

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 8 March 2017
Time: 3.00 pm

Please direct any enquiries on this Agenda to Edmund Blick, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718059 or email edmund.blick@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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Public Participation

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

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

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

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

AGENDA

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting**

To approve and sign as a correct record the minutes of the meeting held on Wednesday 15 February 2017.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 2.50pm on the day of the meeting.

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

Members of the public will have had 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 prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

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

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Wednesday 15th March 2017 in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Friday 3 March 2017. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Appeals and Updates** (Pages 7 - 8)

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

7 **Planning Applications**

To consider and determine the following planning applications.

7a **16/12097/FUL- Tisbut House, Box Hill, Corsham, Wiltshire SN13 8HG** (Pages 9 - 16)

7b **16/03721/REM- Land North of Bath Road, Corsham, Wiltshire, SN13 0QL**

Note: following the decision to withdraw the report from the agenda, please note that this item should be considered at the next meeting on the 29 March 2017.

7c **16/04544/REM- Land North of Bath Road, Corsham, Wiltshire, SN13 0QL**

Note: following the decision to withdraw the report from the agenda, please note that this item should be considered at the next meeting on the 29 March 2017.

7d **16/11658/FUL- 14 Church Farm, Yatton, Keynell, SN14 7FD** (Pages 17 - 26)

7e **16/11277/FUL- Land adjacent 76 Bryans Close Road, Calne, Wiltshire, SN11 9AD** (Pages 27 - 36)

7f **16/10805/FUL & 16/10963/LBC- 30 Church Road, Hilmarton, SN11 8SE** (*Pages 37 - 46*)

7g **16/11427/FUL- Land adjacent to Sharplands, Sutton Lane, Sutton Benger, Chippenham, SN15 4RS** (*Pages 47 - 64*)

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

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

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Wiltshire Council
Northern Area Planning Committee
8th March 2017

Planning Appeals Received between 02/02/2017 and 24/02/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
16/04538/FUL	Ryleys Farmhouse Grittleton, Wiltshire SN14 6AF	GRITTLETON	Erection of Two Bedroom Dwelling	DEL	Written Representations	Refuse	09/02/2017	No
16/04869/FUL	Dairy Cottage Westrop, Corsham Wiltshire, SN13 9QF	CORSHAM	Two Storey Extension including Double Garage and Workshop	DEL	Written Representations	Refuse	10/02/2017	No
16/05443/LBC	Dairy Cottage Westrop, Corsham Wiltshire, SN13 9QF	CORSHAM	Two Storey Extension including Double Garage and Workshop	DEL	Written Representations	Refuse	10/02/2017	No
16/06545/FUL	Little Oaks Caravan Park, Adj. to The Oaks Melksham Road Lacock, Wiltshire SN15 2LW	LACOCK	Demolition of Former Caravan Repair Workshop & Erect Single Dwelling & Workshop/Store Building for Personal Use (Amendments to 16/02198/FUL)	DEL	Written Representations	Refuse	10/02/2017	No
16/06991/FUL	82 Springfield Close Corsham, Wiltshire SN13 OJR	BOX	Erection of Dwelling & Garage (Revised Proposal)	DEL	Written Representations	Refuse	10/02/2017	No
16/08385/FUL	Burton Hill House Burton Hill Malmesbury, SN16 0EL	ST PAUL MALMESBURY WITHOUT	New boundary wall and entrance gates	DEL	Written Representations	Refuse	13/02/2017	No
16/08386/LBC	Burton Hill House Burton Hill Malmesbury, SN16 0EL	ST PAUL MALMESBURY WITHOUT	New boundary wall and entrance gates	DEL	Written Representations	Refuse	13/02/2017	No
16/08631/FUL	Chilvester House Chilvester Hill, Calne Wiltshire, SN11 0LP	CALNE WITHOUT	Conversion of coach house to dwelling including partial re-building.	DEL	Written Representations	Refuse	07/02/2017	No
16/10177/OUT	Land East of Croft Barn The Forge Lower Stanton St Quintin, Chippenham Wiltshire, SN14 6RN	STANTON ST. QUINTIN	Erection of 1 Dwelling	DEL	Written Representations	Refuse	07/02/2017	No
16/10744/CLP	Orchard House Prospect, Kingsdown Wiltshire, SN13 8AY	BOX	Certificate of Lawfulness for Proposed Outbuilding for Use as games room, small gym, sauna, bike storage, freezer storage and boot room / laundry.	DEL	Written Representations	Refuse	08/02/2017	No
16/10913/FUL	Fernclose Newlands Green Kington Langley Chippenham Wiltshire, SN15 5NZ	KINGTON LANGLEY	Double Storey Extension, Internal Alterations and Porch (Revision of 16/02648/FUL)	DEL	House Holder Appeal	Refuse	16/02/2017	No

Planning Appeals Decided between 02/02/2017 and 24/02/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
15/11987/FUL	Milbourne House Milbourne Lane Milbourne, Wiltshire SN16 9JD	ST PAUL MALMESBURY WITHOUT	Renovation, Alteration and Extension to Outbuildings.	DEL	Written Reps	Refuse	Allowed with Conditions	07/02/2017	Not appropriate for either party to apply for costs
15/12157/LBC	Milbourne House Milbourne Lane Milbourne, Wiltshire SN16 9JD	ST PAUL MALMESBURY WITHOUT	Renovation, Alteration and Extension to Outbuildings.	DEL	Written Reps	Refuse	Allowed with Conditions	07/02/2017	Not appropriate for either party to apply for costs
16/01456/106	2 Fairfield Upper Castle Combe Wiltshire, SN14 7HE	CASTLE COMBE	Removal of Section 106 Legal Agreement for N/02/02695/FUL	DEL	Written Reps	Refuse	Allowed with Conditions	09/02/2017	Not appropriate for either party to apply for costs
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 Reps	Refuse	Allowed with Conditions	06/02/2017	Not appropriate for either party to apply for costs
16/04507/FUL	Land South of Castle Walk, Castle Walk Calne, Wiltshire SN11 0EZ	CALNE	Erection of 36 Dwellings & Associated Works.	DEL	Hearing	Refuse	Dismissed	22/02/2017	Not appropriate for either party to apply for costs
16/05456/FUL	The Cart Shed Freeth Farm Compton Bassett Wiltshire, SN11 8RD	COMPTON BASSETT	Proposed Retention of & Alterations to Holiday Let (Resubmission of 15/09177/FUL)	DEL	Written Reps	Refuse	Dismissed	20/02/2017	Not appropriate for either party to apply for costs
16/06874/FUL	The Tithe Westfield Farm Nettleton Chippenham SN14 7PA	NETTLETON	Conversion and extension of garage out building to form a garage with ancillary accommodation above	DEL	Written Reps	Refuse	Allowed with Conditions	14/02/2017	Costs Applied for by Appellant REFUSED
16/07405/LBC	The Tithe Westfield Farm Nettleton Chippenham SN14 7PA	NETTLETON	Conversion and extension of garage out building to form a garage with ancillary accommodation above	DEL	Written Reps	Refuse	Allowed with Conditions	14/02/2017	Costs Applied for by Appellant REFUSED
16/06945/FUL	Braydon Fields Farm The Common Braydon, Swindon Wiltshire, SN5 0AG	BRAYDON	Erection of Equestrian Buildings, Track and Hardstanding (Retrospective) and Proposed Erection of a Horse Walker	DEL	Written Reps	Refuse	Allowed with Conditions	09/02/2017	Not appropriate for either party to apply for costs

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	08 March 2017
Application Number	16/12097/FUL
Site Address	Tisbut House, Box Hill, Corsham, Wiltshire SN13 8HG
Proposal	First Floor Extension Built Over an Existing Flat Roof Projection
Applicant	Mr Daniel O'Hara
Town/Parish Council	BOX
Electoral Division	CORSHAM WITHOUT AND BOX HILL – Councillor Dick Tonge
Grid Ref	383556 169457
Type of Application	Full Planning
Case Officer	Catherine Jackson

Reason for the application being considered by Committee:

The application has been called to Committee by the Local Member, Councillor Dick Tonge, in order *'To enable Members of the Committee to consider how little impact this modest proposal has and how it improves the existing dwelling.'*

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 development.
- The impact of the proposal on the character and appearance of the application site and the surrounding Cotswolds Area of Outstanding Natural Beauty.
- The impact of the proposal on the openness of the Western Wiltshire Green Belt.
- The impact of the proposal on the residential amenities of surrounding properties.

An objection has been received from the Box Parish Council with regard to the application. In addition, one representation from a nearby resident has been received and provides support for the application.

3. Site Description

Tisbut House is a detached two-storey dwelling occupying a substantial plot just outside Box village. In planning terms the site is located in open countryside and is also situated within the Western Wiltshire Green Belt and Cotswold Area of Outstanding Natural Beauty.

The property has been extended in the past with a mixture of single and two storey extensions. The planning history indicates that the majority of the extensions were undertaken during the 1970s and 1980s and benefitted from planning permission. No records are available for a single storey element to the south east of the property or for the existing conservatory. To the rear of the property are several large outbuildings which

provide a combination of garaging and storage. A stone wall borders the site and there is vehicular access off Maslen Lane which leads to a gravel and concrete hard standing parking area.

4. Planning History

15/00168/FUL	Refurbishment, Remodelling and First Floor Extension to Dwelling, Demolition of Outbuildings and Landscape Works	Withdrawn
16/05008/FUL	Proposed Removal of Outbuildings & Extensions, Replacement Extension and Resiting of Outbuildings	Approved July 2016

5. The Proposal

This application seeks permission for a first floor extension built over an existing flat roof projection.

Although not yet built, a substantive amount of the development shown on the proposed plans has previously been approved under Planning Permission 16/05008/FUL, the exception being the first floor extension over the existing balcony. This planning application sought to rationalise the existing arrangement of the dwelling. The plans proposed a new extension to the rear, replacing a series of lean-to elements as well as a further extension over the existing balcony. The existing conservatory and an earlier single storey addition to the south elevation would be demolished. It was also intended to demolish the existing outbuildings and to erect a new three bay garage and workshop closer to the north-east boundary of the site. That previous permission remains extant.

Prior to the determination of the previous application (16/05008/FUL) the Applicant and the Council worked closely together to achieve a suitable scheme. During the negotiations, it was specifically requested by the Council that the first floor extension over the existing balcony be omitted from the scheme as it was considered to, along with previous extensions to the property, result in a disproportionate addition.

The application now seeks to reintroduce this element back into the scheme.

6. Local Planning Policy

National Planning Policy Framework (NPPF):
Paragraphs 14 and 17; Sections 7, 9 and 11

Wiltshire Core Strategy (WCS):

Core Policy 51 – Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping

7. Summary of consultation responses

Box Parish Council – *‘Objections. This is contrary to Green Belt policy as the original building has already been increased in excess of 50%.’*

8. Publicity

The application was advertised by site notice and direct neighbour notification letter. One letter of support was received from a nearby resident.

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:

The use of the site for residential purposes is well established. The application involves the extension and alterations to an existing dwelling of which Core Policy 57 of the Wiltshire Core Strategy is permissive of.

In addition, Green Belt Policy contained within the NPPF is permissive of the extension or alteration to an existing building.

Character and Appearance:

The property has been significantly extended with various additions over time and this has resulted in an awkward and untidy arrangement of projections to the rear. The previously approved application rationalises this mixture of development and is considered a welcome improvement. The simple contemporary design approach in this case is considered to compliment the more traditional character of the original house. The combination of contemporary and traditional matching materials would ensure the extensions integrate sufficiently with the original house and surrounding area. It is considered that the proposed first floor extension would not adversely impact upon the character and appearance of the application site and relates well to the overall improvement of the property previously approved.

The extension would well contained within the application site and continues the style and design of the previously approved scheme. Therefore, the impact of the extension on the character and appearance of the wider area is considered minimal.

AONB:

The proposal is located within the Cotswolds AONB; consequently, there is a requirement to ensure that the development does not have a detrimental impact on the natural beauty of the landscape. As the proposal is well contained within the application site, uses materials that harmonize with the existing dwelling and landscape, is positioned within the setting of existing built form and is associated with an existing dwelling, it is considered that the extension would have limited impacts upon the natural beauty of the wider area.

Green Belt:

With regard to the Green Belt, the NPPF explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

The NPPF indicates that the construction of new buildings in the Green Belt is inappropriate, however Paragraph 89 is permissive of *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.'* The NPPF does not quantify what is meant by disproportionate and the Wiltshire Core Strategy does not contain its own Green Belt Policy. Therefore, each application is determined on its own merits. In addition Paragraph 90 of the NPPF is permissive of the replacement of a building providing the replacement building is in the same use and not materially larger.

Previous extensions to the property have resulted in a substantial increase in volume over that of the existing dwelling, approximately in the region of a 50% increase. The extensions approved under Application 16/05008/FUL would not result in an additional volume increase due to the removal of the existing lean-to elements, and as such were therefore considered acceptable. Whilst the first floor extension now proposed is relatively limited in its own right

(approximately amounting to somewhere in the region of a 4% increase over that approved situation), it must be viewed within the context of the expressly negotiated position agreed with the applicant under 16/05008/FUL, where that first floor extension was omitted. Cumulatively, the proposed first floor extension is considered to represent disproportionate additions to the size of the original dwelling.

Permission 16/05008/FUL secures a scheme which is considered to result in no harm to the Green Belt. That permission is live and could be implemented at any time and is therefore a realistic fall back position. In addition, there are no special circumstances to outweigh the harm caused to the Green Belt by the addition of a further extension to the property which has already been significantly extended.

Residential Amenity:

The proposal would not result in any significant additional levels of overlooking and would not result in any loss of light nor would it have an overbearing impact on neighbouring properties. In terms of the impact of the proposal on the residential amenities of surrounding properties, the application is regarded as acceptable.

Highway Safety/Car Parking:

The proposed first floor extension would increase the size of the master bedroom. The property would accommodate five bedrooms. In accordance with Wiltshire Council Car Parking Requirements, at least three car parking spaces are required for a property of this size. A new outbuilding would be erected providing space for three cars and an additional parking and turning area would also be created close to the property. This is considered acceptable.

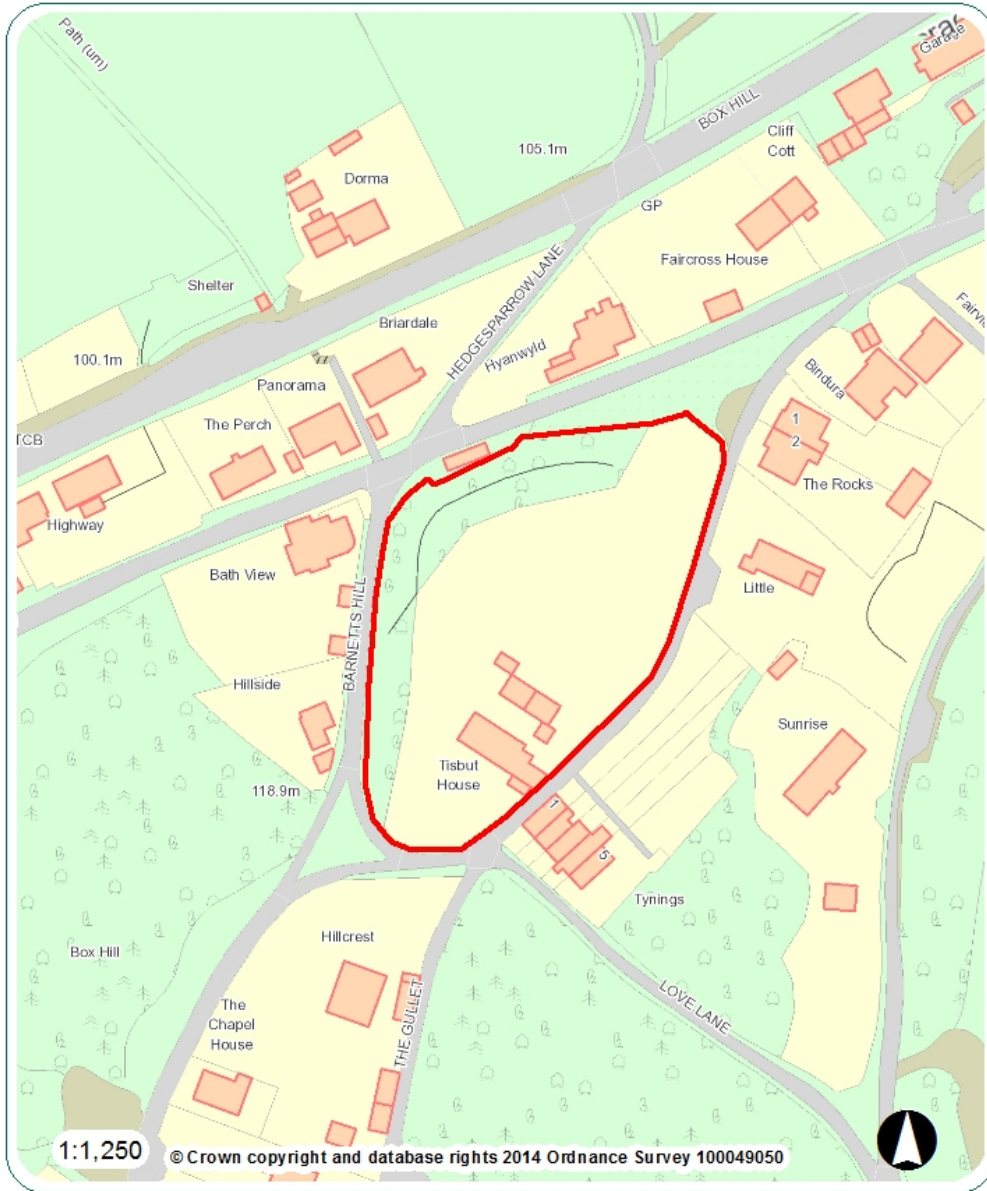
10. Conclusion

The proposed development is not in accordance with the relevant planning policy as highlighted above as it would result in disproportionate additions over and above the size of the original dwelling. 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 reason:

- 1 The proposal amounts to inappropriate development within the Green Belt as the extension, when considered cumulatively with existing and approved extensions to the property, is considered disproportionate to the size of the original building. The Application fails to demonstrate that there are any very special circumstances that exist to clearly outweigh the harm to the Green Belt. The development is therefore contrary to Paragraph 89, Section 9 of the NPPF and Core Policy 51 of the Wiltshire Core Strategy.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	08 March 2017
Application Number	16/11658/FUL
Site Address	14 Church Farm Yatton Keynell SN14 7FD
Proposal	Proposed single storey rear extension together with ancillary structural and non structural internal alterations.
Applicant	Mr & Mrs Coombs
Town/Parish Council	YATTON KEYNELL
Electoral Division	BY BROOK – Cllr Jane Scott
Grid Ref	386631 176402
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, Cllr Jane Scott in order to consider the scale of development and the visual impact on the surrounding area.

1. Purpose of Report

To consider the above application and to recommend that Planning Permission and Listed Building Consent is GRANTED subject to planning conditions.

2. Main Issues

The main issues are:

- Principle of development
- Impact on the character and appearance of the surrounding area including conservation area
- Residential amenity

3. Site Description

14 Church Farm in Yatton Keynell is a semi-detached dwelling situated a small development of modern properties and barn conversions built on land that once formed part of Church Farm. It falls within the conservation area and Cotswold Area of Outstanding Natural Beauty.

4. Relevant Planning History

N/09/01278/FUL	Conservatory to Side Elevation	APPROVED
N/11/01596/FUL	Loft Conversion with 3 New Roof Lights	Permission not needed

5. The Proposal

The application seeks planning permission for a single storey oak framed extension to the north facing side elevation. The extension will project to the rear by approximately 2.75m. Rendered infill panels are proposed to the oak frame and the recon. Cotswold tiles are proposed for the roof.

6. Planning Policy

Wiltshire Core Strategy:

CP 1 Settlement Strategy
CP 2 Delivery Strategy
CP10 The Spatial Strategy: Chippenham Community Area
CP51 Landscape
CP57 Ensuring High Quality Design and Place Shaping
CP 58 Ensuring the Conservation of the Historic Environment

National Planning Policy Framework (NPPF):

Achieving sustainable development – Core Planning Principles (paragraph 17)

Chapter 7 Requiring Good Design, para 64
Chapter 11 Conserving and Enhancing the Natural Environment, para 115
Chapter 12 Conserving and Enhancing the Historic Environment, para 128, 129, 131, 132, 134 & 135

7. Consultations

Yatton Keynell Parish Council: Objection to initial and revised proposal - comments are summarised below -

- Disproportionate development that would have detrimental visual impact on this area of the village
- Commented that the Parish council would consider a proposal that reduced the roof height to that of the existing conservatory and used more glass to match the conservatory

Further comments in relation to revised plans -

- Unanimous Objection - noted that the roof height had been reduced however still maintained the original view on the proposal

Conservation Officer: No Objection to initial or revised proposal – comments are summarised below -

- Modest extension has no impact on setting of Listed Church as it is screened by earlier conservatory development and main house
- Translucent gable and low roof form does not cause significant visual impact on the locality
- Character and appearance of the conservation area will be maintained

8. Publicity

The application was advertised by site notice and neighbour consultation. A second neighbour consultation was carried out (on receipt of revised plans) allowing 14 days for further comments.

Two letters of objection were received from one neighbour. The issues raised are summarised below-

- Overdevelopment of the plot
- Encroachment on to neighbour property (12 Church Farm)
- Loss of sunlight due to excessive height of tiled roof
- Design out of keeping with estate and existing conservation area

9. Planning Considerations

Principle of Development

The application site is within the built up part of Yatton Keynell which is defined within the Chippenham Spatial Strategy as a Large Village. The extension falls fully within the curtilage of an existing dwelling where the principle of reasonable residential extensions is generally supported.

Scale and Design

It is considered that the glazed gabled design of the extension is compatible with the style of the existing conservatory and existing modern house. The recon stone tiles match those on the main roof and the contemporary oak frame and rendered infill panels are considered to be sufficiently compatible with the modern host dwelling. Following a review of the initial plans it was suggested that the development could be improved if the roof pitch was reduced to mimic the roof form of the existing conservatory. The applicant agreed to amend the scheme and revised plans were submitted which reduced the ridge line by approximately 0.6m. One neighbour raised concern relating to the fenestration arrangements and height of

the dwarf walls explaining that they do not reflect the design of the earlier conservatory. Whilst it is a factual observation that the height of the respective walls differ, it is regarded as merely that: a difference. The overall design quality of the extension is considered to be of a reasonable standard, with the lower level of the extension and existing conservatory being almost entirely hidden from views from outside of the garden and in any event.

Impact on character and appearance of Conservation Area

The site is located within the Yatton Keynell Conservation area where Core Policy 58 is relevant as it states that development should protect, conserve and where possible, enhance the historic environment. In this case, the extension is to the side of the property and would not be prominent view from any of the main routes through the conservation area. The extension would only be visible from within the Church Farm development where it would be seen within the context of the modern houses and outbuildings. It is considered that the revised design is appropriate and makes use of complimentary materials that would allow it to integrate effectively. The council's senior conservation officer was consulted and was of the opinion that the modest extension would have no impact on the setting of the listed church and would have a limited visual impact on heritage assets in the locality in general. No harm as a result of the development was identified and it was concluded that the character and appearance of the conservation area would be maintained.

Area of Outstanding Natural Beauty

The site is also located within the Cotswold Area of Outstanding Natural Beauty where Core Policy 51 is relevant as it seeks to protect, conserve and enhance Wiltshire's distinctive landscape character. In this case, the property is located in a fairly built up part of the village and is not in an isolated rural location. When also taking into account the modest scale and simple design of the extension, it is considered that the development would have a negligible visual impact on the wider landscape.

Impact on residential amenity

The neighbour closest to the proposal is no.12 Church Farm. This property is set back from no.14 by approximately 2m. The proposed extension would extend along the shared boundary by a further 2.75m at a height of 2.2m to the eaves. The roof slopes upwards away from no.12 to a reduced ridge height of 3.5m (approximately 2m from the boundary). A letter received from this neighbour raised concerns that the extension would affect the sight line from their kitchen window and over shade their garden. Whilst it is acknowledged that the increased projection along the boundary would affect the outlook from the neighbour's rear facing windows, given that the overall increased projection is only approximately 2.75m and that the roof slopes away from a modest eaves height of 2.2m, it is not considered that there would be an unacceptable impact in terms of loss of light, overshadowing or overbearing appearance.

Other issues

The letter received from the neighbour raised several other issues including the reduction in garden area that could lead to more playing in the road. It is acknowledged that the garden area would be reduced as a result of the proposal however this in itself would not create a direct issue in terms of highways safety. Reference has been made to previous development on the site with both the neighbour and parish council raising concern that the site would be overdeveloped. In this case, whilst the remaining garden area would be relatively limited, the addition of the proposed extension is not considered to result in overdevelopment.

10. Conclusion

The proposal is considered to be acceptable in principle and design. The location is considered appropriate for a modest residential extension. There would be no harm to the heritage assets in the locality and the character and appearance of the surrounding conservation area would be preserved. It will not cause harm to the amenities currently enjoyed by the occupants of the residential properties nearby. The proposal is therefore considered to comply with Core Policies 51, 57 & 58 of the Wiltshire Core Strategy as well as Sections 7, 11 & 12 of the National Planning Policy Framework.

11. Recommendation

Planning Permission be GRANTED subject to conditions;

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

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

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

Location Plan (received 29 November 2016), Existing Ground Floor Plan AJ/16/17/01, Existing Section AJ/16/17/02, Existing Elevations AJ/16/17/03, Existing Site Plan AJ/16/17/04, Proposed Ground Floor Plan AJ/16/17/05, Proposed Section AJ/16/17/06 rev. A, Proposed Elevations AJ/16/17/07 rev.A and Proposed Site Plan AJ/16/17/08 (all received 18 January 2017)

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

- 3 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.

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:

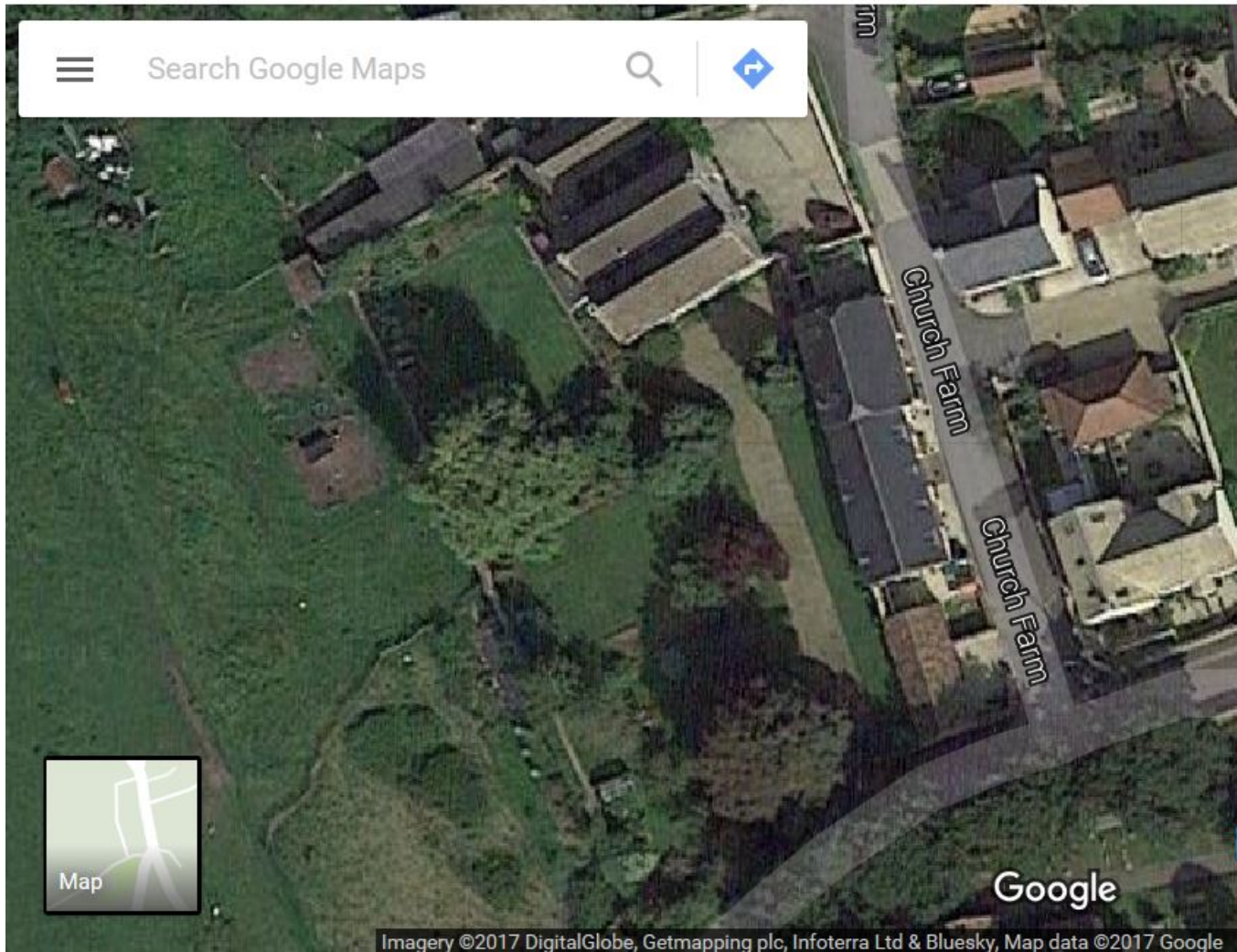
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

6 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.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	08 March 2017
Application Number	16/11277/FUL
Site Address	Land adjacent 76 Bryans Close Road, Calne, Wiltshire, SN11 9AD
Proposal	Demolition of existing garage and erection of a new dwelling
Applicant	Mr C Brooks
Town/Parish Council	CALNE
Electoral Division	CALNE CHILVESTER AND ABBERD – Cllr Tony Trotman
Grid Ref	400010 171501
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called to Committee by Cllr Trotman in order to consider the impact of the development on residential amenity and highway safety.

1. Purpose of Report

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

2. Report Summary

The critical issues in the consideration of the application are as follows:

- Principle of development
- Design
- Highways
- Residential amenity

The application has met with objection from Calne Town Council, and has also attracted two letters of objection from local residents.

3. Site Description

The application site is located within a well-established residential area in the eastern part of Calne, itself a market town with a framework boundary saved under the Core Strategy. The land in question currently serves as parking, garden and amenity space associated with no.76, a semi-detached mid-C20th property, and includes a modest single garage link-attached to a single-storey extension. To the immediate north of the

site are a series of modest blocks of flats, constructed principally from red brick and set within communal landscaped grounds. Two of these units have side windows directly overlooking the site, as does no.76 itself. Access across highway verge is obtained directly from Bryans Close, currently leading to a tarmac driveway enclosed by gates and a low blockwork wall, close to a bend where the road turns northward to Fynamore Place.

4. Planning History

There is no planning history relevant to the site.

5. The Proposal

The proposal comprises the removal of the existing garage and erection of an attached dwelling to create a terrace of three units along the build line set by no.76 and its adjoining neighbour, no.74. The accommodation is to comprise kitchen/diner, living room and separate hallway and cloakroom at ground floor level, which also incorporates a passage through to the rear, with three bedrooms, ensuite and bathroom above. Externally, the new building is to be finished in fair-faced concrete blockwork beneath a pitched concrete tile roof with projecting rear gable. There is a modest hip-roofed porch on the street-facing elevation. The existing, fairly generous garden, is to be subdivided between the dwellings, and the existing driveway parking arrangement retained and duplicated immediately in front of no.76 to provide off-street parking for a total of four vehicles.

6. Local Planning Policy

The following policies of the Wiltshire Core Strategy are relevant:

Core Policy 1 (Settlement strategy)

Core Policy 2 (Delivery strategy)

Core Policy 8 (Community Area strategy; Calne Community Area)

Core Policy 57 (Ensuring high quality design and place shaping)

Core Policy 61 (Transport and development)

Core Policy 64 (Demand management)

Paragraphs 14 & 17 and Sections 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are also relevant.

7. Summary of consultation responses

Calne Town Council – *“Members objected to this application stating that the plot is too small to accommodate an additional dwelling and would result in over development and loss of privacy for the neighbouring flats in Fynamore Place. They had concerns over the access onto the highway, which is potentially dangerous so close to a sharp bend. Members were concerned that the parking for the existing property will be lost if the new dwelling is permitted; there appears to be no detail of parking arrangements or vehicle access to the existing dwelling if the new property is permitted.*

Member objected to the application on the following planning grounds:

Wiltshire Core Strategy Core Policy 57 (iii) & 61 (ii)."

Highways – no objection, subject to conditions

Rights of Way – no objection

8. Publicity

The application was advertised by site notice and neighbour notification letter.

Two letters of objection have been received from nearby residents, raising concerns in respect of the safety of the proposed access and increased vehicular movements in such proximity to the Fynamore Place bend.

This arrangement remains unchanged in the revised proposals, which have been consulted upon with no further public responses received.

9. Planning Considerations

Principle of development

In principle, new residential development is acceptable in this location being within the saved development framework for Calne, a market town providing a good range of services, employment and transport. The site's location is therefore a sustainable one. The prevailing context is residential in nature, and the levels of traffic generally low, such that it is not considered that the introduction of normal domestic activity, including vehicular movements, would be unduly intrusive at the scale of development currently proposed.

Design

The design of the proposed dwelling is visibly derived from the form of the existing dwellings at nos.74-76, adopting materials and a scale typical of the locality. The proposed porch is of modest proportions and typical of the type of ad-hoc additions seen throughout the locality. It should also be noted that the revised proposals include the removal of the existing detached garage and adjoining single-storey element; both are of low quality and thus the scheme represents an improvement to the appearance of the site in this respect. Although the proposals will result in the loss of some highway verge, this will not be significantly detrimental to any overriding local character given that large and adjoining driveways are already a prevalent feature in the immediacy.

Highways

The Council's Highway Officer has considered the proposals in respect of the safety of the proposed access and adequacy of car parking, taking into account that the scheme includes the removal of an existing garage and concluding that the proposed arrangement is suitable. The new access is to be created further from the bend in the highway than the existing entrance and due to the low level of vehicular movements anticipated it is not considered that this will exacerbate the existing situation to the detriment of highway safety. The provision of car parking on site is consistent with the

adopted countywide standards and the lack of dedicated turning provision not atypical of dwellings in this suburban area.

Residential amenity

Following concerns raised in relation to the original proposal for a link-detached unit, which would have extended to within 2.5m of the adjacent flats and potentially blocked light from windows, the proposals have been revised to create much improved setback. In its revised location, with a minimum separation distance of around 5m, it is considered that the gable wall that would formerly have impeded residential amenity is now suitably placed so as to avert any significant harm in this regard. Whilst some loss of openness would be experienced by occupants of the flats, it is noted that the existing arrangement is an unusual one and that actual harm to residential amenity would be negligible in this instance.

Conclusions

Overall, it is considered that the revised proposals represent an appropriate standard of development in accordance with Core Policies 1, 2, 57 and 64, and is acceptable in planning terms.

RECOMMENDATION

That planning permission is 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:

CB/C/02/16.A - Proposed Block Plan, Floor Plans & Elevations
Received 31 January 2017

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

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be

agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

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

REASON: In the interests of highway safety.

- 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), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the northeast elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 6 **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.

- 7 **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.

- 8 **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.

- 9 **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.

10 **INFORMATIVE TO APPLICANT:**

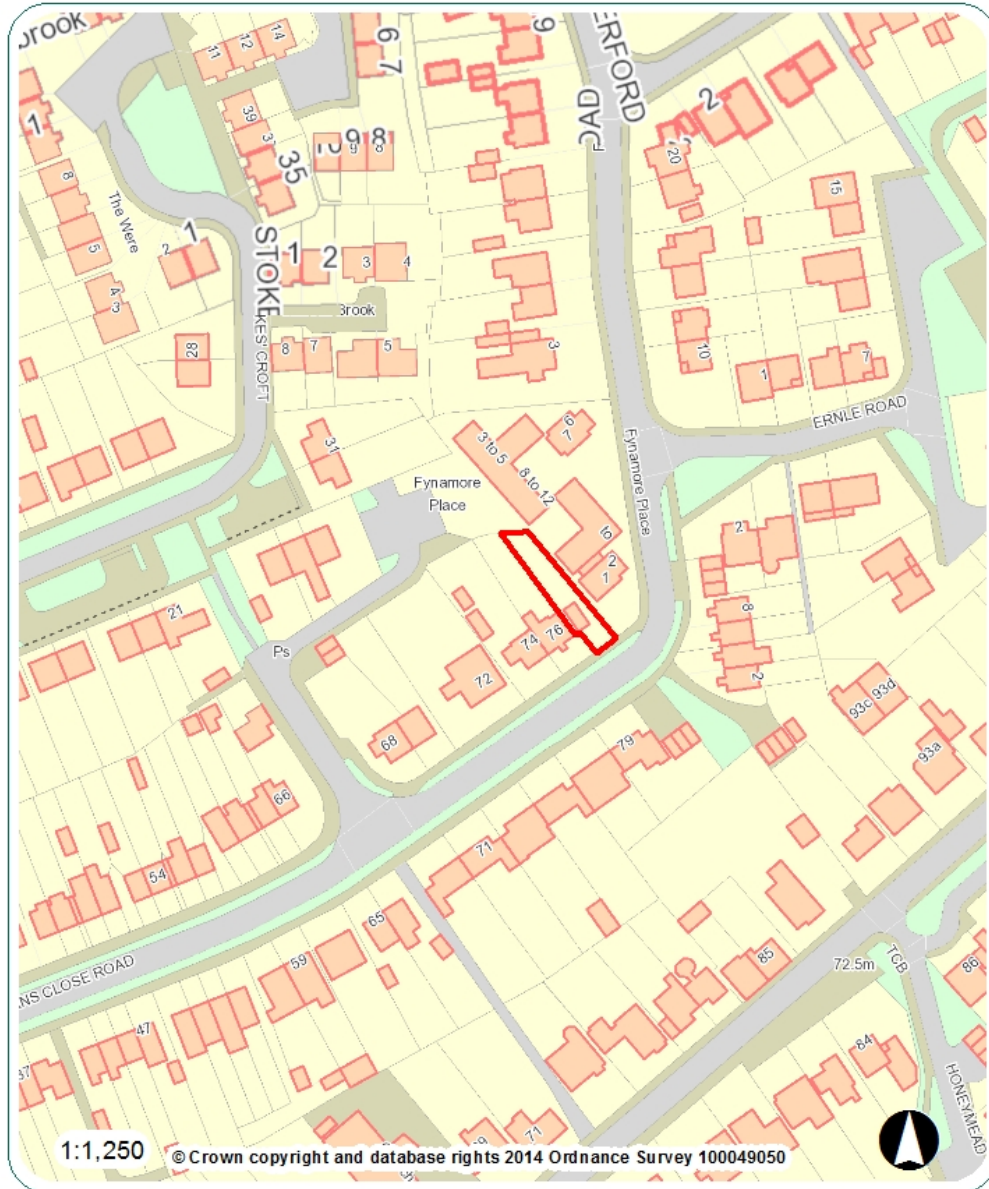
The proposal includes alteration to the public highway. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.

16/11277/FUL

Land adjacent 76 Bryans Close Road

Calne

SN11 9AD



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16/11277/FUL
Land adjacent 76 Bryans Close Road
Calne
SN11 9AD



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	08 March 2017
Application Number	16/10805/FUL & 16/10963/LBC
Site Address	30 Church Road, Hilmarton, SN11 8SE
Proposal	Proposed single storey rear extension
Applicant	Mr M Wilkins
Town/Parish Council	Hilmarton
Electoral Division	Calne Rural – Cllr Crisp
Grid Ref	402084 175305
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application has been called into committee at the request of Cllr Crisp to consider the impact of the development on the listed building in relation to its size design and scale.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposals against the policies of the development plan and other material considerations and to consider the recommendation that planning permission and listed building consent should be **REFUSED**.

2. Report Summary

The key issues in considering the applications are as follows:

- Principle of the development.
- Impact on character and appearance of the area.
- Impact on the setting of the listed building
- Impact on the setting of adjacent listed buildings and Conservation Area

Hilmarton Parish Council raised no objection to the proposed development and 0 letters of objection and 0 letters of support have been received.

3. Site Description

The application site is one of a pair of grade II listed Poynder Estate cottages, dating from 1875. The stone built cottages are cruciform in plan, with steeply pitched slate roofs with ornate barge boards and prominent chimney stack. The cottages form an attractive feature, being centrally located within the Hilmarton Conservation Area and located in close proximity to numerous listed buildings.

4. Planning History

N/05/00767/FUL	Proposed New Conservatory, Utility, WC and Garage- WITHDRAWN
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N/05/00768/LBC	Proposed New Conservatory, Utility, WC and Garage- WITHDRAWN
N/05/01548/LBC	Proposed Internal Alterations, Conservatory and Single Storey Side Extension- REFUSED AND DISMISSED AT APPEAL
N/05/01547/FUL	Proposed Conservatory and Single Storey Side Extension- REFUSED AND DISMISSED AT APPEAL
N/06/00411/FUL	Proposal to Erect a Timber Framed Conservatory and Extension, Erect a Greenhouse, Garden Shed and Gazebo in the Garden- WITHDRAWN
N/06/00412/LBC	Proposal to Erect a Timber Framed Conservatory and Timber Framed Extension- WITHDRAWN
N/06/00918/FUL	Proposal to Erect a Timber Framed Conservatory, Timber Boarded Extension. - REFUSED
N/06/00919/LBC	Proposal to Erect a Timber Boarded Extension and a Timber Framed Conservatory- REFUSED
16/02073/FUL	Re-divide Existing Single Dwelling to Original State of Two Dwellings – GRANTED
16/02218/LBC	Re-divide Existing Single Dwelling to Original State of Two Dwellings. GRANTED

5. The Proposal

The application seeks planning permission for a single storey rear extension.

6. Local Planning Policy

Wiltshire Core Strategy Jan 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 61- Transport and Development
- Core Policy 62- Development impacts on the transport network
- Core Policy 63- Transport Strategies
- Core Policy 64- Demand Management
- Appendix D
- Appendix E
- Appendix G

Saved Policies of the North Wiltshire Local Plan:

- NE18- Noise and Pollution
- T5- Safeguarding

National Planning Policy Framework 2012:

- Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)

Chapter 7-	Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)
Chapter 11-	Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)
Chapter 12-	Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

7. Summary of consultation responses

Hilmarton Parish Council- No objection

Conservation- The proposal is considered to be contrary to the requirements of legislation sections 16(2) and 66 of the Planning (LBs and CAs) Act 1990, and guidance Section 12 of the NPPF, and BS7913 (Conservation of Historic Buildings). Recommend refusal.

Additional information has been submitted in reference to an analysis of the character and appearance of the locality, and the historic precedent of development within the application site. Whilst this strengthens the applicants case it does not overcome the concerns expressed by the Conservation Officer with regards to the manner in which the works would unbalance the symmetry of the listed building and its neighbour, causing harm to the architectural and aesthetic values of the designated heritage asset, contrary to section 134 of the NPPF and legislation as previously reported. The Conservation Officer maintains the view that there is insufficient public benefit associated with this scheme to offset the degree of harm caused to the significance of the heritage asset.

8. Publicity

The application was advertised by neighbour letter, site notices and press advert. No comments were received.

9. Planning Considerations

Previous Appeal Decision

The Planning Inspector, in dismissing the appeal in December 2005 stated:

“The design of the cottages is based on a series of plans published during the 19th Century to enable estate owners to improve housing for their workers. Consequently, the modest size of these workers cottages is a particular feature of their historic interest.”

The above observations are still applicable to the determination of the applications.

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 this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan for the Calne Area. The emerging Neighbourhood Plan is at an early stage and formal submission is some way off. Due to its limited progress to date, this document can only be afforded limited weight.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations which can be accorded substantial weight.

Impact on Heritage Assets

In dismissing the previous appeal the Planning Inspector concluded that the proposals would fail to preserve or enhance the special architectural and historical interest of the grade II listed buildings. Furthermore, the inspector concluded that the extensions would harm the character and appearance of the Conservation Area. Though this proposal is materially different from the 2005 appeal the Inspector's conclusions and observations are an important material consideration in the determination of the application.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight must therefore be given to the preservation of the listed building, including its setting.

The House of Lords in *South Lakeland District Council v Secretary of State for the Environment* case decided that the "statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.

The Council's Conservation Officer has confirmed that the proposed development would result in harm to the listed building, the setting of adjacent listed buildings and the character and appearance of the conservation area. This harm would be less than substantial but harm has been identified.

It is considered that the proposal will unbalance the buildings symmetry causing harm to the architectural and aesthetic values of the building. The proposed addition is considered to be an over dominant feature, sitting forward of the established building line to the rear of the building and its neighbour, thus dominating the existing perception from public and private vantage points. The proposed materials are also considered to be inappropriate as these do not relate to the host building or its wider setting. The proposed development is therefore in conflict with CP58.

For the purposes of determining the application Core Policy 58 is relevant and states:

Development should protect, conserve and where possible enhance the historic environment.

Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance

The wording of core policy 58 and the supporting text to the policy is quite clear that if harm is identified it is in conflict with the policy. As the proposal fails to conserve or enhance the heritage asset the development is in conflict with CP58. This is a matter that weighs against the scheme in the planning balance.

Failure of the proposed development to comply with CP58 is not necessarily fatal to the acceptability of the proposed 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.

The NPPF is a material planning consideration and paragraphs 133 & 134 of the NPPF are relevant to the determination of the application. Paragraph 134 provides: "*Where a development proposal will lead to less than substantial harm to the significance of a*

designated heritage asset, this harm should be weighed against the public benefits of the proposal'

The process of determining the degree of harm, which underlies paragraph 132 of NPPF, must involve taking into account the value of the heritage asset in question. In considering harm it is also important to address the value of the asset, and then the effect of the proposal on that value. Not all effects are of the same degree, nor are all heritage assets of comparable significance, and it is for the decision maker to assess the actual significance of the asset and the actual effects upon it.

Moving onto the conservation area in the locality, it is considered that the proposed extension would be prominently visible within the street from where the extension would appear incongruous not only in design and appearance but also through the materials proposed. The extension would diminish the contribution that this pair of buildings has to the character and appearance of the conservation and would cause harm. The development is therefore in conflict with the NPPF and Core Policy 58.

Less than substantial harm to the listed building, setting of listed buildings and the character/appearance of the Conservation Area has been identified, the proposal is therefore in conflict with both Core Policy 58 of the Core Strategy and the NPPF. Significant weight must therefore be given to the harm in the planning balance and determining if planning permission should be granted.

The balancing exercise in these respects is undertaken in the Conclusion at the end of this report.

Highway Matters

The proposed development would have no adverse impact on highways safety and sufficient off street parking is provided.

Impact on residential amenities

The proposed development will not result in any significant adverse impact on the residential amenities of adjoining properties in terms of loss of sunlight, daylight or privacy. The proposal is therefore not in conflict with Core Policy 57 in this respect.

10. Conclusion (The Planning Balance)

The Court of Appeal in *E Northants DC v Secretary of State for Communities and Local Government* [2014] EWCA Civ 137 ("Barnwell") makes clear that the duty imposed by s72 (1) meant that when deciding whether harm to a conservation areas/listed buildings was outweighed by the advantages of a proposed development the decision-maker should give particular weight to the desirability of avoiding such harm. There is a "strong presumption" against the grant of permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give special weight to maintaining the conservation area/listed building. For the reasons set out above the proposal is in conflict with Core Policy 58 of the Core Strategy, it would also be in conflict with the NPPF unless the benefits of the scheme clearly outweigh the harm.

In the discussion above it is considered that the proposal will result in less than substantial harm to the character & appearance of the Listed Building as well as the Conservation Area. It is therefore necessary for the applicant to provide public benefits that will outweigh the harm identified. The original statement failed to provide convincing justification and though the additional information strengthens the applicant's case it is considered that the additional justification fails to demonstrate that sufficient public benefits are advanced to offset the degree of harm caused. The benefits delivered by the proposed works are considered to be private in that they are solely for the benefits of the owner of the property.

Taking into consideration the above it is considered that the proposal is in conflict with the NPPF and Cores strategy and the public benefits fail to overcome the identified harm.

RECOMMENDATION

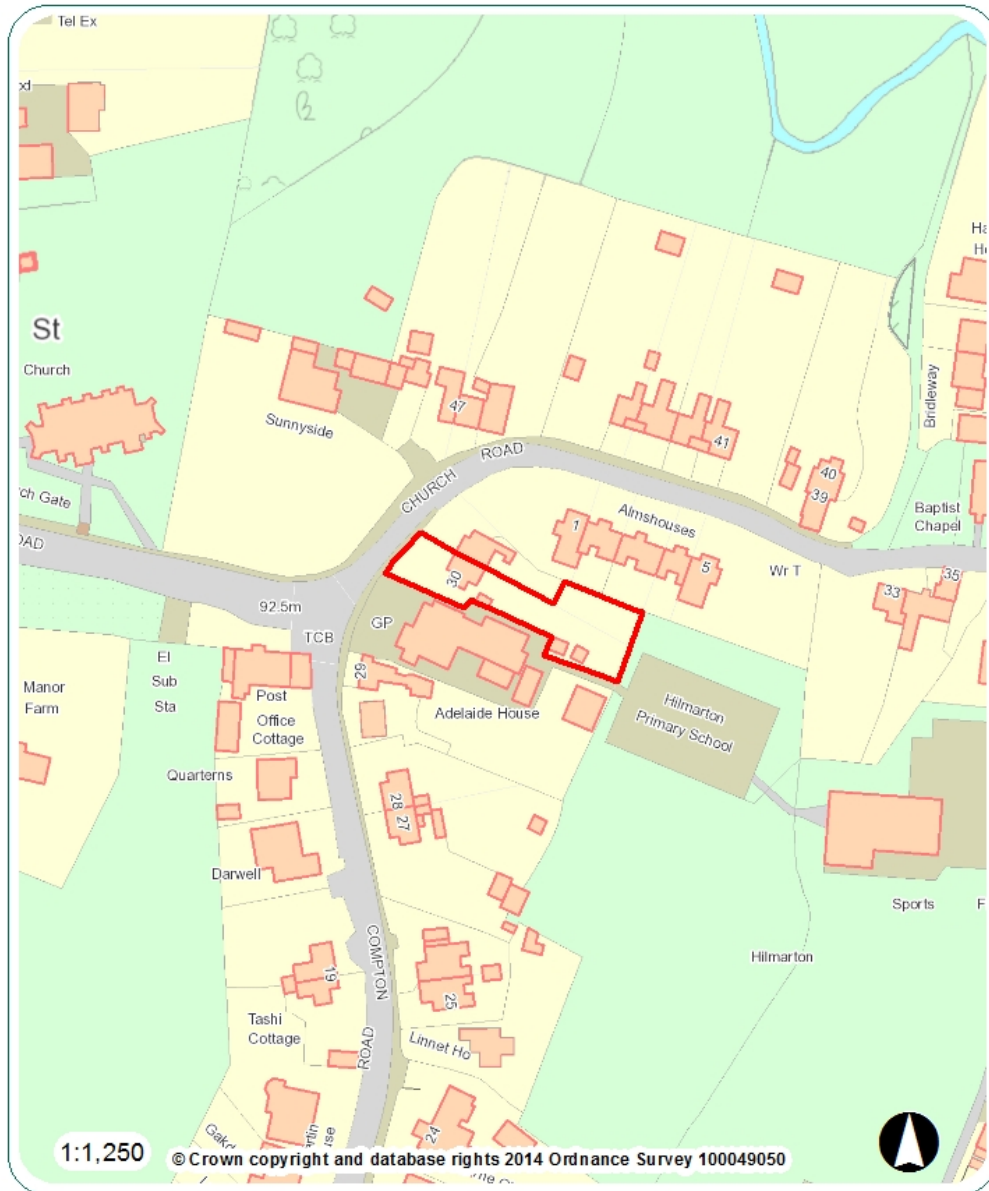
Planning permission should be REFUSED for the reason set out below:

- 1 The proposed development, by reason of its design, size and location fails to conserve the character appearance, and setting of the listed building and the setting of adjacent listed properties and character of the Conservation Area. This harm not otherwise justified by any wider public benefit. The proposal is therefore contrary to Core Policy 57 and 58 of the adopted Wiltshire Core Strategy, sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 131, 132, 134, 135 and 137 of the National Planning Policy Framework.

Listed Building consent should be REFUSED for the reason set out below:

The proposal is considered to be contrary to the requirements of legislation sections 16(2) (LBs and CAs) Act 1990, and guidance contained with Section 12 of the NPPF, and BS7913 (Conservation of Historic Buildings), in that the proposed works would unbalance the buildings symmetry causing harm to the architectural and aesthetic values of the building. The proposed addition is considered over dominant feature, and would harm the setting of the listed building and its immediate neighbour.

16/10805/FUL & 16/10963/LBC
30 Church Road
Hilmarton
Calne
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16/10805/FUL & 16/10963/LBC
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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	08 March 2017
Application Number	16/11427/FUL
Site Address	Land adjacent to Sharplands, Sutton Lane, Sutton Benger, Chippenham, SN15 4RS
Proposal	Proposed development of fourteen new houses
Applicant	Stonewater
Town/Parish Council	Sutton Benger
Electoral Division	Kington – Cllr Greenman
Grid Ref	394969 178456
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application has been called into committee at the request of Cllr Greenman to consider the development in the context on Policies CP1 & CP2 of the Wiltshire Core Strategy.

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 authority is delegated to the Head of Development Management 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.

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 Head of Development Management 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 and Education and is therefore contrary to Policies CP3 & CP43 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.
- Conflict with the emerging neighbourhood plan
- Whether the development constitutes over development of the site.
- Impact on residential amenities of adjoining neighbours.
- Highway Safety
- Impact on character and appearance of the area.

Sutton Benger Parish Council object to the proposed development and 10 letters of objection have been received and 0 letters of support.

3. Site Description

The application site is located to the East of Sutton Benger, a village and parish within the Chippenham Community area of Northern Wiltshire. The site is located outside of the defined Settlement Boundary of Sutton Benger and beyond the designated Conservation Area.

The Northern and Weston boundaries are defined by existing built development, with the Eastern boundary bounded by agricultural land. The Southern boundary is adjacent to allotments and open countryside.

Stonewater Housing Association own the development site and the existing housing known as 'Sharplands', through which the site is accessed. Sharplands is a development of two storey houses comprising a mix of three detached and four semi-detached properties. Sharplands development was granted permission in 2010, is fully occupied and was 100% affordable housing.

4. Planning History

N/09/02245/FUL Proposed Residential Development of 7 Affordable Houses, Carports and Associated Works. Planning permission **GRANTED**

5. The Proposal

This application seeks full planning permission for the construction of 14 residential dwellings. The application will provide 40% affordable and 60% open market dwellings with associated highway infrastructure, parking, and landscaping.

6. Local Planning Policy

Wiltshire Core Strategy Jan 2015:

Core Policy 1-	Settlement Strategy
Core Policy 2-	Delivery Strategy
Core Policy 3-	Infrastructure Requirements
Core Policy 10-	Spatial Strategy: Chippenham Community Area
Core Policy 41-	Sustainable Construction and Low Carbon Construction
Core Policy 43-	Providing Affordable Homes
Core Policy 45-	Meeting Wiltshire's housing needs
Core Policy 50-	Biodiversity and Geodiversity
Core Policy 51-	Landscape
Core Policy 57-	Ensuring high quality design and place shaping
Core Policy 58-	Ensuring the Conservation of the Historic Environment
Core Policy 60-	Sustainable Transport
Core Policy 61-	Transport and Development
Core Policy 62-	Development impacts on the transport network
Core Policy 63-	Transport Strategies
Core Policy 64-	Demand Management
Core Policy 67-	Flood Risk
Appendix D	
Appendix E	
Appendix G	

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

H4- Residential development in the open countryside

- CF2- Leisure facilities and open space
- CF3- Provisions of open space

National Planning Policy Framework 2012:

Achieving sustainable development – Core Planning Principles (Paragraphs 7 14 & 17)

Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)

Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)

Chapter 8- Promoting healthy communities (Paragraph 75)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

7. Summary of consultation responses

Sutton Benger Parish Council- Object for the following reasons:

1. The development sits outside the Framework Boundary and is in conflict with Policy H4 of North Wiltshire Local Plan 2011.
2. The application is not supported by the emerging NDP as no genuine local need for more affordable housing in the village has been identified, contrary to Core Policy 44.
3. The lack of pavements and street lighting along Sutton Lane is considered hazardous and to the detriment of the local residents, contrary to Core Policy 48.

Drainage- Additional information has overcome the concerns raised in the holding objection. No objection subject to conditions.

Archaeology- No objection

Education- The relevant funding for providing additional school places will be sought via CIL

Ecology- No objection

Housing- Based on a scheme of 14 units, 40% Affordable Housing would equate to 6 affordable units required on site with a tenure split of 60% Affordable Rent (4 units) and 40% Shared Ownership (2 units) in order to reflect current demonstrable need and policy approaches. The application does reflect this tenure/mix requirement and the size of the units proposed would also meet current demonstrable need.

Highways- No objection subject to conditions

4. Publicity

The application was advertised by neighbour letter, site notices and press advert.

The application has generated 10 letters of objection and 0 letters of support. A summary of the comments is set out below:

- Access isn't safe

- Two pinch points within the site- two cars are unable to pass in two separate locations
- No pavement or lighting on this busy road
- The increased volume of traffic will be a danger to children playing in the road
- Development will place further burden on the local infrastructure
- Possible flooding problem
- Access not wide enough
- Affordable housing not needed. Has been delivered on other sites
- Premature to make a decision on this application, need to wait for neighbourhood plan to be complete.
- Development outside of framework boundary
- Insufficient off street parking provided

5. 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 this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan for the Chippenham Area. The emerging Neighbourhood Plan is at an early stage. Due to its limited progress to date, this document can only be afforded limited weight.

Important material considerations in this case include the requirement in the National Planning Policy Framework (NPPF) to assess whether the Council has a five year housing supply for the north and west housing market area that includes Sutton Benger.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations which can be accorded substantial weight.

Wiltshire Core Strategy CP1, CP2 and CP10 and Saved Policy H4

CP1, CP2 and CP10 deal with the broad issues of settlement strategy and delivery. Other relevant policies of the Development Plan are otherwise discussed later in the Report under topic heads.

Core Policy 1 and Core Policy 2 of the WCS set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes.

Chippenham is identified within the WCS as one of the three Principal Settlements which act as a strategically important employment and service centres for a number of villages in the immediate area and beyond. Chippenham is to be a focus for development (Core Policy 1). The principal settlements will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure meeting their economic potential in the most sustainable way to support better self containment.

Sutton Benger is identified as a large village in the core strategy. A proposal of 14 units is contrary to the Core Strategy and in particular core policies CP1 and CP2 which set out the overarching strategy for Wiltshire. According to CP1 'development at large Villages will be

limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.'

Paragraph 4.15 says:

'At the settlements identified as villages, a limited level of development will be supported in order to help retain the vitality of these communities. At Large Villages settlement boundaries are retained, and development will predominantly take the form of small housing and employment sites within the settlement boundaries. These settlement boundaries will also be reviewed as part of the Housing Site Allocations DPD as set out in the Council's Local Development Scheme, in order to ensure they remain up to date and properly reflect building that has happened since they were first established.'

Core Policy CP2 states that development outside of the limits of development of existing settlements will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The exceptional circumstances are set out in paragraph 4.25 of the Core Strategy. In this case, the site lies outside of the limits of development for Sutton Benger. The proposal does not meet any of the exceptional circumstances identified in WCS paragraph 4.25 where development outside limits of development is acceptable. Similarly, as it lies beyond the limits of development, it does not comply with saved policy H4 of the North Wiltshire Local Plan as it does not meet the exceptions, such as agricultural needs, set out in that policy. The proposal is therefore in conflict with the development plan in this respect.

The application site is located outside the settlement boundary for Sutton Benger. The proposal for 14 dwellings exceeds the level of development envisaged for large villages such as Sutton Benger i.e. Small housing sites involving less than 10 dwellings. Whilst the settlement boundaries are being reviewed as part of the Housing Site Allocations DPD it is too early to say whether the boundaries at Sutton Benger will be amended and/or whether this site will be identified as a housing site.

The context provided through the core strategy specifically for large villages around Chippenham is that an element of growth is possible and can be accommodated due to the desire to improve self containment of settlements and thus reduce the need for out commuting. The village of Sutton Benger has, in recent times, delivered residential units and permitting further development prior to the adoption of a site allocation DPD or Neighbourhood plan would be, strictly speaking contrary to the Core Strategy. This is a matter that weighs against the proposal in the planning balance.

Housing Land Supply

Housing land supply has to be regularly assessed. The Council cannot currently demonstrate a 5 year housing land supply in the North & West HMA, and the current calculation is that the Council does not have a 5YHLS. This figure does not include the proposed site allocations in the Chippenham Site Allocations DPD. In these circumstances, NPPF Paragraph 49 advises that policies relevant for the supply of housing should not be considered up-to-date. As a result the presumption in favour of sustainable development as set out at Paragraph 14 of the Framework is engaged so that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

It can be seen therefore that CP1, CP2, CP10 and Saved Policy H4 are all relevant for the supply of housing and are to be considered out-of-date. This does not mean, however, that these policies carry no weight or even only limited weight. A recent court of appeal judgement that specifically examined how to apply and interpret paragraph 49 (C1/2015/0583 Suffolk Coastal District Council and Hopkins Homes Limited and

C1/2015/0894 Richborough Estates Partnership LLP vs Cheshire East Borough Council First).

There are a number of important statements and points of clarity provided in the above decisions that are important to framing any discussion on this application and the degree of conflict with the WCS. Particularly relevant are the statements in the court of appeal decision, paragraphs 42 to 48 ('How is the policy in paragraph 49 of the NPPF to be applied?'), which highlight a number of key points.

First, it is up to the decision maker to judge whether a plan policy is or is not a relevant policy for the supply of housing, this can include restrictive policies not necessarily related to housing specifically; however that may have the effect of limiting housing. Furthermore, the appeal court decision confirms that in their view there will be many cases in which restrictive policies are still given sufficient weight to justify the refusal of planning permission, despite their not being up-to-date under the auspices of paragraph 49.

In conclusion, the appeal court decision confirms that ultimately it will be up to the decision-maker to judge the particular circumstances of each application and how much weight should be given to conflict with policies for the supply of housing that are 'out-of-date', and, that the fundamental purpose of paragraph 49 is not to punish Councils (and by extension local communities), but to provide an incentive to boost housing land supply.

An important point to take from the above Appeal Court judgement is that there is a clear Development Plan policy that Sutton Benger is a Large Village and some level of growth is expected during the plan period.

In summary, it is concluded that while limited weight only can apply to the fact of breach of settlement boundaries given the shortfall in the housing land supply and the clear need to meet a need of future housing beyond existing settlement boundaries, the fact that Sutton Benger is to be a focus for limited development and is considered to be a sustainable location should carry some weight in the decision-making process.

Highway Matters

As the road within the development is not intended for adoption by the local authority and is to remain private there is no objection in principle to the proposal. Originally the widening of the access was to be controlled by condition. However, amended plans have been received showing the access arrangements. The condition is therefore no longer required.

Amended plans have also been received amending the location of the fencing for the secure foul pump station/ tanker enclosure. The fencing has been moved back two metres from the edge of the carriageway to allow for visibility on the corner.

The level of offstreet parking is considered to be acceptable and in accordance with the Council's parking standards.

Housing Need & Affordable Housing

The Council's Housing officer has confirmed that there is demonstrable need for affordable housing in this location and that a 40% on-site affordable housing contribution at nil subsidy should be requested. Furthermore the housing officer has confirmed that this site was identified as suitable for residential development in the Strategic Housing Land Availability Assessment (SHLAA).

Core Policy 43 states the Council will seek to negotiate an element of affordable housing to meet local needs on all housing developments of 5 or more dwellings. The applicant has agreed to provide 40% onsite affordable housing with a 60% affordable rent and 40% shared

ownership tenure split. The provision secured by the planning obligation accords with the policy and meets the relevant tests set out in the CIL regulations. The proposed development therefore accords with Core Policy 43 and this is a matter which weighs in favour of the proposal.

Whether a Sustainable Location

The site, which comprises undeveloped agricultural land, lies on the edge of Sutton Benger, in close proximity to the main road and location amenities. The Council's strategy for housing is to focus growth in the principal settlements of Chippenham, Trowbridge and Salisbury. But the large villages are expected to accommodate limited new housing development.

Whilst the loss of countryside would cause some environmental harm, the Council is unable to meet the full housing requirement for Chippenham without development taking place on greenfield land.

In terms of accessibility, a Primary School is located within the village and will offer easy access by foot for the residents of the proposed development. Secondary Schools are located in Chippenham but are not walk able and vehicular transport is almost certain to be required.

The weekly shopping trip would be difficult on foot or cycle and would generally be undertaken by car in any event, often in conjunction with other activities. Limited employment opportunities are located within Sutton Benger and the immediate locality, with the main employment located in Chippenham including town centre employment and Langley Park Industrial Estate. Other employment opportunities in Chippenham include Bumpers Farm & Methuen Park industrial estates but only limited employment opportunities exist within the village.

The nearest bus stops are located less than 1 kilometre walk of the site. These buses offer access to other settlements such as Chippenham, Swindon, Royal Wootton Bassett, Calne and where facilities and employment opportunities are available.

To conclude on this issue, the development would not prejudice the fulfilment of sustainable development objectives as set out in local and national planning policy. It is therefore considered to be a sustainable location for new housing development, as is recognised by the Core Strategy and in particular policies CP1, CP2 & CP10. This matter weighs in favour of the proposal.

The issue of whether Sutton Benger was an appropriate location for development was covered in paragraphs 26-37 of the 'Arms Farm' appeal decision and it concluded that the level of development was not unsustainable and the Village of Sutton Benger was an appropriate location for development.

Impact on residential amenities

The application has been submitted in full. The layout of the development is therefore fixed. The submitted layout clearly demonstrates that the proposal will not result in adverse residential amenities for existing or future occupants of the existing or proposed. Taking into consideration the existing character of Sharplands and the other surrounding residential development it is considered that the proposal will not have a significant adverse impact on the residential amenities of adjoining properties in terms of loss of sunlight daylight or privacy. It is acknowledged that there will be an impact on some properties outlook but the separation between existing and proposed dwellings would be sufficient to ensure that there will not be a conflict with CP57 and the NPPF.

Ecology

The site is comprised of species poor grassland of limited ecological value. The habitat is potentially suitable for reptiles, however a survey of the site did not record any animals. The report identified a number of ponds in the local area, however a previous assessment confirmed that these were broadly unsuitable for breeding great crested newt; it is therefore considered unlikely that this species would be affected by the proposals.

Impact on Heritage Assets

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight must therefore be given to the preservation of the listed building, including its setting.

The House of Lords in *South Lakeland District Council v Secretary of State for the Environment* case decided that the "statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.

The site is located a significant distance from any listed buildings and it is considered that the proposal will have no adverse impact on the setting of any listed building. However the site is also located in close proximity to the Sutton Benger conservation area.

Having taken into consideration existing site circumstances, the quantum of development proposed, location of the development and proximity to the conservation area, Officers are satisfied that the proposal will preserve the character and appearance of the Conservation Area. The development therefore accords with Core Policy 58 of the Core Strategy and the NPPF.

Prejudice to plan making

A local resident is concerned that approval prior to the competition of the site allocations DPD or Neighbourhood Plan would be premature. The PPG advice on the issue of prematurity is as follows:

"Arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area." (PPG 21b/14)*

For the reasons set out above it would be very difficult to sustain a reason for refusal based on prematurity. So far as the Neighbourhood Plan is concerned, this is at a very early stage in its preparation.

There is, however, no rule of law that a development control decision cannot pre-empt a local community's adoption of a neighbourhood plan. The application is not in conflict with any published neighbourhood plan or up to date policies in the local plan. Moreover, as is

made clear in the "Planning Balance" section below, the proposals bring forward a series of planning benefits which make the proposal acceptable in its own terms and justify approval of this application now.

Design

As set out above, the site is located in close proximity to the Sutton Benger Conservation Area. The NPPF seeks positive improvement in conservation areas. Most explicitly paragraphs 126 and 131 require that local planning authorities should take into account "the desirability of new development making a positive contribution to local character and distinctiveness".

Paragraph 9 says that pursuing "sustainable development involves seeking positive improvements in the quality of the...historic environment...". The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness, concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..."

Compliance with both the statutory consideration and the NPPF policies therefore, generally speaking, requires account to be taken of the desirability of taking opportunities to enhance the character and appearance of a conservation area.

Paragraph 120 of the NPPF requires that development should preserve or enhance the established character of the conservation area. The existing site is currently agricultural land but is located in close proximity to varying property types, each of these being of differing quality. The area is characterised by bungalow, semi detached houses and static caravans. The NPPF states that good design should contribute positively to making places better.

The proposed dwelling would respect the informal building lines that have been adopted within the street, and overall proportions and of context of the dwellings within Sharplands. The proposed dwellings would be of traditional proportions both vertically and horizontally and their fenestration would have a strong vertical emphasis. At second floor level this would include windows, which would be consistent with the modest sized windows on other properties within the locality. Similarly the proposed pitched roof would pick up on the design characteristics within Sharplands and conforming to principles set out within this recent extension to the village of Sutton Benger.

Overall the proposed dwellings would respect the topography of the street, the character of the area, and would improve the visual character of the area. It is recognised that some of the modern (20th Century) buildings in the immediate area are uninspiring and in some instances have a negative impact on the character or appearance of the Conservation Area. However as with all buildings, whether traditional or contemporary, the success with which they blend in with and make a positive contribution to the street scene is dependent on the quality of the design and the precise nature and quality of the materials used.

In this instance the scheme is considered to be high quality, which responds to local character and reflects the identity of local surroundings and materials. Provided it is constructed from high quality materials it would make a positive contribution to the character and appearance of the Area including long distance views from the open countryside. It would therefore comply with the National Planning Policy Framework and Core Strategy.

The NPPF indicates that good design is fundamental to using land efficiently. For the reasons set out above the development is considered to be acceptable.

6. S106 contributions

The following will be required:

- A contribution for householder bin/recycling facilities (£91 per unit = £1274)
- 40% affordable housing units

7. Conclusion (The Planning Balance)

It can be seen from the analysis in the body of the report that a number of Development Plan policies are offended by the proposal and that the proposal, not least because it is beyond settlement limits and in an area classed as countryside, is not Development Plan compliant. However, as also noted, various key policies are deemed out-of-date by reason of Paragraph 49 of the NPPF so that Paragraph 14 of the NPPF is engaged so that permission should be granted 'unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed' against the NPPF as a whole.

The benefits of the scheme are clear. It would bring forward much needed market and affordable housing. These matters are consistent with the CS. The fact that the council is not delivering development as envisaged by the Core Strategy emphasises these benefits to which significant weight should attach. Significant weight should also attach to the economic benefits immediately associated with the proposal in terms of job creation and/or maintenance and spend in the local economy. Similarly, the provision of affordable housing and the CIL contributions generated by the development.

Set against these benefits there is acknowledged harm to the immediate rural landscape. Weight has to be attached to the identified harm, but it does not outweigh the significant benefits that arise from providing much needed housing in the Housing Market Area. On balance, the public interest is best met by resolving to approve the application.

RECOMMENDATION

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.

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 Head of Development Management 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 and Education and is therefore contrary to Policies CP3 & CP43 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 No development shall commence on site until details of the bricks, roof tiles and the hard standing 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/or [DELETE as appropriate] 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

- 3 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.

- 4 The development hereby permitted shall not be occupied until details of the storage of refuse, including...details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

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

REASON: In the interests of highway safety.

- 6 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 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/or [DELETE as appropriate] 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.

- 7 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. No dwelling shall be first occupied 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/or [DELETE as appropriate] 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.

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

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

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

16036/01 REV A Received 23 November 2017

16036/05 REV B Received 09 February 2017

16036/06 REV A Received 20 February 2017

16036/07 REV B Received 09 February 2017

16036/15 REV A Received 23 November 2017

16036/16 REV A Received 23 November 2017

16036/17 REV A Received 23 November 2017

16036/20 REV A Received 23 November 2017
16036/21 REV A Received 23 November 2017
16036/22 REV A Received 23 November 2017
16036/23 REV A Received 23 November 2017
16036/25 REV A Received 23 November 2017
16036/26 REV A Received 23 November 2017
16036/27 REV A Received 23 November 2017
16036/28 REV A Received 23 November 2017

10641-0050 REV A Received 23 November 2017

Drainage Strategy Received 09 February 2017

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

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site OR forward of any wall of the dwelling(s) (including a rear or side wall)] which fronts onto a highway, carriageway or footpath].

REASON: In the interests of visual amenity.

- 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:

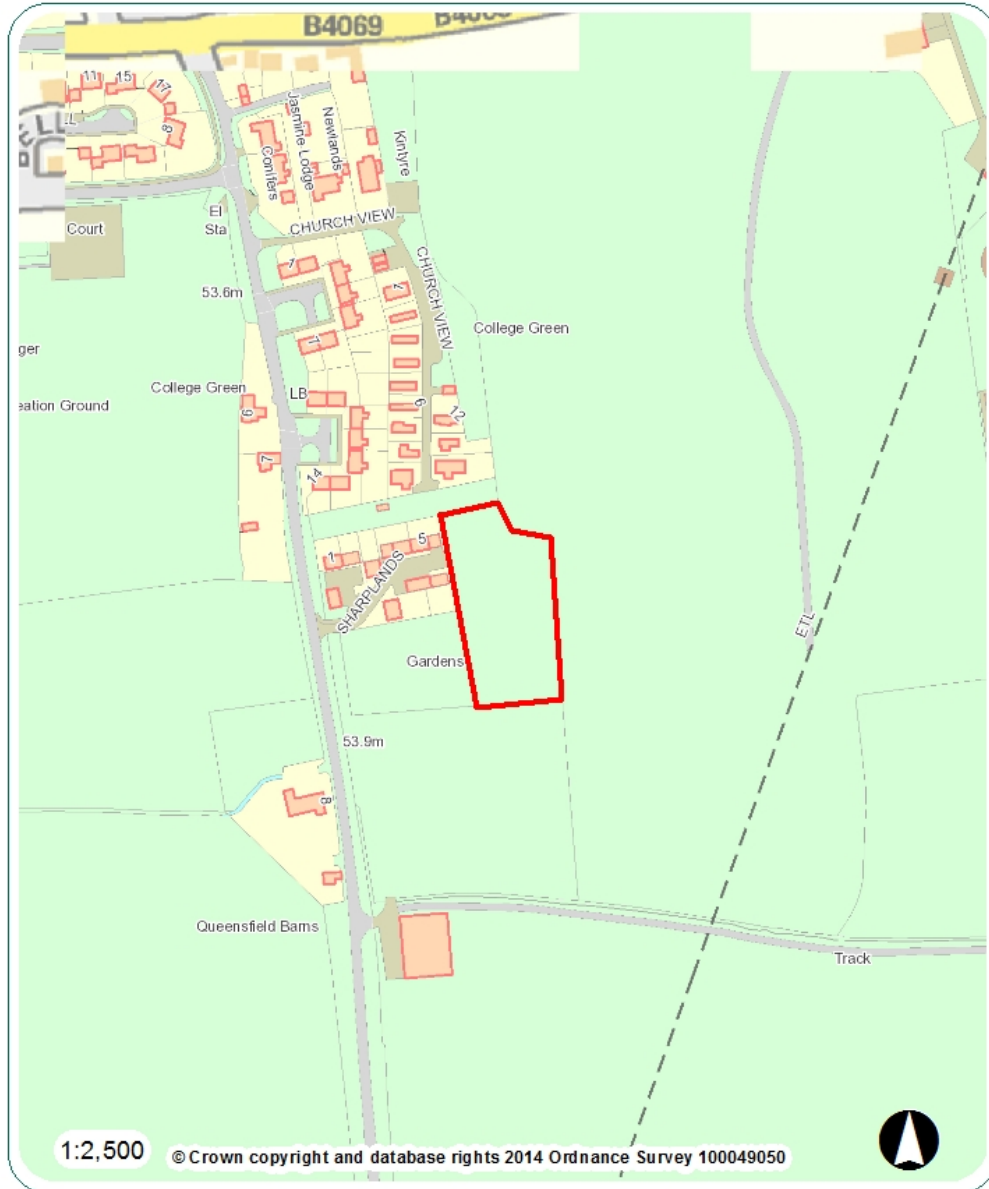
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such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

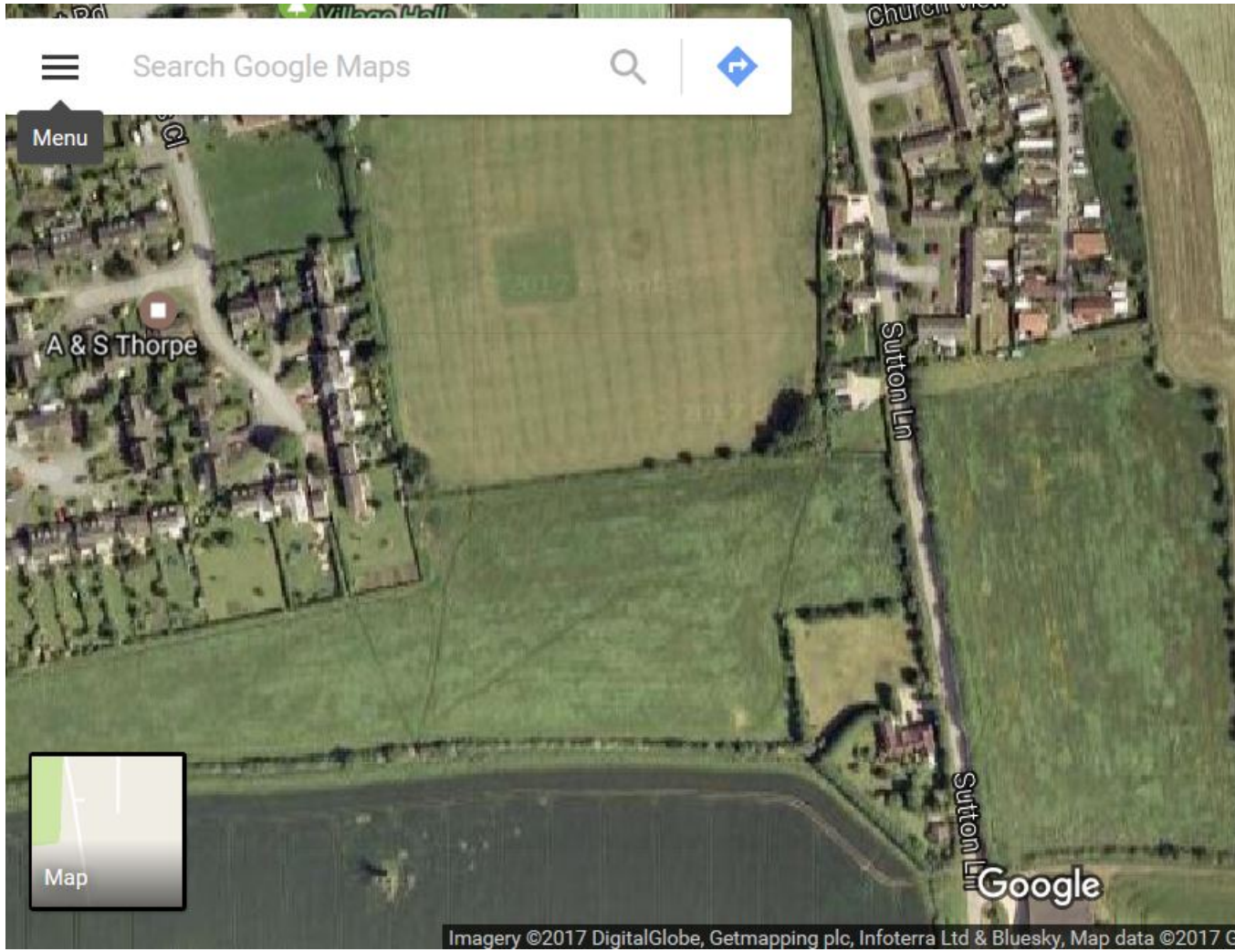
13 INFORMATIVE TO APPLICANT:

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.

16/11427/FUL
Land adjacent to Sharplands
Sutton Lane
Sutton Benger
Chippenham
SN15 4RS



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