with comments summarised as:

The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification. The impact of the proposals on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.

Environment Agency – No comments received

NLCC Group – No objection subject to conditions around rooflights being fitted with blinds and external lighting in accordance with the Dark Skies Initiative

8. Publicity

The application has been advertised by way of letters to near neighbours of the site and by the displaying of a site notice around the site subject to this proposal.

Notwithstanding the original consultation period for this application, there have been two further separate re-consultations following the submission of additional information/revised plans and the publicity from the consultation periods have generated 79 letters of objection in total that are summarised below. It should be noted that some of the comments received make reference to approved applications PL/2023/07876 and PL/2023/08256 for Poles Farmhouse that are not relevant to this scheme

- Overdevelopment of the site;
- Property should not be split/sub-divided;
- Proposal is not in keeping with the Village Design Statement;
- The new dwellinghouse will contradict the Grade II status of Poles Farmhouse;
- Proposed dwellinghouse is too large with too many windows/wall of light;
- Scheme is not compliant with Wiltshire Council planning policy;
- Concerns over use of access/highway safety/use of bollards;
- Light pollution/AONB impact;
- Loss of the Hosier Milking Parlour (Building 5);
- Location of ASHPs proposed;
- Archaeological impact by proposed works;
- Inconsistencies with submitted documents;
- Ecological impacts of the proposal;
- Impact of proposal on the Conservation Area;
- Amenity impacts on the surrounding area including noise;
- Increase flood risk within the village;
- Comparison of other developments within the village for replacement dwellings is not valid;
- Concerns regarding construction traffic associated with any development;
- Drainage/Flooding concerns regarding PTP proposed;

- Party Wall concerns/ Land Drainage and Ordinary Watercourse Consent;

9. Planning Considerations

9.1 Principle of development including infill

Planning permission is required for the development. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. The Wiltshire Core Strategy was adopted in January 2015.

Core Policy 57 of the Wiltshire Core Strategy (WCS) requires there to be a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire.

The settlement boundary for Swallowcliffe has been deleted by the WCS. Core Policy 1 outlines the settlement boundary for Wiltshire and identifies the settlements where sustainable development will take place. Swallowcliffe is identified as a small village under CP1 of the WCS. Core Policy 2 of the WCS states:

At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- i) Respects the existing character and form of the settlement;*
- ii) Does not elongate the village or impose development in sensitive landscape areas;*
- iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.*

Infill

Infill is defined in the Core Strategy (relevant paragraph in the Core Strategy is 4.29) *as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling.* A previous Inspector's comments on infill for a similar site in the north of Wiltshire (application reference 16/04999/OUT) elaborated on the definition of infill:

'As 'infill' is defined in CP2 as the filling of a small gap within the village, it is reasonable to give those words their everyday meaning. A 'gap' implies a break or space between something'.

It is acknowledged that there is residential development to the north west and south east of the existing dwellinghouse within the farmyard. It is proposed to demolish the existing open sided Dutch barn at the rear of the site for the erection of a new detached dwellinghouse and utilise the remaining space associated with Poles Farmhouse as residential curtilage. The Dutch barn is located in between the dwellings known as Poles Farmhouse, Rosebank and Vine Cottage. Officers note the comments of the Parish Council and members of the public

that object to this proposal on the basis that the site is not considered as 'infill'. However, Officers consider that there is an obvious development gap in the built form (as intended by the WCS infill allowance) of the area. The aim of the policy also intends that the infilling of development is centralised around the core of the settlement which is likely to be better served with facilities.

Criterion i of the infill policy will be covered in depth in the next section (Design and Scale) of this report but broadly speaking officers consider this scheme is in keeping with the criterion requirements of this policy. In regard to criterion ii of the infill policy, this scheme would not elongate the village and by way of the submitted reports for archaeology, heritage and ecological matters, would not have any significant impact on these area constraints. Nor would the proposal consolidate an existing sporadic loose knit areas of development in terms of criterion iii of the infill policy.

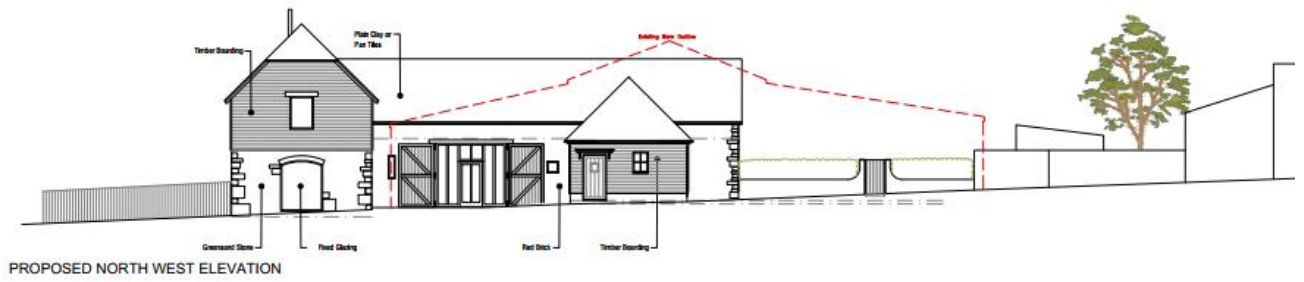
9.2 Design and Scale

Core Policy 57 of the Wiltshire Core Strategy (WCS) requires there to be a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

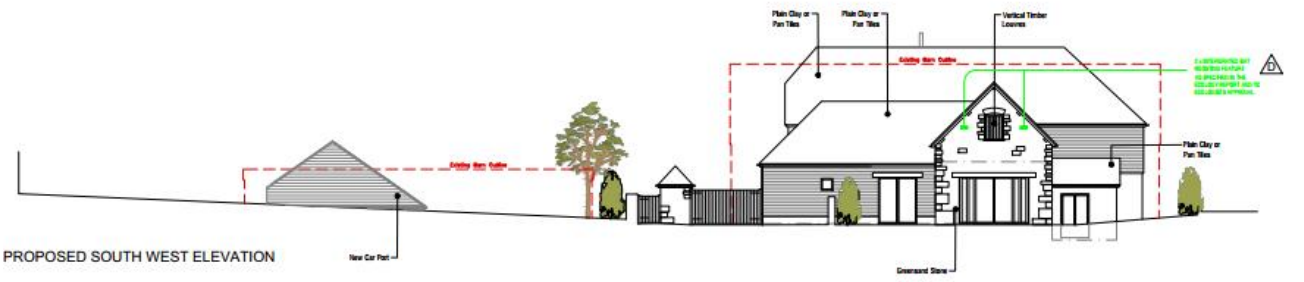
The layout of the site including the dwellinghouse is shown below:



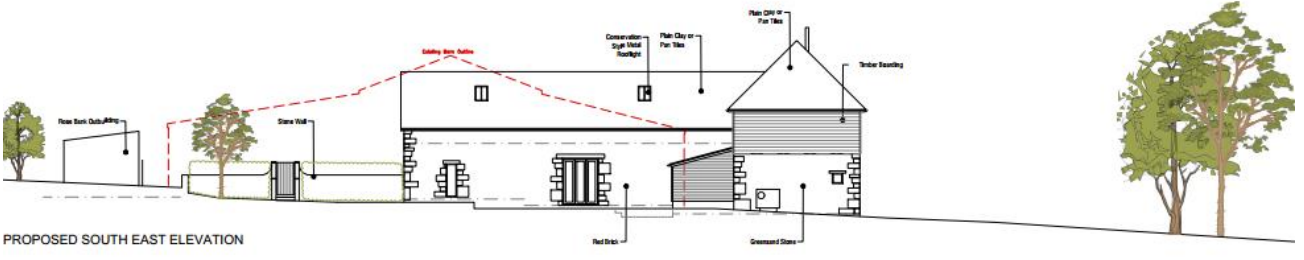
The design of the dwellinghouse is shown below:



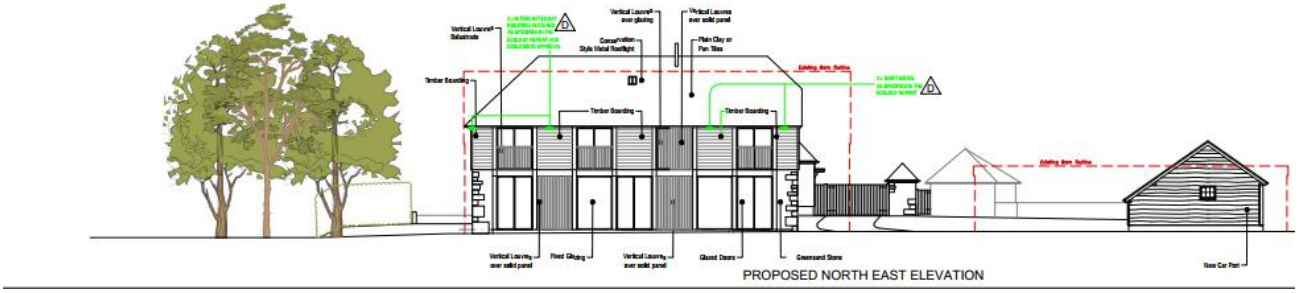
PROPOSED NORTH WEST ELEVATION



PROPOSED SOUTH WEST ELEVATION



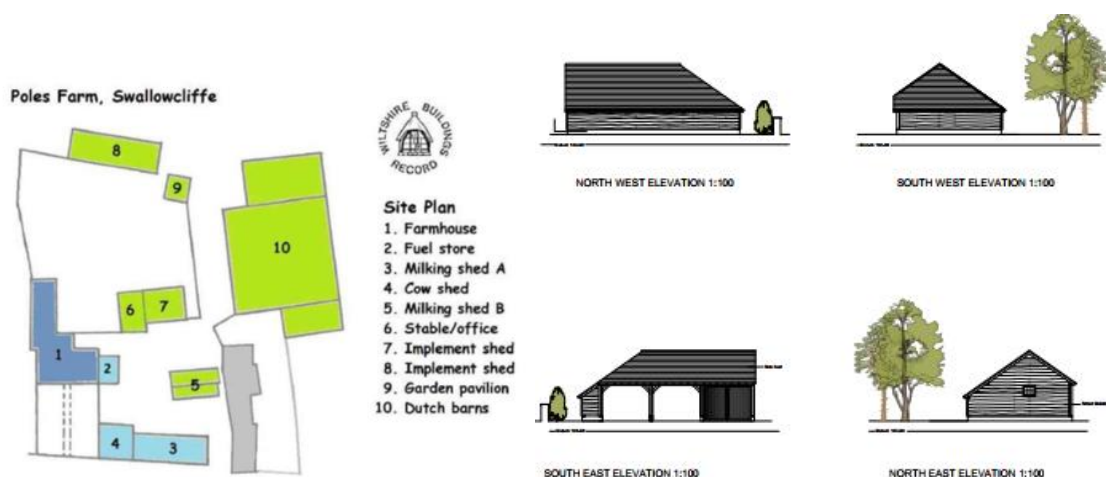
PROPOSED SOUTH EAST ELEVATION



PROPOSED NORTH EAST ELEVATION

The proposed new dwellinghouse to be erected within the footprint of the existing open sided Dutch barn (shown as No10 on the Wiltshire Buildings Record) following its demolition would have a floor space of circa 317m². The massing and materials of the new dwelling are designed to resemble simple forms of traditional vernacular styled barns. The new dwellinghouse is 'C' shaped in plan with a single storey wing to the south, a storey and a half range in the centre and a two storey range at the rear. The ridge height of the highest part of the dwellinghouse is approximately 1.8 metres lower than the listed farmhouse maintaining a subservience to this building. The rear north elevation features stone returns on each side with a more open and glazed face allowing views into a tree lined garden area. The façade features proposed are more contemporary in appearance with glazing contained in a framed grid containing glazing elements, solid panels and louvred elements. Materials to be used include largely Greensand stone, larch timber cladding with a pan tile or plain clay tile. Confirmation of the materials to be used can be secured via a condition imposing onto any consent.

Other works include the erection of a new garage carport and log store. The erection of this building would replace an existing larger former cart shed (known as building 8 on the Wiltshire Building Records shown below) at the rear of the site that currently shares the boundary of Poles Farmhouse. The elevations of the proposed garage carport and log store are shown below. Materials to be used in the construction of this building would include a stone or brick plinth with timber framed and clad walls over and under a slate roof with hidden solar panels. The thermal system would be underneath the slate roof rather than on top or within the slates thus resulting in traditional slate roof with a solar roof.



In officer opinion, the proposed footprint of the new house roughly equates with a C shape comprising of three main elements of linear form and with pitched roofs. The form of the structures reflects a traditional agricultural building and the arrangement ensures that the structures are not too tall and overly dominant in the landscape.

By way of the works as identified and outlined above, officers consider the overall design, scale and layout of the proposed is in accordance with criterion i of the infill policy. The application is accompanied by a materials palette that subject to the imposing of this via condition and further clarity being provided on other materials to be used in the construction of any approved works, the scheme accords with the requirements of Core Policy CP57 of the WCS.

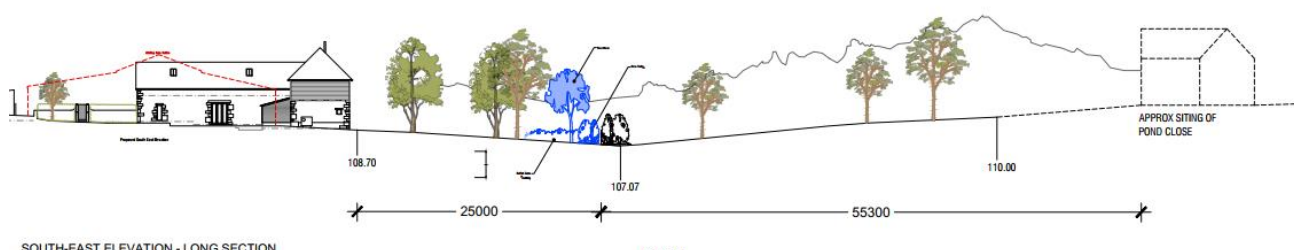
9.3 Impact to the amenity of the area including the Swallowcliffe Conservation Area and NLCC/AONB including Archaeology

Core Policy 51 of the WCS sets out the criteria to ensure that development will protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 135f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The site is located within a residential area with dwellinghouses known as Alford's, Rose Bank and Vine Cottage in the immediate vicinity of the site. Following the removal of the existing Dutch barn, the location of the new dwellinghouse would be sited to the rear of the site. Given its relationship with the other residential properties to the south west, views from the first floor windows on the rear two storey elevation of the dwellinghouse would predominately be of open land to the rear dividing the adjacent properties known as Tanners Cottage, Pond Close

and Martin House. A section drawing showing an approximate separation gap of 80 metres between the rear façade of the proposed dwellinghouse and that of Pond Cottage is shown below.



In terms of other windows, a first floor window is to be inserted onto the north west elevation (side) to serve the master bedroom. Views from this window would be of Poles Farmhouse and to an extent, of Alford's. However, in officer opinion views from this window would not have any significant adverse impact on the amenity of either of the forementioned properties given the separation distances, approximately 43 metres and 51 metres respectively. One other first floor window serving bedroom two is proposed on the south west elevation (front) and would primarily provide views of the outbuildings associated with Vine Cottage. No other first floor windows are proposed.

Comments received in respect of the impact the scheme would have on the Dark Skies Initiative and light pollution are duly noted. This scheme proposed three rooflights in total. Two are proposed in the south east roofslope and one is proposed to be inserted into the rear north east roofslope. Whilst inevitably the proposal would in some additional light spill, it would in officer opinion be no more than what is experienced from other surrounding neighbouring properties within the area. As such a refusal of planning permission on this basis would be difficult to justify. Comments received from the NLCC Group (formerly AONB) regards the use of blinds on the rooflights are not enforceable. However, officers can impose a condition to limit the impact of any external lighting that would reduce light pollution from within the site onto the surrounding area.

To clarify, a table of the advice for the environmental zones is shown below where a condition can be imposed onto consent to preserve this. In terms of the nature of the site, any lighting would need to adhere to the E0 or E1 specification as shown.

Table 2: Environmental zones

Zone	Surrounding	Lighting environment	Examples
E0	Protected	Dark (SQM 20.5+)	Astronomical Observable dark skies, UNESCO starlight reserves, IDA dark sky places
E1	Natural	Dark (SQM 20 to 20.5)	Relatively uninhabited rural areas, National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc.
E2	Rural	Low district brightness (SQM ~15 to 20)	Sparsely inhabited rural areas, village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Well inhabited rural and urban settlements, small town centres of suburban locations
E4	Urban	High district brightness	Town / City centres with high levels of night-time activity

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Core Policy 58 of the WCS states development should protect, conserve and where possible enhance the historic environment.

As shown below, the site is within the Swallowcliffe Conservation Area and Poles Farmhouse is a grade II listed building.



Officers note the comments received from the Council's Conservation Officer that state:

Further to conservation comments of 9/11/2023 and 4/10/2023 there are no further conservation comments to add. The case officer is referred to previous comments for consideration of conditions.

The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.

The impact of the proposals on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.

Comments received in October 2023 from the Conservation Officer largely supported the scheme but concern was made to the boundary treatments that included a two metre high closed fence on the eastern boundary and stone base wall with fence atop on the south-western boundary. These elements have been amended and now show the lowering of

the wall and a post and fence on the respective boundary with hedging behind. These change are welcomed. On the basis of the views of the Conservation Officer and subject to the imposing of a condition around the use of further materials to be used in the construction of the works, notwithstanding the information already provided, officers consider the scheme accords with the requirements of Core Policies CP51 and CP58 of the WCS.

In terms of archaeological impact by of this proposal, the Council's Archaeologist has provided the following comments:

Excavations in the garden of Vine Cottage between 1967 and 1971 and reported to CBA Group 12 (Wessex) found Mesolithic (8,000 – 5,000 BC) flint tools, Roman and Saxon pottery, including organic-tempered ware (i.e. Early/Middle Saxon – 5th- to 7th-century AD), and part of a medieval spur, along with quantities of medieval pottery. The context of these discoveries and the nature of the excavations are unclear other than our records note that the excavation was apparently overseen by S L M Jenkins. Archaeological observations in 2018 during the construction of extensions to Vine Cottage revealed a stone well, constructed of greensand blocks. Although in use until recently, the well may have been of earlier date and of 17th- or 18th-century origin. Poles Farm therefore has an archaeological interest. This application proposes the demolition of a modern (late 20th-century) barn and its replacement with a four bedroomed dwelling. Although the farm has a long history of use, the construction of the barn is unlikely to have caused substantial and deep below ground impacts. The construction of the new dwelling therefore has the potential to disturb, and harm buried archaeological remains that might elucidate on the history and origins of the farm and on the village of Swallowcliffe. This impact can be mitigated by an appropriate programme of archaeological work, should this application be permitted. It is noted that the Heritage Statement accompanying this application (Western Design Architects, May 2023) states (Para. 6.8.1) that ‘...a watching brief should be in place during construction’. A programme of archaeological work can therefore be secured by an appropriately worded condition.

Subject to the imposing of a condition as outlined by the Council's Archaeologist, officers consider any impact to buried heritage would be suitably mitigated for.

9.4 Loss of the Hosier outbuilding (Building 5)

Concerns have been raised regarding the loss of the Hosier outbuilding (building 5 on the WBR report) in that this is a curtilage listed building. In response to the concerns raised, additional evidence from the agent associated with the applications at Poles Farmhouse (PL/2023/07876 and PL/2023/08256) was provided that confirmed the former milking parlour is a building that was constructed post 1948 and therefore is not a curtilage listed structure.

Within this building, is an old milking system used for cattle. The existing building consists of two elements, a concrete base containing the milking bays with a deteriorated timber frame structure over that is clad in timber and galvanised steel sheeting under a corrugated steel roof with a rendered blockwork lean-to to the rear under a corrugated steel roof.

The removal of this building is required to create better functionality within the site. The outbuilding to be removed is shown below in the photos obtained from the WBR report.



Officers note that the removal of this building was secured via condition associated with planning consents PL/2023/07876 and PL/2023/08256. Below is the relevant part from the officer report in relation to this:

The Conservation Officer has reviewed this additional evidence providing the comments below and is satisfied that the outbuilding (building 5) to be demolished is not curtilage listed.

I am commenting on the recent WDA communication in respect of the milking parlour (building 5). As you are aware, whether it is considered curtilage listed depends on whether it pre-dates July 1948. Previously we did not know and so erred on the side of caution, treating it as 'curtilage listed'. However, the agent has now provided information that evidences a post 1948 date and as such it is not considered to be curtilage listed. As you are aware, in any case, I did not object to its demolition. The agent has offered a recording of the building prior to its demolition which I recommend is conditioned.

Subject to a suitably worded condition imposed onto any consent as outlined around the recording of the outbuilding with photographs and drawings, this would in the opinion of the case officer, provide a public benefit for the loss of the building. Furthermore, this would accord with the requirements of Core Policy CP58 of the WCS and the relevant guidance within the NPPF.

Subject to the imposing of the same worded condition as imposed on consent PL/2023/08256, any heritage matters arising from this would be suitably mitigated for.

9.5 Ecological Impact including the River Avon SAC/nutrient neutrality

CP50 of the Wiltshire Core Strategy and the National Planning Policy Framework require that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The Council's Ecologist has assessed this proposal and has provided the following comments:

The following submitted documentation was reviewed to inform this response:

- i. New House- Proposed Site Plan Rev K. January 2023. WDA*
- ii. New House- Proposed Elevations Rev F. January 2023. WDA*
- iii. New House- Site Location and Block Plans Rev C. July 2022. WDA*
- iv. Nutrient Calculator-River Avon SAC. V-02-2-existing*
- v. Nutrient Calculator-River Avon SAC. V-02-2-proposed*

Protected Species/Habitats

I note that the red line boundary has been altered as reflected on 'New House Site Location Plan and Block Plan NH10 Rev C. July 2022. WDA.' In addition, there appears to be a change in design at the entrance gateway 'New House Proposed Elevation Rev F. January 2023. WDA'.

It is our opinion that these changes will not impact the ecology on the site assuming any decision is amended to include the most recent plan 'New House Proposed Site Plan Rev K. January 2023. WDA' which reflects the proposed vegetated boundary features. It is noted that these features are now out with the red line boundary but within the blue line boundary and will need to be secured in perpetuity for the lifetime of the application. Assuming this can be achieved, the AA undertaken previously is still applicable.

*The ecology report (Ecological Assessment, Poles Farm, Swallowcliffe, Report Number: 0463b, Issue Number: 02, Date: 19th **Page 27** by: Peach Ecology) submitted to this application is welcomed.*

The report confirms the presence of:

- Breeding birds (swallow, pigeon)
- A night roost for common pipistrelle within the main barn.

The site is in a great crested newt (GCN) amber risk zone however this species was scoped out of the assessment due to an eDNA survey on the adjacent pond returned negative results for GCN.

Bat roosts have been confirmed in the structures on the site. Under the Conservation of Habitat Regulations, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a Natural England licence will be required before any work is undertaken to implement this planning permission.

The adjacent application PL/2023/07876 confirmed the below bat roosts which is pertinent for this application since the area is functionally linked:

- Day roosts for individual common pipistrelle (max count 2) and soprano pipistrelle (max count 1) in the main farmhouse/eastern fuel store.
- A likely serotine maternity roost in the main farmhouse attic although no roosting serotine bats were recorded during the emergence surveys.
- A likely night bat roost (species unknown) in the southern barn/milking shed A.
- A flight corridor for greater horseshoe (GHS) in the courtyard and road

Habitat Regulations Assessment (HRA) - Chilmark Quarries Special Area of Conservation (SAC)

The application has potential to result in significant adverse impact either alone or in combination with other projects on the statutorily designated Chilmark Quarries SAC. As required by the Habitats Regulations an Appropriate Assessment has been completed by the LPA with a favourable conclusion Natural England is satisfied with the conclusion of the AA and have no objection to the proposals, providing that all mitigation measures are appropriately secured in any permission given.

Hampshire River Avon Special Area of Conservation (SAC) Catchment

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Appropriate Assessment must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

It is proposed to replace the existing on-site septic tank with a new efficient PTP (Graf One2Clean, P_{tot} = 1.6mg/l) to provide a sufficient reduction in Phosphorus to mitigate for the construction of an additional dwelling.

In summary:

Existing = 1.53 kg TP/yr

Proposed = 0.48 kg TP/yr

Resulting in a net reduction of 1.05 kg TP/yr.

Provided that this mitigation proposal is secured by condition there will be a reduction in phosphorus burden from this proposal. It is considered that this approach delivers the required level of certainty to secure effective mitigation for the phosphorus burdens of this planning application. Natural England is satisfied with the conclusion of the AA and have no objection to the proposals, providing that all mitigation measures are appropriately secured in any permission given.

Officers note the comments above from the Council's ecologist to this proposal that confirm subject to the imposing of several suggested conditions onto any consent, the scheme will mitigate for any harm caused to protected species and effective mitigation for the phosphorous burdens of this planning application. Therefore, subject to the imposing of the suggested conditions or suitably worded conditions (as outlined within the consultee response section of this report), officers consider the proposal accords with the requirements of Core Policies CP50 and CP69 of the WCS.

9.6 Parking/Highway Safety

The scheme proposes to utilise an existing entrance/egress to the site that is currently used by Poles Farmhouse. To facilitate this, building 5 (the Hosier building) is proposed to be removed.

Officers note the concerns received in reference to the increase in vehicular movements to and from the site by way of the proposed, the use of bollards and construction traffic associated with any construction works.

The Council's Highways Officer has assessed the scheme and has provided the following comments:

Adequate off street parking is proposed for the dwelling to meet Wiltshire's current parking standards and turning is available within the site to enable vehicles to enter and exit the site in a forward gear. The existing vehicle access will not be altered but a proposal for bollards placed either side of the access in the highway verge will mark the vehicle access. There is currently planting within the highway verge that obstructs visibility from the vehicle access, this must be removed or reduced in height to under 900mm and maintained under this height.

As a result, subject to the suggested conditions as outlined above from the Council's Highways Officer (please refer to the consultee section of this report for the suggested conditions), it is considered that the proposed works will not cause any significant detrimental impact to highway safety or highway users to justify the refusal of planning permission for this scheme.

Officers note that there have been further concerns received from members of the public directly to the comments of the Highways Officer in relation to vehicle movements from the existing access/egress following the granting of consents PL/2023/07876 and PL/2023/08256. On advice from the Highways Officer, officers take the view that the recently approved development and the development proposal subject to this application will not generate a huge increase in vehicle movements through the shared access point. The buildings that are to be replaced not only by this development proposal but by the approved consents will have already in the past generated some vehicle movements. Therefore, any increase in vehicle movements for this development proposal would have a negligible impact on highway safety. Furthermore, the proposed bollards at the entrance of the access position will help identify this access point.

Comments received regarding any construction traffic associated with development works should this scheme be approved by members of the Southern Area Planning Committee are not a material consideration of this planning application.

9.7 Drainage/Flood Risk

The majority of the site including the buildings to be demolished are within Flood Zone 1. Part of the site within the northeastern corner is within Flood Zone 2/3. Officers note that whilst this development (Change of use of agricultural land to residential, demolition of the existing barns and erection of a new dwellinghouse with associated works) would not require a sequential test, a site-specific Flood Risk Assessment (FRA) should be produced, to protect both the development itself and future occupiers from flood risk and to ensure that they could escape in the event of an emergency. The basis for this is in the NPPF, specifically paragraph 173 and footnote 59.

The application is accompanied by a Flood Risk Assessment that has been assessed by the Council's Drainage Team. No objection to this proposal is raised subject to the imposing of conditions requiring a surface water drainage scheme and a foul water drainage scheme. Conditions to this extent can be imposed onto any decision for this development proposal.

Officers note the concerns received regarding flood risk, concerns regarding the Private Treatment Plant (PTP) proposed and the relevant land drainage and watercourse consents required. For the reasons as outlined, any flood risk could be managed by way of a suitable condition. Matters around the relevant land drainage and watercourse consents are a matter for the Applicant to apply for Wiltshire Council Land Drainage Consent to discharge into any nearby ordinary watercourses or the Environment Agency for discharge into any main rivers. This issue is not a material consideration of this planning application.

9.8 Other matters

The Local Planning Authority (LPA) can only consider comments received that are 'material considerations' which can generally be summarised as the impact of the proposed development on the surrounding environment and infrastructure. The LPA cannot consider comments that are not material to the applications that are outside the boundaries of the planning process, this includes reference to the submitted drawings not detailing surrounding properties or the Party Wall Act.

Comments received on the matter of all three applications being determined at the same time are duly noted. Application PL/2023/07895 has been called in by the local member to be determined by the Southern Area Planning Committee and therefore has not been able to be determined at the same time as approved applications PL/2023/07876 and PL/2023/08256.

Comments regarding the sub-division of the land are noted. Providing the land subject to the sub-division is within the ownership of the applicant or the relevant certificates have been served if it transpires that the land is not within the ownership of the applicant, any person(s) can submit an application for planning permission and listed building consent for consideration by the LPA. There is no separate process required to occur before formal applications for planning permission and listed building consent are submitted for consideration.

10. Conclusion and Planning Balance

This proposal seeks planning permission for the change of use of land from agricultural to residential and the demolition of barns and the erection of a new four bedroom dwellinghouse with detached garage/carport and associated works.

Officers note the large number of objections received from members of the public and the Parish Council which are duly noted and have been carefully considered. Members are advised that this application seeks planning permission for essentially the demolition of an existing Dutch Barn and the erection of a new dwellinghouse in line with the infill policy as outlined in Core Policy CP2 of the Wiltshire Council Local Development Strategy within this report.

Therefore, the sustainable location of the site in the absence of any ecological or consultee objection affords significant weight in the determination of this application. Suggested conditions around highways safety measures, ecological enhancement, flooding mitigation and amenity issues as per the responses from the statutory consultees that have no objection to this proposal can be imposed via condition onto any consent.

As such, for the reasons as outlined within this report, officers consider the development proposal conforms to the objectives of Core Policies 1, 2, 50, 51, 57, 58, 60, 61, 62, 67 and 69 of the Wiltshire Core Strategy and the requirements of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission. Therefore, planning permission should be granted.

11. RECOMMENDATION:

Approve with 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:

DWG No: NH10 Rev C Site Location Plan and Block Plan Date Received 05.08.24

DWG No: NH14 Rev K Proposed Site Layout Plan Date Received 05.08.24

DWG No: NH16 Rev F Proposed Dwellinghouse Elevations Date Received 05.08.24

DWG No: NH22 Rev D Proposed Dwellinghouse Sections and Roof Plan Date Received 05.08.24

DWG No: NH15 Rev E Proposed Dwellinghouse Floor Plans Date Received 05.08.24

DWG No: NH18 Rev D Existing and Proposed Streetscene Plan Date Received 05.08.24

DWG No: NH21 Rev C Proposed Material Palette for the Dwellinghouse Date Received 05.08.24

DWG No: NH17 Proposed Car Port, Garage, Garden and Log Store Elevations, Floor and Roof Plan Date Received 14.09.23

Nutrient Calculator Existing Date Received 15.03.24

Nutrient Calculator Proposed Date Received 15.03.24

Ecological Assessment undertaken by Peach Ecology and Environmental Services dated 23.01.24 Date Received 23.01.24

The installation of the biodiversity mitigation and enhancement features will be supervised by a professional ecologist. These measures will continue to be available for wildlife for the lifetime of the development

REASON: For the avoidance of doubt, in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity.

3. No development, other than demolition to ground level, shall commence within the area indicated by the red line boundary on Western Design Architects' Drawing No. NH10, Revision C, date received 05.08.24, until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work including the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and to make this evidence and any archive generated publicly accessible.

4. Notwithstanding approved DWG No: NH21 Rev C, no development above slab level shall continue on site until details of the following have been submitted to and approved in writing by the Local Planning Authority:

Details of the stone for the block openings that should match the existing walling;
Brochure details for the windows, doors and conservation style roof lights;
Approval of a metre built stone panel for the new dwellinghouse and stone wall;
Details of the glazing that shall be recessed behind the timber/clad walls.

Development shall be carried out in accordance with the approved detail.

REASON: The matter is required to be agreed in writing with the Local Planning Authority in order to ensure that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the Conservation Area and associated buildings.

5. No development may commence until a detailed drainage strategy is submitted to and approved in writing by the Local Planning Authority which demonstrates that surface water flood risk including runoff from the proposed development and shall include the following:

Evidence that discharge rates are restricted in line with Wiltshire Council's betterment policy;

Evidence that the proposed attenuation is able to contain both flood water and required attenuation combined up to and including volumes arising from the 100 year + event and evidence that there is sufficient freeboard (300mm minimum) above the critical 1 in 100yr + climate change storm event;

Evidence of permissions to cross third party land and permissions from riparian owners to discharge to the watercourse/river in perpetuity;

Overland exceedance routes are to be shown on the drainage plan for flows in excess of the 1 in 100 year plus climate change (40%) rainfall event;

Additional details with respect to the gravelled areas to include details on the material specification, the level of compaction required and; cross sections through the proposed gravelled area

Development shall be carried out in accordance with the approved details.

REASON: To ensure the development is flood resilient.

Note above – please refer to the informative No 4 for additional information on Wiltshire Council's betterment policy.

6. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
 - i. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
 - ii. Working method statements for protected/priority species and habitats, such as the brook, nesting birds, amphibians, reptiles and bats.
 - iii. Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats; this should comprise the preconstruction/construction related elements of strategies only.
 - iv. Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
 - v. Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
 - vi. Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

7. The proposed package treatment plant (PTP) shall be installed, maintained and operated in accordance with approved drawing DWG No: NH14 Rev K Proposed Site Layout Plan. Any subsequent replacements shall have an equivalent or improved performance specification. The package treatment plant and drainage field shall be installed, connected and available for use before the development is occupied and they shall be maintained and operated thereafter for the lifetime of the development.

REASON: To provide ongoing and adequate nutrient mitigation for the nutrient neutrality water catchment for the life of the development and to ensure that any future PTP is of an equivalent or improved standard.

8. The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage).

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

9. Notwithstanding the submitted lighting detail as shown on approved drawing DWG No: NH14 Rev K, Proposed Site Layout Plan, any external lighting that is installed across the site shall be designed and implemented to minimise sky glow, glare and light trespass. It shall be designed in a downward facing position at all times and shall meet the criteria for Environmental Zone E0 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. Any

external lighting installed at the site shall be retained and maintained as such thereafter for the lifetime of the development.

REASON: To ensure appropriate levels of amenity are achieved; to protect the Dark Skies Initiative and to avoid illumination of habitat used by bats.

10. The development hereby permitted shall not be occupied until any alteration to the surface of the vehicle access is that of a consolidated material (not loose stone or gravel) for the first 4.5m. The access shall be maintained as such thereafter. Any gates shall be set back 4.5m from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

11. No part of the development hereby permitted shall be occupied until the turning area & parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

12. The development hereby permitted shall not be occupied until the vegetation across the site frontage within the highway verge has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level and the Access Bollards have been installed either side of the vehicle access on the highway verge, and maintained as such thereafter.

REASON: In the interests of highway safety.

13. The development hereby permitted shall not be occupied until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

14. Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

15. No works shall commence on site until a full survey of the milking parlour (referred to as Building 5 within the Wiltshire Buildings Record Report) to include analysis, method of removal, and photographic record of the building has been submitted to and approved in writing by the Local Planning Authority. Removal of the milking parlour building shall be carried out in accordance with the agreed detail.

REASON: The matter is required to be agreed in writing with the Local Planning Authority prior to commencement of works in order to ensure the development is undertaken in an acceptable manner, to secure the proper recording of the building.

16. 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 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.

17. 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), there shall be no extensions or alterations to the roofslopes to the approved dwellinghouse or the insertion of first floor windows or rooflight other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area and the wider AONB/NLCC.

18. 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:

- (i) location and current canopy spread of all existing trees and hedgerows on the land;
- (ii) full details of any to be retained, together with measures for their protection in the course of development;
- (iii) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- (iv) means of enclosure to include details of fencing and gates;
- (v) all hard and soft surfacing materials;
- (vi) minor artefacts and structures to include refuse storage units.

REASON: 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 wider AONB/NLCC.

19. 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 dwelling 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, hedgerow 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 within the AONB/NLCC.

20. The development hereby approved shall be carried out in strict accordance with the submitted Arboriculture Impact and Mitigation Assessment dated May 2023

undertaken by Wadey Trees Chartered Consultancy.

REASON: 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 important trees, within the vicinity of the site are adequately protected during the period of construction.

INFORMATIVE TO APPLICANTS

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. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.
3. The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.
4. In relation to condition 5, the drainage strategy, discharge rates are restricted in line with Wiltshire Council's betterment policy which states:
 - *With regards the control of surface water discharges from new development, Wiltshire Council requires development discharges from greenfield sites to provide 30% betterment over pre-development discharges for all storm events between the 1 in 1year and 1 in 100year return period events.*

- *For greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.*
5. The applicant is advised that, if it is proposed to drain this development directly into the river or carry out any work within 8 metres of the watercourse then a Land Drainage Consent is required from the Environment Agency. For further information see www.environment-agency.gov.uk

Wiltshire Council

PL/2023/07895
Poles Farm, Swallowcliffe, Salisbury,
Wilts, SP3 5NX



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	17 th October 2024
Application Number	PL/2024/03325
Site Address	Wyckfield, Homington Road, Coombe Bissett, SP5 4LR
Proposal	Demolition of out buildings and erection of 1 self-build residential dwelling, access, parking, landscaping and associated works
Applicant	Mr & Mrs Artiss
Town/Parish Council	Coombe Bissett
Electoral Division	Downton and Ebble Valley – (Richard Clewer)
Grid Ref	51.036632, -1.845036
Type of application	Full Planning
Case Officer	Joe Richardson

Reason for the application being considered by Committee

The application has been called-in before committee by Cllr Clewer if officers are minded to refuse on the basis that whilst the flooding issues are complex, the proposal is considered to improve and not increase flood risk.

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 refused for the reason(s) set out below.

2. Report Summary

The issues in this case are:

- Principle of development;
- Flood Zones and Sequential/Exceptions Test;
- Design and scale;
- Amenity impacts including heritage, archaeology and wider CCNL landscape;
- Ecological Impact including the River Avon SAC/nutrient neutrality;
- Parking/Highway Safety

3. Site Description

The application site forms part of the residential curtilage associated with the dwellinghouse known as Wyckfield. The site lies within the village of Coombe Bissett, within the Coombe Bissett Conservation Area and the Cranborne Chase and West Wiltshire Downs National Landscape (CCNL) (until recently referred to as the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty). Wyckfield is unlisted, but The Old House and The Brines (east and south respectively) are Grade II listed. To the south of the site, it joins the Homington Road is a Class C highway. The site lies within Flood Zones 2 and 3. The River Ebble lies to the north boundary of the site, within the River Avon catchment area and

the New Forest 13.8km zone of influence for the New Forest protected sites.



The site is served by two access points, both to be retained with the main existing entrance serving Wyckfield and the second access used for the proposed new dwellinghouse. The application site comprises of approximately 0.14 hectares of land with the existing outbuilding and garage to be demolished to facilitate proposed works. Within the site was a tennis court but this is now made up of scrub and overgrown vegetation as shown on the plan above and in the photograph below.



View of site looking towards the boundary wall shared with The Old House

4. Planning History

N/A – Members should note that a pre-application enquiry was submitted on the site (Ref: 20/07007/PREAPP) that sought advice for the erection of two dwellinghouses on the site. This pre-application enquiry raised a number of concerns with one of the main issues raised being the location of the development proposal within the Flood Zones 2 and 3.

5. The Proposal

The proposal seeks planning permission for the demolition of outbuildings and the erection of 1 self-build residential dwelling, access, parking, landscaping and associated works

6. Local and National Planning Policy

S66/72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework

Section 2 Achieving Sustainable Development

Section 12 Achieving Well Designed Places

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 23 Southern Wiltshire Community Area
Core Policy 50 Biodiversity and Geodiversity
Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the conservation of the historic environment
Core Policy 60 Sustainable Transport
Core Policy 61 Transport and New Development
Core Policy 62 Development Impacts on the Transport Network
Core Policy 67 Flood Risk
Core Policy 69 Protection of the River Avon SAC

Wiltshire Local Transport Plan 2015-2026:

Car Parking Strategy

AONB Management Plan
National Design Guide
Wiltshire Design Guide
Creating Places Design Guide SPD (April 2006)
Emerging Local Plan

7. Summary of consultation responses

Coombe Bissett and Homington Parish Council – Support with the following comments received:

The Parish Council is happy to support this application but recommends that Wiltshire Council applies the following conditions:

We request a thorough drainage assessment by a drainage engineer and a construction management plan because there is an existing drain from Homington Road through the development site, to the River Ebbles, protecting properties from flooding. This must be protected from damage or interference. Additionally we request a large enough separation boundary between the proposed permeable paving around the new house and the neighbouring property, The Old House. This is to ensure there will be no negative impact on the existing drainage system of this property. The Old House is protected by a French drain around it, so it is important that it is not compromised by drainage from the new property.

WC Highways – No objection subject to conditions with the following comments stating:

The revised details submitted for the existing dwelling as shown with the swept path analysis demonstrating how 3 vehicles will enter Wyckfield, park, turn and exit the site in a forward gear is noted and agreed as previously commented, although the proposal is tight (the drawing has not been provided using proper swept path software) and with such a large plot, I still recommend this be improved and the turning area enlarged to provide a better facility and easier manoeuvrability for future residents. I note that the parking and turning area for three vehicles for the new dwelling has been enlarged as recommended. This will avoid vehicles

having to make excessive shunting manoeuvres to turn within the site for entry and egress in a forward gear off the classified Homington Road. Although the speed limit is 20mph, the requirement of turning within the site remains in the interests of highway safety and will be to the benefit of any future occupier as well as all users of the highway. The visibility splays are noted and the western 25m splay is accepted, the eastern 25m splay crosses third party land and cannot be secured in perpetuity. I do note however that this is an existing access and that the eastern direction is the non-oncoming direction of travel, therefore, I am prepared to accept this on the basis that the proposal is for only one dwelling. No details have been forthcoming for the vehicle access improvements, I will therefore attach a condition to cover this.

WC Drainage – Objection with comments received stating:

*In May 2024 the drainage team in their capacity as Lead Local Flood Authority had the below **objections** to the application:*

- i. The applicant is proposing to construct a new dwelling in Flood Zone 3a. As such, the development is subject to passing the Exception Test. The LPA needs to confirm if this development passes the exception test. (We would object to the proposal if the LPA confirms the exception test has not been met due to flood zone vulnerability)*
- ii. The access to the site is predicted to flood, therefore in line with the National Planning Policy Framework, a detailed emergency plan, including the proposed evacuation route, needs to be agreed with Wiltshire Council*
- iii. The size of the property would suggest that there is a high potential for ‘more vulnerable’ residents i.e., children living within the property thus increasing the level of risk from flooding the impact on people. The ability to maintain access during a flood even is therefore more significant.*

With reference to the first point, the LPA is yet to confirm that the Exception test has been passed – this is a planning matter based on the sustainability benefits outweighing the residual risk.

With reference to the second point, the response letter states: “It is recommended that a detailed flood plan for the site should be prepared to minimise the risk of flooding to site users”. This is yet to be received and agreed with WCC.

With respect to the third point, the response letter states: This hazard can be managed through acting upon Environment Agency flood warnings as part of evacuation planning. As stated in the response letter, the Flood hazard posed is danger for most – includes the general public. Paragraph 47 of the PPG states

Access considerations should include the voluntary and free movement of people during a ‘design flood’, as well as the potential for evacuation before a more extreme flood, considering the effects of climate change for the lifetime of the development

In this case, this cannot be achieved. The LLFA therefore maintains its objections to this proposal unless the applicant can provide more detailed assessment of the flood hazard to demonstrate that the requirements of the PPG can be satisfied.

WC Ecology – No objection subject to conditions (see response in the ecology section of this report)

WC Conservation – No objection subject to conditions with comments summarised as:

The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification. The proposal involves the construction of a contemporary one and half storey high dwelling on the site. The proposed house would be located at or near existing ground level and be positioned generally forward of 'Wyckfield' but set back behind the building line created by 'The Old House'. The building could be built in the location and with the proposed height without harm to the conservation area of setting of the designated assets. The impact of the proposals on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.

WC Archaeology – No objection subject to conditions with comments summarised as:

This application is accompanied by an 'Archaeological Desk Based Assessment' prepared by Heritage Planning Services and dated July 2023. The assessment sets out the archaeological potential of the site of the proposed new dwelling, the likely impacts of the proposed development on below ground deposits, and measures that might mitigate the potential harm to buried archaeological remains if the development proceeded. The assessment concludes (Paras 7.1 and 7.2): 'There is limited potential for the occurrence of prehistoric or Roman archaeology on the Project Site. However, the Project Site does have the potential for archaeology of the Saxon, Medieval and Post Medieval periods. Although lacking in detail, Coombe Bissett was recorded in various Saxon Charters and the extent of the activity could include the Project Site. It is considered that any archaeological activity preserved on the Project Site will be of local and regional significance only and is unlikely to be of such significance as to preclude development. Any further archaeological investigation could be secured by way of a suitably wording condition of planning. This should involve below ground investigation and potentially the recording of the historic boundary wall.' Heritage Planning Services' desk-based assessment useful summarises the archaeological potential of the site of the proposed new dwelling. I agree with the report's conclusions and therefore consider that it would be precautionary to provide for archaeological monitoring and recording during construction should this application be permitted. This can be secured by an appropriately worded condition and the following is recommended:

No development shall commence within the area indicated by the red line boundary on Markstone Architectural Services' Location Plan Drawing No. 3098 – 105, dated March 2024, until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details as evidenced by the submission to the Local Planning Authority of a satisfactory report on the results within six months of the conclusion of archaeological monitoring on site.

REASON: To record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and to make this evidence and any archive generated publicly accessible.

This is in accordance with Paragraph 211 of the NPPF which states that ‘Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible’. The archaeological monitoring and recording will be undertaken on all groundworks that have the potential to impact on buried archaeological remains. The programme of archaeological work will conclude with a report that will be commensurate with the significance of the archaeological results.

Environment Agency – No objection subject to conditions with the following comments:

1. Agent’s response to Environment Agency and Drainage Comments, dated 1st July 2024, Rappor

Environment Agency position

We withdraw our objection to the proposal provided the following conditions and informatives are included in any planning permission. The LPA must be satisfied that the Sequential Test has been passed.

Flood Risk

Please include the below condition in any permission granted.

CONDITION

Finished Floor Levels shall be set no lower than 58.81mAOD.

REASON

Necessary flood risk mitigation.

Sequential Test

Whilst we deem that the mitigation provided is acceptable due to an appropriate assessment of climate change and freeboard being provided, this does not remove the need for the LPA to apply the sequential test and to consider whether it has been satisfied. Where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, there will always be some remaining risk that the development will be affected either directly or indirectly by flooding. A failure to satisfy the sequential test can be grounds alone to refuse planning permission.

Pollution prevention during construction

8. Publicity

The application has been advertised by way of letters to near neighbours of the site and by the displaying of a site notice at the site subject to this proposal.

The publicity has generated ten letters of support in total with comments received summarised as the following:

- Makes good use of existing space;
- Enhancement to the area;
- Provide an additional dwelling within the village;
- In line with the emerging Neighbourhood Plan

9. Planning Considerations

9.1 Principle of development

Planning permission is required for the development. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. The Wiltshire Core Strategy was adopted in January 2015.

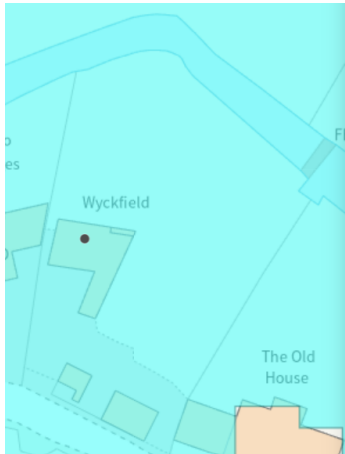
The Settlement Strategy (Core Policy 1) identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Core Policy 23 identifies Coombe Bissett as a large village within the South Wiltshire Community Area. The Delivery Strategy set out in Core Policy 2 specifically states

Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Therefore, whilst new residential development in this location is acceptable in principle under CP2 of the Wiltshire Core Strategy, it is however necessary to assess the implications of the proposals in detailed terms. The implications of the development in respect of flooding, the design, neighbouring amenities, heritage, archaeology, ecological constraints and highway safety will therefore be considered in more detail below.

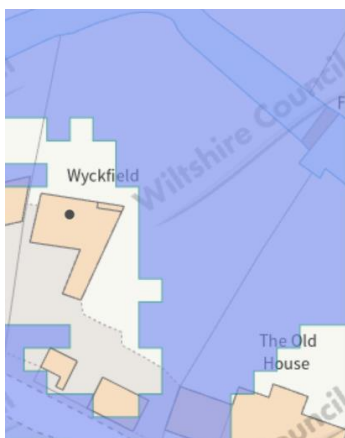
9.2 Flood Zones and Sequential/Exception Tests

Core Policy CP67 of the WCS states: Development proposed in Flood Zones 2 and 3 as identified within the Strategic Flood Risk Assessment will need to refer to the Strategic Housing Land Availability Assessment when providing evidence to the local planning authority in order to apply the Sequential Test in line with the requirements of national policy and established best practice. The location of the new dwellinghouse and associated development is sited within Flood Zones 2 and 3 as shown below.



- ▶ Flood Zone 2 (EA)
- ▶ Flood Zone 3 (EA)
- ▶ Risk of Surface Water Flooding
- ▶ Risk of Surface Water Flooding
- ▶ Risk of Surface Water Flooding
- ▶ Flood Alert Areas (EA)
- ▶ Flood Warning Areas (EA)

Flood Zone 2 above



- ▶ Flood Zone 3 (EA)
- ▶ Risk of Surface Water Flooding
- ▶ Risk of Surface Water Flooding
- ▶ Risk of Surface Water Flooding
- ▶ Flood Alert Areas (EA)
- ▶ Flood Warning Areas (EA)

Flood Zone 3 above

The application is accompanied by a Flood Risk Assessment undertaken by Rappor that has been assessed by the Council’s Drainage Team who have objected to this proposal (detailed in full within the consultee response section of this report). The site is in Flood Zone 3a/3b and officers note that the Environment Agency (EA), following additional information now have no objection to this scheme but, request that the Council apply the need for a sequential test and to consider whether this has been satisfied. In terms of the sequential test and exceptions tests, the NPPF states the following:

Paragraph 165 of the NPPF states: *Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future) Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

In respect of the sequential test, Paragraph 167 of the NPPF states:

All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

- a. *applying the sequential test and then, if necessary, the exception test as set out below;*

- b. safeguarding land from development that is required, or likely to be required, for current or future flood management;*
- c. using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and*
- d. where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.*

In regard to the exceptions test, paragraph 170 of the NPPF states:

The application of the exception test should be informed by a strategic or site- specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- i. the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*
- ii. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*

The application states that this scheme is a self-build and whilst it is acknowledged that Wiltshire Council do not have an up to date record of Self Build properties, the applicant has absolved the responsibility to undertake a sequential test on this basis and considers that this site is the only available option. In regard to the exceptions test, whilst this is a matter of officer judgement, no evidence is submitted in the submission of this application to demonstrate the wider sustainability of benefits of the scheme in accordance with paragraph 170 of the NPPF. Whilst a FRA has been provided within the submission of this application that does show the finished floor levels of the dwellinghouse will be above a certain flood level (as confirmed in the comments of the Environment Agency), and whilst it could be considered unlikely that this scheme would pose a risk to an increase in flooding elsewhere should it be permitted, no evidence has been provided to confirm this, thus failing the requirements of the exception test.

Annex 3 of the NPPF classifies development into essential infrastructure, highly vulnerable, more vulnerable, less vulnerable and water compatible development. Buildings used for dwellinghouses are classed as 'more vulnerable' uses. Only water compatible development is acceptable in the functional flood plain (FZ3b) regardless of a sequential test as set out in Table 2 of PPG 'Flood risk' vulnerability and flood zone 'incompatibility'. The Strategic Flood Risk Assessment (SFRA) states in the absence of FZ3b mapping (there is no FZ3b mapping for the Salisbury District Council Area), Wiltshire Council considers all sites in FZ3 to be functional flood plain (3b). Table 2 of the PPG 'Flood risk' vulnerability and flood zone 'incompatibility' is shown on the following page of this report.

Table 2: Flood risk vulnerability and flood zone ‘incompatibility’

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	X	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	X	X	X	✓ *

Key:

✓ Exception test is not required

X Development should not be permitted

“†” In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

“*” In Flood Zone 3b (functional floodplain) essential infrastructure that has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

So, whilst the Environment Agency recommend that the Local Planning Authority consider the sequential test for this site, these comments in officer opinion, are misguided as the onus is on the applicant to carry out this and provide appropriate evidence to the LPA of the sequential test being undertaken. The applicant has not undertaken this test for the reasons as previously alluded to.

As no evidence has been provided to confirm whether or not the proposal can pass the exceptions test, Officers consider the precautionary approach to flooding as shown in Table 2 above is appropriate because this scheme is not classed as a ‘water compatible’ development. This is because the site is partially within Flood Zone 3 where in such areas, new development is not acceptable regardless of a sequential test being undertaken/applied or any mitigation proposed as is shown within this application like for example, raising floor levels/flood protection measures as demonstrated within the submitted FRA.

The Wiltshire Council Strategic Flood Risk Assessment (SFRA) has identified the site to be within Flood Zones 2 and 3. Whilst the application is accompanied by a site specific Flood Risk Assessment, no details have been provided to demonstrate this scheme can pass the exceptions test and the applicant due to the proposal being a self-build dwelling, absolves the

responsibility to undertake a sequential test due to Wiltshire Council not having an up-to date self-build register. As only water compatible development is acceptable in Flood Zone 3, of which this scheme is not, the proposal is considered to be contrary to CP67 of the Wiltshire Core Strategy and NPPF guidance.

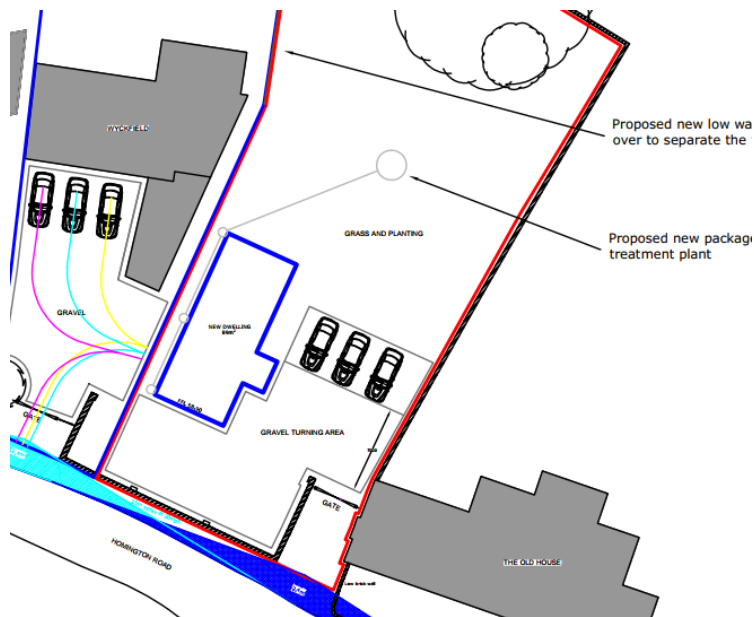
9.3 Design and scale

Core Policy 57 of the Wiltshire Core Strategy (WCS) requires there to be a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

The proposal involves the removal of the existing garage and outbuildings serving Wyckfield and the construction of a three bedroom detached self-build dwellinghouse with an associated parking and turning area for three vehicles to the east. Other works include the erection of a low level wall with fencing above along the boundary separating the dwellinghouse and Wyckfield although no detail of this is provided. The design of the proposed dwellinghouse shown below is a chalet style 1.5 storey building with the narrower elevation (south) facing Homington Road. The application is supported by a streetscene drawing that shows the proposed dwellinghouse would not exceed the ridge height of the neighbouring dwellings Wyckfield and The Old House.



The siting of the dwellinghouse in the position as shown below is to take account of the plot of land being within Flood Zones 2 and 3 as outlined in detail within the previous section of this report.



Whilst officers consider the design and layout of the proposed dwellinghouse is acceptable as outlined above, this does not override the principal objection/concern of this scheme being located within Flood Zones 2 and 3.

9.4 Amenity impacts including heritage, archaeology and wider CCNL landscape

Core Policy CP57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 135f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The application site is within a residential area of the village of Coombe Bissett where a degree of overlooking and inter-relationship is considered acceptable. The nearest properties to the development proposal would be Wyckfield and The Old House. Such is the design of the dwellinghouse, a 1.5 storey chalet style property, the first floor openings other than the large glazing area on the principle front (eastern) façade and the Juliet balcony on the north façade are rooflights. As such limited overlooking of the surrounding properties, primarily The Old House to the east would be obtained from these openings. Furthermore, the application site faces the western gable end of this property that has limited openings at first floor level.

It is therefore considered that the proposal adheres with the criterion requirements of Core Policy CP57 of the WCS in regard to overshadowing and overlooking.

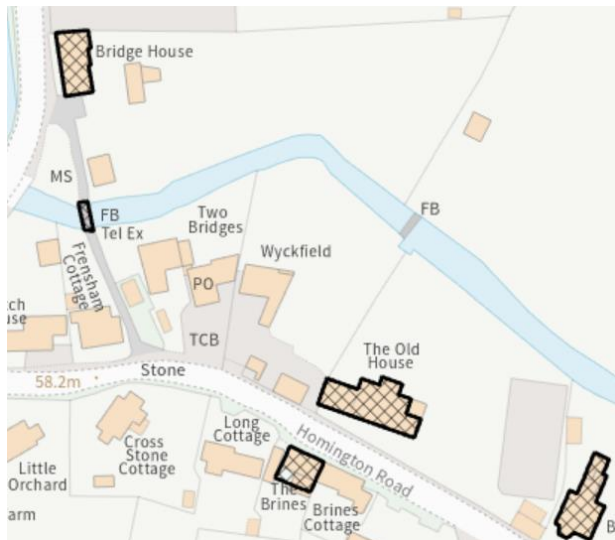
Core Policy 51 of the WCS states - Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

Core Policy 58 of the WCS states development should protect, conserve and where possible enhance the historic environment.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

In the graphic below held on Council records, The Brines, Brookside and the Old House are grade II listed and lie to the southeast of the site. The pack Horse Bridge lies to the northwest of the site and is grade II listed and a scheduled monument. Wyckfield is a modern house in a central location within the Coombe Bissett Conservation Area.



Paragraph 200 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, as per the comments of the Council's Conservation Officer, the application is accompanied by a "Design and Heritage Statement" which provides sufficient information to understand the impact of the proposals and is proportionate to their scope.

The Conservation Officer further states *"The land in question lies within the settlement boundary of Coombe Bissett and the proposal involves the infilling of a gap in the development fronting the north side of Homington Road with a new dwelling. The subject site once formed part of a small farmyard associated with 'Brine's Farmhouse'. A group of agricultural buildings once stood within the associated farmyard. Old photographs indicate that one of the demolished buildings was a substantial thatched threshing barn. At the front of the site there was a structure with a roof covered in slates with half hips at each end. The walls to the front of the site are likely all that remain of the former farm buildings and make a positive contribution to the conservation area. The existing wall is not in good condition with spalling brickwork but could be repaired by cutting in new matching bricks with a lime mortar pointing. To the rear the wall has been added to with a modern outbuilding. The outbuilding is of no architectural importance and could be demolished providing a method statement is received on how the brickwork walls would be supported repaired and with what materials. The proposal sites a house set behind the wall on the western side of the plot, staggered between Wyckfield and the Old House. The plot around Wyckfield is spacious and there are houses that face directly onto Homington Road and some that are gable end onto the road but they do not appear cramped and so are well balanced with space around them in the conservation area. The*

setting of the designated assets above should be considered and it is not considered the assets with the exception of the Old House would be affected by the development. At present the gable of the Old House can be seen from the west and from the Village store car park.

Fig 6 of the planning design and access statement shows the west elevation of The Old House. This is a key view of the designated asset from a central location in the village. The new house would be set forward of Wyckfield but would not block the view of the gable of the Old House and so would not be harmful. The height of the proposed building is appropriate and given the drainage difficulties with the site finished floor levels should be provided so that it is not raised. The impact of the proposals on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.

Recommended conditions

Prior to the construction of the development, hereby permitted, samples of the materials to be used and method of fixing in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of preserving the character and appearance of the proposed building and the existing structure.

On the basis of the comments as outlined above from the Conservation Officer and subject to the imposing of the suggested conditions around the use of materials in the construction of the dwellinghouse, officers consider the scheme accords with the requirements of Core Policies CP51 and CP58 of the WCS. As a result, the character and appearance of the Coombe Bissett Conservation Area and wider CCNL would be upheld.

In terms of an archaeological impact by way of the proposed, the Council's Archaeology Team have assessed the submitted Archaeological Desk Based Assessment undertaken by Heritage Planning Services accompanying this proposal (full comments within the consultee response section of this report) stating "*Heritage Planning Services' desk-based assessment usefully summarises the archaeological potential of the site of the proposed new dwelling. I agree with the report's conclusions and therefore consider that it would be precautionary to provide for archaeological monitoring and recording during construction should this application be permitted. This can be secured by an appropriately worded condition*".

Subject to the imposing of any condition to secure the archaeological monitoring and recording during construction, harm to any buried heritage assets would be mitigated.

9.5 Ecological Impact including the River Avon SAC and New Forest SPA

CP50 of the Wiltshire Core Strategy and the National Planning Policy Framework require that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The application is accompanied by the following documentation listed below that has been assessed by the Council's Ecologist.

- Preliminary Ecological Assessment (PEA) undertaken by Ellendale;
- Nutrient Calculator River Avon;
- Proposed Site Plan DWG No: 3098-101D

In response to the requirements of Core Policy CP50 for the proposal the Council's ecologist has said the following:

Core Policy CP50

The submitted Preliminary Ecological Assessment (PEA) concludes that the site measures approximately 0.2ha and comprises of built-up areas, dense scrub, amenity grassland and poor semi-improved grassland of limited ecological value. The site does support features for protected and notable species typical of gardens such as reptiles and breeding birds.

The most ecologically important feature is the River Ebble which is designed as a County Wildlife Site and lies at the northern boundary. As well as being intrinsically important this river is likely to support protected and notable species. The development footprint does not extend near the river and existing trees that act as a buffer are shown as retained. Impacts on the river are therefore not predicted.

Buildings on Site were found to be unsuitable for use by bats for roosting. Overall, the development is not considered likely to result in a loss of biodiversity and adherence to mitigation and enhancement recommendations in Sections 4.2 and 4.3 of the report could provide enhancement in accordance with CP50.

Biodiversity Net Gain (BNG)

From 12 February 2024 Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Based on the information available the biodiversity gain planning condition is not considered to apply to this application

The application is for self and Custom Build Development, meaning development which:

- i. consists of no more than 9 dwellings;*
- ii. is carried out on a site which has an area no larger than 0.5 hectares; and*
- iii. consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).*

Note to case officer: you should be satisfied that the proposals meet the above criteria and act accordingly. Further information will be required from the applicant in the event that the development is considered to be subject to mandatory biodiversity net gain.

Habitat Regulations Assessment – New Forest Protected Sites and River Avon: Hampshire Catchment

New Forest Protected Sites

The proposed development site lies within the 13.8km zone of influence for the New Forest internationally protected sites, which comprises the New Forest SPA, New Forest SAC and New Forest Ramsar site. Therefore, the application is screened into appropriate assessment under the Conservation of Habitats and Species Regulations 2017 (as amended) on account of its potential to cause adverse effects on the New Forest protected sites through increased recreational pressure which may occur alone and in-combination with other plans and projects. Many of the special features of the New Forest protected sites afforded protection are vulnerable to adverse effects associated with an increase in recreation as demonstrated

in Natural England's supplementary advice issued for the SPA on 19 March 2019 and for the SAC on 18 March 2019.

Following a Cabinet decision on 7 May 2024, Wiltshire Council's "Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1.1, 21 March 2023) is being revised. Cabinet approved revised mitigation measures to manage recreational pressures on the New Forest protected sites, including the cessation of use of Community Infrastructure Levy (CIL) to fund Strategic Access Management and Monitoring (SAMM) measures for minor residential development (1-49 dwellings) and tourism / visitor accommodation within the 13.8km zone of influence. Instead, SAMM measures are to be funded by developer contributions at a rate of £600 (plus legal and admin fees) per unit of residential or tourism accommodation. This revision applies to all development that will result in a net increase in accommodation units within the 13.8km zone of influence from the New Forest protected sites and therefore applies to this application. Evidence for the revised approach derives from the New Forest SAMM Report (Footprint Ecology, October 2023) which can be found here: [Research into recreational use of the New Forest's protected habitats - New Forest National Park Authority \(newforestnpa.gov.uk\)](https://www.newforestnpa.gov.uk). The New Forest SAMM Report was commissioned by all the local planning authorities with areas lying within the 13.8km zone, in order to identify and implement a consistent strategic approach to mitigation across the zone of influence.

It will therefore be necessary for developer contributions of £600 per dwelling / tourism unit (plus legal and admin fees) to be secured via s111 agreement, unilateral undertaking or s106 agreement for this application to ensure the necessary mitigation is secured. This will enable the Council to conclude, subject to endorsement from Natural England, that the development proposed by means of this application will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects.

The applicant should be directed to the Guidance Note for Completing Agreements Under S.111 of the Local Government Act 1972.

Hampshire River Avon Special Area of Conservation (SAC) Catchment

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Appropriate Assessment must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

The submitted phosphorous nutrient calculation [Nutrient Calculator River Avon submitted 19th September 2024] calculated a total phosphorus budget of 0.13 TP/year. As the type of Package Treatment Plant (PTP) has not been defined in the application The Wastewater Treatment Works row of the calculation must be amended to 'Package Treatment Plant Default' on the 'Nutrients from wastewater' tab. I have amended the budget to reflect this and it does not affect the budget. The budget has therefore been approved by Wiltshire Council, however, please ensure it is corrected when submitted to apply for Council credits.

A Council-led scheme of phosphorus credits will be available for development which meets certain criteria at a fix cost per kilogram of phosphorus, provided supply of mitigation is available. A completed Hampshire Avon Credit Screening Approval Certificate is required to apply for this scheme. The ecology section of this certificate has been completed by the Council's ecology team for this application. This certificate can only be issued by the case officer if the application meets the two deliverability tests. Further details of the Council-led

scheme, including eligibility criteria, current cost to purchase credits, and details of how to apply, is available on our website [Phosphorus and nitrogen mitigation - Wiltshire Council](#).

<p>Ecology officer approval</p> <p>Approval of Nutrient Budget</p>	<p>Document reviewed Nutrient Calculator River Avon submitted 19th September 2024</p> <p>Budget – 0.13 TP/year</p> <p>Budget approved - Yes</p> <p>Date 25/09/2024</p>
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A strategic Appropriate Assessment (AA) has been prepared for qualifying planning applications for residential and non-residential development, within sewerred and non-sewerred areas of the River Avon SAC catchment. The AA reached a conclusion of no adverse effects on the integrity of the SAC or its qualifying features and has been endorsed by Natural England (NE) provided that the council's mitigation strategy continues to be implemented.

The mitigation fee and administration charge for the scheme can be paid by a section 111 agreement. It is also possible to pay the mitigation fee through a section 106 agreement or unilateral undertaking.

Subject to the imposing of the suggested conditions of the Council's ecologist to address the ecological matters raised throughout the consultation of this planning application, officers consider that the proposal accords with the requirements of Core Policy CP50 of the WCS.

By way of the scale and type of proposal subject to this planning application and the impacts to the protection zones as outlined above by the Council's Ecologist, officers are of the opinion that any adverse effect or impact to the River Avon SAC/buffer zone and New Forest SPA would be de-minimis.

However, in terms of the River Avon SAC catchment of which this site is located within, the Council's ecologist has provided comments that confirm the impact of the proposal would have no adverse impact on this protection zone subject to the appropriate mitigation being secured. As the scheme is not considered to be policy compliant as outlined within the Flood Zone/Sequential Test section of this report, the credit screening certificate will not be released allowing the applicant to apply for the necessary mitigation credits.

9.6 Parking/Highway Safety

Core Policy CP60 states: *The council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire.*

Core Policy CP61 states: *New development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.*

The proposed dwellinghouse would utilise the existing field gate access via Homington Road and would provide three parking spaces within the curtilage of site in line with the Council's adopted parking strategy.

The Council's Highways Officer has assessed this proposal and did raise concerns around the vehicle access improvements, manoeuvrability within the application site, lack of swept path analysis for the existing dwellinghouse Wyckfield and the proposed site and; visibility in and out of the access/egress for the new dwellinghouse. Amended information has been provided by the agent which has been assessed by the Highways Officer that has enabled the concerns for this scheme to be withdrawn subject to the imposing of the following suggested conditions onto any consent:

The development hereby permitted shall not be occupied until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel).

The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

The proposed development shall not be occupied until means/works have been implemented to avoid surface water from entering the highway.

REASON: To ensure that the highway is not inundated with surface water.

Any gates shall be set back 5m from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

No part of the development hereby permitted shall be occupied until the access, turning area & parking spaces [3] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

Subject to the imposing of the suggested conditions as outlined above, officers consider any highway safety impacts would be suitably mitigated.

10. Conclusion and Planning Balance

This proposal seeks planning permission for the demolition of outbuildings and the erection of 1 self-build residential dwelling, access, parking, landscaping and associated works. The site is located within Flood Zones 2 and 3.

New residential development in this location is acceptable in principle under CP2 of the Wiltshire Core Strategy. However, whilst the application is accompanied by a Flood Risk Assessment, Members are advised to have consideration for Annex 3 of the NPPF that classifies development into the following five categories - essential infrastructure, highly vulnerable, more vulnerable, less vulnerable and water compatible development. Buildings used for dwellinghouses are classed as 'more vulnerable' uses. Only water compatible development is acceptable in the functional flood plain (FZ3) as set out in Table 2 of PPG 'Flood risk vulnerability and flood zone 'incompatibility' shown within this report.

Furthermore, Members are advised to have regard for paragraphs 165, 167 and 170 of the NPPF that refers to inappropriate development in areas at risk of flooding being avoided and the requirements of applying a sequential and exceptions test. The need for a sequential test has been dismissed by the applicant on the basis that Wiltshire Council does not have an up-

to date register of self-build properties. Whilst this may be the case and the scheme would provide an additional self-build dwelling within Wiltshire, the onus is on the applicant to provide sufficient evidence/information that this proposal takes account of all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. It is also considered that the proposal would fail the requirements of the exception test as no evidence has been provided within the submission of the application to demonstrate this proposal would provide any wider community benefits that outweigh flood risk or that the scheme will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. The scheme being for a self-build dwellinghouse does not negate/outweigh the need for evidence of the proposal complying with the requirements of a sequential test or exceptions test.

In officer opinion, this proposal by virtue of the location of the site within Flood Zone 3, and not being 'water compatible' as outlined within Annex 3 of the NPPF, is contrary to the requirements of Core Policy CP67 and NPPF guidance.

11. RECOMMENDATION:

Refuse for the following reason(s):

1. The Wiltshire Council Strategic Flood Risk Assessment (SFRA) identifies the site and its access to be within Flood Zones 2 and 3. Table 2 of Planning Policy Guidance (PPG) 'Flood risk' vulnerability and flood zone 'incompatibility' defines buildings used for dwellinghouses as 'more vulnerable' uses. Only water compatible development is acceptable in the functional flood plain (Flood Zone 3) of which this scheme is not. Whilst the application is accompanied by a site specific Flood Risk Assessment, no details have been provided to demonstrate this proposal would provide any wider community benefits that outweigh flood risk or that the scheme will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. In the absence of such details, and noting the scheme is not defined as water compatible, the development proposal is considered to be contrary to the requirements of CP67 of the Wiltshire Core Strategy and NPPF paragraphs 165 and 170.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	17/10/2024
Application Number	PL/2024/05873
Site Address	River House, 9 Hadrians Close, Salisbury, SP2 9NN
Proposal	Alterations and extension at first floor level
Applicant	Mr M Thiruchelvam
Parish/Town Council	Salisbury City Council
Ward	Bemerton Heath
Type of application	Householder
Case Officer	Amy Houldsworth

Reason for the application being considered by Committee

Councillor Ricky Rogers 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

1. Purpose of Report

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

2. Report Summary

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

- Principle of development
- Scale, design, impacts on the character and the appearance of the area
- Residential amenity/living conditions

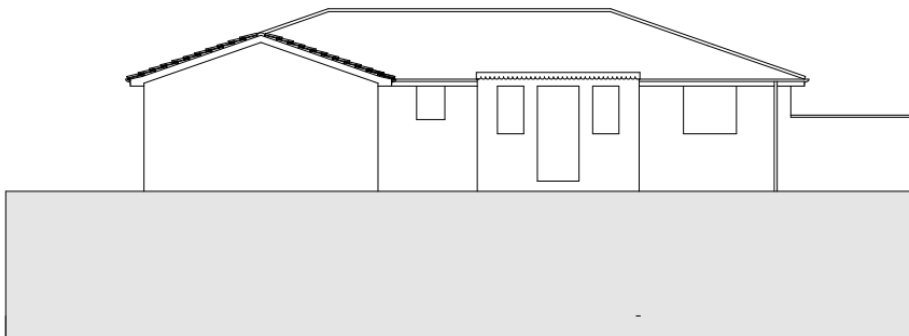
The application has received no comments from the Salisbury City Council and 9 letters of representation from third parties.

3. Site Description

The application site is a detached residential dwelling located in an established residential area of the principal settlement of Salisbury as defined by Wiltshire Core Strategy (WCS) core policies 1 (Settlement Strategy), 2 (Delivery Strategy) and 20 (Spatial Strategy for the Salisbury Community Area). The site is surrounded by other residential properties on three sides but backs onto the River Nadder, a tributary of the River Avon, with the vast majority of the sites amenity space being within the River Avon Special Area of Conservation (SAC) 20m buffer zone and flood zone 1.

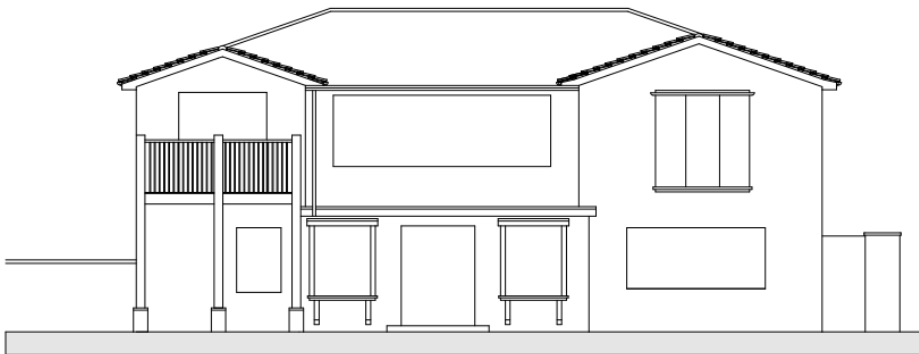


The existing property is a two storey property and due to the level of the land the structure comprises a lower ground floor and first floor. The front elevation appears as a single storey with the double storey visible from the rear.



NORTH ELEVATION

Existing Front Elevation



SOUTH ELEVATION

Existing Rear Elevation

4. Planning History

Application Ref	Proposal	Decision
S/2004/2390	TWO SINGLE STOREY EXTENSIONS	Approved December 2004
20/09837/FUL	Proposed new swimming pool building.	Approved September 2021

5. The Proposal

This is a Householder application seeking approval for a first floor extension resulting in a second floor to the property and allowing for the property to boast 6 bedrooms. The proposal has undergone some minor alterations during the process which include the reduction of bedroom numbers, the removal of a proposed Northern elevation bedroom window, which is proposed to be replaced by a West facing dormer and the removal of the originally proposed second floor Juliette balcony serving the Master bedroom to a window only.

6. Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guidance (Planning practice guidance for beautiful, enduring and successful places) 2021

Wiltshire Core Strategy:

CP1 - Settlement Strategy
CP2 - Delivery Strategy
CP20 - Spatial Strategy for the Salisbury Community Area
CP57- Ensuring High Quality Design & Space Shaping
CP60 – Sustainable Transport
CP61 – Transport and New Development
CP67 – Flooding
CP69 - Protection of the River Avon SAC

Supplementary Planning Guidance:

Wiltshire Design Guide (Shaping the Future – My Place, Your Place, Our Place) 2024
Wiltshire Local Transport Plan – Car Parking Strategy

7. Summary of Consultation Responses

Salisbury City Council: No comment

Highways: No Objection

8. Publicity

13 responses were received from third parties. The following comments were made:

- Increased height would result in overshadowing
- Southern and northern elevation windows and/or balconies would result in overlooking/loss of privacy
- Impact upon wildlife
- Increase in traffic, highway safety and general disruption
- Light pollution
- Concerns over future use due to proposed bedroom numbers

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.

At the current time, the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the 'saved' policies of the South Wiltshire Local Plan (SWLP) 2011.

9.1 Principle

The site is located within a mixed residential area within the principal settlement of Salisbury. Core Policies 1 and 2 of the WCS set out a settlement and a delivery strategy for the city and confirm that within a Principal Settlement, the principle of development is considered acceptable.

Furthermore, the site is already in use for residential purposes and the principle of extensions or additions to be used in association with the existing residential use of the site is accepted, subject to the impact of the works on the character of the area and neighbouring amenities. These will, therefore, be addressed in more detail below.

9.2 Scale, Design and impact upon the character and appearance of the area

Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Residential extensions/alterations such as this are acceptable in principle subject to there being no adverse impacts.

The development proposes an additional floor to the property to improve the internal layout and provide an additional bedroom. From visiting the site and entering the property it was apparent that the existing layout limits natural lighting and ventilation within the lower ground level bedrooms.

The proposed additional floor would be increasing the height of the property resulting in a pitched, hipped roof with a full front gable and a lower front gable serving the landing. Two further gables would be to the rear.

The position of the property is nestled away from Hadrians Close itself beyond its long private driveway sat within a corner plot and therefore the proposed works would not be visible from within the streetscene of Hadrians Close. The proposed works to River House are unlikely to be significantly visible from Lower Road to the North via a small access road and private garages. However, due to the boundary wall and dense boundary heading the works would not be prominent or visually intrusive.



View point from access road/garage block accessed from Lower Road looking towards application site

The existing residential curtilage is substantial and is considered large enough for the proposed extension works. The proposed design is considered appropriate for the host dwelling and as the overall character of the immediate area is a mix of housing tenure the overall design of the proposal would sit sympathetically within the locality.

Due to the design of the existing property, with its lower ground floor, the property currently appears single storey to the front. The additional floor would result in the property appearing as a standard two storey property from the front, with the full three levels only visible from the rear.

The proposed increased height of the property will inevitably result in the property being more prominent to the neighbouring properties. However, River House is sat centrally within its plot, well stepped back from the front curtilage as well as being well stepped back from any shared boundaries ensuring its presence is not overly dominant or overbearing.

The residential properties within the area are a mix of designs and sizes with the Immediate property to the East (8 Hadrians Close) appearing to be of a similar design to that being proposed, due to the levels and is an existing large property within Hadrians Close. 90-106 Lower Road which are the properties directly North of the site are all two storey residential properties.

The proposed materials are considered complimentary to the host dwelling and the wider locality and therefore, the proposed scale and design are considered to be acceptable and would not result in any visual harm upon the overall character and appearance of the area which would warrant a refusal.

9.3 Residential Amenity

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight,

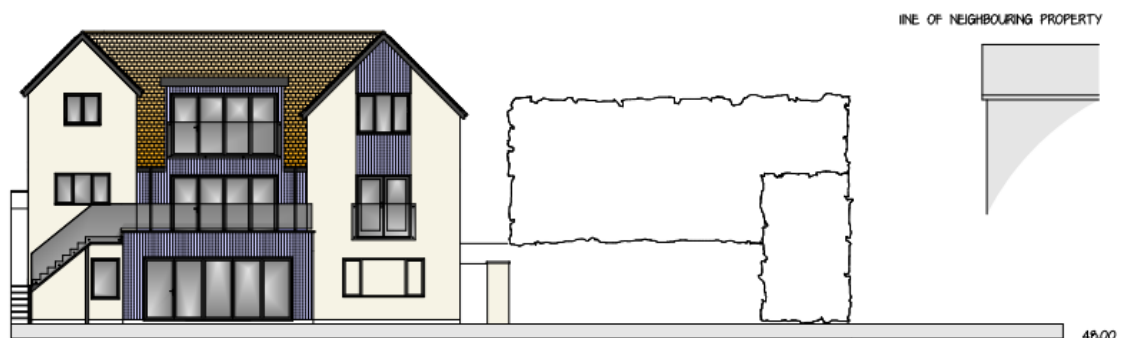
and living areas within private gardens and this, therefore, needs to be carefully considered accordingly.

The application sites closest neighbouring residential properties are positioned to the North and East of the site. 90-106 Lower Road lay the North and number 8 Hadrians Close to positioned directly to the East. Number 10-13 Hadrians Close are sited North East of the application site with number 10 being parallel with the sites access drive.



Concerns were raised in regard to the increased height resulting in the property being detrimental in terms of loss of light and overshadowing upon number 8 Hadrians Close which have been carefully considered. However, it is noted that number 8 projects further rearward than River House currently and is well stepped back from the shared boundary, as is River House itself. Furthermore, the boundary is well screened by dense hedging.

The agent provided a South Elevation plan to show the relationship in context which illustrates that the increased height is not excessive alongside number 8 and demonstrates the screening by the hedging.



This separation distance and boundary treatment are considered appropriate in ensuring the proposal would not be overbearing or overshadow number 8. The separation between the properties and that number 8 itself projects further rearward also ensures the proposal would not result in any levels of loss of light which could warrant a refusal.

Concerns were also raised in relation to the potential overlooking and loss of privacy from the top floor windows and balconies upon the Southern elevation upon number 8.

The upper ground floor balcony serving the kitchen would be in the position of the existing rear elevation windows present on site. With the addition of a "juliette" balcony serving bedroom 2. The Juliette balcony would be closest to number 8 but would be replacing an existing large window and therefore the outlook from this opening is considered unaltered from the existing situation.

The kitchen balcony would be positioned centrally upon the host dwelling with an outlook towards the rear garden and river to the rear. The distance of the balcony proposed and level would be likely to ensure that the outlook from this position is screened entirely by the boundary treatment between the properties.

At the proposed top floor level, the proposed balcony to serve the master bedroom would be recessed behind the proposed rear gable and therefore would be likely to limit any outlook directly East or West. The plans also demonstrate that any visual zones from the balcony would not result in significant overlooking or loss of privacy upon any openings of number 8, and would not therefore be likely to negatively impact the main rear garden area closest the property.

The original submitted plans also included a proposed "juliette" balcony to serve the master bedroom and although this would not have provided any outdoor seating area and would have been screened vastly by the boundary treatment revised plans were submitted to omit the Juliette balcony and replace it with a standard window.

Therefore, the revised proposed southern elevations glazing is considered acceptable. Due to the application site siting square on within the plot, the spacing between the properties and plot sizes the proposal is not considered to pose any significant harm upon any residential amenities of number 8 Hadrians Close which would warrant a refusal.

Concerns were also raised regarding overlooking and loss of privacy upon the properties located within Lower Road to the North.

Initially the submitted plans proposed a bedroom window at first floor and a feature window serving the landing. The closest properties that may have been affected are 90 – 94 and 104 -106. However, the distance between the front elevation bedroom window to 92 Lower Road would have been over 26.5m. Bedroom windows within the scope of visibility to 11 – 13 Hadrians Close are over 38m away.

Although the separation distance from this bedroom window to the properties 90-94 Lower Road could have been acceptable officers sought amendments to ensure any perceived overlooking was minimised. Therefore, revised plans were received omitting the north-facing bedroom window and replacing it with a window facing west. Officers are satisfied that this now ensures the amenity levels of the properties 90-94 Lower Road would not be significantly affected.

The proposed feature window upon the North elevation serving the landing remains part of the proposal. This window would have an outlook over the front driveway and towards the private access road to the garages within Lower Road. Number 104 and 106 are located to the North but are separated from the boundary of the application site by this access road and garage block.

Number 104 and 106 are positioned offset to the position of the proposed landing window and the rear gardens are located approx 23m away. The boundary between these properties and the application site are again currently well screened by the existing brick wall and hedging. Although the increased height of the proposal could result in the application site being more visible from the rear of these properties, given the separation

distance, and that the fact the window would not serve a habitable room, in officers opinion, the window would not result in any significant overlooking or loss of privacy which would warrant a refusal.



View from the current front of the property towards 104/106 Lower Road



View towards number 104/106 Lower Road over site boundary wall

Number 10 Hadrians close side elevation runs parallel to the application sites driveway. The concerns raised in regard to potential increase in traffic movement and therefore noise and disturbance from this have been noted. However, again the boundary is well screened and the increase in any potential vehicle movements within the site due to the works are not considered to be particularly different to the existing situation. The site would remain as a residential dwelling and already boasts a large driveway and parking area within this location.



View of the driveway and gates with existing boundary treatment

9.4 Highways

The site has a private driveway with ample of off road parking. The concerns from local residents in relation to increased traffic and highways safety have been noted. However, the property is already a 5 bedroomed property and provides adequate off road parking provision. Any vehicles access the site via an electric gate and are parking fully within the curtilage of the site away from any public view.

In addition, the Councils Highways officer was consulted on the proposal and raised no objections.

In regards to potential construction disturbance a condition can be placed upon any approval ensuring that external building works are carried out during working hours only. However, any impacts would be temporary and thus a refusal on this point could not be warranted in any event.

9.5 Other Matters

Comments have been received from members of the public regarding ecological impacts of the proposal. The proposed works would be contained upon the existing property, and officers are not aware of any such impacts from these works.

By extending upwards rather than outwards the proposal would not result in any flood risk concerns and would not be extending out upon any existing garden area or any further towards the river.

Multiple comments have also been received with concerns of the future use of the property for Airbnb. The applicant has confirmed that the property will remain as a residential property only. Officers must determine applications on their own merit and based on the information provided.

10. Conclusion

The third party concerns have been noted and duly taken into consideration. However, the proposal is considered to have limited impacts on the surrounding area, and thus is considered acceptable, and in accordance with aims of policies CP50, CP57, CP61, and CP67, and CP69 of the adopted Wiltshire Core Strategy.

RECOMMENDATION: Approve, subject to the following conditions:

01 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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Ms/P/01 Plans as existing, Ms/P/02 Elevations as existing and roof plan dated 26/06/24, Ms/P/05C Proposed elevations, Ms/P/04B Lower ground floor plan and South elevation as proposed, Ms/P/03 Upper ground floor plan as proposed, Ms/P/08a Block plan, Ms/P/07b Elevation and sections and Ms/P/06b Roof space plan and roof plan as proposed dated 10/09/24.

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

03 Before the development hereby permitted is first occupied the window in the Eastern elevation of the top floor serving the bathroom shall be glazed with obscure glass only [to an obscurity level of no less than level 5] and the windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

04 Construction Works shall only take place between the hours of 0800 - 1700 Mondays to Fridays. No works shall take place at any time on Saturdays, Sundays and Bank or Public Holidays. This restriction does not relate to the internal fitting out of the building.

REASON: In the interests of the amenity of the area

05 The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as River House and it shall remain within the same planning unit as the main 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.

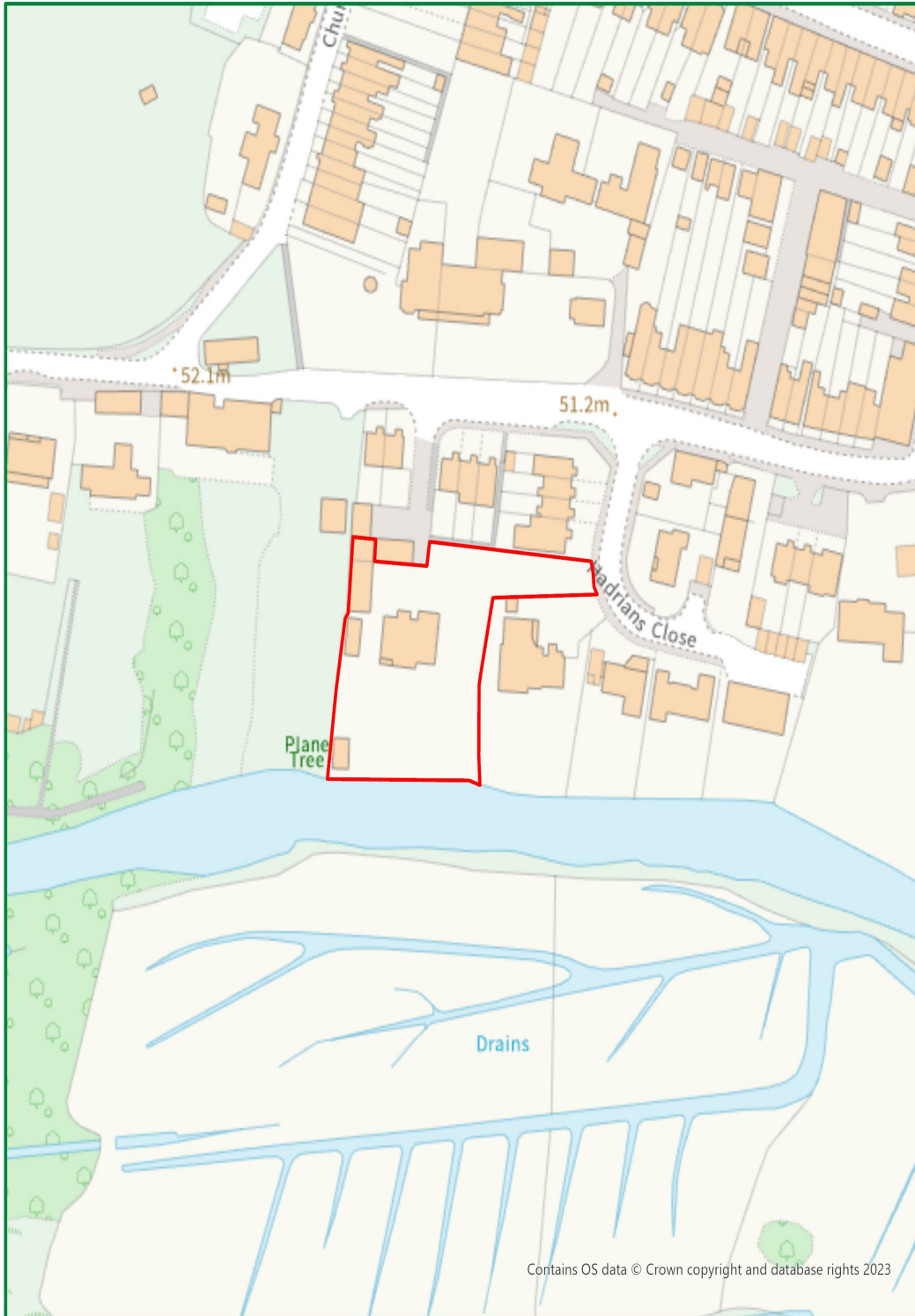
Informative

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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