

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 24 August 2016
Time: 3.00 pm

Please direct any enquiries on this Agenda to Natalie Heritage, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line or email

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 Tony Trotman (Chairman)	Cllr Chuck Berry
Cllr Peter Hutton (Vice Chairman)	Cllr Terry Chivers
Cllr Christine Crisp	Cllr Howard Greenman
Cllr Mollie Groom	Cllr Howard Marshall
Cllr Toby Sturgis	

Substitutes:

Cllr Philip Whalley	Cllr Graham Wright
Cllr Desna Allen	Cllr George Jeans
Cllr Glenis Ansell	Cllr Melody Thompson
Cllr Mary Champion	Cllr Ernie Clark
Cllr Dennis Drewett	Cllr Chris Hurst
Cllr Jacqui Lay	Cllr Bill Douglas
Cllr Linda Packard	

RECORDING AND BROADCASTING NOTIFICATION

Wiltshire Council may record this meeting for live and/or subsequent broadcast on the Council's website at <http://www.wiltshire.public-i.tv>. At the start of the meeting, the Chairman will confirm if all or part of the meeting is being recorded. The images and sound recordings may also be used for training purposes within the Council.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and/or training purposes.

The meeting may also be recorded by the press or members of the public.

Any person or organisation choosing to film, record or broadcast any meeting of the Council, its Cabinet or committees is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

Details of the Council's Guidance on the Recording and Webcasting of Meetings is available on the Council's website along with this agenda and available on request.

If you have any queries please contact Democratic Services using the contact details above.

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 5 - 16*)

To approve and sign as a correct record the minutes of the meeting held on 3 August 2016.

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 Chairman.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements:

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Questions:

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above (acting on behalf of the Corporate Director), no later than 5pm on Wednesday 17 August 2016, in order to be guaranteed a written response prior to the meeting. Any question received between the above deadline, and no later than 5pm two clear working days before the meeting, may only receive a verbal response at the meeting.

Please contact the officer named on the first page 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.

6 **Planning Appeals** (*Pages 17 - 18*)

An appeals update report is attached for information.

7 **Planning Applications**

To consider and determine planning applications as detailed below:

7a **14/07756/FUL & 14/07876/LBC, Box House, Bath Road, Box, Corsham, Wiltshire, SN13 8AA** (*Pages 19 - 56*)

7b **16/04426/FUL - 22 & 23 Ebor Paddock, Calne, Wiltshire, SN11 0JY** (*Pages 57 - 64*)

7c **15/10682/FUL: Marden Farm, Rookery Park, Calne, Wiltshire, SN11 0LH**

The papers for this application are contained in Agenda Supplement 1, which was published on 16 August 2016.

8 **Urgent Items**

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

2.a

2.b

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 AUGUST 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Howard Greenman and Cllr Howard Marshall

91 **Apologies**

Apologies were received from Cllr Ansell, Cllr Chivers and Cllr Hurst.

92 **Minutes of the Previous Meeting**

Resolved:

To approve and sign as a correct record the minutes of the meeting held on 13 July 2016.

93 **Declarations of Interest**

There were no declarations of interest.

94 **Chairman's Announcements**

The Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

95 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and that no questions had been submitted.

96 **Planning Appeals**

The Committee noted the contents of the appeals update.

97 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7a**, **7b** and **7c** as listed under 'Agenda Supplement 1'.

98 **15/07244/FUL- Land at Moor Lane Farm, Minety, Wiltshire**

James Wallwork spoke in support of the application. Nicola Dow and Pete Sladdon spoke in objection to the application.

The planning officer, Mathew Pearson, introduced the application for the proposed construction of a solar farm; comprising solar arrays, inverters, transformers, equipment housing, security fencing, CCTV cameras, internal tracks and ancillary equipment. He highlighted that the application had previously been to Committee and had been deferred by Members and, at this point, Members had identified 6 areas where further information was required before a final decision could be made. These 6 areas included the following: flooding, detailed access drawings, a full construction management transport plan, detailed potential cabling routes, ground levels and the public right of way (PROW). Attention was drawn to the late list of observations, provided under 'Agenda Supplement 1'. Maps, plans and photographs of the site were shown.

Mr Pearson relayed that Wiltshire Council's Drainage Officer had commented that there was a recognised flooding issue in the area. However, it was concluded by the officer that this was not caused by run-off from the moor on which the site was located. Potential flooding was in fact caused by flood water running 'uphill' from the River Thames. The meeting was informed that the solar panels would not raise flood risk in the area. The Council's drainage officer had also highlighted that the use of the site for pasture would make any historic land drainage system ineffective, the proposed solar farm would have no direct effect on flooding in the area.

In terms of detailed access drawings, a full construction management transport plan and detailed potential cabling routes, the meeting was informed that highways officers were largely satisfied with the proposals put forward for the site. Some minor further details were conditioned in regards to wheel washing facilities. It was stressed that while it was recognised that there would be an impact on local people during the construction period, this could be seen as severe over the 30 year life span of the site. As such the NPPF stated that permission should be granted and the impact was deemed to be acceptable.

It was explained that the proposed development would not materially raise the ground level of the site and that, at the end of the 30 year life span of the site, the Council's standard reinstatement condition had been applied to the proposed application. Mr Pearson also noted that the PROW would remain in situ and would be fenced off during the construction phase, in order to ensure that members of the public were still able to use the pathway.

It was highlighted that due to a recent high court case, the planning officer should make it clear that as stated in the report, the proposed development was in conflict with Core Policy 58. However, planning officers believed that: as the proposed construction was deemed to cause less than substantial harm; because the development would be well screened; as the site was not versatile in terms of agricultural use; there was a large public benefit to renewable energy and as the scheme complied with sustainability criteria and the NPPF, that the scheme could be recommended for approval.

Members were then invited to ask technical questions and the planning officer confirmed that under the proposed solar panels the site would be retained as a meadow.

Members of the public were then invited to speak, as detailed above.

Cllr Hilliar, Minety Parish Council, spoke in objection to the application.

Cllr Berry spoke in his capacity as the local member and detailed that as the grass on the proposed site would be shaded by the solar panels, then there could be difficulties in terms of drainage and the grass underfoot would not flourish. He also commented that the PROW could become very degraded and would require continual upkeep to remain usable.

In response to questions, the planning officer responded that the proposed two cable routes would be unlikely to cause any issues during the implementation phase and that it was not uncommon for the cable route to be confirmed at a later date. It was stressed that officers felt that the cable routing was suitably conditioned. In addition, it was confirmed that deliveries to the site and construction vehicles leaving the site had been conditioned to take place only during the day and outside of school hours.

In the debate that followed several points were raised, which included the following: the listed building adjacent to the site would have full view of the solar panels and this would degrade the view of the building and impinge the amenity; Wiltshire had already installed a large amount of renewable energy sources in comparison with other Counties, of which 96% accounted for solar power; more optimum sites existed in Wiltshire for the creation of a solar farm; there were concerns over flooding on the proposed site; there were concerns over the amount of traffic confined to narrow routes associated with the proposed construction.

Cllr Berry proposed, seconded by Cllr Sturgis, to refuse the application on the basis of Core Policy 58 and NPPF paragraphs 132 and 134. The reason for this refusal was because the proposed development would cause less than substantial harm to the setting of the adjacent listed building and there were no particular public benefits that would overcome this harm. Wiltshire had already installed a vast amount of renewable energy sites and there were seen to be more adequate sites in Wiltshire for the installation of a solar farm, which would not cause harm to the setting of listed buildings. The proposed development was considered to conflict with Core Policy 58 and Paragraph 134 of the NPPF

The motion was put to the vote and passed.

Resolved:

To refuse the application as it conflicts with Core Policy 58 and paragraph 134 of the NPPF.

REASON:

The location and quantity of solar panels' fencing, associated structures and infrastructure would be harmful to the setting and integrity of the adjacent Grade II Listed Building. The proposals are thereby contrary to the NPPF paragraph 132 as the proposed development would not conserve the heritage asset due to the harm caused within its setting; paragraph 134 as the development would lead to less than substantial harm to the significance of the designated heritage assets and although there is some public benefit by building renewable energy, this does not outweigh the harm caused to the heritage assets. The proposal would also therefore be contrary to Core Policy 58 in the Wiltshire Core Strategy Adopted 2015.

99 **16/02433/FUL & 16/02612/LBC - The Old Stables, Grittleton House, Grittleton, Wiltshire, SN14 6AJ**

The planning officer, Chris Marsh introduced the application and outlined that the application was for the proposed conversion of stables to form dormitories

for Grittleton House School. A map, blueprints and photographs of the area were shown.

Mr Marsh explained that, in light of the shift in justification for the proposed development as outlined in the late list of observations, the planning officers had not had a significant opportunity to consider the application in full. Officers would therefore need sufficient time to consider the public benefit of the application in detail, before an adequate recommendation could be provided. Mr Marsh then signalled that he wished to recommend that the application be deferred until after such a time.

The Chairman proposed, seconded by Cllr Hutton, that the application be deferred to allow officers and members sufficient time to consider the significant late observations appropriately.

The motion was put to the vote and passed.

Resolved:

To defer the application until after such a time as Officers and Members had had the appropriate opportunity to reconsider the public benefit of the application.

REASON:

In light of the significant late observations received on the morning of the Committee meeting which related to a shift in justification for the proposed development, Officers require sufficient time to reconsider the application in order to be able to make an informed recommendation to the Committee.

100 **16/03644/VAR - Barncroft , The Barton, Upper Common, Kington Langley, Wiltshire, SN15 5PF**

Stephen Gardener and Patricia Gardener spoke in objection to the application.

Ben Turner spoke in support of the application.

The planning officer, Mathew Pearson, outlined that the application was for a variation to a 2015 application which had sought permission for the demolition of the existing bungalow within the site and the erection of a large 6 bedroom dwelling, as well as a detached 4 bay garage. It was highlighted that the variation principally related to a revision in the site layout and that the previous application had been decided by way of delegated powers. Photographs of the area and plans were shown.

Mr Pearson explained that the revision to the site layout was to move the garage from the south west corner of the site to the north east corner. He stated that the garage would largely retain its size (as detailed on the original application); the difference from that originally proposed and as a part of this application, would be that the garage would have a complete rear wall.

It was detailed that the applicant would need to remove the hedgerows that line the public right of way (PROW) during the construction phase. However, this had been conditioned to ensure that any disturbance to the PROW would be acceptable. Mr Pearson detailed that it was a priority that the PROW was reinstated on its legal line.

The meeting was informed that the proposed development would be required to adhere to the conclusions of the ecology survey that had been undertaken. It was noted that the site plans were deemed to be acceptable and that officers felt the impact in relation to the surrounding properties was acceptable. Indeed, it was highlighted that although the proposed building would be viewed from 2 listed buildings, officers felt that the design of the site was acceptable and would not impact on the setting or significance of these properties.

Members of the Committee were then invited to ask technical questions. Mr Pearson confirmed that the newly reduced height of the garage would mean that the eaves height of the garage would remain similar to the existing garage, located to the east of the bungalow. The garage would be viewed as a single ridge from the neighbouring property, although this ridge would be closer to the neighbouring property than the current larger gable end and ridge associated with the existing bungalow.

Members of the public were then invited to speak, as detailed above.

Cllr Greenman spoke in his capacity as the local member and applauded how the applicant had shown himself to be keen to maintain a good relationship with his neighbours. Cllr Greenman thanked the planning officer, Mr Pearson, for his endeavours in helping to ensure that the proposed development could be palatable for the site's neighbours. However, Cllr Greenman still felt that the garage was located too close to the neighbouring property and would have an unacceptable impact and would therefore not be supporting the application.

In response to questions, the planning officer confirmed that as a new driveway had been proposed, the new location of the garage was not seen to have any substantial impact on the neighbouring properties in terms of vehicle movements. It was highlighted that in the conservation area, one could find a range of building styles and thus, the outbuilding for the proposed development would relate to the building on site, as opposed to the neighbouring property. It was further confirmed that there would be approximately a 6 metre gap between the rear of the garage of the elevation of dwelling number 3 (a neighbouring property).

In the debate that followed several points were raised, which included the following: the view from the 300 year old neighbouring listed building could be seen as detrimental; the applicant had clearly tried to resolve the issue of overbearing and this had been addressed by way of a new design layout and the lowering of the garage's elevation; it was important that garages were used to store vehicles; the movement of the house (from the original application) was not significant.

Cllr Hutton proposed, seconded by Cllr Crisp, that the application be approved subject to the set of outlined conditions in the report.

The motion was put to the vote and passed.

Resolved:

The application is recommended for approval 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:

Plans

Drawing No: 02 Revised Site Plan with Egress Drievway Shown (dated 11 August 2014, received by LPA on 14 June 2016)

Drawing No: 03 House Floor Plans (11 August 2014)

Drawing No: 04 House Elevations (11 August 2014)

Drawing No: 05 Garage Roof and Floor Plans (dated 9 March 2015, received by LPA on 14 June 2016)

Drawing No: 06 Garage Elevations (dated 9 March 2015, received by LPA on 14 June 2016)

Drawing No: 2001 Refuse Store (17 November 2015)

Statements

Extended Phase 1 Habitat Survey by Alder Ecology (April 2015)

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

3 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning

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

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

4 No 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 prior to the development being occupied.

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

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

REASON: 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.

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

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

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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

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

8 No development will commencement until an Ecological Mitigation Strategy for the property shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of replacement / compensatory habitat provision for bats, birds and reptiles. All compensatory habitat features shall be maintained in accordance with the approved strategy unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of protected species.

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

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

10 No dwelling shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

11 The development hereby permitted shall not be occupied until the first five metres 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.

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

REASON: In the interests of highway safety.

13 Before the development hereby permitted is first occupied the first floor windows in the east and west side elevations shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

14 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 additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

15 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), the garage hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

16 **INFORMATIVE TO APPLICANT:** 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.

17 INFORMATIVE TO APPLICANT: 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.

18 INFORMATIVE TO APPLICANT: The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.

19 INFORMATIVE TO APPLICANT: The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. 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.

20 INFORMATIVE TO APPLICANT: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

21 INFORMATIVE TO APPLICANT: 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.

101 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.22 pm)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line 01225 718062, e-mail natalie.heritage@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

**Wiltshire Council
Northern Area Planning Committee
24 August 2016**

Forthcoming Hearings and Public Inquiries between 15/08/2016 and 28/02/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Date	Overturn at Cttee
14/09744/WCM	Lower Compton Waste Management Facility, Lower Compton, Calne, Wiltshire SN11 8RB	CALNE WITHOUT	Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development	COMM	Inquiry	Approve with Conditions	06/09/2016	Yes
14/10433/OUT	Land North & East of Barrow Farm Chippenham, Wiltshire, SN15 5LX	LANGLEY BURRELL	Residential Development for up to 500 Dwellings (C3), Two New Roundabout Accesses, Two Form Primary School (D1), up to 4000m2 of Employment (B1), up to 500m2 of Assembly & Leisure (D2), up to 300m2 Retail Uses (A1), Play Areas, Open Space, Landscaping, Drainage & Ancillary Works	COMM	Inquiry	Refuse	11/10/2016	No

Planning Appeals Received between 22/07/2016 and 15/08/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
15/00506/FUL	Ashbury Stoppers Hill Brinkworth, Wiltshire SN15 5AW	BRINKWORTH	Proposed Temporary 2 Year Permission to site a Mobile Home for Residential Use	DEL	Written Representations	Refuse	12/08/2016	No
16/00267/LBC	Former Moravian Church Hall Oxford Street Malmesbury, Wiltshire SN16 9AX	MALMESBURY	Change of Use of Former Church Hall to Community Art Studio and Psychological Therapy Rooms with Internal Work & External Repairs with Velux Window to the Rear Roof.	DEL	Written Representations	Approve with Conditions	26/07/2016	No
16/02188/FUL	Land Adjacent Old Farm, Grittenham Wiltshire, SN15 4JY	BRINKWORTH	Install Concrete Slab Foundation & Site a Mobile Home	DEL	Written Representations	Refuse	26/07/2016	No

Planning Appeals Decided between 22/07/2016 and 15/08/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
15/09565/FUL	Hither Dairy Stanley Lane Stanley, Wiltshire SN15 3RE	BREMHILL	Demolition of Existing Barn with Extant Consent for a Conversion to a Single Dwelling House and Erection of a Replacement Dwelling with Associated Hard/Soft Landscape Works, Drainage and Parking.	DEL	Written Reps	Refuse	Dismissed	04/08/2016	No
15/10927/FUL	Lower Greenhill Farm, Royal Wootton Bassett, Wiltshire SN4 7QP	ROYAL WOOTTON BASSETT	Internal & External Alterations Including Removal & Replacement of Conservatory, Minor Link to House & Garden Store, Redesign of North Porch, Extend the Domestic Use of North Barn, Minor Internal Alterations & Sensitive Enhancement Works for the Main House (Resubmission of 14/08393/FUL)	DEL	Written Reps	Refuse	Allowed with Conditions	22/07/2016	No
15/11109/LBC	Lower Greenhill Farm, Royal Wootton Bassett, Wiltshire SN4 7QP	ROYAL WOOTTON BASSETT	Internal & External Alterations Including Removal & Replacement of Conservatory, Minor Link to House & Garden Store, Redesign of North Porch, Extend the Domestic Use of North Barn, Minor Internal Alterations & Sensitive Enhancement Works for the Main House (Resubmission of 14/08393/FUL)	DEL	Written Reps	Refuse	Allowed with Conditions	22/07/2016	No

REPORT OUTLINE FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	24 August 2016
Application Number	14/07756/FUL & 14/07876/LBC
Site Address	Box House, Bath Road, Box, Corsham, Wiltshire SN13 8AA
Proposal	Demolition of Coach House. Retention of Gardener's Store & Double Garage. Erection of New Function Suites. New Buildings, structures and associated works for 5 Guest Bedrooms, Small Croquet Pavilion, Green House, Garden Equipment Storage, Offices and Meeting Space. New Site Access. Alterations & Extension to Pool House & Associated Works.
Applicant	Mr Charles Tull, Box House Services Limited
Town/Parish Council	BOX
Electoral Division	BOX AND COLERNE – Councillor Sheila Parker
Grid Ref	382246 168465
Type of application	Full Planning and Listed Building Consent
Case Officer	Lee Burman

Reason for the applications being considered by Committee

The applications are reported by the Case Officer given the complex site history including previous Committee consideration of proposals and related legal issues.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposals against the policies of the development plan, National Planning Policy and other material considerations; including site history and to recommend authority be delegated to the Head of Development Management to GRANT Full Planning Permission subject to the signing of a S106 agreement within six months of the date of the committee resolution and the conditions set out below; To GRANT Listed Building Consent subject to the conditions set out below.

2. Report Summary

The main issues in the consideration of the above applications are as follows:

- Principle of development;
- Impact on the significance of the listed building and its setting and the setting of adjacent listed buildings;
- Impact on the Box Conservation Area;
- Impact on the Scheduled Ancient Monument.
- Impact on the Openness of the Green Belt.
- Impact on the character and appearance of the AONB.
- Impact on residential amenity.

- Impact on Flood risk/Drainage
- Highways Impact
- Impact on Ecology

Box Town Council has objected to the proposals, in respect of which the Council has received 12 letters of objection and 0 letters of support.

3. Site Description

Box House is Grade II* Listed Building located in substantial grounds adjacent to the western fringe of the settlement of Box. The site lies outside the defined settlement Framework Boundary for the village. The site falls within the Box Conservation Area and is within the West Wiltshire Green Belt and the Cotswolds AONB. The location of the proposed development features a Scheduled Ancient Monument – Box Villa.

The property lies adjacent to a number of other Listed Buildings including the Grade 1 Listed Church of St Thomas à Beckett.

The site is also subject to a number of other constraints including flood risk, ground water vulnerability, Tree Preservation Orders and protected species. The site is in close proximity to protected habitats and rights of way.

The property has been subject to significant development, including a large scale southern wing extension and a range of separate, stand alone structures and parking provision. The property has been subject to a range of uses in the last 20 years but is currently in use as B1 office space.

The grounds have also been subject to extensive landscaping works over the years and continue to be maintained as landscaped grounds.

Surrounding the site to the north is open and agricultural land, including rising ground with the River Avon adjoining the northern site boundary and the site grounds sloping down to this river valley. To the east are a variety of Listed Buildings forming a core part of the historic village of Box. To the south the site is bounded on a higher level by the A4 leading to Bath. To the East the site grounds are narrow and bounded by agricultural land and sporadic ribbon development along the north side of the A4.

4. Planning History

N/87/03078/LBC	Conversion Extension And Alterations To Listed Building to Form Hotel Approved *
N/87/02414/FUL	Alterations To Form Hotel & Staff Accommodation Withdrawn
N/87/03080/FUL	Conversion And Extension To Form Hotel Approved *
N/87/02421/LBC	Alterations To Listed Building To Form Hotel And Ancillary Accommodation

	Withdrawn
N/88/02853/LBC	Alterations To Listed Building (Conversion To Provide 17 No Bedrooms Restaurant And Bar Facilities) Approved *
N/88/02941/FUL	Conversion Of Existing Buildings To Provide 17 No Bedrooms And Restaurant And Bar Facilities Approved *
N/88/02112/FUL	Erection Of Building To Form 20 Bedrooms And Erection Of Conservatory Approved *
N/88/02111/LBC	Erection Of Building To Form 20 Bedrooms And Erection Of Conservatory Approved *
N/89/2194/FUL	Demolition and Reconstruction of Coach House to Provide 2 No. Hotel Bedrooms (2 No Two-Room Suites and one Double Bedroom with En-Suite Bathrooms) Approved *
N/89/2195/LBC	Demolition and Reconstruction of Coach House to Provide 2 No. Hotel Bedrooms (2 No Two-Room Suites and one Double Bedroom with En-Suite Bathrooms) Approved *
N/89/01345/DOC	Discharge Of Condition No 3 - Details Of Sections/Landscaping And Car Parking Areas Relating To N/88/2941/FUL Approved
N/96/00158/FUL	Erection Of Marquee For Period Of April-September Each Year Marquee From April-Sept Approved
N/95/01464/FUL	Lodge/Croquet Shed/Gym/ Buildings/Sheds/Glasshouse Car Port/Access And Landscaping Lodge/Boathouse/Buildings Dismissed at Appeal
N/95/00604/FUL	Erection Of 9 By 15 Metre Marquee For The Period April To September 1995 Marquee Apr-Sep Each Year Refused
N/95/00605/LBC	Erection Of 9 By 15 Metre Marquee For The Period April To September Each Year Inclusive Marquee Apr-Sep

	Each Year Withdrawn
N/95/01465/LBC	Gym/Buildings/Glasshouse/Car Port And Access Lodge/Boathouse/Buildings Dismissed at Appeal
N/97/00022/FUL	Change of Use To Residential With Alterations And Extensions; Alter Entrance/Boundary Wall; Alterations To & New Outbuildings; Garages; Stables/Tennis Court Use As Residential/Extension Split Decision – Part Approved Part Refused
N/95/02300/FUL	Erection Of Marquee For Period Of April-September Each Year Marquee From April-September Refused
N/90/00973/LBC	Alterations To Listed Building (Erection Of Glazed Link Between Orangery Restaurant And Kitchen) Withdrawn
N/90/00972/FUL	Erection Of Glazed Link Between Orangery Restaurant And Kitchen Withdrawn
N/97/00023/LBC	Alterations/Extension To House partial Demolition/Rebuilding & Alterations To Gate Piers & Boundary Walls & Changing/ Garden Rooms Use As Residential/Extension Refused
N/00/00114/LBC	Internal/External Alterations/Extensions/Demolition/New Outbuildings/Alterations To Access And Car Parking Approved *
N/00/00113/FUL	Internal/External Alterations/Extensions/Demolition/New Outbuildings/Alterations To Access And Parking Arrangements Approved *
N/04/03611/FUL	Erection of Two Storey Building to Provide Garage, Storage and playroom Approved
N/04/03618/LBC	Erection of Two Storey Building to Provide Garage, Storage and playroom Approved

N/08/02413/S73A	<p>Change Of Use Of Box House From Part Residential, Hotel, Conference Centre To B1 Office Use (Retrospective); Erection Of South Wing And Use As B1 Offices (Retrospective); Erection Of Stables Building And Use As B1 Offices (Retrospective); Changes To The Layout And Elevation Of The Pool House And Changes To The Design Of The Conservatory To Box House</p> <p>Approved</p>
N/08/02412/LBC	<p>Internal And External Alterations And Extensions Associated With Conversion To B1 Office Use (Part Retrospective)</p> <p>Approved</p>
N/09/00242/FUL	<p>Amendments To The Siting And Elevations Of The Gardeners Store As Originally Approved Under Application 00/00113/FUL</p> <p>Refused</p>
N/12/03559/LBC	<p>Demolition Of Coach House, Retention Of Store & Garage. Erection Of Conference Suite With Associated Bridal Suite And New Building For 5 Guest Bedrooms, Croquet Pavillion, Green House. Alterations And Extension To Pool House And Coach House. New Landscaping & Gardens. Car Park Extension.</p> <p>Declined to Determine, subject of legal challenge and appeal - held in abeyance.</p>
N/12/03553/FUL	<p>Demolition Of Coach House, Retention Of Store & Garage. Erection Of Conference Suite With Associated Bridal Suite And New Building For 5 Guest Bedrooms, Croquet Pavillion, Green House. Alterations And Extension To Pool House And Coach House. New Landscaping & Gardens. Car Park Extension.</p> <p>Declined to Determine, subject of legal challenge and appeal - held in abeyance.</p>

There have also been a large number of applications for works to trees covered by Tree Preservation Order and applications for the erection of signage and advertising at this site but these are not referenced in the table above.

In addition, it should be noted that Scheduled Ancient Monument Consent related to the removal of existing coach house and pool building and the construction of a new coach house, pool building, conservatory and associated external works was granted subject to

conditions by Historic England on the direction of the Secretary of State for Culture, Media and Sport by letter dated 25 July 2016.

5. The Proposal

The description of development is as follows:-

Demolition of Coach House. Retention of Gardener's Store & Double Garage. Erection of New Function Suites. New Buildings, structures and associated works for 5 Guest Bedrooms, Small Croquet Pavilion, Green House, Garden Equipment Storage, Offices and Meeting Space. New Site Access. Alterations & Extension to Pool House & Associated Works.

This is revised from the description as submitted to take into account further revisions to the proposals since the application was registered. Full consultation has taken place in respect of the further revised proposals.

Unfortunately this description does not cover in detail the full extent and nature of the proposed development some of which is retrospective. The applicant has somewhat confused matters by referring back to previous consents throughout the supporting documentation submissions (including submission of previously approved plans for various scheme elements) and particularly in terms of detailing the nature and extent of the development now proposed. The following is intended as a clear description of the development proposed and is largely based on extracts taken from the most recent updated version of the applicant's Design and Access Statement:-

- Demolition of the Coach House and replacement with new coach house building (1.5 storeys) to provide Offices and Basement Flat for occupancy by site owner/staff/dependents.
- Conservatory with Glazed link to new Coach House (Variously described as an Orangery or Conservatory on plans and documents). To be used for wedding receptions.
- New Wedding Function Suites. Arranged over two levels below ground with a terrace above and second terrace and Loggia (a gallery with front/sides open to the garden) to the north at ground level. Located to the north elevation of the main house and west of the new coach house. To provide venues for Weddings. Ancillary structures and uses would include WCs, Stairs, Lift and small kitchen space.
- Croquet Shed to provide a structure for visitors and guests using the gardens during events and functions and would include a WC, Seating Area and store. Located on a Lawn Area (recently constructed / made ground)
- Undercroft (below croquet shed) and lawn area, constructed by excavation and with retaining walls, including a glazed front elevation overlooking the river valley and agricultural land to the north. To provide additional function space used in conjunction with the wedding activities and functions.
- Pool and Pool House Rebuilt and revised layout, replacing existing glazed loggia pool house. Single Storey timber framed building with lean to roof adjacent to existing stone boundary walls. To provide pool changing facilities, games room, store, orangery and a multi use space available to the local community for use in association with the adjacent Church. The outdoor swimming pool to be reduced in area.

- Greenhouse serving lower lawn used as a potager (Kitchen Garden).
- Bridal Suite. Timber building located adjacent to the River away from the main house. To be used as accommodation for wedding night stays.
- 5 Bedroom Suites for wedding guests to stay overnight. Separate from the main house located adjacent to the retained Gardener's Store and double garage.
- Double Garage (Retrospective). Located adjacent to the Gardener's Store and to the west of the main house, south of the A4. Provides for vehicular parking and, due to land levels, has a below ground storage room that is utilised by occupants of the B1 Offices in the main house as a secure soil laboratory/store.
- Gardeners' Store (Retrospective). Given change in land levels arrange over two floors. Subject to previous permission, but not built in accordance with approved plans. Subsequent applications refused. Enforcement Notices Issued. Appeals Against Enforcement Notices Dismissed.
- Bothy (traditionally an outdoor workers' shelter). Single storey building located on top of an underground gardener's vehicle maintenance store currently surrounded and screened by laurel hedge planting. Curved sedum roof, oak boarding. To be used as B1 Office Space – 5 small units for short let and/or guest accommodation related to the wedding venue functions.
- New Site Access. From the A4 at the location of the existing below ground store and proposed Bothy
- Car Parking Area to be extended in width by 3.8 metres to provide additional 13 parking spaces. Tree Removal and additional planting.
- The proposals include additional works within the grounds, such as the removal of an existing set of steps between level garden areas.
- The proposed wedding functions are anticipated largely during weekend periods with the B1 Office use of the main house continuing and largely active during the weekday period.

6. Local Planning Policy

Wiltshire Core Strategy:

Core Policy 11 Spatial Strategy for the Corsham Community Area

Core Policy 34 Additional Employment Land

Core Policy 39 Tourist Development

Core Policy 48 Supporting Rural Life

Core policy 50 Biodiversity and Geodiversity

Core Policy 51 Landscape

Core Policy 57 Ensuring high quality design and place shaping

Core Policy 58 Ensuring the conservation of the historic environment

Core policy 61 Transport and development

Core Policy 67 Flood Risk

National Planning Policy Framework:

Paragraphs 7, 14 & 17

Section 1 Supporting a Strong, Competitive Economy – paras 19
Section 3 Supporting a Prosperous Rural Economy – para 28
Section 6 Delivering a wide choice of high quality homes – para 55
Section 7 (Requiring good design) – paras 56, 60, 61, 63
Section 9 Protecting the Green Belt – paras 79, 80, 81, 87, 88, 89
Section 10 Meeting the challenge of climate change, flooding and coastal change – para 103
Section 11 Conserving and enhancing the natural environment - paras 115, 116, 118, 125
Section 12 (Conserving and enhancing the historic environment) – paras 128, 129, 131, 132, 134, 140

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
Sections 16(2), 66 and 72

7. Summary of consultation responses

12 Letters of objection (including form CPRE & KOBRA) were received in respect of the applications as submitted and subsequently revised. The objections and concerns raised can be summarised as follows:-

- Harm to and loss of important archaeological remains within a Designated Scheduled Ancient Monument
- Requirement for detailed archaeological investigation, investigation undertaken is inadequate
- Harm to fabric and setting of the Listed Building and Setting of adjacent Listed Buildings
- Harm to the character and appearance of the Box Conservation Area
- Harm to the Character and appearance of the Bybrook Valley and the AONB, Including through Light and Noise Pollution
- Outstanding Enforcement Notices that should be implemented – Gardener’s Store
- The proposed development is unclear as to intended uses
- Reliance on previous permissions is inappropriate
- The Coach House should not be demolished
- Proposed development could be achieved elsewhere and the Archaeology left in situ undisturbed
- Harm to the Green Belt, loss of openness
- Risk of Pollution to the Bybrook River during construction
- Disturbance to Bats which are active in the locality
- Harm to neighbouring residential amenities
- Flood Risk

Historic England – Raise concerns (no formal objection) to the demolition of the Coach House, which it is considered could be retained with sufficient works of remediation following structural survey. Consider that previous consent issued for its demolition has been superseded by changes to national policy and that there is no clear justification submitted for its demolition. Concern over potential impact to the setting of the adjacent Church.

Box Parish Council - (multiple submissions) Very Strong Objection. Harm to Green Belt; Listed Building; Adjacent Listed Buildings; Conservation Area; Scheduled Ancient monument; Bybrook Valley and AONB; Highways hazard; Unauthorised works and outstanding enforcement action; Inadequate information provision.

Environment Agency – No objection.

Wiltshire Fire & Rescue – No objection. Identifies statutory fire safety requirements and use of sprinkler system for commercial premises. Recommends consideration be given to Fire Service Vehicular access.

Council Archaeologist – No objection, subject to condition requiring monitoring an investigation across the areas affected by the development proposals in the lawn and Scheduled Ancient Monument areas; especially in relation to the Pool House and Pool, Coach, Function Suites, Undercroft and Orangery/conservatory.

Council Conservation Officer – No objection, given long site history and subject to use of conditions. Identifies that the proposed works in each element will not result in significant harm to the Heritage assets at the site or the setting of adjacent heritage assets, including the Grade 1 Listed Church St Thomas à Becket.

Council Highway Officer – No objection, subject to conditions

Council Drainage Officer - No objection, subject to conditions

Council Rights of Way Team – No Comments

Council Trees Officer – Initial request for additional information subsequent to which no objection raised subject to condition.

8. Publicity

The application was advertised by neighbour notification, press notice and site notice.

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.

Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Listed Building or Conservation Area to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

Principle of development

The site is located in the open countryside outside of the defined settlement framework boundary of the village. This is a location and property that is subject to a very wide range of planning policy constraints including:-

Green Belt
AONB
Listed Building
Conservation Area
Scheduled Ancient Monument
Tree Preservation Orders
Protected Species of Fauna and Habitat

As such, this is a location of clear constraint as to new development and in these terms the starting position is that the development proposed would not be acceptable in principle; in particular constituting inappropriate development within the green belt, significant development within the AONB and the setting of the Listed Building, Adjacent Listed Buildings and Conservation Area, affecting the fabric of a listed building and the below ground archaeology with a designated Scheduled Ancient Monument. The development is in conflict with the adopted Development Plan and National Policy in respect of Heritage Assets and Green Belts. It is therefore necessary to consider what if any material and very special circumstances may exist to on balance justify the grant of permission contrary to the development plan.

In this context the applicant advances two particular matters for consideration both of which are accepted as of material relevance. Firstly, the very extensive site history (which is referenced in section 4 above). There are significant elements of the current scheme proposals that have previously been granted permission in one form or another in this location on several previous occasions. In particular, the demolition and rebuilding of the coach house, the replacement and re-configuration of the pool house and swimming pool, erection of the Croquet Shed, Erection of Garage, and erection of the Gardener’s Store have all been previously granted permission. Similarly large scale extension of the Listed Building has previously been permitted on several occasions.

The current scheme proposals materially alter these previously approved elements of the scheme proposals in character, form, position and scale. However, it is considered that the previous grants of permission both Full Planning and Listed Building Consent are of material relevance of some weight. It is also of further relevance and additional weight that such scheme elements have been granted permission in some instances on several occasions i.e. demolition and replacement of the Coach House. The applications that are of particular relevance in this context are highlighted and asterixed in the ‘Planning History’ table above.

Furthermore, it is argued that a number of the identified Planning Permissions and Listed Building Consents have been partially implemented through the digging of foundations (subsequently back filled) and that these remain extant and implementable at any time as a consequence. The applicant has referenced photographs and correspondence with Council Officers in support of this contention. In addition, reference is made to the Inspector’s decision letter in respect of the appeal against refusal of applications referenced N/95/1464/F & N/95/1465/LB. The Inspector does not appear to make a definitive conclusion as to whether or not previous permissions as are referenced had been implemented and the relevant application reference numbers are not fully identified either. As such, it is considered that the Inspector did not have sufficiently precise and unambiguous information on this matter to make a determination. Reference is made in respect of the date of decisions issued as to the relevant applications that were asserted to have been implemented as of October 1999. It is considered that this is a reference to the following as these were the only permissions issued on this date for this site in relation to the development described by the Inspector:-

N/89/2194/FUL	Demolition and Reconstruction of Coach House to Provide 2 No. Hotel Bedrooms (2 No Two-Room Suites and one Double Bedroom with En-Suite Bathrooms) Approved
N/89/2195/LBC	Demolition and Reconstruction of Coach House to Provide 2 No. Hotel Bedrooms (2 No Two-Room Suites and one Double Bedroom with En-Suite Bathrooms) Approved

The coach house has not yet been demolished so it is considered that these applications cannot have been evidenced as having been partially implemented and therefore extant.

The current application submissions assert that applications have been partially implemented by the digging of foundations which were subsequently backfilled. Application references are:-

N/00/00114/LBC	Internal/External Alterations/Extensions/Demolition/New Outbuildings/Alterations To Access And Car Parking Approved
N/00/00113/FUL	Internal/External Alterations/Extensions/Demolition/New Outbuildings/Alterations To Access And Parking Arrangements Approved

Under case law it is well established that the digging of foundations is sufficient to constitute a commencement of development and implementation of permission. Furthermore, that even where back filled the works are sufficient to still constitute implementation of consent, although in the latter respect a judgment needs to be made in each specific case based on material circumstances; including the likelihood of implementation of the permitted scheme. Relevant conditions were discharged in respect of these applications. There is some information on file and submitted by the applicant that appears to indicate that the claimed works took place, including correspondence with the Council’s Conservation Officer and the Council’s Building Regulations Team. Alongside the additional photos submitted with the current applications it is considered on the balance of probabilities that the development permitted by these applications was partially commenced. The question then arises as to the likelihood of implementation, both in terms of whether or not they can be considered to be extant and in terms of the weight to be attached to the permissions as viable “fallback” permission, in the event that the current proposals are not permitted. The latter consideration is relevant to the weight to be attached to the position in assessing the Green Belt impact issue and this is addressed further below.

Given the form and nature of the development permitted which was for Hotel use and in relation to the scale of the development permitted which was very large, there is some doubt as to the likelihood of the applicant pursuing this scheme to full implementation. In addition, there is information on the historic files which indicates that the land area covered by historic permissions has been reduced by sale to neighbours and so the full extent of these permissions would not be realised; implementation would be partial. Given this position it is not considered that the above mentioned permissions can be given full weight as a viable and likely fallback position. It is however considered that the grant of permissions and their probable partial implementation is a material consideration nonetheless and that this should be given significant weight in the determination of the current applications.

In respect of previous grants of Planning Permission and Listed Building Consent supporting arguments in respect of the need for additional commercial developments (largely for Hotel or B1 Office purposes) to support the business at the site and thereby secure the long term future of the Heritage Asset has been advanced. Similarly this argument has been advanced and accepted as part of the very special circumstances required to justify inappropriate development in the Green Belt. This is addressed in further detail below. In this respect the applicant has submitted forensic accounting details by a firm of Accountants (Quantis) on multiple occasions and now updated, to reflect the revised application proposal now before the Council. The assessment concludes that the proposed development will result in a sound

and financially self sustaining business operation at the site, which will facilitate significant investment in the on-going maintenance and optimum viable use of the Heritage Asset including extensive grounds maintenance.

Give the above somewhat complicated position, it is considered that there are sufficient material circumstances that need to be weighed in the balance and which could support a recommendation for approval contrary to the conflict with the development plan and national policy, in respect of heritage assets and Green Belts. Full judgement in this respect is subject to the additional site specific considerations that are addressed further under detailed headings below.

Impact on the significance of the listed building, nearby listed buildings and setting

The significance of the Listed Building and curtilage listed buildings includes the historic value including relationship to the village and the adjacent Grade 1 Listed Church of St Thomas à Beckett, also to a lesser extent the architectural value of the structures. The buildings also hold archaeological value being located within a designated Scheduled Ancient Monument. It is important to note that the setting of the Listed Building includes the adjacent listed buildings, which have historic relationships with the structure but also the grounds to the north and west with open countryside beyond forming a key feature of the character of the property.

The impact of development in this context is in part mitigated by the proposal to set the proposed function suites, which are the largest scale of development proposed, directly adjoining the building below ground and taking advantage of the sloping levels away from the north elevation of the property. The form, scale and character of the proposed function suites are considered to respect the form and layout of the house as they adjoin the north elevation when the approach of setting much of the built form below ground is taken into account. The use of a terrace above also relates well to the layout of the property; reflecting the lawn garden in form, if not materials. The proposals will affect and result in less than substantial harm to the fabric of the listed building and the scheduled ancient monument in this location, but this can be partially mitigated by the use of conditions and it is pertinent to note that Schedule Ancient Monument Consent has been granted by Historic England. The impact on the fabric of the listed building will mostly be at basement level and to the northern elevation and is in part mitigated by revealing detail of the construction of the property not previously available.

In making this assessment it is material to bear in mind the previous consents which must be given significant weight given partial implementation. The scale of development permitted under applications N/00/00113/FUL & N/00/00114/LBC all of which was at ground level to the north elevation of the property was vastly in excess of that now proposed. The development previously permitted would significantly alter the character, fabric, setting, form and layout of the property. The current proposals are of a significantly reduced scale and form and their impact on both the Listed Building, curtilage listed buildings and the setting of the adjacent listed buildings is proportionately less.

As noted above, the applicant has submitted evidence in respect of Forensic Accounting from a firm of Chartered Accountants (Quantis) identifying that the revised scheme proposals will provide sufficient income to meet the costs of the maintenance of the property and secure its long term future. Previous permissions which are extensive have been granted on the basis of securing a viable use for the property and maintaining it as a heritage asset. The much reduced scheme now before the Council achieves this same objective with much reduced impact to the heritage assets at the site and adjacent.

In this context it is considered that the current scheme proposals are more acceptable. It is considered that on balance the limited harm caused is outweighed by the public benefits of securing the optimum viable use and long term future of the Listed Building and the material considerations of previous permission granted at the site.

The additional development proposals of the conservatory, coach house, green house, bridal suite, croquet shed, undercroft, gardeners store, garage, pool house, revised pool layout, guest suites, bothy, new access are all required to support the proposed additional commercial activity at the site of wedding functions, alongside the existing B1 Office use of the property. The proposals therefore contribute to the overall scheme viability in financial terms and therefore the optimum use of the site. It is considered that each of these proposals individually and taken together in terms of cumulative impact result in less than substantial harm to the setting of the Listed Building, curtilage listed structures and nearby listed buildings. This less than substantial harm is at the lower end of the spectrum of impact given the limited scale of the proposals, their form, design character including use of materials in the context of their location and position within the grounds to the property. Indeed certain elements, such as the greenhouse, are considered to be appropriate and result in minimal harm or neutral impact in heritage asset terms.

Again it is appropriate in making this assessment to consider and give weight to the site history which has included previous grants of Planning Permission and Listed Building Consent for many of these proposals, albeit in different forms and/or locations within the site. In this context it is considered that on balance the less than substantial harm caused is outweighed by the public benefits of securing the optimum viable use and long term future of the Listed Building and the material consideration of previous permissions granted at the site.

The historic status and significance of the Coach House is generally considered to be relatively limited, being curtilage listed and a comparatively recent addition at the site. It was of largely functional design and has been the subject of works and alteration at various points, including through to fairly recent times. The building is in a deteriorating condition and shows signs of structural decay. The site history identified at section 4 above confirms that approval has been granted for the demolition of this structure on at least two previous occasions, including by the permissions granted under references N/00/00113/FUL & N/00/00114/LBC which have been partially implemented. This history of permission for demolition is a material consideration of very significant weight. The proposed replacement of the coach house to provide both office space and residential accommodation for the applicant or staff supports the optimum use of the site by contributing to the financial stability of the business and commercial operations at the site. The proposed new structure reflects previous grants of consent and the existing structure in scale, form and positioning. The design character of the new structure is responsive and sensitive to the setting and character of the principal listed building and adjacent listed buildings.

It is noted that Historic England has now chosen to raise concerns regarding the proposed demolition and rebuilding of this structure. In so doing their consultation advice has been informed by a structural survey submitted by the applicant team of the existing building and a site inspection by Historic England's own surveyors. They conclude that with sufficient financial investment the structure could potentially be repaired and retained. Historic England does not raise objection to the scheme proposals either in totality or in respect of the Coach House.

Whilst the consultation response of Historic England references some of the previous permissions and listed building consents issued at the site, which included input from English Heritage as then was, but does not reference all relevant consents and it does not give weight to these material considerations. Historic England considers that National Policy

in respect of Listed Buildings has changed since previous permissions were issued and demolition would no longer be supported, at least not without adequate justification. No reference or consideration is given to the overall financial position and the implications of the required level of investment to secure the retention of the building on the overall scheme viability and subsequent long term viability and maintenance of the principal listed building and its grounds. The assessment of Historic England refers to only one previous grant of permission for demolition when permissions have been granted on at least two separate occasions. As noted above, it is considered on the balance of probabilities that permissions N/00/00113/FUL & N/00/00114/LBC have been partially implemented and therefore remain extant. Historic England's comments do not recognize or give weight to this position. It is not considered that national policy, as it relates to listed buildings, has changed materially to the extent that previously a curtilage listed structure would be permitted for demolition based on material considerations and that now the policy position has changed so radically that such permission would not be issued. The policy approach has always been as set out in the 1990 Acts as referenced above – to give significant weight to the preservation of heritage assets including listed buildings. This position has not changed since the previous permissions were granted in 1995 and 2000 – it is fundamentally the same approach and requirement. Again, it is noteworthy here that Historic England has recently granted Scheduled Ancient Monument Consent for the works at the site which affect the monument and these include the demolition of the coach house which is located within the SAM area and features archaeological remains below the structure.

The Council's Conservation Officer has considered the current proposals as they affect the coach house and the overall scheme proposals in the context of the historic permissions and consents issued at the site and raises no objection. On balance, it is not considered that there is now a sound and defensible case to conclude that permission should be refused for the demolition and rebuilding of the coach house.

Impact on the Box Conservation Area

Given the scale, form, positioning and design character of the wedding function suites it is not considered that this element of the scheme will result in harm to the character and appearance of the conservation area. In this context it is important to note the previous consents issued at this site which would have had a significantly greater impact. The impact is considered to be less than substantial harm. This harm is outweighed by the public benefits of securing the optimum use of the property, its long term future and implementation of significantly less harmful development.

With respect to the Coach House, the replacement with a sensitively designed scheme on the same footprint and location to a broadly similar scale, form and design character is considered to have a neutral impact on the character and appearance of the Conservation Area. It is important to note that this proposal has been granted Planning Permission and Listed Building Consent on several previous occasions.

The additional development proposals of the conservatory, coach house, green house, bridal suite, croquet shed, undercroft, gardener's store, garage, pool house, revised pool layout, guest suites, bothy, new access are all required to support the proposed additional commercial activity at the site of wedding functions alongside the existing B1 Office Use of the property. The proposals therefore contribute to the overall scheme viability in financial terms and therefore the optimum use of the site. In particular the maintenance of the grounds which is considered to contribute to the character and appearance of the conservation area and its setting. It is considered that each of these proposals individually and taken together in terms of cumulative impact result in less than substantial harm to the character and appearance of the conservation area or the setting of the conservation area. This less than substantial harm is at the lower end of the spectrum of impact given the

limited scale of the proposals, their form, design character including use of materials in the context of their location and position within the grounds to the property. Indeed certain elements such as the greenhouse are considered to be appropriate and result in minimal harm or neutral impact. It is important to consider in this context that certain elements of these proposal have been subject of previous Full Planning Permission and Listed Building Consent, albeit in different positions or different scale and character. On balance, it is considered that the limited harm identified is outweighed by the public benefits of securing the optimum use and long term preservation of the property.

Historic England makes no comment in this respect in its representations. The Council's Conservation Officer raises no objection to the scheme proposals in the context of impacts to the Conservation Area.

Impact on the Scheduled Ancient Monument and Archaeology

The proposed works to demolish and replace the coach house; construction the function suites; Alter and extend the Pool House and Swimming Pool and erect the conservatory all affect the designated area of the Scheduled Ancient Monument. It is important to note that Historic England has recently issued Scheduled Ancient Monument Consent in this respect. The applicant has undertaken detailed site investigations and the report on the findings of this investigation has been published and reviewed and considered by Historic England and the Council's Archaeologist. The Council's Archaeologist has raised no objection to these works subject to appropriate conditions and mitigation. As with the impact and harm to other heritage assets the works proposed will impact on the archaeological resource causing less than substantial harm. This harm is in part balanced by exposing the archaeological asset and recording of these finds. The impact of the works also must be balanced against the public benefits of securing the enhancement, optimum use and long term future of the Listed Building and its grounds. It must also be recognized that Full Planning Permissions and Listed Building Consents have been issued at the site within the Scheduled Ancient Monument area and this related to development of a far greater scale over a larger area. It is considered that the impact of implementing such permissions would be greater on the archaeological resource at the site and the designated Scheduled Ancient Monument. As noted above it is considered on the balance of probabilities that the permissions granted under references N/00/00113/FUL & N/00/00114/LBC have been partially implemented and are therefore extant.

Given the works of landscaping that have previously taken place at the site including substantial land profiling it is not considered that the works to erect the undercroft will have significant impacts on Archaeological interests. As with other works to construct the greenhouse, bridal Suites, Guests Suites it is considered that appropriately worded conditions provide sufficient protection in respect of any potential archaeological remains on the remainder of the site outside of the designated Scheduled Ancient Monument.

Impact on the Openness of the Green Belt

For the purposes of the guidance contained at paras 79, 80, 81, 87, 88, 89 of the NPPF the development proposed is inappropriate in the green belt and it is necessary to consider what if any very special circumstances exist to justify such development. The guidance in the NPPF and as established through case law is that very special circumstances are by their nature exceptional and as such inappropriate development will only be permissible in exceptional circumstances.

In this case it is considered on balance that there are sufficient very special circumstances that support and justify the grant of permission for the development proposed and the loss of openness of the green belt that would result. In summary it is a combination of the following

matters that outweigh the harm to the green belt through loss of openness that would result from the development proposed:-

- Multiple Historic Planning Permissions and Listed Building Consents granted at this location
- Permissions granted under references N/00/00113/FUL & N/00/00114/LBC have on the balance of probabilities been partially implemented and are therefore extant
- Existing developed site in the Green Belt with consented Business use
- The proposed development will ensure the economic and commercial viability of the business
- The proposals will secure the optimum viable use and long term future of a heritage asset

It is not considered that these matters individually are sufficient to demonstrate the very special circumstances necessary to justify the harm to the openness of the green belt but taken together it is considered that the case is made. It should be noted that based on the submissions of the applicant the proposed development would create 3,516 m³ of additional built development over that existing at the time of listing – the “original” development. This does however include built development that has taken place since listing and which is now in place i.e. the cumulative additional development. In total there would be an increase of 75% cubic content of the built form at the site which is significant additional development. However this should be considered in the context of the extant historic permissions. When compared with that volume of permitted development the current proposals result in a 4% decrease in the volume of built development. Thereby result in a reduction to the overall loss of openness to the green belt.

It is noted that in considering the appeal against refusal of applications N/95/01464/FUL & N/95/01465/LBC the inspector dismissed the appeal and therefore must have concluded that very special circumstances justifying the development proposed did not exist. It is considered that the material circumstances of that appeal are now different, not least of all the issue of and partial implementation of permissions under references N/00/00113/FUL & N/00/00114/LBC. The form and nature of development proposed under those applications was significantly different and made less of a contribution to securing the viability of the commercial and business activity at the property and therefore less of a contribution to the optimum use of and long term viability of the heritage asset. It should however be noted that the Inspector did consider that there was a strong case to be made that securing the viability of an existing business use within the green belt could potentially establish the very special circumstances necessary to justify harm through loss of openness.

The commercial viability of the existing business and the local economic benefits that arise are significant factors to be weighed in the balance. Taken alongside the benefits arising from securing the optimum viable use of the listed building and its long term future there are significant material considerations constituting very special circumstances in this instance. With the extensive site history of permissions issued and the partial implementation of two of those for a much larger scale of development it is considered that there are sufficient circumstances to justify the harm that will result from development by virtue of reduced openness of the green belt.

Impact on the character and appearance of the AONB

It is considered that the proposals will result in a change to the character and appearance of the AONB. The development is of a form and type not commonly found in an AONB which is characterised by its rural agricultural use and small Cotswold villages. Having said that those are the generally prevailing characteristics over a larger area of the AONB as a whole. This

site is situated adjoining the village of Box which is characterised by 18/19th Century historic development with more recent residential expansion. The site itself is not of an agricultural farmstead character either currently or historically. The general guidance issued by the Cotswolds Conservation Board recognises the need for appropriate economic development and growth to maintain strong balanced and viable communities and therefore accepts the need to accommodate such growth. This reflects the guidance contained in the NPPF which identifies that Economic development should not be over burdened by unrealistic policy expectations and is supportive of rural diversification and economic development that meets local needs in these rural locations.

It should also be noted that the current scheme proposals are designed to mitigate visual impact being below ground or positioned in locations where they are read against the backdrop of existing development and/or screened by mature landscaping and planting. The Council's Trees Officer has raised no objection to the scheme proposals following request for and receipt of additional information and subject to the use of a condition for the protection of retained trees. The site features a number of mature trees subject to express protection falling within a conservation area and being subject to tree preservation orders. A number of these specimens have been found to have infections and are the subject of separate proposals and consents for works to be undertaken. The application proposals also include some proposed tree removal but the finest specimens on site will be retained where possible.

Taken together with the historic and extant consents issued at this site and the benefits arising from securing the optimum viable use and long term future of the Listed Building and grounds it is considered that the harm to the character and appearance of the AONB is not so significant as to warrant refusal in this instance.

Impact on residential amenity.

Given positioning, layout, orientation and scale alongside distance from nearest neighbouring properties and separation by A4 major road and the existing built form of the site and neighbouring development such as the Church the majority of the development proposed including Function Suites, bridal suite, croquet shed, undercroft, gardeners store, garage, guest suites, bothy and new access will have no impact on existing residential amenities of neighbouring properties.

The development proposed in respect of the Coach house, Pool House, Greenhouse and conservatory by virtue of proximity have the potential to result in some impact through noise disturbance, loss of privacy, overshadowing and loss of daylight and/ or overbearing impact. However it is considered that the design character of the proposals in terms of scale, orientation and layout alongside positioning of fenestration and the nature of the use and activity proposed in each of these developments will ensure that any impact is not significant and not unreasonable. It should be noted that the site already features a coach house and pool house adjacent to the nearest neighbouring residential properties resulting in an existing level of impact. It is not considered that the additional level of impact through noise disturbance, overlooking & loss of privacy, overbearing impact or overshadowing and loss of daylighting is so significant that permission ought to be refused on this basis. In this context it is important to note and consider the existing permissions issued at this site for the demolition and replacement of the coach house, alterations and extension of the pool house and erection of a large scale extension to the previously permitted hotel use in this location. These would have resulted in a significantly greater impact than will result from the development proposed. Two of these permissions N/00/00113/FUL & N/00/00114/LBC are considered on the balance of probabilities to have been partially implemented and are therefore extant. In theory these could be further implemented. Permission for the current

proposals would replace this situation and the impacts that would result will be minimized as a consequence.

Impact on Flood risk/Drainage

The site is located in a susceptible to ground water flooding and there is a known issue in the locality with surface water drainage from the adjacent road network. The application is supported by a Flood Risk Assessment, albeit this is more of a statement, identifying that much of the surface water from this site will drain to adjacent Bybrook but there will be on site water collection for use in the kitchen garden and greenhouse. The submissions have been reviewed and assessed by the Environment Agency and the Council's Drainage Team and neither raise objection subject to the use of standard conditions for submission and approval of drainage details.

Highways Impact

The proposals make adequate provision for off-site parking and the existing access is considered acceptable for the vehicular traffic generated by the proposals. Highways Officers raise no objections to the scheme proposals in this respect.

As regards the proposed new access onto the A4 this will separate site maintenance vehicular traffic movements from the principal access reducing potential conflicts and providing for a more appropriate arrangement of vehicular movement to and from and within the site. Highways officers have assessed the new access proposals and raise no objection subject to conditions.

Ecological Impact

The Box locality features significant levels of Bat colonies of National and European status. Given the nature of the site and the proposed works including demolition there is potential for impact to roosting bats. Similarly the impacts of development could affect foraging areas. The application is supported by an up to date Ecological Assessment which includes proposed mitigation measures and this has been reviewed and considered by the Council's Ecologists. Based on the findings of the assessment, which did not identify significant recent bat activity at the site likely to be affected by the scheme proposals, officers raise no objection subject to the use of conditions and the mitigation contained in the assessment.

Other Matters

The applicant has submitted heads of terms for a S106 agreement that they proposed should be attached to the Full Planning Permission to be issued. The S106 proposes to restrict further development within the curtilage of the listed building which includes a substantive area of the site albeit not the total red line boundary area; and to restrict occupancy of the Flat within the Coach House to use by the Owner of the Property and /or Employees and dependents. The purpose is to give comfort to the community that the current development proposals are what is necessary to secure the optimum viable use of the site and the long term future of the listed building and that no further development will be required or proposed in this respect. This is a matter that can be given some weight in the determination of the applications weighing in favour in the balance of considerations.

In addition it is proposed to condition the consents to be issued that they will be implemented as opposed to implementation of any other extant permissions at the site and are effectively a replacement for those permissions.

Conclusion

Overall, the proposals will result in less than substantial harm to the listed building and its immediate setting, less than substantial harm to the setting of adjacent listed buildings and less than substantial harm to the character and appearance of the Box Conservation Area and buried Archaeology at the site; including the Scheduled Ancient Monument for which SAM consent has been granted. In addition, the proposals will result in the loss of openness of the green belt and constitute inappropriate development with the green belt. Additionally there will be harm to the character and appearance of the AONB.

Accordingly, the proposals conflict with Core Policies 51 and 58 of the adopted Wiltshire Core Strategy, Paragraphs 79, 80, 81, 87, 88, 89, 131, 132 and 134 of the National Planning Policy Framework, and Sections 16(2) and 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

It is however considered that there are very special circumstances and material considerations that outweigh the harm identified. These include historic permission issued at the site, including on the balance of probabilities extant permissions; the economic benefits of the development proposed; securing the economic and commercial viability of the business at this property; securing the optimum viable use of the heritage asset, and the long term future of the listed building and its grounds.

It is not considered that there are any other site specific impacts resulting in significant harm to interests of acknowledged importance, such that Full Planning Permission and Listed Building Consent ought to be refused.

Given this position is considered that the conflict with the development plan is outweighed by other material considerations and that permission should be granted.

RECOMMENDATION

To Delegate authority to the Head of Development Management to GRANT planning Permission and subject to the signing of a Section 106 agreement to restrict further development within the curtilage of the Listed building; and subject to the conditions set out below within six months of the date of the committee resolution.

To Grant Listed Building Consent for the works proposed subject to the conditions set out below.

Conditions Full Planning Permission 14/07756/FUL

WA1 FULL PLANNING PERMISSION -COMMENCEMENT 3 YEARS

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.

WM13 APPROVED PLANS

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

<u>Site</u>

Site Location Plan		3131/BH1C
Block Plan	Proposed	3131/BH21E
Site Plan with Trees		3131/BH60
<u>Function Room</u>		
Proposed ground floor/ mezzanine plans		3131/FR1-2C
Proposed roof plan		3131/FR3B
Proposed section/ elevation A & B		3131/FR4-5C
Proposed sketch		3131/FR6
Wedding Function Plan		3131/FR9
CGI	- Photomontage	3131/FR10
	- Isometric	3131/FR11
<u>Coach House</u>		
Proposed Plans		3131/CH101
Proposed Elevations		3131/CH102
Proposed Elevations		3131/CH103
Existing Plans and Elevations		3131/CH1 (ex)
Archaeology Section through Coach House		CH200

<u>Pool House</u>		
Proposed ground floor plan		3131/PH1B
Proposed elevations		3131/PH2B
<u>Greenhouse</u>		
Proposed plan and elevations		3131/GH1A
Proposed elevations		3131/GH2A
<u>Bridal Suite</u>		
Proposed plan and elevation		3131/BS1
Photographs		3131/BS2
<u>Guest Suites</u>		
Proposed plan		3131/GA1A
Proposed elevations		3131/GA2A
Proposed elevations		3131/GA3A
Sketch		3131/GA4
<u>Croquet Shed</u>		

Existing Plan		3131/CS1
Proposed Plan		3131/CS3
Proposed Elevs		3131/CS4
Existing Elevations		3131/CS2
Plan/section through undercroft		CS5
<u>Double Garage</u>		
As built plans		3131/DG1A
As built elevations		3131/DG2
<u>Gardeners Store</u>		
As built plans and elevations		3131/GS1
Block/roof plan		3131/GS2A

Gardener's Store As Built		3131/GS4
Site Plan		3131/GS11
<u>Car Park</u>		
Proposed plan and section		3131/CP1
<u>Vehicular Access</u>		
Existing Plan 1:500		3131/FA1
Proposed Plan 1:500		3131/FA2A
<u>Roof Over Compound</u>		
Proposed Section 1:100		3131/FA3
<u>Bothy</u>		
Existing Plans & Elevs 1:100		3131/BK1
Proposed Plans 1:100		3131/BK2A
Proposed Elevations 1:100		3131/BK3A

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

The development hereby permitted will be implemented as an alternative to and replace the development granted Full Planning Permission and Listed Building Consent under references N/00/00113/FUL & N/00/00114/LBC.

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

WA12 DEMOLITION OF EXISTING BUILDINGS

No part of the development hereby permitted shall be first brought into use until a scheme for the demolition of the Coach House including proposals for the re-use of material within the site has been submitted to and approved in writing by the Local Planning Authority and the Coach House has been permanently demolished.

REASON: In the interests of the character and appearance of the area [and neighbouring amenities].

No development shall commence on site until details of all roof, wall, fenestration, rainwater goods and hard surfacing materials to be used on the development 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.

WB9 SUBMISSION OF NATURAL STONE DETAILS

No external stonework shall be constructed on site, until details of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall be constructed in accordance with the approved details.

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

WB14 ARCHITECTURAL DETAILS TO BE AGREED

No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

WC1 APPROVAL OF LANDSCAPING BEFORE COMMENCEMENT

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.
- tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

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.

WC2 LANDSCAPING TO BE CARRIED OUT & MAINTAINED

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.

WC6 PROTECTION OF RETAINED TREES

No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

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 enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

No part of the development shall be first brought into use until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 1m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license is required from Wiltshire’s Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

REASON: In the interests of highway safety

WC7 SUBMISSION OF DETAILS OF EARTHWORKS

No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, and the nature and source of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall not be [occupied/first brought into use] until such time as the earthworks have been carried out in accordance with the details approved under this condition.

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.

WC8 SUBMISSION OF LANDSCAPE MANAGEMENT PLAN

No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved 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, to ensure the proper management of the landscaped areas in the interests of visual amenity.

WE15 USE OF GARAGE

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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

WF4 RESTRICT TO (SPECIFIED) USE CLASS

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), the site shall be used solely for purposes described and listed below within Class(es) C3, Sui Generis, B1 & D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

“The Bothy” will be for B1 Office and/or Overnight Wedding Guest Accommodation

“The Gardeners Store” Site maintenance vehicle, plant and materials storage

“Coach House” B1 Offices and C3 Residential Accommodation at Basement Level.

“Conservatory/Orangery” - wedding receptions and functions.

“Function Suites” - wedding receptions and functions. Ancillary structures and uses would include WCs, Stairs, Lift and small kitchen space.

“Croquet Shed” – wedding receptions and functions to include a WC, Seating Area and store.

“

Undercroft” - To provide additional function space used in conjunction with the wedding activities and functions.

Pool House - To provide pool changing facilities, games room, store, orangery and a multi use space available to the local community for use in association with the adjacent Church.

“Greenhouse” – Food Production for use on site no retail sales.

“Bridal Suite” - Accommodation for Wedding night stays.

“5 Bedroom Suites” - Accommodation for Wedding night stays.

“Double Garage” - Provides for Vehicular parking and secure Soil laboratory/store.

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having

regard to the circumstances of the case and for the avoidance of doubt and in the interests of proper planning.

WG2 SURFACE WATER DRAINAGE

No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

WG3 DISPOSAL OF SEWERAGE-SUBMITTED & IMPLEMENTED

No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the approved sewerage details have been fully implemented in accordance with the approved plans.

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 proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

WG4 DISPOSAL OF SEWERAGE -IMPLEMENTED

The development hereby permitted shall not be occupied until the approved [sewage disposal] [drainage] works proposed have been completed in accordance with the submitted and approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

WF16 DETAILS OF EXTERNAL LIGHTING

No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

WF15 VENTILATION EQUIPMENT

No part of the development shall be brought into use, until full details (including details of noise attenuation) of extraction, ventilation and filtration equipment to suppress and disperse any fumes and/or smell created from the cooking operations on the premises have been submitted to and approved in writing by the Local Planning Authority, and; the approved equipment has been fully installed in accordance with the approved details. The approved ventilation and extraction equipment shall thereafter be maintained in a serviceable condition in accordance with the approved details.

REASON: In order to safeguard the amenities of the area in which the development is located.

WF11 RESTRICT HOURS OF USE

The Wedding Venue Function use hereby permitted shall only take place between the hours of 10am in the morning and 1pm in the evening from Mondays to Sundays. The use shall not take place at any time on Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

The development hereby approved shall be carried out in accordance with the recommendations made in Section 5 'Mitigation Plans' (pages 7 to 8), Appendix D (page 15) and Appendix E (page 16) of the Bat Survey report dated October 2014 prepared by David Leach Ecology Ltd Environmental Consultants for 'Box House, Bath Road, Corsham, Wiltshire'.

REASON: To ensure adequate protection and mitigation for protected species, in the interests of biodiversity.

Before development takes place, architectural plans showing the bat mitigation measures to be incorporated into the Pool House building shall be submitted to the Local Planning Authority for approval. These plans shall show location, size, dimensions, materials, access point types and a cross section through the roost / roof space. Bitumen felt only shall be used within the roof space to be dedicated as a bat roost.

REASON: To provide compensation for the loss of a bat roost.

Before development takes place, details of the provision of nesting swallows shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the new dwelling is first occupied and retained for the lifetime of the development.

REASON: To ensure mitigation/compensation for priority species present on the application site, in the interests of biodiversity.

WL26 SECURE ARCHAEOLOGICAL INVESTIGATION

No development shall commence within the red line area, both within and outside of the Scheduled Monument, 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 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 enable the recording and monitoring of archaeological interest across all areas of ground disturbance relating to this development, including all areas of the development and any trenches dug for services or drainage.

WL26 SECURE ARCHAEOLOGICAL INVESTIGATION

No development shall commence within the lawn area adjacent to the Coach House until:

- a) A mitigation strategy for the investigation, recording and preservation in situ of the Roman remains in this location has been agreed and approved.
- b) The approved programme of work has been carried out in accordance with the approved details.

REASON: To enable the recording and preservation in situ of the Roman remains in this location

WM1 AGREE GROUND FLOOR SLAB LEVELS

No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels 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.

WM4 CONSTRUCTION METHOD STATEMENT

No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

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

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the

approved construction method statement. This condition should be read in conjunction with condition 2 attached to this decision notice.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

INFORMATIVES:

WP6 ALTERATIONS TO APPROVED PLANS

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.

WP8 REFERENCE TO SECTION 106 AGREEMENTS

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 [INSERT].

WP13 PUBLIC SEWERS

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

WP16 REQUIREMENT TO NOTIFY ON DEMOLITION OF LISTED BUILDING

Your attention is drawn to the requirement to notify Historic England with at least one month's notice of your intention to execute the works and that you should allow reasonable access to the building for members or officers of the archive, for the purpose of recording it.

WP17 COST OF BUILDING RECORDING/ARCHAEOLOGICAL WORK

The applicant should note that the costs of carrying out a programme of building recording and/or watching brief and/or archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

WP18 PERMISSION NOT AUTHORISING WORK ON LAND OUTSIDE THE APPLICANT'S CONTROL & PARTY WALL ACT

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.

Artificial nest provision for swallows is recommended due to the unsuitability of some modern materials for natural nest construction. Swallow nests should be placed inside an appropriate structure/building leaving a distance of at least 6cm between the top of the nest and the ceiling/roof/beam; the birds must have constant access through the open frontage, and with at least 1 metre intervals between nests. The applicant/agent should also refer to: Gunnell, K., Murphy, B. and Williams, C. (2013) Designing for Biodiversity – a technical guide for new and existing buildings Second Edition. RIBA and the Bat Conservation Trust. ISBN 9781859464915 for more technical details. Where provision is made for nesting birds in the form of artificial nesting sites, this should be appropriate and effective; the advice of a professional Ecological Consultant should be obtained to ensure the most appropriate type of boxes and locations are selected. Here are a few examples of suppliers for artificial swallow nests:

- <http://www.habitataid.co.uk/british-trees-plants-seeds/Nest-Box--Swallow-Nest.html>
- <http://www.livingwithbirds.com/nest-boxes-by-species/swallow/swallow-nest/>
- <http://shopping.rspb.org.uk/swallow-nest.html>
- <http://www.nhbs.com/title/158625/no-10-schwegler-swallow-nest>
- http://www.birdfood.co.uk/ctrl/node:135;product:410;/swallow_nest_box#.VXg4FNDTW2w

Swallow nesting platforms can also be hand-made for modern farm buildings or an eaves/ridge overhang box with an open bottom and ledges for swallows to nest on (see photo examples below). Visit <http://www.richardgreenecology.co.uk/news?blogEntry=35> for more information. Provision can also be made in open-fronted log-sheds, car ports, porches or stables. A 'droppings board' may be necessary in some circumstances, such as the one available to purchase from http://wildlifeshop.co.uk/acatalog/Woodcrete_boxes.html (other suppliers are available).

Conditions Listed Building Consent 14/07876/LBC

WA5 LISTED BUILDING CONSENT -COMMENCEMENT 3 YEARS

The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

WM13 APPROVED PLANS

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

<u>Site</u>		
Site Location Plan		3131/BH1C
Block Plan	Proposed	3131/BH21E
Site Plan with Trees		3131/BH60
<u>Function Room</u>		

Proposed ground floor/ mezzanine plans		3131/FR1-2C
Proposed roof plan		3131/FR3B
Proposed section/ elevation A & B		3131/FR4-5C
Proposed sketch		3131/FR6
Wedding Function Plan		3131/FR9
CGI	- Photomontage	3131/FR10
	- Isometric	3131/FR11
<u>Coach House</u>		
Proposed Plans		3131/CH101
Proposed Elevations		3131/CH102
Proposed Elevations		3131/CH103
Existing Plans and Elevations		3131/CH1 (ex)
Archaeology Section through Coach House		CH200

<u>Pool House</u>		
Proposed ground floor plan		3131/PH1B
Proposed elevations		3131/PH2B
<u>Greenhouse</u>		
Proposed plan and elevations		3131/GH1A
Proposed elevations		3131/GH2A
<u>Bridal Suite</u>		
Proposed plan and elevation		3131/BS1
Photographs		3131/BS2
<u>Guest Suites</u>		
Proposed plan		3131/GA1A
Proposed elevations		3131/GA2A
Proposed elevations		3131/GA3A
Sketch		3131/GA4
<u>Croquet Shed</u>		
Existing Plan		3131/CS1
Proposed Plan		3131/CS3
Proposed Elevs		3131/CS4
Existing Elevations		3131/CS2

Plan/section through undercroft		CS5
<u>Double Garage</u>		
As built plans		3131/DG1A
As built elevations		3131/DG2
<u>Gardeners Store</u>		
As built plans and elevations		3131/GS1
Block/roof plan		3131/GS2A

Gardener's Store As Built		3131/GS4
Site Plan		3131/GS11
<u>Car Park</u>		
Proposed plan and section		3131/CP1
<u>Vehicular Access</u>		
Existing Plan 1:500		3131/FA1
Proposed Plan 1:500		3131/FA2A
<u>Roof Over Compound</u>		
Proposed Section 1:100		3131/FA3
<u>Bothy</u>		
Existing Plans & Elevs 1:100		3131/BK1
Proposed Plans 1:100		3131/BK2A
Proposed Elevations 1:100		3131/BK3A

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

The development hereby permitted will be implemented as an alternative to and replace the development granted Full Planning Permission and Listed Building Consent under references N/00/00113/FUL & N/00/00114/LBC.

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

WL1 FURTHER DETAILS REQUIRED

No works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:-

- (i) Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;

- (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section); (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Full details of proposed meter and alarm boxes;
- (vi) Large scale details of proposed eaves and verges (1:5 section); (vii) Full details of proposed internal service routes;
- (viii) A full schedule and specification of repairs including:
- (ix) A structural engineer's report setting out the nature of, and suggested remedial work to, structural defects
- (x) proposed timber and damp proof treatment
- (xi) proposed method of cleaning/paint removal from historic fabric
- (xii) a full schedule of internal finishes to walls, ceilings and floors
- (xiii) Full details of external decoration to render, joinery and metalwork;
- and
- (xiv) Full details and samples of external materials.

The works 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 preserving the character and appearance of the listed building and its setting.

WL4 DETAILS OF CHIMNEYS, FLUES, EXTRACT DUCTS, VENTS, ETC

No works shall commence on site until details of all new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings have been submitted to and approved in writing by the Local Planning Authority. The works 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 preserving the character and appearance of the listed building and its setting.

WL5 DETAILS OF RAINWATER GOODS

No works shall commence on site until details of all new or replacement rainwater goods (which shall be of cast metal construction and finished in black) and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works 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 preserving the character and appearance of the listed building and its setting.

WL6 EXTERNAL JOINERY DETAILS

No works shall commence on site until details of all new external window and door joinery and/or metal framed glazing have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works 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 preserving the character and appearance of the listed building and its setting.

WL16 FIRE & SOUNDPROOFING/INSULATION DETAILS & IMPLEMENTATION

No works shall commence on site until details of the methods of fire protection, sound proofing and insulation for the walls, floors, ceilings and doors, including:-

1:5 sections through walls and ceilings, 1:20 elevations of doors and 1:1 scale moulding sections have been submitted to and approved in writing by the Local Planning Authority. All existing original doors shall be retained and where they are required to be upgraded a schedule and specification of works shall be submitted to and approved in writing by the Local Planning Authority. Self-closing mechanisms, if required, shall be of the concealed mortice type. The works of fire protection, sound proofing and insulation 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 preserving the character and appearance of the listed building and its setting.

WL18 BUILDING RECORDING

No works shall commence on site until an appropriate programme of building recording (including architectural/historical analysis) has been carried out in respect of the building concerned. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

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 secure the proper recording of the listed building.

WL19 BUILDING WATCHING BRIEF

No works shall commence on site until a watching brief has been arranged to be maintained during the course of the works affecting the historic fabric of the building. The watching brief

shall be carried out in accordance with a written specification which shall have been first agreed in writing by the Local Planning Authority, by a professional archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority.

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 safeguard the identification and recording of features of historic and/or archaeological interest associated with the fabric of the building.

WL20 PROTECTION OF EXISTING ARCHITECTURAL / HISTORIC FEATURES

No works shall commence on site until a scheme for the protection of existing architectural / historic features in situ (including plasterwork, ironwork, cupboards, fireplaces, doors, windows, staircases, staircase balustrading and other woodwork) has been submitted to and approved in writing by the Local Planning Authority. The works 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 preserving the character and appearance of the listed building and its setting.

WL21 MAKING GOOD

Within 6 month(s) of the Function Suite, Coach House and Pool House works being carried out, all adjoining surfaces which have been disturbed by the works (including brickwork, plaster and floor tiles) shall be made good with materials and finishes to match those of existing undisturbed areas surrounding the new opening.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

WL22 RE-USE MATERIALS

All Stone and Tiles on the Coach House and pool House shall be carefully dismantled and stored in a dry and secure place for re-use in the works to the listed building. The materials shall not be disposed of or otherwise taken off-site without the prior written approval of the Local Planning Authority.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

INFORMATIVES:

WP6 ALTERATIONS TO APPROVED PLANS

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.

WP13 PUBLIC SEWERS

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

WP16 REQUIREMENT TO NOTIFY ON DEMOLITION OF LISTED BUILDING

Your attention is drawn to the requirement to notify Historic England with at least one month's notice of your intention to execute the works and that you should allow reasonable access to the building for members or officers of the archive, for the purpose of recording it.

WP17 COST OF BUILDING RECORDING/ARCHAEOLOGICAL WORK

The applicant should note that the costs of carrying out a programme of building recording and/or watching brief and/or archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

WP18 PERMISSION NOT AUTHORISING WORK ON LAND OUTSIDE THE APPLICANT'S CONTROL & PARTY WALL ACT

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.

This page is intentionally left blank

REPORT OUTLINE FOR NORTHERN AREA PLANNING COMMITTEES

Date of Meeting	24 August 2016
Application Number	16/04426/FUL
Site Address	22 & 23 Ebor Paddock Calne Wiltshire SN11 0JY
Proposal	Extension Over Garage & Single Storey Extension
Applicant	Mr Ben Sweet
Town/Parish Council	CALNE
Electoral Division	CALNE SOUTH AND CHERHILL – Cllr Alan Hill
Grid Ref	400428 169819
Type of application	Full Planning
Case Officer	Victoria Davis

Reason for the application being considered by Committee

The application has been called into committee by the Local Member, in order to consider the overall design and visual impact of the proposal on the character of the surrounding area,

1. Purpose of Report

To consider the above application and to recommend that planning permission is GRANTED subject to planning conditions.

2. Main Issues

The main issues are:

- Principle of development
- Impact on the character and appearance of the host dwellings and surrounding area
- Parking and access
- Protected trees
- Residential amenity

3. Site Description

This application relates to 22 & 23 Ebor Paddock which are both semi-detached properties also linked to each other by their garages. Ebor Paddock is a small cul-de-sac which has a

pleasant open feel with properties typically being set well back from the road and attractive, well-kept front gardens and parking areas. There are several protected trees within the vicinity of the application site.

4. Relevant Planning History

None

5. The Proposal

The proposal seeks permission for a part two storey, part single storey extension to create additional bedrooms for both properties and additional living space; comprising of dining area, utility and WC on the ground floor of no. 23. Matching materials are proposed throughout.

6. Planning Policy

Wiltshire Core Strategy:

CP8 The Spatial Strategy: Calne Community Area
CP50 Biodiversity & geodiversity
CP51 Landscape
CP57 Ensuring High Quality Design and Place Shaping
CP64 Demand Management

National Planning Policy Framework (NPPF):

Achieving sustainable development – Core Planning Principles

Chapter 7 Requiring Good Design
Chapter 11 Conserving and enhancing the natural environment

7. Consultations

Calne Town Council: Objection, concern was raised with regards to the overall design of the proposal. Members objected on the basis that the development would create a terracing effect and that it would set a precedent for similar development in the area.

Highways: No Objection to the proposal. The proposal results in an increase in bedrooms and partial conversion of the garage of no.23, however adequate on-site parking is still available for both properties.

Line Search: Confirmed that CLH Pipeline System Ltd. had assets in the vicinity of the proposed development that may be affected by the proposal.

Fisher German: Confirmed that the CLH Pipeline System – Energy Act 2013 (CLH PS) may be affected by the development as indicated in the proposed plans. No work or activity should be undertaken without first contacting the CLH Pipeline System Operator for advice and, if required, Works Consent. Further instructions and contact details are available within the full response available online.

8. Publicity

The application was advertised by site notice and neighbour consultation. No letters were received however the application was discussed with Cllr. Hill, who expressed concern that

the proposal would result in an undesirable terracing effect that would be harmful to the overall character of the area and set a precedent for similar development in the area. The application was subsequently called-in to be determined by the planning committee.

9. Planning Considerations

Impact on the character and appearance of the host dwellings and surrounding area

In accordance with Core Policy 57, extensions should respond positively to the existing site features; which include building layout, built form, mass and scale. The proposed extension is to be built in matching materials, with a design that mimics the existing roof forms. The drop in ridge height and simple fenestration will ensure that the extension remains subservient to the original houses in both scale and design. It is considered that the development will integrate effectively with the surrounding area.

Cllr. Hill and members of the Town Council have objected to the proposal on the basis that the two storey element has the potential to create a terracing effect which would be harmful to the existing character of the area. In this case, the staggered design means the proposed first floor extension is quite significantly stepped back from the front elevation of the original houses and their garages. This step back is considered to sufficiently fragment the appearance of the principle elevation, to ensure that the dwellings do not merge into a terraced form. The first floor extension is set back approximately 3.4m from the front of no. 22 and approximately 4.1m from the front of no. 23. As a minor design amendment it was requested that the downpipe was positioned centrally at the front of the extension, to help demarcate the individual properties. A revised plan was submitted to indicate this detail.

Parking and access

The highways officer is satisfied will the level of parking being maintained for both properties. No objection is raised.

Protected trees

A tree preservation order covers this area and relates to a row of lime trees to the front of the properties. An 'Arboricultural Method Statement' was submitted on request along with a plan to indicate the tree protection areas. The Arboricultural Officer is satisfied with the information submitted and has raised no objection, subject to a condition.

Impact on residential amenity

Due to the orientation of the extension, it is not considered that the proposal is likely to have any significant impact on residential amenity by way of overlooking, overshadowing or overbearing appearance.

Other considerations

Cllr. Hill and the Town Council also raised concern that the proposal would set a precedent for similar development elsewhere, however this is not the case. Each application is determined on its own merits. The site constraints and specific impacts of any development on the character of the surrounding area will always be considered on a case by case basis.

10. Conclusion

It is considered that the proposal is appropriate in terms of scale, materials and design. The proposed extensions will have no significant impact to the amenities enjoyed by the residents of nearby properties. The application is not considered contrary to requirements of the NPPF or Core Policies of the Wiltshire Core Strategy. The application does not cause any significant material harm that would justify a refusal of planning permission.

11. Recommendation

Planning permission be GRANTED subject to conditions;

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Location Plan, Existing & Proposed Site Plans 01, Existing & Proposed Floor Plan 02 (both received 10 May 2016), Existing & Proposed Elevations 03 (received 14 June 2016) and Site Plan (showing tree canopy protective fencing) 04 (received 12 July 2016)

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

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

- 4 All works shall be carried out in strict accordance with the approved Arboricultural Method Statement (AMS) received 12 July 2016.

Reason: To ensure the safe retention of existing trees on and adjoining the site.

- 5 INFORMATIVE TO APPLICANT:

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.

- 6 INFORMATIVE TO APPLICANT:

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.

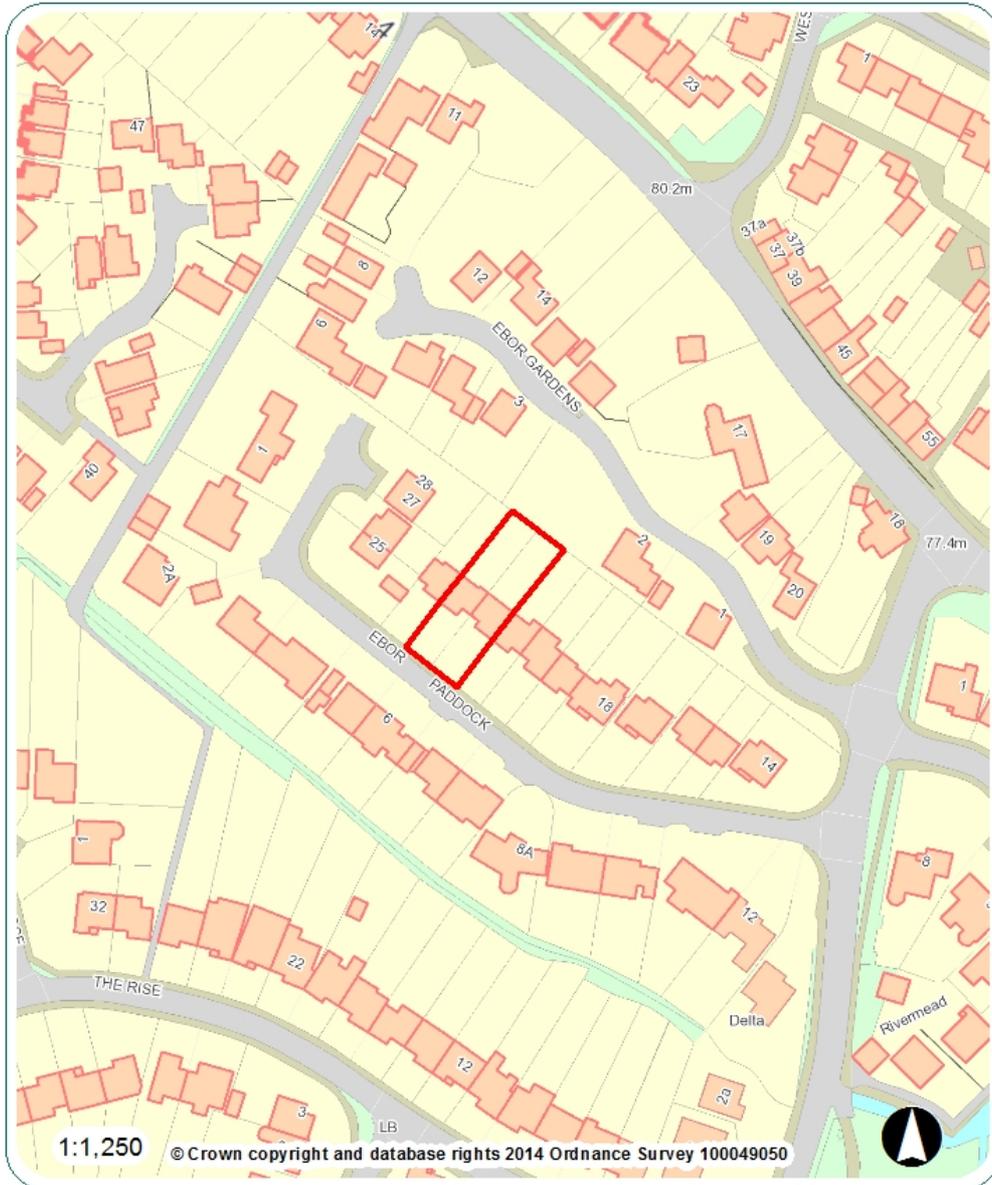
7 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

8 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

This page is intentionally left blank



This page is intentionally left blank