

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 14 September 2016
Time: 4.00 pm

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email kieran.elliott@wiltshire.gov.uk

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

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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 | Cllr Chris Hurst |
| Cllr Glenis Ansell | |

Substitutes:

| | |
|---------------------|----------------------|
| Cllr Philip Whalley | Cllr Linda Packard |
| Cllr Desna Allen | Cllr Graham Wright |
| Cllr Mary Champion | Cllr George Jeans |
| Cllr Ernie Clark | Cllr Melody Thompson |
| Cllr Dennis Drewett | Cllr Bill Douglas |
| Cllr Jacqui Lay | |

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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 - 40*)

To approve and sign as a correct record the minutes of the meeting held on 24 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 Chair.

5 **Public Participation and Councillors' Questions**

Members of the public have the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee before the Committee meeting, last minute lobbying of members once the debate has started will not be permitted, including the circulation of new information, written or photographic which have not been verified by our planning officers. Councillors and members of the public are respectfully asked to please bear this in mind.

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 7 September 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 41 - 42*)

An appeals update report is attached for information.

7 Planning Applications

To consider and determine planning applications as detailed below.

7a **16/02363/FUL Land at Rear of 4 The Crescent, Calne, Wiltshire, SN11 8LG** (*Pages 43 - 52*)

7b **16/02433/FUL & 16/02612/LBC The Old Stables, Grittleton House, Grittleton, Wiltshire, SN14 6AJ** (*Pages 53 - 62*)

7c **16/06079/FUL Bremhill Grove Cottage, East Tytherton, Chippenham, SN15 4LX** (*Pages 63 - 70*)

8 Urgent Items

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

Part II

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

None

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 24 AUGUST 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Terry Chivers, Cllr Howard Greenman and Cllr Chris Hurst

Also Present:

Cllr Sheila Parker and Cllr Alan Hill

102 **Apologies**

Apologies were received from Councillor Howard Marshall.

103 **Minutes of the Previous Meeting**

The minutes of the meeting held on 3 August 2016 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

104 **Declarations of Interest**

Councillor Trotman declared a non-pecuniary interest in item 16/04426/FUL, Ebor Paddock, Calne, by virtue of a general acquaintance with the applicants, and would participate but not vote on the application.

105 **Chairman's Announcements**

With the agreement of the Committee the order of the agenda items was moved such that item 16/04426/FUL would be taken first.

106 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

107 **Planning Appeals**

The Committee received an appeals update as detailed in the agenda. It was noted the hearing to consider the appeal for 14/09744/WCM, Lower Compton Waste Management Facility, Lower Compton, Calne, would be heard on 6 September 2016.

108 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and included in agenda supplement 2.

109 **16/04426/FUL - 22 & 23 Ebor Paddock, Calne, Wiltshire, SN11 0JY**

Public Participation

Mr Norman May, applicant, spoke in support of the application.

Mark Staincliffe, the Area Team Leader, introduced the report which recommended permission be granted for extensions in relation to two properties in Ebor Paddock, Calne. Key issues were stated to include the principle of the development, impact upon the appearance of the dwellings and the wider area and parking and access.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed the single storey aspect of the proposed extensions fell within permitted development rights but the extension over the garage necessitated permission. It was clarified the application was a joint venture by the separate owners of the respective properties.

Members of the public then had the opportunity to address the committee with their views, as detailed above.

The unitary division member, Councillor Alan Hill, then spoke, detailing the character and appearance of the area, issues of parking, and asking the committee to consider the matter carefully.

A motion to approve the application in accordance with the officer's recommendation was moved by Councillor Toby Sturgis and seconded by Councillor Chuck Berry. At the conclusion of discussion, it was,

Resolved:

That Planning permission be GRANTED subject to the following conditions:

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

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

- 2 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.

Councillor Tony Trotman abstained from voting.

110 **14/07756/FUL & 14/07876/LBC, Box House, Bath Road, Box, Corsham, Wiltshire, SN13 8AA**

Public Participation

Mr Richard Grigsby spoke in objection to the application.

Mrs Pauline Lyons spoke in objection to the application.

Mr Charles Tull, applicant, spoke in support of the application.

Mr Graham Bell, agent, spoke in support of the application.

Mrs Margaret Cary on behalf of Box Parish Council, spoke in objection to the application.

Lee Burman, Area Team Leader, presented a report which recommended that permission be granted for a series of extensive development works at Box House, including demolition of the current Coach House, erection of new function suites and other building structures for new guest bedrooms, storage areas, site accesses and meeting spaces and other works as detailed in the agenda. Listed building consent would also be required due to listed buildings on or near to the site, as well as delegation to the Head of Development Management to grant the permission subject to the signing of a section 106 legal agreement.

Key issues were stated to include the principle of the development and its impact on the listed buildings, the conservation area, scheduled ancient monument, Green Belt and area of outstanding natural beauty. A correction was made to the report in the section detailing the impact upon the openness of the Green Belt, where the referenced applications should have been listed as N/88/0212/FUL and N/88/02111/LBC.

Details were also provided on previous permissions for extensive development on the site, including extant consent for an extension of hotel use on the site involving considerable development, and also on the level of and response to consultations that had been undertaken with appropriate consultees.

Members of the Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to address the committee with their views, as detailed above.

The unitary division member, Councillor Sheila Parker, then spoke in support of the application, highlighting the benefit to the site but also the village for the long term viability improvement of the site.

In response to questions raised, it was stated there had been an enforcement issue regarding a garden storage space that had not been constructed within regulation, but in considering the wider application and its benefits it was felt these outweighed any harm due to securing the site and listed building's

maintenance and viability. It was also confirmed it was not intended there be events held every day at the site, but that there be flexibility to arrange dates and times.

A debate followed, where members discussed the extent of the proposals and their impact, including the impact of noise from any events, the nature of previously granted permissions

Councillor Toby Sturgis moved the officer’s recommendation to delegate to the Head of Development Management to approve subject to the signing of a legal agreement, with the addition of a condition restricting sound amplifying equipment in external areas. Councillor Chuck Berry seconded the motion. Following a vote as resolved below, Councillor Berry moved approval for Listed Building Consent, seconded by Councillor Peter Hutton.

Resolved:

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:

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

| | | |
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| 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 |

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| <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 |
| <u>Gardener's Store As Built</u> | | |
| 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 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).

No sound-amplifying equipment, loudspeaker, or public address system shall be installed/operated or music played within the external areas and grounds of the development hereby approved.

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.

Also for the Section 106 agreement to include provisions for the rescinding and removal of extant planning permission for the Erection of a Marquee (N/96/00158/FUL).

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 | | 3131/BS1 |

| | | |
|----------------------------------|--|-----------|
| elevation | | |
| 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.

111 **15/10682/FUL: Marden Farm, Rookery Park, Calne, Wiltshire, SN11 0LH**

Mark Staincliffe, Area Team Leader, presented a report as detailed in the agenda supplement which explained a section 106 agreement for approval of the application for 56 Residential Dwellings at Marden Farm, Calne, had not been signed within six months as directed by the committee owing to the death of the owner of the site, with the land now in probate. It was requested authority be delegated to complete the approval when possible.

No questions or public statements were received.

Councillor Toby Sturgis, seconded by Councillor Peter Hutton, moved the officer's recommendation with an addition specifying the authority extended as necessary to cover the period until completion of probate.

Resolved:

That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee or one month after the completion of Probate, whichever is the later.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012

- 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:

D29 16 P4 Rev A - Tree
Protection Plan Received 11
November 2015

MARD-15-04-01 rev A -
Site Location Plan MARD-
15-04-02 rev B - Planning
Layout
MARD-15-04-03 rev C - Proposed
Materials Layout MARD-15-04-04
rev B - Enclosures Layout
MARD-15-04-05 rev B - Storey
Heights Layout MARD-15-04-
06 rev B - Adoption Layout
394-CH-010 rev D - Drainage Strategy
RED20064-11B Sheet 1 - Landscape
Proposals rev B RED20064-11B
Sheet 2 - Landscape Proposals rev B
RED20064-11B Sheet 3 - Landscape
Proposals rev B RED20064-11B
Sheet 4 - Landscape Proposals rev B
RED20064-11B Sheet 5 - Landscape
Proposals rev B

Received 25 January 2016

House Types

Booklet rev C

Received 26 January

2016

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

- 3 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 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 buildings 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.

- 5 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid 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, to ensure that the roads are laid out and constructed in a satisfactory manner.

- 6 No part of the development shall be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm 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.

- 7 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 garages hereby permitted shall not be converted to habitable accommodation.

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

- 8 No construction works shall take place anywhere on the site outside the hours of 0730 and 1800 on Mondays-Fridays and 0800 and 1300 on Saturdays. Works shall not take place at any time on Sundays and Bank or Public Holidays.

No burning of waste or other materials shall take place anywhere on the site at any time. REASON: To ensure the retention of an environment free from intrusive levels of noise, activity and pollution in the interests of the amenity of the area.

- 9 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 and information regarding existing ordinary watercourses within the site (as well as pollution protection to the proposed attenuation pond), 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 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.

- 10 No development shall commence on site until a scheme for the discharge of foul water from the site, including full details of pumping station/finishes/fencing/prevention measure to prevent pollution of proposed adjacent attenuation pond and other SUDS features, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until foul 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 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.

- 11 No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual

- model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
 - An assessment of the potential risks to: human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwater and surface waters, or ecological systems,
 - archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a

verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 12 No development shall commence until a Landscape, Ecological and Arboricultural Management Plan (LEAMP) has been submitted to and approved in writing by the Local Planning Authority. The submitted LEAMP shall have particular regard to the measures secured under Condition 21 of the permission N/12/04038/FUL and the addendum to the Ecological Impact Assessment (dated 20th October, 2015) so as to support and enhance the ecological mitigation measures previously agreed.

All capital works shall be carried out to the approved timescales and all areas identified in the LEAMMP shall be managed in accordance with the approved prescriptions in perpetuity. All monitoring reports shall be submitted in writing 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 ensure adequate protection, mitigation and compensation for protected species, priority species and habitats.

- 13 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;
- h) measures for the protection of the natural environment; and
- 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.

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 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.

1 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.

2 INFORMATIVE TO APPLICANT:

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].

3 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.

4 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.

5 INFORMATIVE TO APPLICANT:

The applicant should note that any works on, over or near (within 8m of top of bank) an ordinary water course will require a separate formal Land Drainage Consent application and approval, as will any new proposed connection.

6 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.

7 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website
www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

112 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.15 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718504, e-mail Kieran.elliott@wiltshire.gov.uk

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

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**Wiltshire Council
Northern Area Planning Committee
14th September 2016**

Planning Appeals Received between 15/08/2016 and 05/09/2016

| Application No | Site Location | Parish | Proposal | DEL or COMM | Appeal Type | Officer Recommend | Appeal Start Date | Overturn at Cttee |
|----------------|---|-----------------------------|--|-------------|-------------------------|-------------------|-------------------|-------------------|
| 15/07920/RWN | Bath Road Bridge A3012 Royal Wootton Bassett Swindon, Wiltshire SN4 7DF | ROYAL WOOTTON BASSETT | Reconstruction of Existing Bridge. | DEL | Written Representations | Refuse | 16/08/2016 | No |
| 16/03969/OUT | Land Off The Mews Lydiard Millicent Wiltshire, SN5 3NR | LYDIARD MILLICENT | Outline Planning Application for up to 4 Dwellings (with all matters reserved except access) | DEL | Written Representations | Refuse | 16/08/2016 | No |

Planning Appeals Decided between 15/08/2016 and 05/09/2016

| Application No | Site Location | Parish | Proposal | DEL or COMM | Appeal Type | Officer Recommend | Appeal Decision | Decision Date | Costs Awarded? |
|----------------|--|-----------|---|-------------|--------------------|-------------------|-------------------------|---------------|--|
| 15/00043/PNCOU | Wick Bridge Farm Wick Hill, Bremhill Calne, Wiltshire SN11 9LQ | BREMHILL | Prior Notification Under Class MB - Conversion of Agricultural Building to Provide 3 Dwellings. | DEL | Written Reps | Refuse | Withdrawn | 25/08/2016 | No |
| 16/0219/FUL | Raybarrow Cottage Nettleton Shrub Nettleton, Wiltshire SN14 7NN | NETTLETON | Second Storey Rear Extension (Resubmission of 15/08209/FUL) | DEL | Householder Appeal | Refuse | Allowed with Conditions | 01/09/2016 | Costs Application by Appellant REFUSED |
| 16/02585/FUL | Avon Cottage Bransdown Hill Rd Pinkney, Wiltshire SN16 0NZ | SHERSTON | Erection of a Single Storey Oak Framed Garden Room and Replacement Porch. | DEL | Householder Appeal | Refuse | Dismissed | 22/08/2016 | No |

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

| | |
|----------------------------|---|
| Date of Meeting | 14 September 2016 |
| Application Number | 16/02363/FUL |
| Site Address | Land at Rear of 4 The Crescent Calne Wiltshire SN11 8LG |
| Proposal | Two Storey Dwelling |
| Applicant | Amber Greaves |
| Town/Parish Council | CALNE |
| Electoral Division | CALNE SOUTH AND CHERHILL – Cllr A Hill |
| Grid Ref | 401752 169712 |
| 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 scale, design and visual impact of the proposal on the character of the surrounding area, impact to adjoining properties as well as parking and highways issues.

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
- Residential amenity
- Previous appeal decisions that relating to similar development on the site.

The Town Council have raised an objection to the proposal and 5 letters of objection (from 3 neighbours) have been received.

3. Site Description

The application site is the rear most garden land of no 4 The Crescent which is one of a collection of dwellings in Quemerford on the outskirts of Calne. The site backs on to open fields to the north and there are residential properties located to the south and east. A private access lane runs immediately adjacent to the eastern boundary.

4. Relevant Planning History

| | |
|-----------------------|---|
| N/05/00728/FUL | Erection of One Dwelling <i>Refused - Allowed on Appeal (expired)</i> |
| N/05/01304/FUL | Erection of One Dwelling (Revision to N/05/00728/FUL) <i>Refused - Allowed on Appeal (expired)</i> |
| N/05/03238/FUL | Dwelling (Revised scheme N/05/00728/FUL) <i>Refused - Allowed on Appeal (expired)</i> |
| N/06/02552/FUL | Extension and Dormer Windows <i>Approved (expired)</i> |
| N/10/03874/FUL | Erection of a Two-Storey Side Extension, Single Storey Rear Extension and Dormer Window on Front Elevation <i>Approved (part implemented)</i> |

5. The Proposal

The proposal seeks to erect a two storey, two bedroom dwelling on a plot of land which currently forms part of the garden of no. 4 The Crescent. The proposed dwelling is two storeys in height and fronts onto an existing private access lane. It is proposed to finish the external walls with through coloured render with red brick chimney and detailing around the ground floor windows. Slates are proposed for the main roof with timber windows and doors throughout.

A new dwelling has recently been constructed at the end of the private access lane under permission 10/04463/FUL.

Planning Policy

Wiltshire Core Strategy:

- CP8 The Spatial Strategy: Calne Community Area
- 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

6. Consultations

Calne Town Council: Objection, concerns over the access, turning and car parking arrangements in this location which is very restricted.

Highways: Initially raised issues in relation to proposed layout in relation to telegraph. No objection to revised parking and access layout for No. 4 the Crescent or the proposed new dwelling as shown in latest plan. Conditions are recommended.

7. Publicity

The application was advertised by site notice and neighbour consultation. Five letters of objection were received from three neighbours.. The issues raised are summarized below-

- Overbearing impact to properties opposite side of access track
- Loss of privacy
- Impact on levels of daylight and sunlight
- Condition of access track – requirements of earlier planning permission for 377A have not been adhered to
- Limited space on site – overdevelopment
- Increase in traffic on narrow lane
- Inadequate space for parking, turning and maneuvering
- Proposal is 'garden grabbing'
- Parking for no.371
- 377A has been built since last application (N/10/04463/FUL)
- Impact on property value

Cllr. Hill also expressed concerns over the suitability of the site for a new dwelling. The application was subsequently called-in to be determined by the planning committee should it be recommended for approval.

The Dorset and Wiltshire Fire and rescue service also provided comments in relation to building regulations, building access, water supply and sprinkler systems. Full comments are available online.

8. Planning Considerations

Principle of Development

The site is located just within the framework boundary for Calne which is defined within the settlement strategy (Core Policy 1) as a Market Town. In accordance with Core Policy 1 and the Calne Community Area Spatial Strategy (Core Policy 8), residential development in this location is acceptable in principle, provided it meets the requirements of other policies within the Wiltshire Core Strategy.

Appeal Decisions

There have been three applications for a new dwelling on this site. The first, N/05/00728/FUL, was a 2 storey dwelling with dormers to the front and rear and car port to the side. The second, N/05/01304/FUL, was a 1 ½ storey dwelling with dormers only at the

rear and the third, 05/03238/FUL, was for a larger two storey dwelling with dormers to the front and rear but without the car port. All three of these applications were refused by the council for reasons relating to the character and appearance of the area as well as residential amenity. These concerns were subsequently dismissed by the Planning Inspector and all three were allowed on appeal. None of the above applications have been implemented and so all have now expired. This current application proposed the same dwelling as was approved in 2005 (05/03238/FUL) however following discussions with the council's highways officers, the parking arrangements now proposed are slightly different. When determining this current application the previous appeal decisions are material considerations.

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

In accordance with Core Policy 57 development should respond positively to the existing site features which include building layout, built form, mass and scale.

In terms of the building scale and design and general appearance, the application replicates the schemes previously approved by the Planning Inspectorate. On the request of the highways officer the parking arrangements were changed slightly which results in a larger gravelled area and patch of new planting. A close board fence has already been partially erected at the north boundary and the plans show that this will be retained and extended along the entire northern boundary. A 1m high picket fence is proposed to mark the front boundary. These boundary treatments are typical of what would be expected in this location. The properties directly opposite the site feature a mixture of material finishes which include red brick and render and the inspector previously concluded that the design and material finish would resemble the character of the surrounding properties. The alterations to the parking and access now proposed do not have a greater visual impact on the sites surroundings and so in line with the inspectors decision, the proposal is considered to be appropriate in terms of design character and visual impact.

Parking and access

The proposal was discussed at length with the highways officer and discrepancies were identified within the original plans. The position of existing fencing and a telegraph pole had been inaccurately shown which raised questions over the suitability of the proposed parking arrangements. These concerns were discussed with the agent who later submitted a revised site plan which indicated a new red line outline and alternative parking layout. Alterations to the parking layout for no.4 (the existing dwelling) were also included to take into account an extant permission for a two storey extension and increase in bedrooms. As a result of the red line change and repositioned parking spaces, the application was restarted and a new consultation process was undertaken.

The highways officer's comments on the revised layout are included below -

The revised plan clearly indicates room for 2 car parking spaces and indicates that the required parking for the existing dwelling at 4 The Crescent will not be compromised. The plan also indicates there will not be a conflict with the location of the telephone pole and the allocated parking.

I note the alignment of the parking spaces is not in the ideal alignment of being perpendicular to the highway or private track in this case. However there will be room to turnaround at the end of the private lane or once the car has reversed down the lane turning can occur in order to enter the highway in forward gear. The low speed of any conflicting traffic on The Crescent means that this is judged not to be a severe impact. Also the addition of one more dwelling on the private lane may not be considered a severe impact.

Two of the neighbours and the Town Council raised concern that the access lane and proposed parking arrangements were unsafe and unacceptable. These concerns are noted, however in this case the highways officer is satisfied that adequate access and off street parking has been demonstrated and so no objection has been raised.

Impact on residential amenity

Several objections have been raised in relation to the privacy of nearby residential properties. To the front of the site and to the opposite side of the access tract are 373, 375 and 377 Quemerford. These properties form a small terrace approximately 12m away from the front elevation of the proposed dwelling. The rear boundaries of these properties is approximately 6m from the front elevation of the proposed dwelling. The drawings show three first floor dormer windows that will serve the bedrooms and bathroom, a note of the plan indicates that these three windows will be obscure glazing. Whilst it is accepted that any new windows in this location may create a perception of overlooking towards the gardens of 373, 375 & 377, the use of obscure glazing will prevent any actual overlooking. The use of obscure glazing should be controlled by conditioned. The two first floor dormer windows at the rear of the proposed dwelling are angled slightly away from gardens of 1-4 The Crescent and will not introduce view that do not already exist in this area.

Nearby residents were also concerned that the development would appear overbearing however in this case given the distance between the rear gardens and the application site this is not considered to be the case. The inspector also visited these points in the previous appeals and concluded that the proposal for the new dwelling would not harm the living conditions of adjoining occupiers in relation to overbearing development or overlooking.

Two neighbours also raised concern that the new dwelling would overshadowing the rear gardens of 375 & 377 Quemerford. Whilst this is a valid concern, given that there is at least 6m between the proposed dwelling and rear boundary of the cottages, the impact to sunlight and daylight affecting the rear gardens is not considered to be significant and would not warrant refusal of the application.

Other considerations

One neighbour letter raised the issue of property values being affected by the development however this is not a planning consideration and will not have any bearing on the determination of the application. It was also explained that a requirement of planning permission for recently constructed 377A was that the surface of the access track was improved and that this has not been done. This issue is not specifically related to the current proposal and the highways officer has not raised concerns with the condition of the track.

9. Conclusion

In line with the conclusion of the Planning Inspectorate, it is considered that the proposal is acceptable in terms of scale, materials and design and there are no grounds upon which a refusal could be sustained.

10. 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:

Proposed Cottage Elevations Sheet 3 and Proposed Cottage Floor Plans Sheet 4 (both received 9 March 2016), Location Plan (received 20 June 2016) and Site Plan and Parking Layout 2016-11 05B (received 22 August 2016)

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

- 3 Before the development hereby permitted is first occupied the first floor windows in the east elevation shall be glazed with obscure glass only and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the eastern or southern elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 5 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.

- 6 No part of the development hereby approved shall be first brought into use until the parking area shown on the approved plans 2016-11 05B, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the

interests of highway safety.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

- 8 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.

- 9 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.

- 10 INFORMATIVE TO APPLICANT:

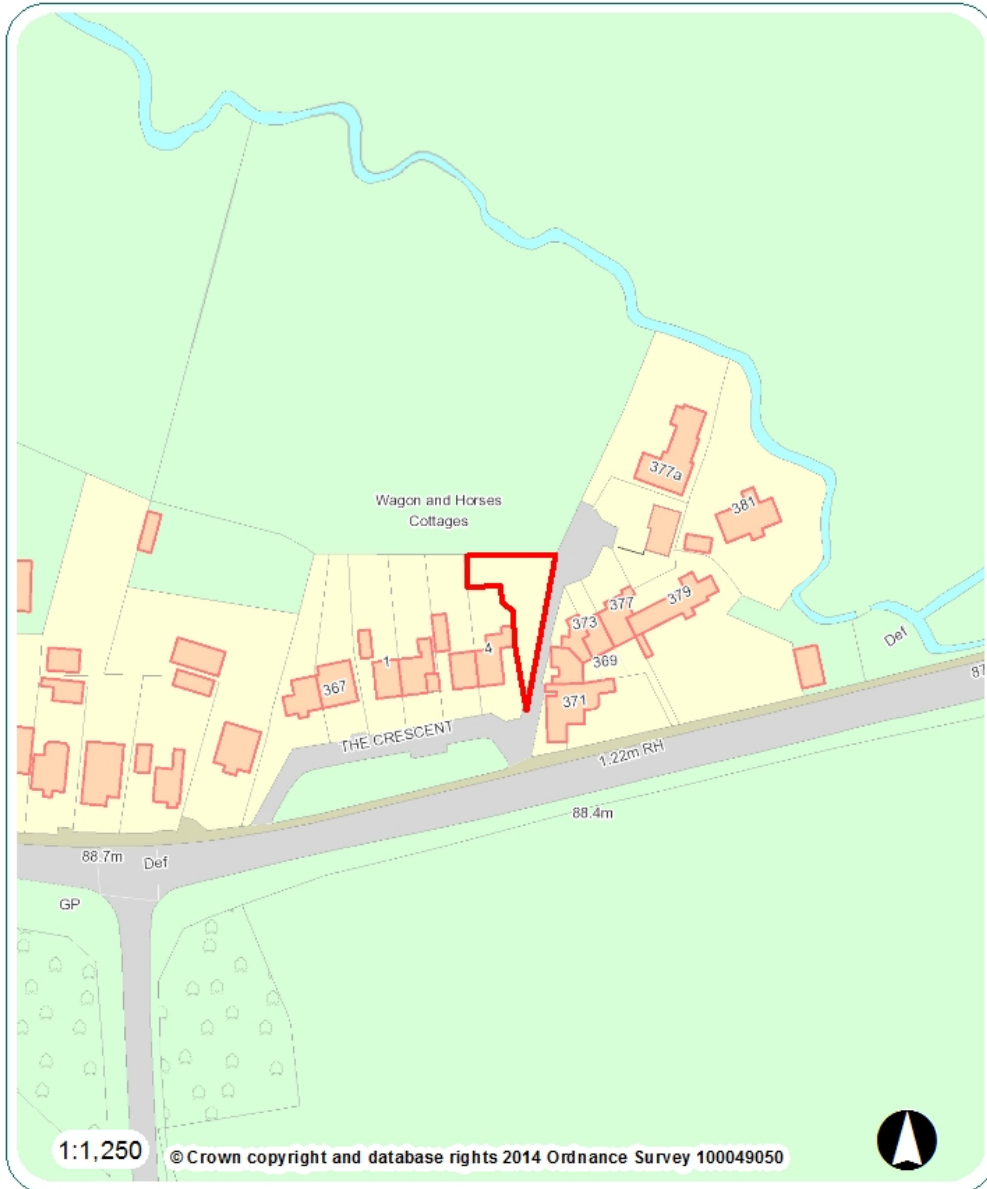
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

- 11 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.

- 12 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/communityinfrastructuralevy.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

| | |
|----------------------------|---|
| Date of Meeting | 14 September 2016 |
| Application Number | 16/02433/FUL & 16/02612/LBC |
| Site Address | The Old Stables, Grittleton House, Grittleton, Wiltshire, SN14 6AJ |
| Proposal | Proposed Conversion of Stables to form Dormitories for Grittleton House School. |
| Applicant | Grittleton House School |
| Town/Parish Council | GRITTLETON |
| Electoral Division | BY BROOK – Cllr Baroness Jane Scott OBE |
| Grid Ref | 386101 179654 |
| Type of application | Full Planning |
| Case Officer | Chris Marsh |

Reason for the application being considered by Committee

The applications were deferred at the meeting of 3 August, in order to consider additional information regarding changing circumstances at the application site.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the applications are refused.

2. Report Summary

The main issues in the consideration of the proposals are as follows:

- Principle of development;
- Impact on the significance of the listed building(s);
- Impact on the setting of the listed buildings and Grittleton House;
- Impact on the significance of the Grittleton Conservation Area;
- Impact on the Cotswolds AONB; and
- Impact on local highways

Grittleton Parish Council has registered its support for the proposals, and no further public comments have been received. No objection is raised by the Highways Officer, whilst Historic England and the Council's Senior Conservation Officer have commented on the applications as detailed later in this report.

3. Site Description

The proposals relate to the historic stable complex on the southern side of the Grittleton House estate, the main house (most recently a school) of which is Grade II*-listed. Sitting some 250m from the main house and accessed separately via the entrance to

the West, the stables are collectively Grade II-listed in their own right (as is the stable lodge at the western end of the access track and historically associated cottage 'Emu Paddock'). Approaching from the West, the complex comprises first an almost enclosed courtyard of decorative single-storey stables, with dual arches providing a direct route through to a further, more loose-knit yard and buildings. The buildings are collectively noted for their formal layout and completeness, including historic internal stable tiling, timber panelling and ironwork. The site is located within the Grittleton Conservation Area, which extends to wash over the whole Grittleton House estate, and also the Cotswolds Area of Outstanding Natural Beauty.

Citing declining pupil numbers, the school announced on 1 June 2016 that it would be closing at the end of the 2015/16 academic year and has since closed in July 2016. Given this significant change in circumstances, described in additional material submitted shortly prior to the applications' consideration at the Committee meeting of 3 August, Members passed the updated Officer recommendation to defer the item in order to consider fully the implications of this change. Shortly after the meeting additional material was submitted describing the applicant's intentions for the future operation of Grittleton House. The annual Summer School is to continue to operate from the site, whilst it is anticipated that Grittleton House will increase its offer for private functions.

Planning permission and listed building consent granted in 2009 (08/00876/FUL & 08/00877/LBC refer) enabled the conversion of three of the latter group of buildings to holiday accommodation, in order to provide activities and income outside of term time. Following the discharge of conditions in relation to submission of architectural details and works on site, planning permission was further relaxed with the removal of a condition restricting use/occupancy to that ancillary to the school (10/01060/S73 refers). The similarly-proportioned stables further East have been extended significantly to the rear in order to create new ensuite dormitory rooms for students; an exercise understood to have not been altogether successful owing to a relative lack of borrowed light available to bedrooms. Applications 09/01441/FUL and 09/01255/LBC refer.

4. Planning History

| | |
|----------------|---|
| N/08/00876/FUL | Proposed Conversion of Barns and Stables to Include Conversion of Existing Buildings to Field Study Centre – approved |
| N/08/00877/LBC | Proposed Conversion of Barns and Stables to Include Conversion of Existing Buildings to Field Study Centre – approved |
| N/09/01724/TCA | Fell 1 Hornbeam, 2 Ash & 1 Horse Chestnut – approved |
| N/09/01441/FUL | Extension to Outbuilding to Form Dormitory (Amendment To 08/00876/FUL) – approved |
| N/10/01060/S73 | Proposed Conversion of Barns and Stables to Include Conversion of Existing Buildings to Field Stud Centre Without Compliance of Condition 3 of 08/00876/FUL (The Development Hereby Permitted Shall Be Used Only for Purposes Ancillary to Grittleton House & Grounds) – approved but likely to have lapsed |

5. The Proposal

Planning permission and listed building consent is sought in respect of the extension, alteration and conversion of the as yet unmodified stable building at the northern side of the main courtyard to provide 13no. ensuite dormitory rooms for students, together with an element of associated storage. Having initially comprised the wholesale removal of the rear wall and considerable extension of the building, the scheme has been revised so that the extensions are contained within an L-plan block leading from the building's

northwest corner; the intervening space to be used as an outdoor teaching area. The historic stable block is to be divided into individual dormitory rooms with ensembles through a combination of new breakthroughs and stud walls, though maintaining much of the original plan and stable furniture as seen in the earlier scheme.

The proposed extension is to be configured as a series of dormitory rooms leading off of a single corridor, which follows the eastern/southern sides of the block. It is to be composed of single-storey proportions, albeit with a span greater than that of the historic stables, and finished predominantly in stone beneath a pitched slate roof. The eastern corridor is to be flanked by a series of full-height fixed glazed panels and glazed doors, providing access onto the courtyard, which is to be enclosed at its eastern end with a new stone wall. The proportions of the rooms vary, although each benefits from its own ensuite, with separate elements of storage, plant room, circulation and other internal amenity space incorporated into the layout. Although submitted prior to the announcement of the school's imminent closure, the applicant has indicated that the accommodation is still required in relation to the running of the Summer School and possibly also to provide guest accommodation in association with private events held at Grittleton House.

6. Local Planning Policy

Wiltshire Core Strategy; Core Policies 1 (Settlement strategy), 51 (Landscape), 57 (Ensuring high quality design and place shaping), 58 (Ensuring the conservation of the historic environment).

National Planning Policy Framework; Paragraphs 14, 17, 64, 72, 115, 128, 131, 132 and 134.

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

7. Summary of consultation responses

Grittleton Parish Council – confirmed that Parish Council remains supportive of the proposals

Conservation – objections, citing the harm to the setting and significance of designated heritage assets and diminishing justification/public benefit with the closure of the day school

Highways – no objection

Historic England – *“Whilst we consider the level of harm to the historic fabric to have been reduced, we consider there to be moderate harm to the setting of the Grade II listed Grittleton Stables as well as to the relationship between the principal house and ancillary buildings, which Historic England does not support.”* Upon re-consultation the respondent reiterated these comments and noted that the closure of the day school may have created alternative capacity within Grittleton House itself.

8. Publicity

The application was advertised by notification letter and site notice. No public representations were received.

9. Planning Considerations

Principle of development

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.

In principle, the extension and enhancement of educational facilities – including private schools – is consistent with the objectives of Paragraph 72 of the Framework. Although this was the basis on which Officers sought to negotiate the original scheme, in light of the day school's recent closure this policy is of limited relevance. The applicant submits that the accommodation is warranted by the continuing operation of the Summer School however due to its lack of statutory grounding and relatively brief, seasonal operation, limited benefit can be assumed in this regard. In any case, there is no evidence that the scale of extensions proposed is reasonably warranted by this operation, particularly as the closure of the day school has created significant capacity within the main house, as acknowledged in the additional information submitted by the applicant. Whilst Grittleton House is likely to continue to be promoted for private and corporate events, this would represent an entirely different planning use of the land and buildings and would not in itself necessitate the creation of additional accommodation.

Optimum viable use

Referring back to the earlier permission, it has been accepted previously that notwithstanding their relatively complete condition, some viable future use is necessary to ensure the long term protection of the listed stables. At the present time, however, the proposed development does not provide any reassurance that it will instigate immediate and beneficial works that will prolong the lifespan of historic fabric, given that this must be weighed against the material harm to heritage assets as identified below. Whilst on initial consideration, the scheme offered a more closely-related occupation of the building than the subsequently relaxed approved scheme, thus contributing to a greater extent to the core term-time operation of the school, this is clearly no longer the case. It is unclear what the optimum viable use of the asset would be however in the absence of any evidence to suggest that a bona fide 'conversion' as previously approved would not be practicable the proposals present no specific wider 'public benefit' arising from the development.

Impact on the significance of the listed building(s)

Having made clear that substantial demolition of the rear of the building was not an appropriate approach both at pre-application stage and upon receipt of the subsequent planning and listed building consent applications, it is considered an improvement to the scheme in principle that such works are no longer proposed. These works were met with strong opposition from Historic England and the Councils Conservation Officers due to the hugely disruptive and irreversible loss of historic fabric that would occur. This amounted to 'substantial harm', in respect of which the proposals failed to deliver the compensatory criteria set out at Paragraph 133 of the Framework. Whilst the extent of demolition has now been significantly reduced, however - and despite extensive attempts to negotiate - it is still not considered that the current alternative proposals adequately address many of the issues raised initially.

A defining feature of the building is its traditional proportions and formalised relationship to the surrounding stable yard, former coach house and cottages. Throughout the

application, advice provided by Planning and Conservation Officers has sought to reduce the bulk of extensions and loss of historic fabric, in particular by employing a more modest 'link' to the physical fabric of the stables and minimising new openings. This advice has been mostly rebutted however; the extensions to the northwest corner remains of substantial form, with the 'link' of the same considerable span in order to maximise accommodation, and results in the unwarranted loss of fabric.

Notwithstanding the poorer condition of this corner – where some of the rear wall is built over a boundary wall – the opportunity to use a single breakthrough to provide material that could be used to 'make good' the surrounding area has not been taken into account (the normal course of action in these situations would be localised repairs to the fabric concerned rather than wholesale demolition). Instead, the layout is tenuous and includes a standalone bathroom with no internal doorway, another with a fully glazed wall to the adjacent courtyard and the unjustified removal of original fabric from the rear wall of the stables.

It is not considered that the revised scheme has followed elementary conservation principles, resulting in a poor form of development that makes little concession to its historic setting. This comes despite efforts to negotiate improvements, most of the substantive points of which having been rebutted by letter rather than proactively employed as amendments to the scheme. Although the matching traditional materials of stone and slate are to be employed – as has been the case nearby – the widened proportions and overly 'domestic' fenestration of the extensions remove any prospect of these being perceived as contemporaneous with the yard, even from a distance. It is agreed that the Historic England guidance on the treatment of agricultural buildings¹ is relevant in this instance; notwithstanding their historic service/equestrian use, the stables are of modest, functional form capable of supporting either small-scale traditional extensions or referential, subservient additions of more modern form – for instance using glazing and timber cladding. In this instance, it is considered that the extensions lack any distinctive quality or design language in their own right and will read as overly domestic additions that detract from the host building.

Impact on the setting of the listed buildings and Grittleton House

Sections 16(2) and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 require that the desirability of preserving the significance of listed buildings and their settings is given substantial weight in the consideration of listed building consent and planning applications respectively. Historic England have concerns with the applications both initially due to the substantial demolition of the Grade II-listed stables and latterly due to the impact on the setting and significance of the Grade II* Grittleton House. This is a significant consideration that, aside from any weighting in the planning balance provided by the public benefits of the scheme, clearly indicates that the proposals would not accord with Sections 16(2) or 66(1) of the Act.

Clearly the stable complex is a historically 'planned' arrangement, comprising a series of defined spaces and functions associated with the former house and wider estate; a relationship that is continued with the modern day school. Whilst an incidental function would be maintained, the proposed extensions by reason of their bulk and unsympathetic design would detract from the considered hierarchy of the original outbuildings, as well as interrupting the physical relationship between the yard, grounds and main house. The creation of an additional courtyard would, in the view of Historic England, misconstrue the stables' integrity and historic setting, and would certainly

¹ *The Conversion of Traditional Farm Buildings: a guide to good practice*, Historic England 2006

reduce the legibility of the existing arrangement, exacerbated by the extensions' falling awkwardly between the traditional and modern in terms of form and finish.

Impact on the significance of the Grittleton Conservation Area

It is considered that, as the proposals will have a harmful impact on the grouping and significance of the historic stables, which form an important component of the Grittleton School estate, this harm equates to a wider loss of historic legibility to the Conservation Area. Notwithstanding the relative lack of public views into the affected part of the site, the coherence of the planned estate is clearly valued as a characteristic of that Conservation Area as evidenced by its specific inclusion within the designation. National Guidance makes clear that the value of heritage goes beyond the immediately visible and to this end it is considered that the shortcomings identified above have a wider, adverse impact on the significance of the Conservation Area that fails to conserve or enhance its character or appearance. It is considered that the proposals therefore fail to accord with Core Policy 58 or Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 for these reasons.

Impact on the Cotswolds AONB

The proposals will be contained to the area immediately surrounding the historic stable yard, and it is noted that the earlier extensions to the eastern stables already project out into this currently open area. As the land forms part of a wide buffer to the extended estate/sports pitches of the school, it is not considered that the works overall will compromise the openness of the Cotswolds AONB. From beyond the school grounds, the extensions will not be apparent and therefore it is considered that the scheme will conserve the overall character and appearance of the AONB and preserve existing public views intact.

Impact on local highways

The Council's Highways Officer has been consulted on the proposals and has confirmed that no objection is raised in respect of the principle of conversion, proposed use or layout of the site. The Officer notes that there is precedent in this respect and that there are adequate arrangements for parking and turning within the site sufficient for the low and sporadic level of vehicular traffic associated with accommodation of this type, irrespective of the details of the accommodation's practical use. The junction arrangements at the stables entrance with the C-classified highway are to remain unchanged; this is considered an acceptable situation in relation to the proposals.

Conclusions

As discussed above, the substantive scheme represents an improvement upon its predecessor, which would have led to large-scale demolition and substantial harm to the heritage asset(s). However, it is considered that due to a lack of suitable concessions to the importance of the affected historic fabric in terms of the final design, the scheme remains considerably short of demonstrating that the significance and setting of heritage assets can be fully protected. The scheme represents development that is harmful to the character and appearance of heritage assets currently forming an important and legible local resource, contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy.

The viable future use of the heritage asset(s) is a recognised public benefit of the building's re-use and warrants consideration. However in light of the day school's closure there is little to suggest that the specific harm arising from the works is in any way necessary for the effective future use of the building, nor apparent that this could

not be accomplished with a more sensitive scheme (such as that previously approved). In the absence of any clear ongoing education use, very limited weight can be given to Paragraph 72 of the Framework.

Due to the degree of identified harm, albeit less than substantial, it is not considered that any benefits of the scheme outweigh the demonstrable adverse impacts on the listed building, its setting and the Grittleton Conservation Area, the character of all of which will be depleted by the works. Accordingly, it is considered that on balance the proposals fail to provide the justification required by Paragraph 134 of the Framework and are unacceptable in planning and listed building terms.

RECOMMENDATION

That planning permission is REFUSED, for the following reason:

- 1 The proposed development, by reason of its siting, bulk, massing, design and appearance, fails to conserve or enhance the character of the site or that of heritage assets, resulting in less than substantial harm that is not outweighed by any significant public benefits, including securing a viable use. Accordingly, the proposal fails to comply with Core Policies 57 and 58 of the Wiltshire Core Strategy, Paragraphs 64, 131, 132 and 134 of the National Planning Policy Framework and Sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

That listed building consent is REFUSED, for the following reason:

- 1 The proposed works, due to their unwarrantedly intrusive nature in relation to the existing stable building and its immediate setting, fail to preserve the significance or setting of the listed building(s) and will detract from the wider comprehension of the Grade II*-listed Grittleton House. Accordingly, the proposals conflict with Section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

This decision relates to the following plans/drawings:

4097/56 rev F – Proposed Ground Floor Plan, Elevations & Block Plan

Received 5 July 2016

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16/02433/FUL & 16/02612/LBC

The Old Stables
Grittleton House

Grittleton
Wiltshire
SN14 6AJ



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

| | |
|----------------------------|--|
| Date of Meeting | 14 September 2016 |
| Application Number | 16/06079/FUL |
| Site Address | Bremhill Grove Cottage, East Tytherton, Chippenham, SN15 4LX |
| Proposal | Retrospective Application for the Subdivision of One Existing Five Bed House into Four Bed House and One Bed House |
| Applicant | Mr and Mrs N Pillow |
| Town/Parish Council | BREMHILL |
| Electoral Division | CALNE RURAL – Councillor Christine Crisp |
| Grid Ref | 397148 175218 |
| Type of Application | Full Planning (Retrospective) |
| Case Officer | Catherine Jackson |

Reason for the application being considered by Committee:

The application has been called to Committee by the Local Member in order to consider the relationship of the proposal to adjoining properties, taking into consideration that no new build is proposed.

1. Purpose of Report

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

2. Report Summary

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

- The principle of the proposal.
- Whether the proposed development is located in a sustainable location.
- The impact of the development on the character and appearance of the application site and surrounding landscape.
- The impact of the development on the residential amenities of neighbouring properties.
- The impact of the development on highway safety.

At the time of recommendation, no comments have been received from Bremhill Parish Council with regard to the application. No comments have been received from members of the public as a result of the direct neighbour notification letters or site notice.

3. Site Description

The site to which this application relates is at Bremhill Grove Farm, located to the north east of East Tytherton within the open countryside, outside of any defined settlement. The farm

extends to approximately 50 acres and accommodates two dwellings, one of which is occupied by the Applicants and the other, to which this application relates, is a rental property. There are also a number of stables, a Dutch barn, offices and a small flat at the site. The site and location are not subject to any designations but constraints mapping identifies Historic Buildings Sites and Monuments Records in this locality.

Prior to its subdivision, Bremhill Grove Cottage was a detached five bedroom dwelling. The property fronts a courtyard formed with the stables and office building. The rear of the property faces onto a garden.

4. Planning History

| | |
|-----------------|---|
| N/04/02786/CLE | Use of Bremhill Grove Farmhouse and Adjacent Bremhill Grove Cottage as Two Independent Dwellings – Approved |
| N/05/00154/FUL | Demolition and Replacement of Farmhouse and Associated Works – Approved with Conditions |
| N/08/01752/FUL | Replacement Dwelling and Associated Works – Approved with Conditions |
| N/11/03540/S73A | Formation of New Vehicular Access, Closure of Existing Vehicular and Pedestrian Access and Retrospective Change of Use of Agricultural Land to Domestic Garden – Approved with Conditions |
| 13/04331/FUL | Retrospective Conversion of Existing Farm Building into 2 Offices and 1 Flat – Approved with Conditions |
| 15/01217/ENF | Property being subdivided with the intention of creating an independent dwelling |

5. The Proposal

Retrospective full planning permission is sought for the subdivision of one existing five bedroom dwelling into a four bedroom dwelling and a one bedroom dwelling.

6. Local Planning Policy

Wiltshire Core Strategy (WCS) – Adopted January 2015:

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

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 60 – Sustainable Transport

Core Policy 61 – Transport and Development

North Wiltshire Local Plan (NWLP) – 2011:

Saved Policy H4 – Residential Development in the Open Countryside

National Planning Policy Framework (NPPF) – March 2012:

Paragraphs 14 and 17

Section 6 – Delivering a Wide Choice of High Quality Homes

Section 7 – Requiring Good Design

Section 12 – Conserving and Enhancing the Historic Environment

7. Summary of consultation responses

Bremhill Town Council – No response received at the time of recommendation.

Wiltshire Council Highways – *'I note that the property is currently a 5 bed house and as such is already subject to a certain level of vehicle movements and the principle of a residential unit has been established.*

The site is able to accommodate the required parking of 3 car spaces for the 4 bed and 1 for the one bed. As such I am happy to offer no highway objection.'

8. Publicity

The application was advertised by site notice and direct neighbour notification letter. No representations from members of the public have been received.

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.

Principle of the Proposal:

The application site is located to the north east of East Tytherton, within the open countryside and outside of any designated Framework Boundary.

As a matter of principle, Core Policies 1, 2 and 60 of the WCS direct new residential development towards settlements identified in the hierarchy set out in the Core Strategy, ensuring that new occupants would have adequate access to local employment, services and transport.

Core Policy 2 of the WCS states that other than in circumstances in accordance with paragraph 4.25 of the WCS, development outside of the defined limits of development will not be permitted.

Although no external works are proposed, the proposal envisages the subdivision of the existing house into two dwellings with separate curtilages, which would create a new dwelling in a rural location. From the information submitted with the application, it appears that the proposal to create a new, separate residential unit would not meet any of the exception criteria and as such the principle of the proposal is not supported by the relevant planning policy.

It is acknowledged that Council is unable to demonstrate a five year housing land supply and therefore Core Policies 1 and 2 carry more limited weight. A single dwelling would not however significantly boost the supply of land for housing and the proposal is not regarded as sustainable development given its location and reliance on the private motor vehicle for travel.

A recent Court of Appeal judgement (C1/2015/0583 Suffolk Coastal District Council and Hopkins Homes Limited and C1/2015/0894 Richborough Estates Partnership LLP vs. Cheshire East Borough Council) examined how to apply and interpret Paragraph 49 of the NPPF which states that *'policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'* The Court of Appeal judgement indicates that weight can still be given to Development Plan policies for the location of housing and each application should be determined on its own merits. This particular proposal has site specific constraints including

unsustainable development and inadequate residential amenities which would, when also taken alongside the limited contribution to housing land supply, warrant the refusal of the application.

Sustainability:

The spatial vision of the Wiltshire Core Strategy, as expressed in policies CP1 and CP2, is to locate new residential development within the settlement limits, in sustainable locations with good access to local services and facilities to minimise the need to travel. This approach reflects the emphasis for the location of housing set out in the NPPF.

Occupants of the new dwelling are likely to be heavily reliant on the use of private cars for day to day activities. As such the development would be in an unsustainable location. The proposal would therefore be contrary to policies CP1, CP2, CP60 and CP61 of the Wiltshire Core Strategy.

Paragraph 55 of the NPPF says that local planning authorities should avoid approving isolated new homes in the countryside unless there are special circumstances. It is not considered that there are any special circumstances in this instance. No evidence has been provided to suggest that the proposal is required for a rural worker to live at or near to their place of work for instance.

Character:

No external changes to the existing building are proposed. The residential use of the site however would intensify as a result of the proposal due to the creation of a new independent unit which is likely to increase the accumulation of parked vehicles, boundary treatments and other domestic paraphernalia on site. This in turn is likely to create a more cluttered appearance than which currently exists. Given the fact that the newly created dwelling would only accommodate one bedroom and therefore a maximum of two additional occupants, this is not considered to have significant detrimental impacts upon the character and appearance of the wider area.

Residential Amenity:

The Application states that the four bedroom dwelling within Bremhill Grove Cottage is occupied by a family who also rent the stables facing into the courtyard. There are some concerns with regard to the amenity standards of the occupiers of the one bedroom property given their close proximity to these separate units. It is considered that the occupiers of this property would suffer from inadequate privacy, as well as noise and disturbance. In addition, due to the proximity of the stables to the dwelling, odour pollution is of concern.

In addition, access to the allocated car parking spaces for the one bedroom dwelling would be gained via passing in close proximity to the front elevation of the four bedroom property. This arrangement would result in an inadequate level of amenity due to nuisance and disturbance caused by vehicular movements.

Highway Safety:

The new property would utilise the existing access that currently serves the site. Adequate car parking provision is achievable on site for both the four bedroom and one bedroom dwellings. No adverse comments have been received from Council's Highways Department and the proposal is not considered to pose a severe or significant risk to highway safety.

Other Matters:

The site lies within a location of archaeological potential given the identified Historic Buildings Sites and Monuments Record in this location. However given the nature of the proposal and the limited external works with potential for ground disturbance that are proposed, it is not considered that there is a basis of concern or objection in this respect or any requirement for the use of conditions.

10. Conclusion

In conclusion, the principle of the proposal is not supported by the relevant planning policy. Although no external building work is proposed, the proposal results in the creation of a new, separate dwelling in an unsustainable location within the open countryside. Whilst the Agent asserts that there is an increasing demand for smaller, more affordable housing within the area, no evidence has been submitted with the application to indicate this. In the absence of any overriding public benefit or exceptional circumstances, it is recommended that the application be refused.

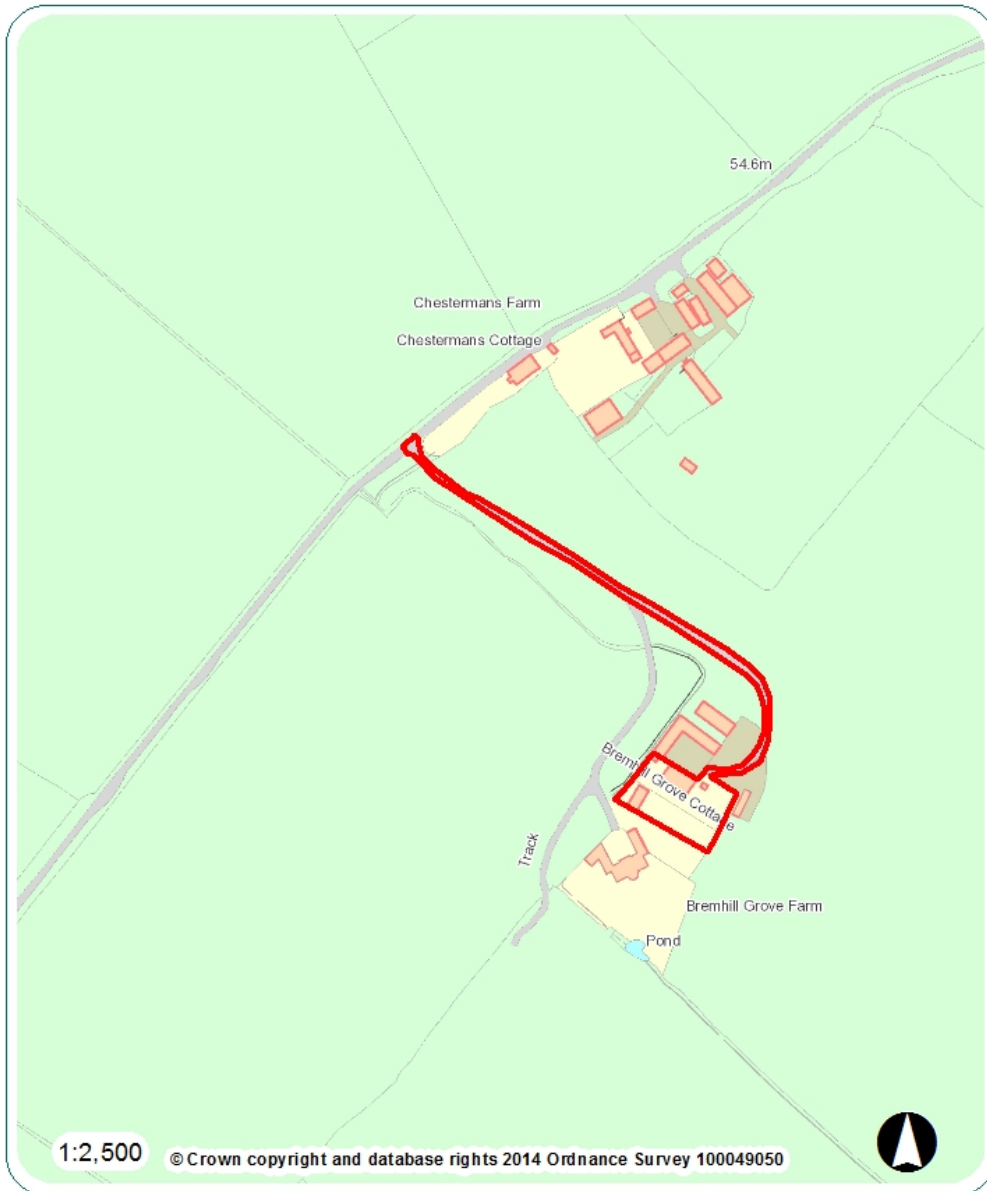
RECOMMENDATION

That planning permission is REFUSED, for the following reasons:

RECOMMENDATION

- 1 The subdivision of the property known as Bremhill Grove Cottage results in the creation of a new, separate residential dwelling in a rural location outside any recognised development limits. The formation of a new dwelling in the countryside is contrary to the Paragraphs 7, 14, 17 and 55 of the National Planning Policy Framework, Policies CP1 and CP2 of the Wiltshire Core Strategy and Saved Policy H4 of the North Wiltshire Local Plan, which set a presumption against development outside of the towns and villages in rural areas except in a number of exceptional circumstances, none of which apply in this instance.
- 2 The newly created dwelling is located remote from services, employment opportunities and not well served by public transport. This is contrary to the key aims of the Paragraphs 7, 14, 17 and 55 National Planning Policy Framework which seeks to promote sustainable development and reduce growth in the length and number of motorised journeys. The proposal also is contrary to the principles of sustainable development set out in policies CP1, CP2, CP60 and CP61 of the Wiltshire Core Strategy.
- 2 The subdivision would result in an unacceptable impact upon the living conditions of the occupiers of both properties. The four bedroom dwelling would suffer from nuisance and disturbance caused by vehicular movements accessing the car parking area of the adjacent one bedroom dwelling. The one bedroom dwelling would suffer from a lack of privacy, and unacceptable levels of noise and disturbance due its location in between the adjacent dwelling and stables. The proposal is therefore contrary to Paragraph 17 of the National Planning Policy Framework and Core Policy 57 of the Wiltshire Core Strategy.

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