

AGENDA

Meeting: Eastern Area Planning Committee
Place: Cheese Hall, Town Hall, Devizes
Date: Thursday 4 August 2016
Time: 6.00 pm

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

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

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Membership:

Cllr Charles Howard (Chairman)	Cllr Nick Fogg MBE
Cllr Mark Connolly (Vice Chairman)	Cllr Richard Gamble
Cllr Stewart Dobson	Cllr Jerry Kunkler
Cllr Peter Evans	Cllr Paul Oatway

Substitutes:

Cllr Terry Chivers	Cllr James Sheppard
Cllr Ernie Clark	Cllr Philip Whitehead
Cllr Anna Cuthbert	Cllr Christopher Williams
Cllr Dennis Drewett	

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AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 16*)

To approve and sign as a correct record the minutes of the meeting held on 12 May 2016.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

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 in person no later than 5.50pm on the day of the meeting.

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. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Thursday 28th

July 2016. 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.

Members of the public are also reminded that, whilst they 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 before the meeting, any last minute lobbying of members is not permitted once the debate has started, including the circulation of new information, written or photographic which have not been verified by our planning officers.

6 Planning Appeals (Pages 17 - 20)

To receive details of the completed and pending appeals.

7 Planning Applications

To consider and determine the following planning applications.

7a 16/03834/VAR:Brail Vista, 163 Crofton Road, Great Bedwyn, SN8 3LX (Pages 21 - 32)

Removal of conditions 2 & 3 of planning permission K/44735 to allow full time independent residential occupation of the holiday let.

7b 16/03839/VAR:Brail Vista, 163 Crofton Road, Great Bedwyn, SN8 3LX (Pages 33 - 44)

Removal of condition 2 of planning application E/2012/0670/FUL, to allow for full-time rental occupation of a building converted for holiday accommodation.

8 Urgent items

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

Part II

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 MAY 2016 AT DEVIZES SPORTS CLUB, LONDON ROAD, DEVIZES, SN10 2DL.

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Jerry Kunkler, Cllr Paul Oatway and Cllr James Sheppard (Substitute)

Also Present:

Cllr Laura Mayes, Cllr Richard Gamble, Cllr Stewart Dobson

27. **Apologies for Absence**

Apologies were received from Cllrs Stewart Dobson and Richard Gamble. Each were in attendance, but had formally withdrawn in their capacity as Committee Members.

Cllr Gamble was substituted by Cllr James Sheppard.

28. **Minutes of the Previous Meeting**

The minutes of the meeting held on 21 April were presented for consideration and it was,

Resolved:

To APPROVE and sign as a true and correct record.

29. **Declarations of Interest**

There were no declarations made.

30. **Chairman's Announcements**

At the start of the meeting the Chairman apologised to the Committee and public for confusion over the location of the meeting. Officers had been posted at the location the public had been directed to, so as to inform them of the new location a short distance away, and the meeting had started late in order to ensure all those who had wished to attend were able to do so.

31. **Public Participation and Councillors' Questions**

The rules on public participation were noted.

32. **Appeals Update**

An update on appeals was provided as detailed in Agenda Supplement 1.

Resolved:

To note the update.

33. **16/01263/FUL: St Mary's School, George Lane, Marlborough, SN8 4BX**

Public Participation

Mr Gordon Hutt spoke in objection to the application.

Mrs Anne Schwodler, Headteacher for St Mary's School, spoke in support of the application.

Mr Tom Lamshead, agent, spoke in support of the application.

Mr Ian Mellor spoke in support of the application.

Cllr Marion Hannaford-Dobson, Chairman of Marlborough Town Council Planning Committee, spoke in objection to the application.

The Planning Officer presented the application and detailed the recommendation to approve the demolition of the existing primary school building and associated structures, and the erection of a new building, car parking and external landscaping. Key issues were stated to include the impact of increased traffic on residential amenity and parking. Details were also provided on proposed amended conditions in relation to archaeology, the timing of BREEAM (Building Research Establishment Environmental Assessment Methodology) certification, the timing of parking provision, footway widening, and an interim Travel Plan for the final phases of the development.

Members of the Committee then had the opportunity to ask technical questions of the officers. In response to queries it was confirmed that the National Planning Policy Framework, which required only 'severe' traffic concerns be a barrier to development, did not specifically define what impact would be severe, but that in the judgement of officers the application, suitably managed, would not rise to that level. Details were also sought on ecological assessments of the site, and alternate parking options in the area for parents.

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

The Cabinet Member for Children's Services, Cllr Laura Mayes, and the Cabinet Portfolio Holder for Schools, Cllr Richard Gamble, were invited to address the Committee. They spoke in support of the application, highlighting the need for the new school and efforts to mitigate existing concerns through conditions, and encouraged the monitoring of the situation and a review of any arrangements, as necessary.

The local Unitary Division Member, Cllr Nick Fogg MBE, addressed the Committee, agreeing with the concerns as raised by the Town Council in relation to traffic problems in the area and what had initially been an out of date, inadequate traffic plan. He noted the site was ideal for a school and there was support for the development, but that like the Town Council every effort should be made to address the concerns of local residents, and to explore further options regarding parking and access.

The neighbouring Division Member, Cllr Stewart Dobson, stated there was widespread support for development on the site, but that serious concerns had been raised in relation to the impact on local residents. He also highlighted several aspects of the travel plans that he felt could still be addressed further, along with suggestions of improvements.

The Committee then debated the application. In response to queries officers stated that the inclusion of a lay-by at the site, as suggested, would most likely encourage further traffic, which would conflict with the aims of the travel plan. Members discussed how many pupils lived close to the site and how to encourage reductions in car journeys, noting that with two schools merging into one, there could be fewer journeys from parents with children formally at two separate schools.

The Committee noted there were no objections in principle to the application, and that traffic considerations were the overriding concern; and discussed if appropriate measures had been put in place, how to encourage timely review of the arrangements once the school was occupied.

At the conclusion of debate, it was,

Resolved:

That Planning Permission be GRANTED subject to the following conditions:

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following submitted plans and documents as hereby approved:**

Site Location	32499_AP(00)01
Site plan (existing)	044-005 A
Site plan (proposed)	044-001 A
Landscape plan (proposed)	044-001 P3
Site access & security	044-002 P2
Landscape levels	044-003 B

Tree and vegetation retention and removal	044-007 A
Landscape sections	044-015 D
Planting plan west	044-201 P2
Planting plan east	044-202 P2
Tree pit details	044-401 A
Games court fence details	044-410 B
Typical cycle shelter	044-411 A
Floor plan (proposed)	32499_AP(00)04
Roof plan (proposed)	32499_AP(00)05
Construction phasing	32499_AP(00)07
Proposed street elevations	32499_AP(01)31
Proposed public elevations	32499_AP(01)32
Proposed playground elevations	32499_AP(01)33
Proposed detail elevations	32499_AP(01)34
Detailed section through roof turrets	32499_AP(02)41
Vehicle tracking - fire engine	X152040 300 P1
Reptile Mitigation Strategy - revision A	KIER20330_RMS
School Travel Plan	version 2.1
Drainage strategy	X152040
Drainage layout - sheets 1 & 2	92001 P4 & 92002 P4
SUDS details	92037 P2
Elemental landscape specification	revision C
Environmental Strategy Report v.1	7418/003A11/cms
Construction Management Plan	05/02/2016
Planning Design Access and Heritage Statement	32499
BREEAM tracker report	28413_005
Ecological Walkover and Mitigation proposals	32499
Archaeological Written Scheme of Investigation	770362

REASON: For the avoidance of doubt (given some revisions made during the course of consideration) and in accordance with sound development management practice.

- 3 Prior to the commencement of any works of construction of the new school building above ground level there shall have been submitted to and approved in writing by the local planning authority full details (including product literature provided by the manufacturer and photographic samples) of the external brickwork, wall and roofing materials to be used in the construction.

REASON: Insufficient detail on external materials have been provided in the application, and details are required to be approved in the interests of visual amenity and the character and appearance of the area.

- 4 The development hereby permitted shall be carried out in full accordance with the approved Construction Management Plan.

REASON: To ensure appropriate provision for the management of the construction in the interests of neighbour amenities and the safety and

convenience of use of the local highway network.

- 5 i) Prior to the commencement of the development a pre-commencement photographic survey of Isbury Road and Orchard Close (from the school site to its junction with Salisbury Road) and Ducks Meadow (in the vicinity of the school access) shall be carried out.

ii) Within 1 month of cessation of use for construction purposes of the respective access routes, post -construction survey of the roads shall be carried out in the same locations.

iii) Within 3 months of the completion of the development, details and results of both the before and after surveys together with a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development (including details for implementation and funding of the repairs - first to have been agreed with the highway authority), shall have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that any damage to the highway resulting from the development is identified and to ensure provision for a mechanism for necessary repairs to be put in-hand.

- 6 i) No development shall commence within the 'excavation area' identified in the approved archaeological Written Scheme of Investigation until archaeological investigation and recording in that area has been completed in full accordance with the approved Written Scheme of Investigation.

ii) Within two months of completion of the archaeological fieldwork a period will be agreed in writing with the Local Planning authority for the results of the archaeological investigation to be reported, published and archived in accordance with the approved Written Scheme of Investigation.

REASON: The site is of known archaeological potential and further investigation is required to ensure the protection and recording of any archaeological heritage present on the site.

- 7 i) No development shall take place until there has been submitted to and approved in writing by the local planning authority details to demonstrate that there is a contractual arrangement in place for translocation of slow worms from the site as set out in the approved Reptile Mitigation Strategy (received April 25th 2016).

ii) No development shall take place until slow worms from the site have been trapped in full accordance with paragraphs 6.8 to 6.13 of the approved Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation)(and appended drawings) and translocated in accordance with the approved Reptile Mitigation

Strategy (received April 25th 2016).

REASON: the development would directly impact on a population of slow worms. In the interests of biodiversity, the trapping and translocation of the worms needs to be carried out before works commence, and the local planning authority needs to be satisfied that there is a contractual arrangement in place to secure the ongoing maintenance and monitoring of the receptor site.

8 i) The development shall not be carried out other than in accordance with the Bat Mitigation Strategy set out in paragraphs 6.15 to 6.22 of the approved Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation), together with the appended drawings numbered KIER20330 66 & KIER20330 67.

ii) Reptile fencing shall be erected and maintained during the course of the development in accordance with paragraph 6.13 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation) and the drawing numbered KIER20330 70.

iii) Within 2 months of the substantial completion of the development, bird boxes shall be installed as detailed on drawing KIER20330 67 and paragraph 5.4 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).

iv) Within 2 months of the completion of the development, reptile hibernacula shall be installed as detailed on drawing KIER20330 67 and paragraph 6.14 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).

REASON: To ensure the protection of bats known to inhabit the site and so as to prevent reptiles entering the site following translocation of the slow worms, and to provide for ecological enhancement of the development in the interests of biodiversity.

9 i) All soft landscaping shown on approved drawings 044-201 P2 & 044-202 P2 shall be carried out no later than the first planting and seeding season following the first occupation of the building or the substantial completion of the development whichever is the sooner.

ii) All shrubs, trees and hedge planting so-planted shall be maintained free from weeds and shall be protected from damage by vermin and stock.

iii) Any of the planted trees or plants or any of the existing planting shown to be retained on approved drawing 044-007 A, which within a period of five years of the date of this permission, 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.

iv) All hard landscaping as detailed in the approved drawings and Elemental Landscape Specification shall be carried out in full accordance with the approved details prior to the occupation of the development.

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

- 10 The development shall not be occupied until surface water drainage has been provided in full accordance with the approved Drainage Strategy and approved drawings numbered 92001 P4, 92002 P4 & 92037 P2.**

REASON: To ensure that the development can be adequately and sustainably drained.

- 11 Within 6 months of the occupation of the building there shall have been submitted to and approved in writing by the local planning authority a Final Certificate certifying that the "Very Good" BREEAM standard (or any such equivalent national measure of sustainable building which replaces that scheme) has been achieved for the development.**

REASON: To ensure that the objectives of sustainable development set out in policy CP41 of the Wiltshire Core Strategy are achieved.

- 12 i) Within 4 months of the occupation of the new school building, the access, turning area and parking spaces shall have been completed in accordance with the details shown on the approved plans.**

ii) The access, parking and turning areas shall thereafter be so-maintained and shall be used for no other purpose.

REASON: To ensure adequate off-street parking in the interests of highway safety.

- 13 i) The school building hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority details of the covered and uncovered cycle parking and scooter parking as shown on the approved plans.**

ii) The school building shall not be occupied until the cycle and scooter parking has been provided in accordance with the so-approved details.

iii) The cycle and scooter parking shall thereafter be maintained in accordance with the approved details and shall be used for no other purpose.

REASON: To encourage sustainable methods of travel to and from the school.

- 14 The internal footpath linking the school grounds with Van Diemen's Close as shown on the approved plans shall be made available for parents and children accessing and exiting the school during the morning and evening on days when the school is open, at times deemed appropriate by the school.**

REASON: To encourage pedestrian journeys to and from the school.

- 15 Prior to the occupation of the development hereby permitted, there shall be submitted to and approved in writing by the local planning authority an Access Management Plan that sets out measures to prevent out-of-hours use of the outdoor sports and games facilities on the site; such measures to include details of arrangements for the locking of gates and maintenance of boundary fencing around the site, and for the locking of the gate into the hard-surfaced games court and for maintenance of the games court fence.**

REASON: In the interests of neighbour amenity.

- 16 i) There shall be no occupation of the development until plans detailing the widening of the footway along the school frontage with Ducks Meadow have been submitted to and approved in writing by the local planning authority, such plans first to have been discussed and agreed with the highway authority.**

ii) There shall be no occupation of the development until the footway has been widened in accordance with the so-approved details.

iii) The additional footway width as so-approved will thereafter be maintained in a condition equal to the adjoining footway and shall remain clear and available for public use at all times.

REASON: To reduce pedestrian congestion around the school in the interests of pedestrian safety and convenience, and to encourage non-car related trips to the school.

- 17 No external lighting shall be installed within 5 metres of the bat boxes as shown on drawings KIER20330 66 & 67 and no lighting shall otherwise be installed on the building until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site, and in the interests of the local bat population.

- 18 i) The School Travel Plan forming part of the approved plans shall be implemented in accordance with the agreed details as set out in the Plan.

ii) The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and the amenities of the neighbourhood, to minimise vehicular traffic to the school.

- 19 There shall be no development under Phase 6 as set out in drawing 32499_AP(00)07 until:

i) there has been submitted to and approved in writing by the local planning authority an assessment of ground contamination in the vicinity of the 'tank' annotated on drawing PSCAPS22/STPETERS/003 (included in the submitted contamination report), together with measures for remediation in the event of contaminants being found; and

ii) a verification report demonstrating that such remediation as may be necessary and approved under part (i) above has been carried out.

REASON: The site is located on the chalk principle aquifer. Activities such as oil storage may have resulted in contamination that could be disturbed during construction, resulting in contamination of the aquifer. The submitted contamination report and ground investigations do not assess the risk in the vicinity of the former tank. Assessment and any required remediation is thus required to avoid contamination of controlled waters.

20

- i) There shall be no occupation of the new school building until there has been submitted to and approved in writing by the local planning authority an Interim Travel Plan to cover the period between first occupation of the school building and final completion of the development, such plan to include, but not necessarily be limited to:
- a) access arrangements for pedestrians and cyclists
 - b) details of the temporary access footpath
 - c) arrangements for parking vehicles and cycles
 - d) measures to be taken to encourage parents to use non-motorised forms of transport in collecting and dropping off their children
 - e) management and monitoring of school traffic and parking at the start and end of the school day.

ii) The measures and arrangements so-approved shall be implemented in full until the permanent access, parking and turning arrangements are completed and made available for use.

REASON: To ensure active and appropriate management of school traffic until the permanent access, parking and turning arrangements are available for use, in the interests of highway safety and the amenity of the area.

INFORMATIVE TO APPLICANT:

Six months after the opening of the school, the applicant shall engage with the local highway authority to review the traffic management situation on the roads nearest the site and consider what action, if any, might be required to address issues that have arisen since the school opened.

34. **Urgent items**

There were no urgent items.

(Duration of meeting: 6.10 - 7.30 pm)

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

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

**Wiltshire Council
Eastern Area Planning Committee
4th August 2016**

Forthcoming Hearings and Public Inquiries between 22/07/2016 and 31/01/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Date	Overturn at Cttee
15/01388/OUT	Land at Quakers Road Devizes	ROUNDWAY	Outline planning application for residential development of up to 123 dwellings together with associated open space, landscaping, parking and access. Access to be taken from existing site access onto Quakers Road	COMM	Inquiry	Approve	25/10/2016	No

Planning Appeals Received between 28/04/2016 and 22/07/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
15/10378/FUL	Newby Acre Marlborough, Wiltshire	MARLBOROUGH	Erection of single pair of semi-detached dwellings	DEL	Written Representations	Refuse	10/05/2016	No
15/11397/FUL	Land at Station House & Station Yard Station Approach Collingbourne Ducis Wiltshire, SN8 3EB	COLLINGBOURNE DUCIS	Removal of existing builders' compound and outdoor storage area. Erection of 15 dwellings, with associated parking, turning, landscaping, and highway improvement works (resubmission of 15/00262/FUL).	DEL	Written Representations	Refuse	20/07/2016	No
15/12362/FUL	The Drummer Boy Church Street Market Lavington Wiltshire, SN10 4DU	MARKET LAVINGTON	Change of use and conversion of existing Public House to two 3 bed dwellings, and erection of 1 two bed dwelling to rear of site, with associated amenity space and parking	COMM	Written Representations	Refuse	23/05/2016	Yes
16/00222/TPO	Raven House 13 High Street, Ramsbury Wiltshire, SN8 2PA	RAMSBURY	T1 - Remove Yew tree at the height of fence - 5' - 6'	DEL	House Holder Appeal	Refuse	18/05/2016	No
16/02927/FUL	Hallams 166 High Street, Burbage Marlborough, Wiltshire SN8 3AB	BURBAGE	Single storey extension	DEL	Written Representations	Refuse	11/07/2016	No
16/03269/LBC	Hallams 166 High Street, Burbage Marlborough, Wiltshire SN8 3AB	BURBAGE	Single storey extension	DEL	Written Representations	Refuse	11/07/2016	No
16/00044/FUL	Land at Cadley Road Collingbourne Ducis SN8 3ED	COLLINGBOURNE DUCIS	Proposed construction of new underground dwelling.	DEL	Written Representations	Refuse	20/07/2016	No

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded ?
15/01052/OUT	Land off Rabley Wood View Marlborough, Wiltshire	MARLBOROUGH	Residential development and associated works (Resubmission of 14/01766/OUT)	COMM	Written Reps	Refuse	Allowed with Conditions	20/07/2016	No
15/03513/FUL	Lovelock Cottage Little Salisbury Pewsey, Swindon Wiltshire, SN9 5NB	MILTON LILBOURNE	Conversion and extension of garage to dwelling with revision to entrance	DEL	Written Reps	Refuse	Dismissed	02/06/2016	No
15/04084/FUL	The Drummer Boy Church Street Market Lavington SN10 4DU	MARKET LAVINGTON	Change of use and conversion of existing public house to two 3 bed dwellings, and erection of two 2 bed dwellings to rear of site, with associated amenity space and parking.	DEL	Written Reps	Refuse	Dismissed	06/05/2016	No
15/06704/FUL	8 The Parade Marlborough, Wiltshire SN8 1NE	MARLBOROUGH	Change of use from a sandwich shop to a dwelling. Internal alterations, changes to ground floor rear extension and erect new first floor extension over	DEL	Written Reps	Refuse	Dismissed	11/05/2016	No
15/06875/LBC	8 The Parade Marlborough, Wiltshire SN8 1NE	MARLBOROUGH	Internal alterations, changes to ground floor rear extension and erect new first floor extension over to facilitate change of use from a sandwich shop to a dwelling	DEL	Written Reps	Refuse	Dismissed	11/05/2016	No
15/08054/FUL	Land at The Croft Broad Hinton, Wiltshire SN4 9PD	BROAD HINTON	Erection of a dwelling.	DEL	House Holder Appeal	Refuse	Dismissed	06/07/2016	No
15/09328/VAR	8 The Green Aldbourne, Marlborough Wiltshire, SN8 2BW	ALDBOURNE	Removal of Condition 3 of planning permission 15/05628/FUL to allow the development to be used as a separate dwelling and variation of condition 4 of planning permission 15/05628/FUL to allow the demolition of the wall and the creation of 1 off road parking space.	DEL	House Holder Appeal	Refuse	Split Decision	09/05/2016	No
15/10175/FUL	The Beeches Castle Lane, Devizes Wiltshire, SN10 1HQ	DEVIZES	Proposed basement parking, two storey extension, widening of vehicular access, external insulation, render and associated works to tree (Resubmission of 15/03460/FUL)	DEL	House Holder Appeal	Refuse	Dismissed	06/06/2016	No
15/10726/FUL	6 Commercial Road Devizes, Wiltshire SN10 1EH	DEVIZES	Replacement of the existing timber framed windows on the front elevation, with UPVC, double glazed units, including new timber posts to the corners of the bay window.	DEL	House Holder Appeal	Refuse	Allowed with Conditions	08/07/2016	Yes – Costs awarded to Appellant

15/11338/FUL	1 Commercial Road Devizes, Wiltshire SN10 1EH	DEVIZES	Two storey side extension and single storey rear extension	DEL	House Holder Appeal	Refuse	Allowed with Conditions	04/07/2016	No
15/12168/FUL	Princes Paddock Cross Lane, Marlborough, Wiltshire SN8 1JZ	MARLBOROUGH	Demolition of existing stable block and construction of bungalow in paddock	DEL	Written Reps	Refuse	Dismissed	06/07/2016	No

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REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	4 th August 2016
Application Number	16/03834/VAR
Site Address	Brail Vista, 163 Crofton Road, Great Bedwyn, Wiltshire SN8 3LX
Proposal	Removal of conditions 2 & 3 of planning permission K/44735 to allow full time independent residential occupation of the holiday let.
Applicant	Mr & Mrs M Rhodes
Parish Council	GREAT BEDWYN
Electoral Division	BURBAGE AND THE BEDWYNS – Councillor Stuart Wheeler
Grid Ref	426956 163104
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by the Committee

The application is one of two similar applications for the site that are being reported to the planning committee for consideration at the request of Councillor Wheeler.

1. Purpose of Report

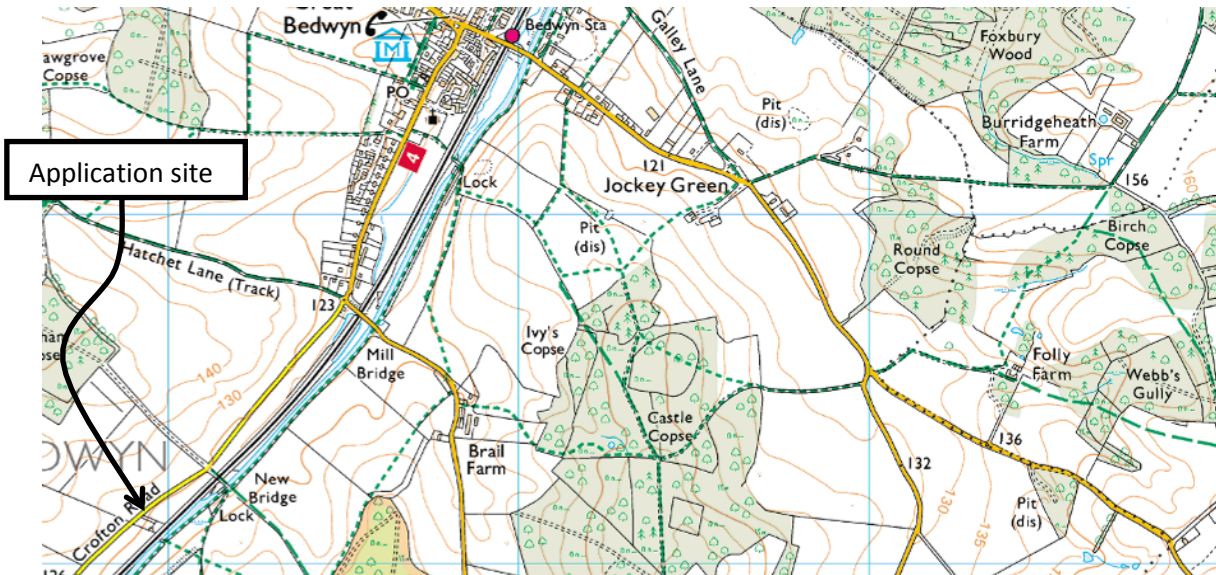
The purpose of the report is to allow the Committee to assess the merits of the proposal against the policies of the development plan and other material considerations, and the recommendation of officers that the application be refused.

2. Report Summary

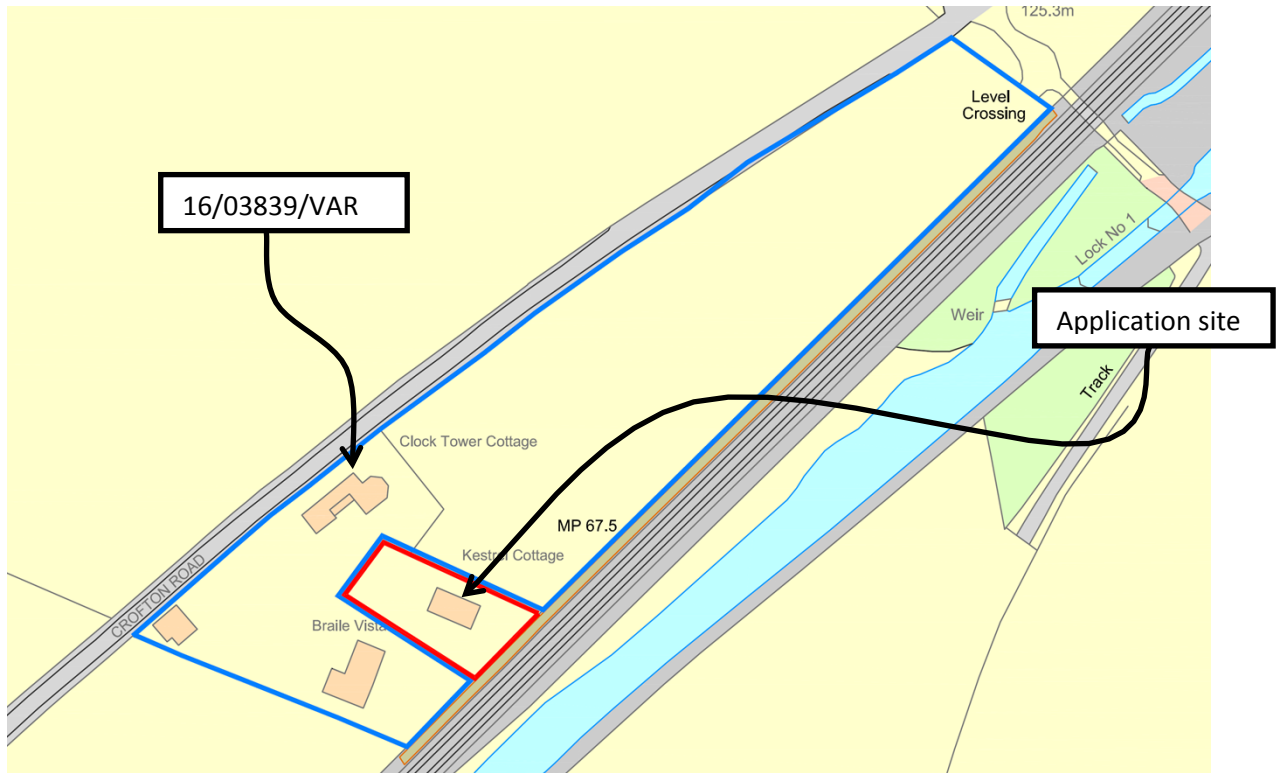
The main issue to be considered is the sustainability of allowing a new dwelling in the countryside and North Wessex Downs AONB when assessed against Wiltshire Council's Spatial Vision as set out in the adopted Core Strategy, and impacts in terms of the character and appearance of the area and the accessibility of local amenities and services for the occupants of the building.

3. Site Description

The building is located within the grounds of the property Brail Vista, 900 metres south west of the Burbage village limits on the unclassified road leading to Crofton.



The main line railway and Kennet & Avon canal lie to the south east. Open countryside lies to the south west, north west and north east.



The site is within the North Wessex Downs AONB.

The former garage (permitted in 1996) is of 1½ storey brick and slate construction and was converted to residential use as holiday accommodation following permission granted in 2003.

Access is via a single driveway that also serves Brail Vista and the other holiday let on the site (subject to application 16/03839/VAR in the following report).

4. Planning History

K/81/0048	Extension to dwelling	Approved
K/32679	The erection of a double garage and log store with games room above. The erection of a porch and a conservatory.	Approved 22/08/1996
K/44735	Change of use of garage & store into Holiday accommodation	Approved 06/02/2003
K/59480/F	Two stables, tack room, hay barn and tractor store	Approved 28/10/2008
E/2012/0670/FUL	Conversion of stables to 2 No holiday let cottages	Approved 09/07/2012
15/11631/VAR	Removal of condition 2 of planning permission K/44735 to allow full time independent residential occupation of 'Kestrel Cottage'	Withdrawn
15/11632/VAR	Removal of condition 2 of planning permission E/2012/0670/FUL to allow for full time rental occupation to allow for full time rental occupation of 'Clock Tower Cottage'	Withdrawn

5. The Proposal

The application concerns a building constructed as a garage to Brail Vista following approval in 1996, with subsequent approval in 2003 for conversion to holiday use.

Condition 2 of the 2003 approval provides that no person is to occupy the accommodation for more than 8 weeks in any calendar year or for more than 4 continuous weeks.

The condition was imposed as "The site lies within an area where permanent accommodation without a special agricultural or other essential local, need would not be approved".

Condition 3 of the 2003 consent also requires that the building is used solely for the use as holiday accommodation or for purposes incidental to the enjoyment of the main house.

The condition was imposed as "The holiday accommodation permitted is sited in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access and planning policies pertaining to the area, would not permit a wholly separate dwelling but in view of the proposed economic use applying in this instance there is no objection to the accommodation being occupied as holiday accommodation or for purposes incidental to the enjoyment of the dwelling house".

The current application now seeks removal of these conditions, effectively thereby creating a permanent independent 2-bedroom dwelling within the countryside and AONB.

6. Local Planning Policy

The development plan so far as is relevant comprises the Wiltshire Core Strategy (2015).

The following policies of the Wiltshire Core Strategy are of particular relevance to the proposal:

CP1	Settlement strategy
CP2	Delivery strategy
CP18	Pewsey Area Strategy
CP41	Sustainable construction and low carbon energy
CP48	Supporting rural life
CP51	Landscape
CP57	Ensuring high quality design and place shaping
CP60	Sustainable transport
CP64	Demand management
CP67	Flood risk

7. Summary of consultation responses

Great Bedwyn Parish Council: Support subject to:

- 1) No additional access to Crofton Road in the future
- 2) No future extensions to the building

Other: Support offered by 4 nearby residents

8. Publicity

The application has been publicised by way of a site notice posted outside the site.

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.

9.1 The principle of development

The Spatial Vision of the Wiltshire Core Strategy as set out in Core Policy 1 and Core Policy 2 sets a general presumption against any residential development outside the recognised limits of development.

Core Policy 2 is clear that development will not be permitted outside the limits of development, unless supported by other policies within the Core Strategy. This is reiterated in Core Policy 48, the supporting text for which states that residential development will not normally be permitted in the countryside unless it meets the requirements of Core Policy 44 (affordable housing).

Core Policy 39 supports development of tourist accommodation, and it was similar provision in former policies of the Kennet Local Plan that supported the 2003 conversion of the building.

In terms of the conversion of existing buildings, Core Policy 48 provides that residential use should only be considered where there is *clear evidence* that the use for the purpose of holiday accommodation is no longer a practical proposition, or otherwise in line with national planning policy.

Consistency with approval 15/05858/FUL

The applicant highlights approval under delegated powers of application 15/05858/FUL. That application related to a 'barn' approved in 2008 providing 2 holiday units and office space. The application retrospectively sought the use of the holiday units as independent dwellings and a change of use of part of the office space for A2 purposes (Financial and professional services). Approval was granted as the residential accommodation was specifically supported by Burbage Parish Council, which considered that the village had 'much need' for small rented accommodation such as the 1-bedroomed units in that instance.

The current proposal involves larger 2-bedroomed units, and whilst Great Bedwyn Parish Council offers qualified support for the current proposal, no need for the accommodation being proposed has been identified.

The Council's Housing Register shows that in the Great Bedwyn area, the housing need is predominantly for 1-bedroom homes, with the need for 5 x 1 bedroom homes in Great Bedwyn, and 9 x 1 bedroom homes in Great Bedwyn and surrounding parishes being registered. There is also a need registered for 1 x 2-bedroom home of social housing, but there is nothing to suggest that the proposed housing would meet this need as it would instead be rented on the open market.

It is also the case that since the Burbage approval, the Council has published a revised Housing Land Supply statement that demonstrates a strong 8½ years supply of deliverable housing land within the East Wiltshire Housing Market Area. The application site in Burbage was also significantly closer to the settlement boundary (120m rather than c. 900m) and along a no-through-road that is more pedestrian-friendly than the through route of the Crofton Road that serves the current site, which does not have any street lighting or pedestrian footway.

The circumstances of the Burbage approval thus differ significantly in a number of respects from the applications at Brail Vista such that the 2015 decision does not set a precedent. As with all applications, the current proposals need to be considered on their own merits with regard to all the circumstances.

9.2 Continued use of the building as a holiday let

In addressing the practicality of continued holiday use, the application suggests increasing difficulties in the owners being able to service the holiday units themselves, and a difficulty in employing staff, the cost of which, with advertising costs, also impacts on the viability of the holiday let business.

The application includes a viability appraisal for the holiday let business (which also includes Clock Tower Cottage considered in the following report). The appraisal has been provided on a confidential basis and the details thus cannot be reported. The appraisal shows profits reducing between 2013 and 2015 to a low level.

The business nonetheless remains profitable and whilst the profit in 2015 is relatively low, it takes into account an allowance towards the recent capital cost of converting Clock Tower Cottage, as well as significant advertising costs in 2015 which were eleven times higher than paid in previous years, and appear disproportionate and atypical.

Whilst appreciating that the current owners may have difficulty servicing the holiday accommodation, this is essentially a short-term personal difficulty that need not apply to future management of the site. Equally it would not apply if the building were to be returned to its former use as a garage/ outbuilding or if it were to serve as an annexe to Brail Vista.

The application also reports diminishing holiday occupancy due to increased competition and suggests an undesirability of the accommodation due to the proximity of the railway line and the impacts of noise. Clock Tower cottage has only been operational as holiday accommodation for 1 year however and there are thus no figures available in the trend of its occupation. Figures for 2015 however show 68% year-round occupancy.

In 2015 the Council received 32 enquiries/ applications in respect of proposals totalling 70+ holiday units within AONBs, suggesting a high demand for, and profitability in providing, holiday accommodation in the area. This inevitably leads to increased competition but as noted above, the business at present remains profitable.

No acoustic assessment has been submitted in support of the suggested undesirability of the application site for holiday purposes due to the proximity to the railway, although any such impact would of course impact also on permanent residential use of the building.

It is thus concluded that there is thus no *clear evidence* as required by Core Policy 48 that continued use of the building as a holiday let is not a practical proposition.

It is further noted from the submitted viability report that use of the buildings for commercial purposes (as preferred by Core Policy 48 over use as a dwelling) would be significantly more profitable than the holiday use. The report identifies that office or studio uses would necessitate only minimal conversion works.

9.3 Suitability of the location/ premises for independent residential use

Location

Core Policy 60 provides that the Council will use its planning powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people within Wiltshire. A key element of the policy is to ensure that development is sited in accessible locations.

As noted above, the site is located 900m from the settlement boundary of Great Bedwyn. Services and amenities within the village are further, for example 1.6km to the closest village shop and 2.3km to the primary school. Crofton Road does not have any pedestrian provision or streetlighting, and as such it is likely that occupants of the building would be largely reliant on the use of private cars for all day-to-day transport needs. As such the establishment of an

additional household on the site would be contrary to the principles and aims of sustainable development and Core Policy 60.

Impact on the character and appearance of the area

The holiday use of the building gives rise to limited need for the outdoor accoutrements such as a washing line, play equipment, garden outbuildings etc that is likely to be associated with a permanent residential use. Whilst the site is locally relatively well-screened from views, it is evident within the countryside and landscape of the AONB from public rights of way on rising ground south of the canal. It is also clearly visible by users of the railway.

The visual impact associated with independent residential use is a matter supported on appeal by the government's Planning Inspectorate – for example in a recent appeal decision concerning conversion of a residential outbuilding to a dwelling (11/12/2015 - APP/Y3940/W/15/3030962). The site was outside the AONB and was 'relatively well-screened in public views'. The Inspector nonetheless held that 'hard surfaces, parked vehicles and other domestic paraphernalia within the site's curtilage would have a diminishing effect on the setting of the building to the detriment of the area's character and appearance' and the appeal was dismissed on this basis.

The same principle applies equally but more-so within the AONB and it can only be concluded that the unfettered residential use of the site, and resulting likelihood of outdoor paraphernalia (particularly when considered cumulatively with the similar proposal for Clock Tower Cottage) would have a detrimental impact on the rural character and landscape of the AONB, contrary to Core Policies 51 & 57 which seek to protect the landscape quality and character of Wiltshire.

Amenities

In terms of the building itself, the application does not include floor plans, but internal inspection shows the property to provide a suitable level of internal accommodation for the 2-bedroom capacity. There is a small south-facing private garden area to the rear which would provide an adequate level of outdoor amenity space.

Access and parking

The access and parking arrangements are considered acceptable for the proposed use.

10. Conclusion (The Planning Balance)

Whilst the removal of the conditions to allow permanent and independent residential occupation would contribute toward the availability of dwellings in the area, there is no evidence of need to support the proposal. The principle of the proposal outside the defined limits of development is contrary to the Vision of the Wiltshire Core Strategy and the Strategy for the Pewsey Community Area as set out in Core Policies 1, 2 & 18. Whilst the Core Strategy is accepting of the residential re-use of buildings in certain circumstances, the application does not provide the required 'clear evidence' of the impracticality of continued use as a holiday let. Furthermore the occupants would have high levels of car dependence, thereby increasing unsustainable patterns of travel within Wiltshire contrary to Core Policy 60. Furthermore, the visual impact arising from pressure for outbuildings, washing lines, play equipment etc would be detrimental to the rural and landscape character of the area, contrary to Core Policies 51 & 57.

RECOMMENDATION

That the application be refused for the following reasons:

- 1) The site is located in open countryside outside of the limits of development defined for Great Bedwyn in the Wiltshire Core Strategy (adopted January 2015). The proposal would therefore conflict with Core Policies 1, 2 and 18 of the Wiltshire Core Strategy (adopted January 2015) which seeks to ensure that housing developments occupy sustainable locations throughout Wiltshire including the Pewsey Community Area.

Furthermore, the proposal would conflict with the criteria set out in Core Policies 48, 51, 57 and 60 of the Wiltshire Core Strategy and with paragraph 55 and of the NPPF for the following reasons:

- the application does not include any 'clear evidence' of the impracticality of continued use as a holiday let,
- local services and facilities could not be easily accessed other than by use of unsustainable modes and patterns of travel,
- the permanent independent residential use would result in pressure for outbuildings, washing lines, play equipment etc that would be detrimental to the rural and landscape character and appearance of the area.



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REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	4 th August 2016
Application Number	16/03839/VAR
Site Address	Brail Vista, 163 Crofton Road, Great Bedwyn, Wiltshire SN8 3LX
Proposal	Removal of condition 2 of planning application E/2012/0670/FUL, to allow for full-time rental occupation of a building converted for holiday accommodation.
Applicant	Mr & Mrs M Rhodes
Town/Parish Council	GREAT BEDWYN
Electoral Division	BURBAGE AND THE BEDWYNS – Councillor Stuart Wheeler
Grid Ref	426956 163104
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by the Committee

The application is one of two applications for the site that are being reported to the planning committee for consideration at the request of Councillor Wheeler.

1. Purpose of Report

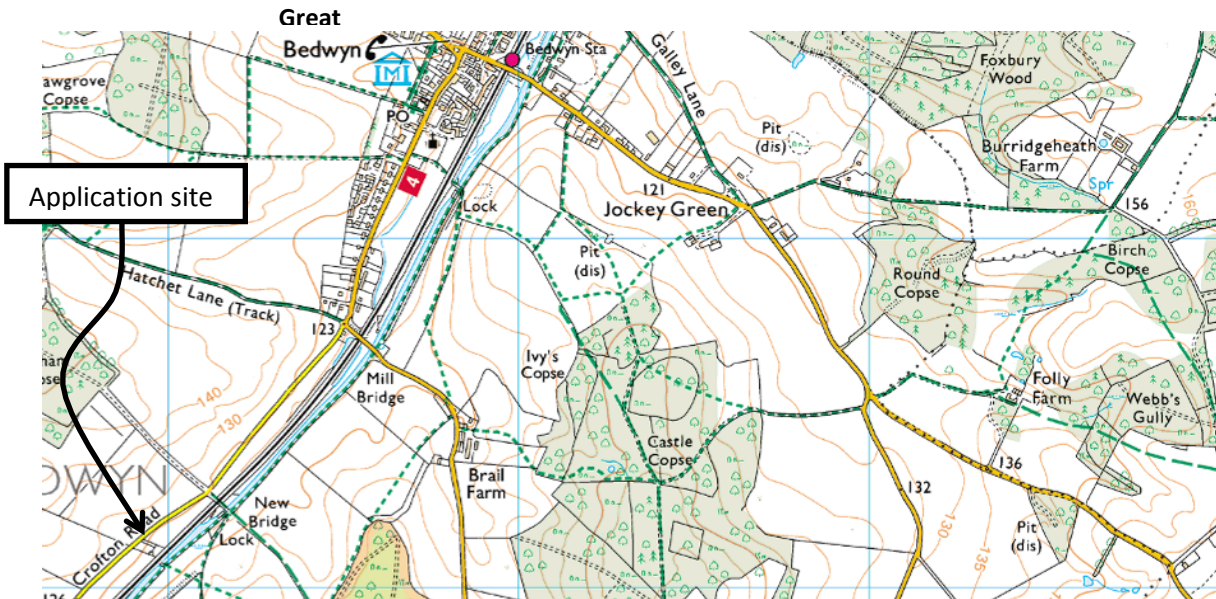
The purpose of the report is to allow the Committee to assess the merits of the proposal against the policies of the development plan and other material considerations, and the recommendation of officers that the application be refused.

2. Report Summary

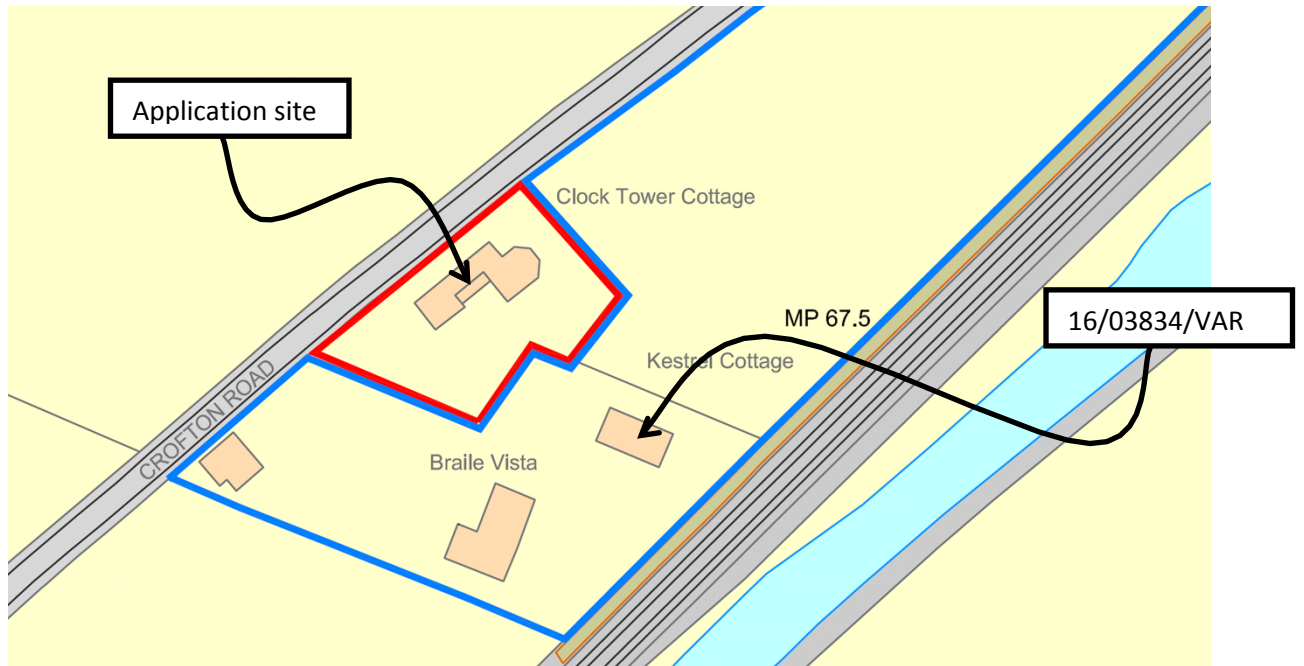
The main issue to be considered is the sustainability of allowing a new dwelling in the countryside and North Wessex Downs AONB when assessed against Wiltshire Council's Spatial Vision as set out in the adopted Core Strategy, and impacts in terms of the character and appearance of the area and the accessibility of local amenities and services for the occupants of the building.

3. Site Description

The building is located within the grounds of the property Brail Vista, 900 metres south west of the Great Bedwyn village limits on the unclassified road leading to Crofton.



The main line railway and Kennet & Avon canal lie to the south east. Open countryside lies to the south west, north west and north east.



The site is within the North Wessex Downs AONB.

Following approval in 2008, the building was erected as an outbuilding for use as stables, hay barn and tractor store and has since been converted to allow residential use as holiday accommodation.

Access is via a single driveway that also serves Braille Vista and the other holiday let on the site (subject to application 16/03834/VAR in the preceding report).

4. Planning History

K/81/0048	Extension to dwelling	Approved
K/32679	The erection of a double garage and log store with games room above. The erection of a porch and a conservatory.	Approved 22/08/1996

K/44735	Change of use of garage & store into Holiday accommodation	Approved 06/02/2003
K/59480/F	Two stables, tack room, hay barn and tractor store	Approved 28/10/2008
E/2012/0670/FUL	Conversion of stables to 2 No holiday let cottages	Approved 09/07/2012
15/11631/VAR	Removal of condition 2 of planning permission K/44735, to allow for private residential use.	Withdrawn
15/11632/VAR	Removal of condition 2 of planning application E/2012/0670/FUL, to allow for full-time rental occupation.	Withdrawn
16/03834/VAR	Removal of condition 2 of planning permission K/44735, to allow for private residential use.	Withdrawn

5. The Proposal

The application concerns a building within the grounds of Brail Vista, approved in 2008 for use as stables/ storage and converted following consent in 2012 for use as a holiday let.

The 2012 approval for holiday use is subject to a condition that the building is only to be used as holiday accommodation and that no person is to occupy the accommodation for more than 8 weeks in any calendar year or for more than 4 continuous weeks.

The condition was imposed as “This site is in the open countryside where the Local Planning Authority, having regard to long standing local and national planning policies, would not permit permanent residential accommodation”.

The current application seeks removal of this condition, effectively thereby creating a further permanent independent 2-bedroom dwelling within the countryside and AONB.

The application is similar to the previous application 15/11632/VAR which was withdrawn by the applicant prior to consideration by the planning committee on 28th January 2016.

The current application differs in that it is now supported by a Commercial Viability Appraisal.

6. Local Planning Policy

The development plan so far as is relevant comprises the Wiltshire Core Strategy (2015) and saved policies of the Kennet Local Plan.

The following policies of the Wiltshire Core Strategy are of particular relevance to the proposal:

CP1	Settlement strategy
CP2	Delivery strategy
CP18	Pewsey Area Strategy
CP41	Sustainable construction and low carbon energy
CP48	Supporting rural life
CP51	Landscape
CP57	Ensuring high quality design and place shaping
CP60	Sustainable transport

CP64 Demand management

CP67 Flood risk

7. Summary of consultation responses

Great Bedwyn Parish Council: Support subject to:

- 1) No additional access to Crofton Road in the future
- 2) No future extensions

Other: Letters of support received from 4 nearby residents

8. Publicity

The application has been publicised by way of a site notice posted outside the site.

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.

9.1 The principle of development

The Spatial Vision of the Wiltshire Core Strategy as set out in Core Policy 1 and Core Policy 2 sets a general presumption against any residential development outside the recognised limits of development.

Core Policy 2 is clear that development will not be permitted outside the limits of development, unless supported by other policies within the Core Strategy. This is reiterated in Core Policy 48, the supporting text for which states that residential development will not normally be permitted in the countryside unless it meets the requirements of Core Policy 44 (affordable housing).

Core Policy 39 supports development of tourist accommodation, and it was similar provision in former policies of the Kennet Local Plan that supported the 2012 approval for holiday conversion of the building.

In terms of the conversion of existing buildings, Core Policy 48 provides that residential use should only be considered where there is *clear evidence* that the holiday use is no longer a practical proposition, and when the proposal meets criteria in terms of convertibility, visual impact, residential amenities and access to local services, facilities and infrastructure; or otherwise is justified by special circumstances in line with national planning policy.

Consistency with approval 15/05858/FUL

The applicant highlights approval under delegated powers of application 15/05858/FUL. That application related to a 'barn' approved in 2008 providing 2 holiday units and office space. The application retrospectively sought the use of the holiday units as independent dwellings and a change of use of part of the office space for A2 purposes (Financial and professional services). Approval was granted as the residential accommodation was specifically supported by Burbage Parish Council, which considered that the village had 'much need' for small rented accommodation such as the 1-bedroomed units in that instance.

The current proposals involve larger 2-bedroomed units, and whilst Great Bedwyn Parish Council offers qualified support for the current proposal, no need for the accommodation being proposed has been identified.

The Council's Housing Register shows that in the Great Bedwyn area, the housing need is predominantly for 1-bedroom homes, with the need for 5 x 1 bedroom homes in Great Bedwyn, and 9 x 1 bedroom homes in Great Bedwyn and surrounding parishes being registered. There is also a need registered for 1 x 2-bedroom home of social housing, but there is nothing to suggest that the proposed housing would meet this need as it would instead be rented on the open market.

It is also the case that since the Burbage approval, the Council has published a revised Housing Land Supply statement that demonstrates a strong 8½ years supply of deliverable housing land within the East Wiltshire Housing Market Area. The application site in Burbage was also significantly closer to the settlement boundary (120m rather than c. 900m) and along a no-through-road that is more pedestrian-friendly than the through route of the Crofton Road that serves the current site, which does not have any street lighting or pedestrian footway.

The circumstances of the Burbage approval thus differ significantly in a number of respects from the applications at Brail Vista such that the 2015 decision does not set a precedent. As with all applications, the current proposals need to be considered on their own merits with regard to all the circumstances.

9.2 Continued use of the building as a holiday let

In addressing the practicality continued holiday use, the application suggests increasing difficulties in the owners being able to service the holiday units themselves, and a difficulty in employing staff, the cost of which, with advertising costs, also impacts on the viability of the holiday let business.

The application includes a viability appraisal for the holiday let business (which also includes Kestrel Cottage considered in the preceding report). The appraisal has been provided on a confidential basis and the details thus cannot be reported. The appraisal shows profits reducing between 2013 and 2015 to a low level.

The business nonetheless remains profitable and whilst the profit in 2015 is relatively low, it takes into account an allowance towards the capital cost of converting Clock Tower Cottage in 2014, as well as significant advertising costs in 2015 which were eleven times higher than paid in previous years, and appear disproportionate and atypical.

Whilst appreciating that the current owners may have difficulty servicing the holiday accommodation, this is essentially a short-term personal difficulty that need not apply to future management of the site. Equally it would not apply if the building were to be returned to its former use as a garage/ outbuilding or if it were to serve as an annexe to Brail Vista.

The application also reports diminishing holiday occupancy due to increased competition and suggests an undesirability of the accommodation due to the proximity of the railway line and the impacts of noise.

Figures provided suggest c. 50% year-round occupancy of Kestrel Cottage – having dropped from 65% in 2013. In 2015 the Council received 32 enquiries/ applications in respect of proposals totalling 70+ holiday units within AONBs, suggesting a high demand for, and profitability in providing, holiday accommodation in the area. This inevitably leads to increased competition but as noted above, the business at present remains profitable.

No acoustic assessment has been submitted in support of the suggested undesirability of the application site for holiday purposes due to the proximity to the railway, although any such impact would of course impact also on permanent residential use of the building.

It is thus concluded that there is thus no *clear evidence* as required by Core Policy 48 that continued use of the building as a holiday let is not a practical proposition.

It is further noted from the submitted viability report that use of the buildings for commercial purposes (as preferred by Core Policy 48 over use as a dwelling) would be significantly more profitable than the holiday use. The report identifies that office or studio uses in particular would necessitate only minimal conversion works.

9.3 Suitability of the location/ premises for independent residential use

Location

Core Policy 60 provides that the Council will use its planning powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people within Wiltshire. A key element of the policy is to ensure that development is located in accessible locations.

As noted above, the site is located 900m from the settlement boundary of Great Bedwyn. Services and amenities within the village are further, for example 1.6km to the closest village shop and 2.3km to the primary school. Crofton Road does not have any pedestrian provision or streetlighting, and as such it is likely that occupants of the building would be largely reliant on the use of private cars for all day-to-day transport needs. As such the establishment of an additional household on the site would be contrary to the principles and aims of sustainable development and Core Policy 60.

Impact on the character and appearance of the area

The holiday use of the building gives rise to limited need for the outdoor accoutrements such as a washing line, play equipment, garden outbuildings etc that is likely to be associated with a permanent residential use. Whilst the site is relatively well-screened from views, it is evident within the countryside and landscape of the AONB from public rights of way on rising ground south of the canal. It is also clearly visible by users of the railway and evident to an extent from the Crofton Road through and above the roadside hedge.

The visual impact associated with independent residential use is a matter supported on appeal by the government's Planning Inspectorate – for example in a recent appeal decision dated 11/12/2015 concerning conversion of a residential outbuilding to a dwelling in Bromham. A copy of the decision is appended to the agenda (see paragraphs 17 & 18). The site was outside the AONB and was 'relatively well-screened in public views'. The Inspector nonetheless held that 'hard surfaces, parked vehicles and other domestic paraphernalia within the site's curtilage would have a diminishing effect on the setting of the building to the

detriment of the area's character and appearance' and the appeal was dismissed on this basis.

The same principle applies equally but more-so within the AONB and it can only be concluded that the unfettered residential use of the site, and the resulting likelihood of outdoor paraphernalia would have a detrimental impact on the rural character and landscape of the AONB, contrary to Core Policies 51 & 57 which seek to protect the landscape quality and character of Wiltshire.

Amenities

In terms of the building itself, the application does not include floor plans, but internal inspection shows the property to provide a suitable level of internal accommodation for the 2-bedroom capacity. There is a small private garden area which would provide an adequate level of outdoor amenity space.

Access and parking

The access and parking arrangements are considered acceptable for the proposed use.

10. Conclusion (The Planning Balance)

Whilst the removal of the condition to allow permanent and independent residential occupation would contribute toward the availability of dwellings in the area, there is no evidence of need to support the proposal. The principle of the proposal outside the defined limits of development is contrary to the Vision of the Wiltshire Core Strategy and the Strategy for the Pewsey Community Area as set out in Core Policies 1, 2 & 18. Whilst the Core Strategy is accepting of the residential re-use of buildings in certain circumstances, the application does not provide the required 'clear evidence' of the impracticality of continued use as a holiday let that Inspectors have confirmed is required to demonstrate compliance with the recently adopted policies of the Core Strategy. Furthermore the occupants would have high levels of car dependence, thereby increasing unsustainable patterns of travel within Wiltshire contrary to Core Policy 60, and the visual impact arising from pressure for outbuildings, garages, play equipment etc would be detrimental to the rural and landscape character and appearance of the area, contrary to Core Policies 51 & 57.

RECOMMENDATION

That the application be refused for the following reasons:

- 1) The site is located in open countryside outside of the limits of development defined for Great Bedwyn in the Wiltshire Core Strategy (adopted January 2015). The proposal would therefore conflict with Core Policies 1, 2 and 18 of the Wiltshire Core Strategy (adopted January 2015) which seeks to ensure that housing developments occupy sustainable locations throughout Wiltshire including the Pewsey Community Area.

Furthermore, the proposal would conflict with the criteria set out in Core Policies 48, 51, 57 and 60 of the Wiltshire Core Strategy and with paragraph 55 and of the NPPF for the following reasons:

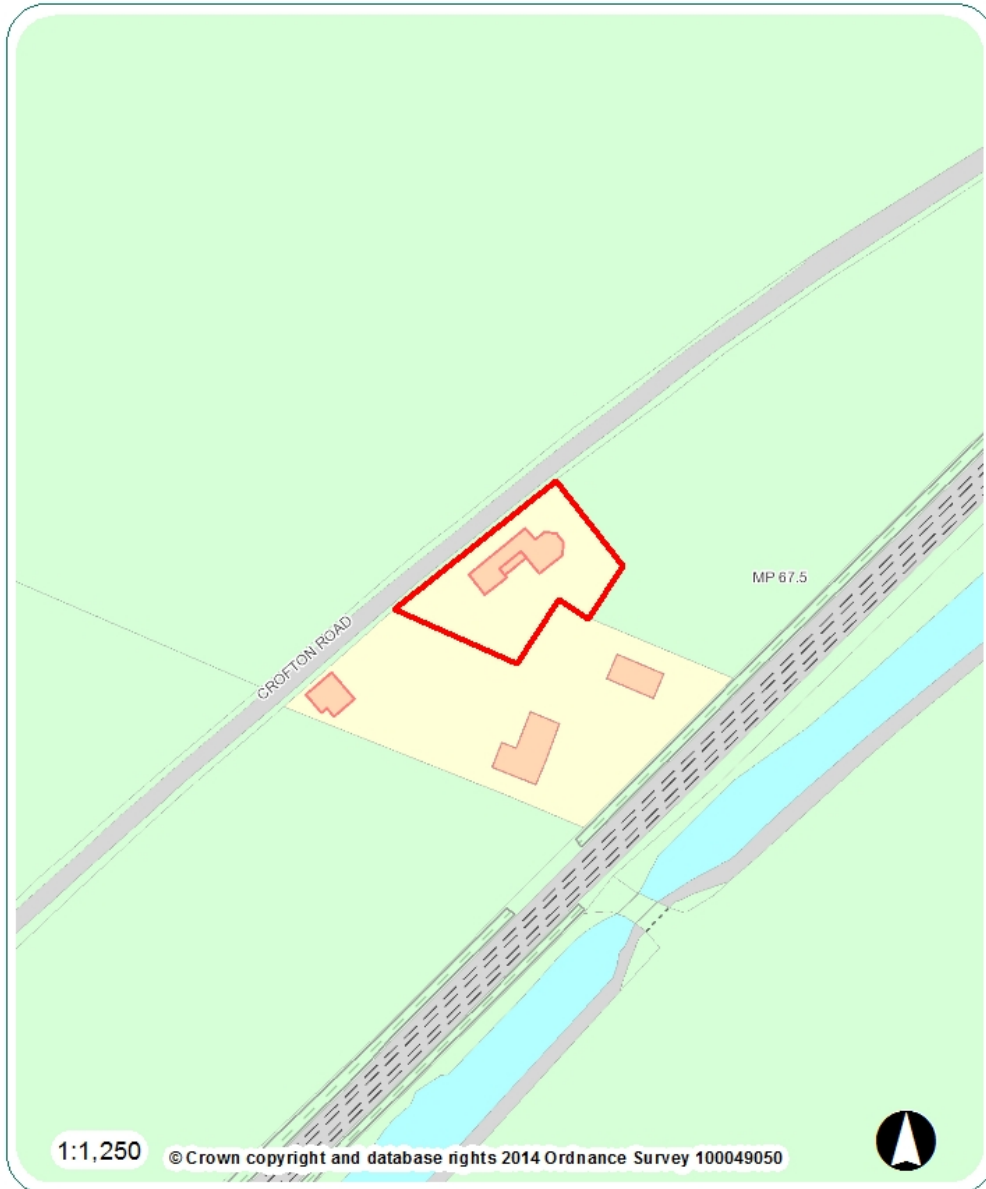
- the application does not include any 'clear evidence' of the impracticality of continued use as a holiday let,

- local services and facilities could not be easily accessed other than by use of unsustainable modes and patterns of travel,
- The permanent independent residential use would result in pressure for outbuildings, play equipment etc that would be detrimental to the rural and landscape character and appearance of the area.

16/03839/VAR
Clock Tower Cottage
163 Crofton Road
Great Bedwyn
Marlborough
Wiltshire SN8 3LX



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