

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham,
SN15 1ER
Date: Wednesday 6 September 2017
Time: 3.00 pm

Please direct any enquiries on this Agenda to Libby Johnstone, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718214 or email libby.johnstone@wiltshire.gov.uk

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Membership:

Cllr Tony Trotman (Chairman)	Cllr Mollie Groom
Cllr Peter Hutton (Vice Chairman)	Cllr Chris Hurst
Cllr Chuck Berry	Cllr Toby Sturgis
Cllr Christine Crisp	Cllr Brian Mathew
Cllr Howard Greenman	Cllr Ashley O'Neill
Cllr Gavin Grant	

Substitutes:

Cllr Ben Anderson	Cllr Bob Jones MBE
Cllr Bill Douglas	Cllr Jacqui Lay
Cllr Ross Henning	Cllr Melody Thompson
Cllr Ruth Hopkinson	Cllr Philip Whalley

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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.

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

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

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 14*)

To approve and sign as a correct record the minutes of the meeting held on 9 August 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 Chairman.

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 30 August** 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 1 September**. 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 15 - 16*)

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 **16/03721/REM and 16/04544/REM Land North of Bath Road, Corsham** (*Pages 17 - 44*)

7b **17/03035/REM Land at Former Blounts Court Nursery, Studley, SN11 9NQ** (*Pages 45 - 58*)

7c **17/05625/FUL Land between 18 & 19 Avils Lane, Lower Stanton St Quintin, SN14 6BY** (*Pages 59 - 68*)

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

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 9 AUGUST 2017 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew and Cllr Philip Whalley (Substitute)

Also Present:

63 Apologies

Apologies were received from Cllr Ashley O'Neil who was substituted by Cllr Phillip Whalley.

64 Minutes of the Previous Meeting

The minutes of the meeting held on Wednesday 12 July 2017.

Resolved:

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

65 Declarations of Interest

There were no declarations of interest.

66 Chairman's Announcements

There were no Chairman's announcements.

67 Public Participation

The Committee noted the rules on public participation.

68 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

69 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7a) 17/00606/FUL – Land South of Royal Wootton Bassett, 7b) 16/06790/FUL – Land at Methuen Park, Chippenham and 7c) 17/03112/FUL Silver Street, Colerne as listed in the agenda pack.

70 **17.00606.FUL - Link Road between A3102 and Marlborough Road, Royal Wootton Bassett**

Members of the public John Parker, Karen Dykstra and Alan Norman spoke against the application. The applicant's agent Roger Smith spoke in favour of the application. Cllr Janet Georgiou from Royal Wootton Bassett Town Council spoke against the application.

The Senior Planning Officer introduced the application for the permanent retention of existing temporary road as an agricultural access. A presentation was delivered showing photographs of the existing site and the proposed plans. Attention was drawn to the amended plans and in particular the re-location of the access point, along with other conditions added. The Officer highlighted the Late Items which referred to 8 further objections, which had not been included in the agenda.

Members were invited to ask technical questions. It was confirmed that although a draft report had been produced prior to the end of the consultation period, the report was still under review and all representations were considered by Officers, including the Late Items. A question was also asked as to whether the road would be approved if it was not already there and Officers confirmed that they could not determine applications on a speculative basis. It was confirmed that, as there had been no request for lighting, it could be conditioned that no street lighting could be installed on the road, without additional permissions. A question was also asked as to whether the site had been investigated for potential flood risk and it was confirmed that the existing drainage infrastructure had been recommended as suitable for permanent retention.

Members of the public spoke as detailed above.

Local Member Cllr Chris Hurst spoke against the application. He spoke of the clear passion of the residents and the substantial detrimental consequences of the road, present and future. He stated that residents had tried to come up with alternative proposals but had not been listened to. He referred to Core Policy 57, referencing the impact on amenity, privacy, overshadowing and the pollution and vibration caused by the road, which he described as being overbearing and over-specified.

In the debate that followed, Cllr Hurst proposed that the application be refused under Core Policy 57.6 and 57.7, namely that the road fails to take account of the characteristics of the site, and will give rise to unacceptable harm to the residential amenity of nearby properties in relation to privacy, overshadowing and intrusion. This was seconded by Cllr Howard Greenman and approved by the majority.

Resolved:

REFUSED for the following reason:

The proposed development, by reason of its siting, height and associated vehicle movements, fails to take account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting, and will give rise to unacceptable harm to the residential amenity of nearby properties in relation to privacy, overshadowing and intrusion. The proposals therefore conflict with Core Policy 57(vi) and (vii) of the adopted Wiltshire Core Strategy.

71 **16.06790.FUL - Methuen Park, Chippenham**

Chris Beaver representing M&W Group spoke against the application. The joint applicants, Ben Humphries- Ashville Group and John Owen- Greensquare Group, spoke in favour of the application. The applicant's agent Rosie Dinnen, spoke in favour of the application.

The Senior Planning Officer introduced the application for the proposed erection of 66 dwellings, formation of access road, open space, landscaping and associated works. A presentation was delivered displaying photographs of the existing site and proposed plans. Planning objections to the application were highlighted, namely the lack of public open space that was to be provided, as detailed in the report. Furthermore the Strategic Programmes Manager presented the economic arguments against the application, stating that the site was important for the economic development of Chippenham. Members were advised that this was the only readily available employment land in Chippenham, and that there was an evidential demand for such land in the area. It was explained that improvements were being made to the roads and access in the area and that this would enhance the value and commercial attraction of the area. The Officer highlighted a number of concerns raised by the business community in the area, including the impact on traffic and parking, along with the detrimental affect on commercial development in Chippenham. Attention was also drawn to the Late Items. The Officers recommendation was for refusal.

Members were invited to ask technical questions and it was queried why the site had not been utilised commercially, if there was such a demand for employment land in the area. Officer's explained that they did not have details as to why commercial offerings had fallen through but stated that there was an evidential demand for employment land in Chippenham.

Members of the public spoke as detailed above.

The Local Member Cllr Phillip Whalley offered Cllr Peter Hutton the opportunity to speak on this item, as the site is due to transfer to the Chippenham electoral area under the recent boundary changes. Cllr Hutton expressed disappointment that this was the only available employment land in Chippenham and stated that the site had been vacant from before 2003. He said that this application was a good opportunity to see the site developed.

In the debate that followed, Members expressed concerns that the site was being reserved for employment land, when there was no evidence to suggest that it was a viable commercial site. Reference was also made to the significant housing need in Chippenham, with a lack of affordable housing available. However, it was also voiced that a “residential hope” value may have contributed to the vacancy of the land. Cllr Christine Crisp proposed the officers recommendation for refusal. This was seconded by Cllr Toby Sturgis and passed by the majority.

Resolved:

Application REFUSED for the following reasons:

1) The proposal would lead to the loss of a major employment allocation of land, which is part of the strategic objective set out in the Wiltshire Core Strategy to deliver a thriving economy to provide a range of jobs in Wiltshire with dependence on retaining the availability of and enhancing existing employment sites. The loss of this site would also be contrary to the aims of the Wiltshire Core Strategy which seeks to protect Wiltshire’s most sustainable and valued employment areas by applying policies to favour employment uses on these sites. The proposal would therefore be contrary to the aims of the Wiltshire Core Strategy and to Policy CP35 of the Wiltshire Core Strategy and the advice within section 1 of the NPPF in particular.

2) The application does not satisfactorily demonstrate through a robust and comprehensive marketing exercise that its retention is no longer warranted. This would be contrary to the employment led emphasis of the Wiltshire Core Strategy and the requirements of CP35 of that document together with advice in Section 1 of the NPPF.

3) The proposal does not make provisions to secure contributions to affordable housing; education; public art; waste collection and re-cycling; the ongoing provision and maintenance of open space. The application is therefore contrary to Core Policies 3, 43, 45 of the Wiltshire Core Strategy and saved policy CF3 of North Wiltshire Local Plan 2011.

INFORMATIVE: The applicant is asked to note that reason for refusal 3 may be overcome via the entering into an agreement under s106 of The Act to deliver the necessary infrastructure to make the development acceptable in planning terms.

72 **17/03112/FUL- Land adj Barton Piece, Silver Street, Colerne, Chippenham**

The Chairman drew Members attention to the Late Items, which detailed the applicant's request for this item to be deferred, in order that revised plans may be prepared and submitted for consideration in response to objections received. The Chairman proposed that this item be deferred, which was seconded by Cllr Christine Crisp and approved by the Committee.

Resolved:

Application DEFERRED at request of applicant and agreement of Committee. Amended plans to be submitted.

73 **17/04235/FUL - 3 Church Place, Lydiard Millicent, Swindon**

Member of the public Bryan Larkin spoke against the application. Cllr Vernon Montgomery from Lydiard Millicent Parish Council spoke against the application.

The Team Leader introduced the application for part-retrospective permission for detached annex to rear, front porch and storm water harvesting system to main property and erection of potting/bike shed to the front of the property. A presentation was delivered, including photographs of existing site and proposed plans. It was explained that permissions had already been granted for the site and that the amended proposed plans, had not changed in terms of depth, height and width. The Officer explained that the proposed plans, were not considered to present any significant harm to the character and appearance of the area, nor impact the neighbouring amenities. It was also confirmed that there was no significant overlooking and that the sight was well screened and so not visually prominent in the locality. The Officer's recommendation was for approval, subject to conditions.

Members were invited to ask technical questions and it was confirmed that, there was no precedent in planning law, the site was not in a conservation area and so the potting shed at the front of the property was not comparable to other applications, which had been refused.

Members of the public spoke as detailed as above.

In the debate that followed, concerns were raised as to the accumulative applications for this development and its partially retrospective nature. Cllr Tony Trotman proposed the Officer's recommendation, seconded by Cllr Peter Hutton. This was passed by the majority.

Resolved:

To GRANT planning permission, 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:

Proposed south elevation Rev E

The plan showing the existing and proposed rear elevation of the host dwelling

The plan showing the proposed north elevation of the host dwelling and annex, roof plan and potting shed

The plan showing the proposed roof plan of the host dwelling and annex and the proposed north elevation of the annex and host dwelling

The location plan Rev E

The plan showing the proposed potting/bike shed front and side elevation

The plan showing the existing and proposed south elevation

The plan showing the existing and proposed front elevation of the host dwelling

Received by the Local Planning Authority on 26th May 2017

The plan showing the proposed west elevation of the annex

The plan showing the proposed floor plan of the annex

The plan showing the proposed east elevation of the annex

The plan showing the proposed south elevation of the annex

The plan showing the proposed north elevation of the annex

Received by the Local Planning Authority on 2nd June 2017.

The plan showing the existing and proposed floor plan of the host dwelling

Received by the Local Planning Authority on 27th June 2017.

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

3) No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: to protect neighbour amenity

4) The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as 3 Church Place and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

5) 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.

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 Council recommends that the applicant notes and implements the recommendations of the UK Constructors Group Good Neighbour Site Guide during the construction of the development hereby approved.

74 **17/05123/FUL - Wildings, Hazelbury Hill, Box, Corsham**

Cllr Sheila Parker from Box Parish Council spoke against the application.

The Team Leader introduced the application which was for the formation of an additional car parking space. A presentation was shown, including photographs of the existing site and proposed plans. It was explained that the application was partially retrospective, in so far as the ground had been excavated. Members were advised that the parking space was immediately opposite the neighbour's kitchen window. The Officer's recommendation was for approval.

Members were invited to ask technical questions and it was confirmed that a condition could be applied to ensure the use of the space for the parking of vehicles, as proposed.

Cllr Parker from Box parish Councillor spoke as detailed above.

The Local Member Cllr Brian Mathew spoke against the application. He described the area as an historic pathway, stating that the additional parking space would lead to a loss of amenity. He declared that the space should be restored to its original state.

In the debate that followed, Cllr Hutton proposed the Officer's recommendation for approval with the additional condition that the space only be used for parking cars in connection with the dwelling, along with the informative to ensure that

the drain, immediately adjacent to the space, is not effected by the new surface. This was passed by the majority.

Resolved:

To GRANT planning permission, 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:

Proposed Plan, Dwg No: 0091/15/A, Dated: 24 May 17;

Existing Plan, Dwg No: 0091/15/B, Dated: 23 Jun 17;

plans as received by the LPA 26/05/17;

and Site Location Plan;

plan as received by the LPA 19/07/2017.

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

3) The gradient of the access way shall not at any point be steeper than 1:15 for a distance of 10 metres from its junction with the public highway.

REASON: In the interests of highway safety.

4) The land subject to this planning permission shall not be used for the parking of cars until full and complete details of the intended surfacing has been submitted to and approved in writing by the Local Planning Authority. Such details shall include confirmation and proof where required that the surfacing is permeable. The development should not be brought into use until the parking space has been consolidated and surfaced in accordance with the approved details

REASON: So as to ensure that the development is carried out in a manner that is suitable to its location and that the surfacing materials to be used will assist with appropriate surface water drainage.

5) Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

Full details of the retaining structure /wall and fence/ barrier

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

REASON: In the interests of highway safety.

6) The parking space hereby permitted shall be used only for the parking of cars in connection with the use of "Wildings" as a domestic dwellinghouse.

REASON: So as to ensure the space is kept free for the parking of cars for residential purposes and in the interests of the amenity of the locality.

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:

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.

11) INFORMATIVE TO APPLICANT:

The applicant is asked to note that, in relation to condition 04, the location and proper functioning of the highway drain immediately adjacent to the parking space should not in any way be affected by the laying of the new parking space surface.

75 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 6.00 pm)

The Officer who has produced these minutes is Edmund Blick of Democratic Services, direct line 01225 718059, e-mail edmund.blick@wiltshire.gov.uk

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

Wiltshire Council
Northern Area Planning Committee
6th September 2017

Planning Appeals Received between 28/07/2017 and 25/08/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
16/11691/FUL	Land Adjoining Selian The Common, Minety Malmesbury, Wiltshire SN16 9RH	MINETY	Demolition of outbuilding & erection of four bedroom detached dwelling, detached double garage & associated works	DEL	Written Representations	Refuse	07/08/2017	No
17/03293/FUL	Thyme Cottage Tetbury Lane Crudwell, Wiltshire SN16 9HB	CRUDWELL	Conversion of detached domestic outbuilding to dwelling	DEL	Written Representations	Refuse	07/08/2017	No

Planning Appeals Decided between 28/07/2017 and 25/08/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
16/04489/FUL	66 High Street Royal Wootton Bassett, Wiltshire SN4 7AR	ROYAL WOOTTON BASSETT	Partial Demolition of Brick Wall to Create Vehicular Access	DEL	Written Reps	Refuse	Dismissed	08/08/2017	Not Appropriate for either party to apply for costs
16/04935/LBC	66 High Street Royal Wootton Bassett, Wiltshire SN4 7AR	ROYAL WOOTTON BASSETT	Partial Demolition of Brick Wall to Create Vehicular Access	DEL	Written Reps	Refuse	Dismissed	08/08/2017	Not Appropriate for either party to apply for costs
16/05959/OUT	Land to the South East of South View & North of Webbs Court South View, Lyneham Wiltshire	LYNEHAM AND BRADENSTOKE	Outline planning application for residential development of up to 60 dwellings; including the creation of new vehicular access, public open space, natural children's play area, landscape planting, pumping station, surface water attenuation and associated infrastructure (all matters reserved except means of access only in relation to a new point of access into the site) (Resubmission of 15/12487/OUT)	NAPC	Inquiry	Approve subject to signing of S106 Agreement	Dismissed	17/08/2017	Wiltshire Council Application for Costs is REFUSED
16/09220/LBC	Barnsgate Kington St Michael Chippenham Wiltshire, SN14 6HX	KINGTON ST. MICHAEL	2 replacement doors and 1 replacement window.	DEL	Written Reps	Refuse	Split Decision	02/08/2017	Not Appropriate for either party to apply for costs
16/10059/LBC	First Floor 18 High Street (formerly The King's Arms), Calne, Wilts SN11 0BS	CALNE	Internal Alterations to First Floor to Affect Use for Residential (C3/C4) Purposes (Part Retrospective)	DEL	Written Reps	Refuse	Dismissed	07/08/2017	Not Appropriate for either party to apply for costs
16/11847/FUL	The Orchard Land South West to The Street, Oaksey Wiltshire, SN16 9TJ	OAKSEY	Proposed dwelling, garage and access	DEL	Written Reps	Refuse	Dismissed	01/08/2017	Not Appropriate for either party to apply for costs
17/01978/PNC OU	Dutch Barn East End Farm Little Somerford Chippenham SN15 5JX	LITTLE SOMERFORD	Prior Approval For Change of Use of Agricultural Building to a Dwelling house (Use Class C3) and for Associated Operational Development.	DEL	Written Reps	Refuse	Withdrawn	17/08/2017	Wiltshire Council Application for Costs is PENDING DECISION

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	06 September 2017
Application Number	16/03721/REM
Site Address	Land North of Bath Road, Corsham, Wiltshire, SN13 0QL
Proposal	Reserved Matters Application Relating to Appearance, Landscaping, Layout & Scale (following outline application 13/05188/OUT) Residential Development for 150 Units Together with Associated Highways, Drainage and Other Infrastructure Works, Landscaping and Play Area.
Applicant	Mr Edward Nelthorpe, Redrow Homes South West
Town/Parish Council	CORSHAM
Electoral Division	CORSHAM PICKWICK – Cllr Ruth Hopkinson
Grid Ref	385631 170465
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application was originally called in to Committee by Cllr Macrae - the call-in subsequently upheld by Cllr Hopkinson - in order to consider the visual impact, relationship to adjoining properties, design and environmental impact of the proposal.

1. Purpose of Report

Following deferral of the application at the Committee meeting of 14 June 2017, 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 key issues in the consideration of the application are as follows:

- Layout of the development;
- Landscaping of the development;
- Scale of the development; and
- Appearance of the development

Corsham Town Council has objected to the application, which has also attracted 48 public objections from neighbours of the site and local residents.

A further round of consultation following the deferral of the application and receipt of amended plans has generated a second Town Council objection and a further 18 public objections, as detailed later in the report.

3. Site Description

The application site is located to the immediate North of the A4 Bath Road toward the western fringes of Corsham and comprises a large arable field, with a smaller historic pasture inset, amounting to approximately 10ha. A public right of way traverses the site from southeast to northwest, linking Corsham Town to the listed Guyers House, which is located a short distance from the northern site boundary. The site is otherwise bounded by late-C20th residential development at Academy Drive, the A4 Bath Road and the narrow Guyers Lane, to the West, and is enclosed by a combination of estate fencing, mature hedgerow and stone walling. At around the midpoint of its southern boundary, the regular shape of the site is interrupted by 3no. separate properties, the historic cottages forming nos. 53, 55 and 57 Pickwick, inset from the main road.

A number of mature trees of varying quality and health are dispersed through the site, contributing to the estate character and public amenity of the landscape. A concrete airshaft approximately 1.5m in height and 1.5m in width protrudes from the ground close to the southwest corner of the site, indicating the extent of underground mining operations to date. The Corsham Conservation Area borders the site at its southeast corner and eastern side, covering in the immediate vicinity notable buildings including the Grade II-listed St Patrick's Church and The Coach House, together with the unlisted but historic no.51 Pickwick, to the immediate East.

Outline planning permission was granted in May 2015 for the erection of up to 150 dwellings and 1,394m² of employment space, subject to a S106 legal agreement and conditions, several of which relate to specific technical matters. Application 13/05188/OUT refers. At that time, a dual access system consisting of a new roundabout directly opposite the main Bradford Road junction at the southwest corner and T-junction with right-turn lane at the southeast boundary with Bath Road were also approved, engineering details of which remain under separate consideration. The associated application for the approval of reserved matters related to the 'employment' element is 16/04544/REM.

4. Planning History

13/05188/OUT	Outline planning application for erection of up to 150 dwellings, up to 1,394sqm B1 offices, access, parking, public open space with play facilities and landscaping – appeal allowed
16/04544/REM	Reserved Matters Application for Access, Appearance, Layout & Scale (Following Outline Application 13/05188/OUT) Proposed B1 Employment Units on Land to the West of Bath Road Development Corsham – pending decision
16/08668/ADV	Erection of V Stack Sign and Flags to Advertise the Land for Residential Development – approved

5. The Proposal

The principle of development of up to 150 dwellings and up to 1,394m² of B1 employment, together with details of access and associated off-site highways engineering works, at this site together with the adjoining parcel has been accepted by

the grant of outline permission at appeal (13/05188/OUT refers). The outline permission remains extant and therefore these matters cannot be revisited at this time. This reserved matters application seeks approval only in respect of the outstanding matters of the layout, landscaping, scale and appearance of the residential element of the outline permission.

The full 150 units have been carried forward into the scheme, which also makes provision for associated public open space, play provision, ecological buffers and a large attenuation basin at the southeast corner of the site. The scheme broadly adopts the hierarchical street layout indicated at outline stage, with a general succession from affordable and smaller dwellings, including flats, toward larger detached units as one moves away from the main adopted section into peripheral private driveways. Most existing trees are to be incorporated into the scheme, whilst some historic stonework from within the site is to be re-used in the landscaping of the formal public open space. In terms of materials, the development is to comprise a mixture of reconstituted Cotswold stone, roughcast render, concrete tiles and slate, broadly dictated by the prominence and status of the individual units, which universally adopt a typical two-storey scale.

Following late representations made in respect of the scheme's compliance with Condition 4 of outline permission 13/05188/OUT prior to the meeting on 14 June, relating to ecological standoff areas and management, the site layout has been adjusted to secure a full 15m green buffer and further 10m no-build area alongside the site's eastern, northern and northwest boundaries. A supporting ecological compliance note addresses the changes and terms of Condition 4, including the removal of tree T15.

6. Local Planning Policy

Wiltshire Core Strategy

Core Policy 43 (Providing affordable homes)
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 64 (Demand management).

National Planning Policy Framework

Paragraphs 14 and 17
Section 7 (Requiring good design)
Section 12 (Conserving and enhancing the historic environment)

7. Summary of consultation responses

Corsham Town Council – objections, relating broadly to:

- Inadequacy of ecological mitigation;
- Unsuitable cul-de-sacs in respect of refuse collections and pedestrian permeability;
- Generic house types unsuited to context, with a predominance of render;
- Lack of integration of affordable units;
- Unsuitable surfacing, such as block paving prone to damage;
- Inadequate boundary planting/landscaping;
- Unclear specification of play area; and

- Need for safe access to attenuation basin if this is to be part of amenity space

Comments also related to off-site highways works, public art, future mine workings and ecological derogation licensing, all of which are separate matters not subject to consideration under this application.

Highways – no objection, subject to conditions

Urban Design – recommended changes – revised details received subsequently

Ecology – objections, although limited to those impacts already overruled in the Inspector’s conclusions. Revised proposals are compliant with outline Condition 4 and Habitat Regulations Assessment of March 2017, which remains valid.

Trees – no objection, subject to conditions

Housing – recommended changes to integration of affordable homes – revised details received subsequently

Drainage – no objection – final details to be agreed by outline condition

Rights of Way – no objection, however noted that footpath CORM75 may require diversion

Police Crime Prevention Design Advisor – no objections

Historic England – no comments

Natural England – no objection in respect of internationally and nationally protected sites, refer to standing advice in respect of protected species.

8. Publicity

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

48 letters of objection were received, based on the number of households, raising the following points:

- Design out of keeping with Corsham/Pickwick (29 references)
- Materials inappropriate/unsympathetic to context (28)
- Landscaping is inadequate or inappropriate (32)
- Ecological constraints are not fully addressed (34)
- Layout will impact adversely on neighbour amenity (27)
- Adverse impact on retained trees (11)
- Adverse impact on setting of the Conservation Area (13)
- Inadequate or unsuitable highways layout (3)
- Affordable Housing inadequately incorporated into layout (1)

A further round of consultation attracted a further 18 letters of objection, again by household and including those made on behalf of Corsham Civic Society, Pickwick Association and Beechfield Park Trustees, variously raising the following points:

- Non-compliance with ecological parameters plan;
- Loss of historic tree previously scheduled for retention;
- Adverse ecological impacts of lighting;
- Unsatisfactory road layout;

- Uncharacteristic density of development; and
- Lack of drainage information informing layout;

As the principle of residential development and means of access to the site are already agreed matters, any such points should be discounted from consideration for the purposes of the current application. Several comments also related variously to housing supply, saleability of units, land stability, technical drainage details, off-site highways works, licensing, noise and vibration and future mining safeguarding, all of which are either already approved or subject of separate conditions attached to the outline permission, and are not relevant to the specific items subject of the reserved matters application.

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.

Given the relationship to designated heritage assets at Guyers House and Pickwick Conservation Area, the provisions of S66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant.

Layout

It is considered that the overall layout adopts a legible hierarchy as one would reasonably expect of a development of this size where the dual access arrangements are already agreed, and are generally in accordance with the indicative details submitted at outline stage. The main crescent highway will provide for an active principal route through the site, also creating prominent corner plots where this adjoins subsidiary adopted sections. Following revisions to the scheme, the built envelope of the development is to be contained within the restrictions imposed by the original Ecological Parameters Plan and otherwise providing scope for peripheral landscaping, open space and reinforcement of a public right of way within the scheme. The resultant density is entirely in keeping with the expectations of the outline application and considered to be satisfactory, as it is not considered necessary for this to mimic the notably low density of the adjacent Academy Drive. Although terminating in cul-de-sacs as typical of developments of this type, the hierarchy of circulation areas now provides for a number of pedestrian breakthroughs into the continuous informal footpath through the East and West ecological buffers, increasing permeability and access to open space and, beyond, the open countryside.

Formal open space is to be provided at the southern end of the site, framing the initial section of the right of way and adjoining the permanent attenuation basin and overflow area at the southeast corner. In re-using the stone walling removed from the earlier inset field boundary, the open space is to be enclosed to a high standard, with a good quality hoggin path providing circulation between the adopted highways and public right of way.

The open space is also to incorporate a Local Equipped Area of Play (LEAP), the specification of which has been agreed with the Council's Environmental Services Officer. There is now a permanent pond of sealed construction to prevent water ingress to the mines below, with an overflow area attenuation basin designed together with the areas toward the southern site boundary to meet the 1 in 100yr + 30% storage capacity for extreme weather events. Both are to be left open to the open space, with the permanent water body to retain a constant depth of approximately 500mm.

In the first instance, the proposals were met with a holding objection from the Council's Drainage Engineer; owing to uncertainty over the current runoff and the capacity of the downstream system, Officers could not be certain that the layout could accommodate suitable surface water management. Although the (now considerably overdue) Atkins report into the capacity and condition of the Corsham system – into which the development would feed – remains outstanding, a subsequent revision to the Drainage Strategy for the site shows the layout capable of supporting an on-site system reducing maximum runoff rate to 10l/s. In the view of the Council's Engineer, with any reasonable assumption of current runoff arrangements, this represents a level that will not exacerbate existing, unrestricted flows, and will provide some betterment in extreme weather events. Accordingly, the Officer is content to remove the holding objection and control the detailed foul and surface water drainage arrangements under Conditions 13 and 14 of the outline permission respectively.

Having requested successive minor adjustments to highway surfacing, widths and alignments, vehicle tracking and parking provision, the Council's Highways Officer is now satisfied that the adopted and private street hierarchy is of an appropriate layout and specified to adoptable standards (excepting the private driveways). Visibility at junctions is adequate and can be secured by planning condition to ensure that the development is laid out in a timely and safe manner and retained in an appropriate arrangement. It should be noted that off-site works including the provision of a new roundabout at the Bath Road/Bradford Road junction were agreed under the outline permission, subject to approval of details – including lighting – under technical highways regulations, and are therefore not relevant considerations in this case.

Following initial concerns raised by the Council's Housing Officer, revised details have provided improvement in respect of the distribution of affordable units on site, with a terrace of four units (47-50 on the most recent iteration) repositioned within the northeast part of the site. Although there remains a general bias of affordable housing toward the southwest portion, when mindful of constraints such as the requirement for adopted highway access and function of these more dense units in creating an active street scene, a sensible layout has now been achieved in this regard. The scheme also includes flats to be offered as affordable rented units, together with a mixture of dwelling sizes. So far as reasonably practical, therefore, it is considered that the proposals comply with Core Policy 43's *On site distribution and standards*. Being broadly in accordance with the outline details, in respect of which concerns over overlooking were not upheld by the Inspector, it is considered that the proposals will promote an adequate standard of residential amenity to all new and existing properties.

Landscaping

The peripheral landscaping to the application scheme is largely dictated by the Ecological Parameters Plan, agreed previously, which provides *inter alia* for suitable landscaped buffers to protect important bat commuting and foraging routes, guarding against undue intrusion from activity and, in particular, lighting. These are retained along the North, East and West site boundaries, the former providing for an uninterrupted link between Guyers Lane and the retained mine shaft. Following negotiation, the treatment of the landscaping around the mine shaft has been refined, now comprising a double-row of tree planting and cat-proof wire mesh fencing. The latter will secure the area – accessible only for maintenance from the East – and also guard against vandalism and damage, as a chain link fence would likely require regular repair/maintenance. The County Ecologist has considered in detail the revised submitted landscaping scheme and its integral ecological mitigation and considers this to be consistent with the measures originally provided for in the outline application and as such is satisfied with the proposals' compliance with Condition 4 of the outline permission. Although its removal from the scheme is regrettable, the Council's Trees Officer has accepted the arboricultural justification in respect of tree T15.

Turning to the detail of the landscaping scheme, the Ecologist has noted previously the treatment of retained trees, which are generally contained to incidental pockets rather than part of any strategic landscaping scheme, and the pressure they may subsequently encounter due to their proximity to dwellings. Although this is not ideal, the Trees Officer is content that such matters can be addressed by condition, ensuring their independent retention as valuable habitat as much as in the interests of general amenity. The Ecologist agrees with the professional judgement reached by their predecessor at the time of the outline application, in particular remaining of the view that the effect of the development on non-SAC protected bat species using the mine shaft has been dramatically underestimated, and that the construction and occupation phases are likely to impact detrimentally upon these species. Concerns are also raised in respect of the potential for light intrusion from the illumination of the new roundabout access, notwithstanding existing sub-optimum conditions, impacting upon the use of the southern mine shaft buffer area by bats. Nonetheless, as explicitly noted in the Ecologists' comments, these matters must be considered in the round with other material considerations including the approved quantum of development (i.e. whether the full 150 units previously approved could be accommodated with significantly better ecological mitigation) and, critically, the Inspector's earlier judgements in respect of ecology. In both cases, a number of concerns were either dismissed altogether or considered by the Inspector to be insignificant or outweighed in relation to the substantive benefits of the scheme and its associated mitigation measures. Notwithstanding the professional view of the Ecologist, when having regard to the number of units to be accommodated the findings of the Inspector and the scheme of mitigation now proposed, it is considered that to substantiate a refusal on the above grounds would amount to unreasonable behaviour that would not be defensible at appeal.

Given the time elapsing between the determination of the appeal and consideration of the reserved matters applications, the County Ecologist has undertaken an update to the appropriate assessment under the Habitats Regulations in respect of any likely

impacts upon the integrity of the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC). Although it should be noted that the earlier judgement of the Inspector, as competent authority in this regard, at the time of his decision represents the 'baseline' position that must be accepted, the update assessment has regard to any changes in circumstances arising since that time and the extent of effect these may have on relevant protected species. The assessment, as last reviewed following the most recent revision of landscaping details, concludes that *relative to the accepted findings of the Inspector*, the proposed scheme whether independently or in combination with other 'live' or pending developments locally will not impact detrimentally on the qualifying features of the SAC. In this respect, the application is considered in conjunction with the Landscape and Ecological Management Plan (LEMP) submitted in respect of Condition 5 to the outline permission. The recommendations of the Ecologist as set out in the appropriate assessment have been reviewed by Natural England and agreed without amendment, the latter stating that their further review is not required if the Ecologist considers the findings of the HRA to remain valid. On a related note, it should be made absolutely clear that neither the Council nor Natural England has the power to compel the applicant to apply for a derogation licence. Nonetheless, given the Inspector's earlier conclusions and the outcome of the update HRA, and with respect to the proper tests, there is no reason to believe a licence would be *unlikely* to be granted if applied for. As such, any speculation that no application would be made in this respect is neither relevant nor fatal to the current reserved matters applications. This is a separate matter to be monitored and, if necessary, enforced by Natural England should a breach of the Regulations occur subsequently.

Although the northern boundary buffer area in particular appears to have been reduced relative to the indicative outline layout, the original plan was only indicative and an objection on this basis is considered unreasonable. The Inspector previously concluded that some harm to the setting of Guyers House would be experienced (but that this was outweighed by the public benefits of the scheme) and it is not considered that the closer proximity of built development as proposed exacerbates this effect to any significant extent. Similarly, the development's relationship to the Pickwick Conservation Area is substantively the same as that indicated at outline stage and accordingly, it is considered that the Inspector's findings in respect of the impact on designated heritage assets remain consistent with the current details. Having regard to the provisions of S66(1) and S72(1), therefore, it is considered that in light of previous conclusions there is no additional conflict with the relevant legislation arising when considering the proposals at this time. The private cul-de-sac arrangement facing the boundary emulates the driveway access to Guyers House; together with the intervening landscaping, this will avert the unwelcome 'sterilisation' of the space with uninspiring domestic boundaries and paraphernalia associated with dwellings backing on to this edge. It should also be noted that independently this section offers considerable ecological improvement, as detailed in the Ecologist's response.

The North and West buffers are to incorporate an informal hoggin pathway, providing an alternative daytime link between the public right of way and the various cul-de-sacs. The right of way is to be of more formalised construction – being surfaced in tarmac in the interests of longevity – and is to be set within a landscaped corridor extending throughout the site. Rights of Way Officers have noted that a diversion order may be

required in this respect. Following initial concerns raised by the Council's Urban Design and Landscape Officers, negotiations have sought the improvement of this element, including reviewing the orientation of neighbouring units and alignment of adjacent driveways, to improve the setting of the right of way. Although the proposals represent a fundamental shift in the character of the route, it is considered that its treatment is now of a high standard contributing to the overall public realm of the scheme and addressing the initial shortcomings identified in this respect.

Scale

The proposed scale of the development maintains a consistent maximum of two storeys throughout, including the proposed flats, whose design is considered to be in keeping with the suburban location and character of the development as a whole. This is consistent with the original Design & Access Statement and indicative details considered at outline stage. Although building height is fairly constant throughout – albeit with the depth of some of the large units creating a greater ridge height – the greater density and closer proximity to the highway will give the units fronting the main arc the most presence as perceived from the public realm. Garages maintain a modest single-storey scale, with roof coverings rather than gable ends generally orientated toward the highway, in turn minimising their apparent bulk within the street scene. The scale of the development is considered acceptable, therefore.

Appearance

The proposed house types proposed are, by and large, of standardised form, with the flats being the notable exception and occupying a prominent position on the main ingress to the site. Notwithstanding this, the individual units themselves are appropriately distributed such that those with a greater street presence are sited on the principal routes and generally appear more engaged with their context. In particular, an increased density of units has been introduced facing Bath Road, and other prominent plots such as those on corners or facing public spaces given greater definition. Although not typical of the immediate context of the site, the Arts and Crafts style of the dwellings is in keeping with some of the examples of suburban housing in Corsham more widely and certainly not atypical of the type and distribution of residential development over the past 80 years or so. Improvements in the external appearance of the development have been secured by negotiation in the course of the application process and are considered to address largely the original concerns raised by the Council's Urban Designer.

Several representations make reference to the proposed mixture of materials, which broadly comprises natural stone boundaries together with reconstituted stone and render finishes to individual units, beneath either slate or concrete tile roofs. It is considered that, in principle, this combination is reasonable; although benefiting from a high quality setting it must be recognised that the site is not located within a Conservation Area and will read as an honest reflection of its status as a comprehensive modern housing development. It is not considered that the use of higher-order materials such as natural stone would significantly diminish the level of harm to the setting of Guyers House identified by the appeal Inspector and it is acknowledged that reconstituted stone has been given precedence in the most readily visible parts of the

site. Similarly, it is considered that the use of Welsh slate or stone roof tiles, for instance, would only confuse the legibility of what are, in reality, modern buildings.

Conclusion

In respect of the specific scope of the reserved matters application, it is considered that the substantive scheme as subsequently amended represents an appropriate standard of design overall, and one that will deliver specific improvements including public open space, play and footpath provision. The matters assessed are considered to be satisfied by the submitted details and any approval is given without prejudice to any other outstanding technical matter, several of which have been raised through representations, and in full compliance with the conditions laid down with the grant of outline permission where required. Although ultimately subject to the granting of a Licence by Natural England, in the view of Officers the scheme will make adequate provision for the various elements of ecological mitigation sufficient to satisfy the relevant conditions and original terms of the outline application as judged by the Inspector. Accordingly, it is recommended that the application is approved.

RECOMMENDATION

That the application is approved, subject to the following conditions:

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

RHSW.5365.PL001 rev J - Planning Layout
5064/20/01 rev B – Refuse Vehicle Swept Path Analysis
5064/20/02 rev B – Refuse Vehicle Swept Path Analysis
Received 20 July 2017

RHSW.5365.SMP001 rev D - Surface Material Plan
RHSW.5365.AHP001 rev C - Affordable Housing Plan
RHSW.5365.EP001 rev D - Enclosures Plan
RHSW.5365.MP001 rev G - Material Plan
RHSW.5365.SH001 rev C – Storey Heights
5064/SK01 rev C - Preliminary Levels
1794 01 K - Landscape Masterplan
1794 02 E - Detailed Planting Plan (1 of 7)
1794 03 D - Detailed Planting Plan (2 of 7)
1794 04 C - Detailed Planting Plan (3 of 7)
1794 05 C - Detailed Planting Plan (4 of 7)
1794 06 C - Detailed Planting Plan (5 of 7)
1794 07 F - Detailed Planting Plan (6 of 7)
1794 08 C - Detailed Planting Plan (7 of 7)
Received 27 June 2017

5064/501 rev A - Attenuation Pond Details
Received 1 February 2017

F-SD-5365-01 - Stock Fencing Details
Received 7 September 2016

04644 TPP - Tree Protection Plan
1794 09 A - Detailed LEAP Proposals
Received 26 April 2016

Housetype Booklet "Bath Road, Corsham"
F-SDO902 - Knee Rail Fencing
F-SDO906 rev A - Screen Fencing, 1.8m High, Standard Effect
dwg: Natural Dry Stone Wall
Received 18 April 2016

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

- 2 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.

- 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 screen walls and/or fences shown on the approved plans shall be erected prior to the first occupation of their respective dwellings hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

- 5 No dwelling shall be first occupied until its turning area and parking spaces and access thereto 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

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

- 7 **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.

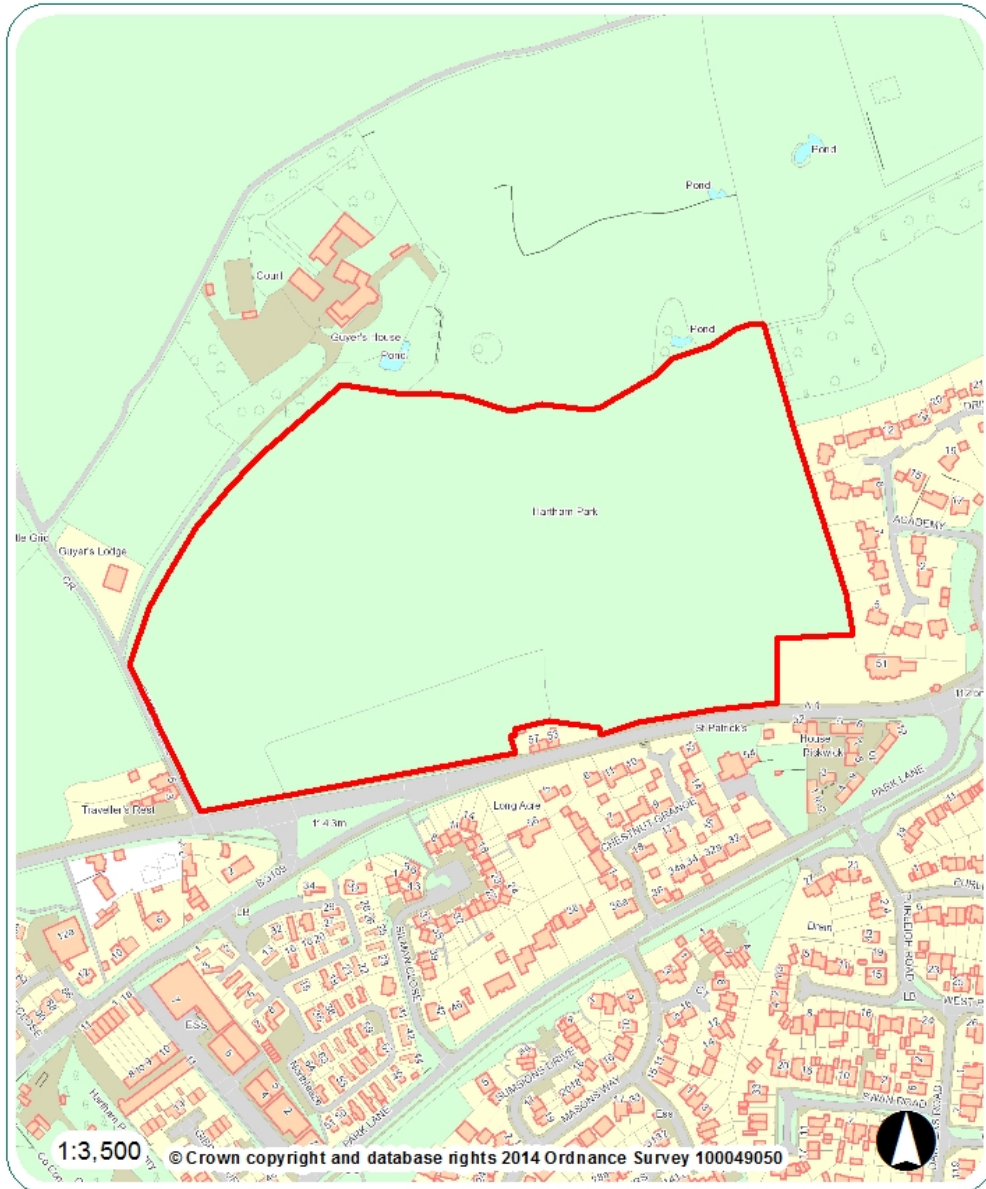
- 8 **INFORMATIVE TO APPLICANT:**
Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer.

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

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

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

16/03721/REM
Land North of Bath Road
Corsham
Wiltshire
SN13 0QL



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	06 September 2017
Application Number	16/04544/REM
Site Address	Land North of Bath Road, Corsham, Wiltshire
Proposal	Reserved Matters Application for Access, Appearance, Layout & Scale (Following Outline Application 13/05188/OUT) Proposed B1 Employment Units on Land to the West of Bath Road Development Corsham
Applicant	Redrow Homes Ltd.
Town/Parish Council	CORSHAM
Electoral Division	CORSHAM PICKWICK – Cllr Ruth Hopkinson
Grid Ref	385631 170465
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application was originally called in to Committee by Cllr Macrae - the call-in subsequently upheld by Cllr Hopkinson - in order to consider the visual impact, relationship to adjoining properties, design and environmental impact of the proposal.

1. Purpose of Report

Following deferral of the application at the Committee meeting of 14 June 2017, 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 key issues in the consideration of the application are as follows:

- Layout of the development;
- Landscaping of the development;
- Scale of the development; and
- Appearance of the development

Corsham Town Council has objected to the application, which has also attracted 24 public objections from neighbours of the site and local residents.

A further round of consultation following the deferral of the application and receipt of amended plans has generated a second Town Council objection and a further 13 public objections, as detailed later in the report.

3. Site Description

The application site is located to the immediate North of the A4 Bath Road toward the western fringes of Corsham and comprises the southwestern portion of a large arable field, itself including a smaller historic pasture inset and amounting to approximately 10ha in total. The West site boundary is marked by a good quality stone wall running alongside the narrow Guyers Lane, beyond which is a sporadic series of historic cottages, whilst a similar structure flanks the southern – Bath Road – edge. The L-shaped plan of the site is partially dictated by an ecological ‘stand-off’ area, established through an earlier appeal, around an historic mine shaft that is a nationally-important site for protected bat species.

Outline planning permission was granted in May 2015 for the erection of up to 150 dwellings and 1,394m² of employment space, subject to a S106 legal agreement and conditions, several of which relate to specific technical matters. Application 13/05188/OUT refers. At that time, a dual access system consisting of a new roundabout directly opposite the main Bradford Road junction at the southwest corner and T-junction with right-turn lane at the southeast boundary with Bath Road were also approved, engineering details of which remain under separate consideration. The associated application for the approval of reserved matters related to the residential element is 16/03721/REM.

4. Planning History

13/05188/OUT	Outline planning application for erection of up to 150 dwellings, up to 1,394sqm B1 offices, access, parking, public open space with play facilities and landscaping – appeal allowed
16/03721/REM	Reserved Matters Application Relating to Appearance, Landscaping, Layout & Scale (following outline application 13/05188/OUT) Residential Development for 150 Units Together with Associated Highways, Drainage and Other Infrastructure Works, Landscaping and Play Area – pending decision
16/08668/ADV	Erection of V Stack Sign and Flags to Advertise the Land for Residential Development – approved

5. The Proposal

The current application seeks approval only of the outstanding matters of the layout, landscaping, scale and appearance of the ‘employment’ element of the outline permission 13/05188/OUT, which was granted on appeal, as expressly reserved for later consideration. Having initially been granted outline permission for up to 1,394m² of office space, the revised proposals now comprise a reduced quantum of 991m² (10,664sq/ft) offices, with the parking allocation reduced accordingly. The proposals also make provision for ecological buffers as mandated at the time of granting outline permission. Having originally been of a rather standardised form, the revised scheme now comprises two detached buildings, situated on the southern and northern parts of the site and measuring 595m² and 396m² in floor space respectively, each formed of varying architectural components.

The existing tree at the southwest corner of the land is to be removed and new planting is to be introduced around the periphery of the development and also within a new area of courtyard amenity space. A dedicated bike/bin store structure is to be positioned at the southwest corner, designed as a simple, timber-clad box beneath a dark corrugated sheet roof. In terms of materials, the development is otherwise to comprise a mixture of

reconstituted Cotswold stone, timber cladding, slate and clay tiles, informed by the relative status of each component and the more 'rural' vernacular found in the local area.

6. Local Planning Policy

Wiltshire Core Strategy:

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 64 (Demand management)

National Planning Policy Framework

Paragraphs 14 and 17
Section 7 (Requiring good design)
Section 12 (Conserving and enhancing the historic environment)

7. Summary of consultation responses

Corsham Town Council – *“Resolved: to refuse the application on the grounds that the two applications (16/04544/REM and 16/03721/REM) should have been considered in a single application as the twin elements of residential and employment uses constituted a significant part of the argument in favour of sustainable development. There is insufficient detail to ensure that the landscape buffers and dark areas required have been provided and are not infringed by the proposed development. The Town Council still has concerns regarding land stability and drainage and would like to be assured that there is only one air shaft on site. The larger trees to be provided on site should be indigenous species and the regimentation of the planting scheme is not in keeping with the area. The Town Council had concerns over the thoroughness of the bat survey. The Town Council supports the Pickwick Association’s objections to the application.”*

Highways – no objection, subject to conditions

Urban Design – initial objections, citing primarily the utilitarian design of the units – revised details received subsequently

Ecology – objections, although limited to those impacts already overruled in the Inspector’s conclusions. Revised proposals are compliant with outline Condition 4 and Habitat Regulations Assessment of March 2017, which remains valid

Landscape – initial objections, citing inadequacy of landscaping treatments – revised details received subsequently

Drainage – no objection

Archaeology – no comments

Historic England – no comments

Highways England – no objection

Natural England – no objection in respect of internationally and nationally protected sites, refer to standing advice in respect of protected species

Upon re-consultation, Corsham Town Council's objections were updated as follows:

“Resolved: that the application be refused on the grounds that the environmental assessment was not satisfactory; Conditions 7 and 22 of the outline permission have not been met; the Town Council were not satisfied that the land was suitable for this development or that the detrimental effects on the bats could be suitably mitigated, the Town Council were also concerned about drainage on the site as the Atkins Report was not yet available; and were unhappy with the removal of World War 2 memorial trees; the Town Council would also like their previous objections to be considered (Minute PL 33/16)”

8. Publicity

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

24 letters of objection were received, based on the number of households and including those submitted on behalf of the Pickwick Association, Beechfield House Trustees and Corsham Civic Society, raising the following points:

- Ecological impacts, and in particular the adequacy of information required under condition 4 of the outline permission (20 references)
- Design out of keeping with Corsham/Pickwick (12)
- Landscaping inappropriate or ineffective (5)
- Materials inappropriate/unsympathetic to context (3)
- Adverse impact on setting of heritage assets (2)
- Inadequate or unsuitable highways layout (2)
- Adverse impact on residential amenity (1)

As the principle of employment development and means of access to the site are already agreed matters, any such points should be discounted from consideration for the purposes of the current application. Several comments also related to the prospect of future mining works beneath the site however this matter is subject of separate conditions (no.22 & 23) to the outline permission.

A further round of consultation attracted a further 13 letters of objection, again by household and including those made on behalf of Corsham Civic Society, Pickwick Association and Beechfield Park Trustees, variously raising the following points:

- Details fail to accord with necessary ecological parameters plan;
- External lighting will impact adversely on protected species;
- Cumulative impact with other developments on species has not been addressed;
- Development will impinge on retained trees and root protection areas;
- Office buildings will overlook nearby properties;
- Additional soft landscaping should be incorporated into proposals

Further points raised in respect of the principle of development, ground stability, drainage details, traffic and mining noise/vibration disturbance have either already been approved or are subject of separate conditions attached to the outline permission, and are not relevant to the specific items subject of the reserved matters application.

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.

Given the relationship to designated heritage assets at Guyers House and Pickwick Conservation Area, the provisions of S66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant.

Layout

The proposed layout is relatively simplistic, owing primarily to the considerable restrictions imposed by the proximity of the mineshaft and ecological buffers along the western and southern site boundaries. These spatial limitations effectively push any built development to the southern and northern ends of the site as well as limiting the intervening space available for parking. Consequently, the level of floor space has been decreased substantially relative to the maximum granted outline permission; this is welcomed. As parking standards for commercial developments are set on a per m² basis, this reduces pressure for parking and associated hard standing and lighting.

In its revised form, the proposal adopts a considerably more rustic form, featuring setbacks and projections to increase street frontage and add articulation, whilst also reducing bulk and part-enclosing areas such as the central courtyard to enable the creation of a quality landscaped amenity space within the development. Access and parking provision is considered adequate by the Council's Highways Officer, whilst the relaxed requirement in this regard represents a considerable improvement in terms of likely ecological impact, with considerably less lighting disturbance to the mine shaft swarming area in particular.

The Inspector did not previously identify any particular conflict between the development of the 'employment' element of the outline proposals specifically and the setting of the listed Guyers House or the Pickwick Conservation Area. Having regard to the provisions of S66(1) and S72(1), therefore, it is considered that the respective significance of the designated heritage assets and the setting of the listed building would be preserved. Due to their use, landscaping, orientation and relative containment, it is not considered that the proposed buildings or the use of surrounding areas would impact significantly on the residential amenity of nearby occupiers.

Landscaping

The landscaping for the site is provided principally by the designated buffers which enclose the site on all but its shorter northwest and southeast ends. Accordingly, there is little planting incorporated into the proposals per se, relying on sensitive transitional landscaping such as low level shrubs to avert undue pressure on the more strategic landscaping. It is considered that this approach is acceptable in the circumstances and that to instead attempt to screen the development altogether would run counter to the

site's role as the gateway to Corsham, ultimately unsuccessfully. The South and West fringes of the site have been shaped by what cannot be introduced, rather than what can or should, and is therefore open to interpretation. The limited planting scheduled can be secured by condition, together with the timely delivery of the hard landscaping that is integral to the success of the scheme in amenity and functional terms. Being quick to mature with the use of the development, it is considered that this would provide a good level of amenity consistent with the overall approach to the site and its role in the wider context of Corsham and Pickwick.

Initial objections were raised by both the Council's Landscape and Ecology Officers, relating specifically to the relationship between the scheme and the adjacent strategic planting surrounding the mine shaft clearing. As the latter forms part of a vital piece of ecological mitigation, it is essential that the planting should be able to establish rapidly and continue to mature without pressure for reduction arising from neighbouring buildings and/or unnecessary intrusion as required for building maintenance. This relationship has now been improved significantly through revised details; the building is set further back with only a blank elevation presented toward this part of the wider site, both minimising the above conflicts and safeguarding the ecological area from additional light ingress from windows, over which the authority would have little control. In order to prevent similar incursion from external lighting, a condition is recommended to provide additional control over such installations to prevent unwelcome light spill to ecological receptors. It is considered that this approach is a successful one overall when considered in the context of the quantum of development approved in outline for the site, and considerably better than any fallback position comprising an exhaustive representation of the maximum commercial floor space and associated infrastructure.

Scale

In keeping with the original Design & Access Statement, the employment buildings proposed comprise of a reasonable two-storey scale within their principal elements, dropping to around one-and-a-half storeys in the more subordinate sections. This mixture of proportions is welcomed as a means of achieving a more articulated, softened form of development in this prominent position without adversely affecting the degree of visibility in the street scene that it should rightly command. The dedicated cycle/bin store is of very modest proportions and will not appear particularly prominent given the scale of the adjacent building and limited wider visibility due to the boundary walls. It is not considered that the proportions of the buildings will have any overbearing or overshadowing effect on neighbouring properties and, with the re-orientation of the units, will not result in unwelcome light spill – particularly during the winter months – that would unduly illuminate bat areas, a notable improvement on the original submission.

Appearance

The external appearance of the units is much improved relative to that originally submitted and indeed that indicated at outline stage. Both previous iterations leaned heavily toward the rather utilitarian style of building typically found on commercial estates and devoid of any notable concession to local building styles. By contrast, the revised scheme represents a sympathetic composition utilising more traditional forms

and materials to achieve an altogether more 'agricultural' appearance, including the modest timber structure of the cycle/bin store. This will assist in forming a transition between, in particular, the historic cottages at Travellers Rest, and the modern form of the larger housing element for which approval is sought separately. Notwithstanding the active frontage presented to the south and west site boundaries, due to the intervention of parking and roads on both sides, together with the associated separation distances to neighbouring properties, it is not considered that any significant loss of amenity will be experienced by other occupiers by way of overlooking from the office units.

It is nonetheless considered that the buildings themselves have some independent merit; the South and East-facing elevations of Block A – perhaps the most prominent element – will be finished in a higher order reconstituted stone, giving the building a status and positive relationship to the newly-created access to the wider development. As a smaller component, Block B will assume a less articulated, more simplistic appearance that is considered well-suited to its recessed position. Nonetheless, the building now incorporates a good standard of finish, including a dedicated area of amenity space that can be refined through a detailed landscaping condition.

Other matters

Given the time elapsing between the determination of the appeal and consideration of the reserved matters applications, the County Ecologist has undertaken an update appropriate assessment under the Habitats Regulations in respect of any likely impacts upon the integrity of the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC). Although it should be noted that the earlier judgement of the Inspector, as competent authority in this regard, at the time of his decision represents the 'baseline' position that must be accepted, the update assessment has regard to any changes in circumstances arising since that time and the extent of effect these may have on relevant protected species. The assessment concludes that *relative to the accepted findings of the Inspector*, the proposed scheme whether independently or in combination with other 'live' or pending developments locally will not impact detrimentally on the qualifying features of the SAC. To this end, the application is considered in conjunction with the Landscape and Ecological Management Plan (LEMP) submitted pursuant to Condition 5 of the outline permission. It should be made absolutely clear that neither the Council nor Natural England has the power to compel the applicant to apply for a derogation licence however given the Inspector's earlier conclusions and the outcome of the update HRA, and with respect to the proper tests, there is no reason to believe a licence would be *unlikely* to be granted if applied for. As such, the previous assumption that this would occur is not relevant or fatal to the current reserved matters applications. This is a separate matter to be monitored and, if necessary, enforced by Natural England should a breach of the Regulations occur.

Having initially raised a holding objection owing to uncertainty over whether adequate drainage could be accommodated within the proposed layout, the Council's Drainage Officers are now satisfied that final details can be secured through outline conditions 13 and 14, relating to foul and surface water disposal respectively. The updated Drainage Strategy makes provision for a maximum discharge rate of 10l/s and, notwithstanding that the results of the survey of the downstream system remain outstanding, this

represents a reasonable solution based on the assumed existing arrangement. Final detail will still be subject to scrutiny and may require improvement works as directed by the statutory undertaker to ensure that these are adequate in practice. In any case, however, this is not incompatible with the proposal considered here and thus not critical to the application.

Whilst not a matter within the immediate control of the Local Planning Authority, the Officer is aware of other instances whereby outline or full planning permission has been granted in respect of commercial development but instead residential development pursued subsequently in its place. In this instance, however, the approval of reserved matters in respect of the units – which are designed to a reasonably high standard – would represent a better prospect for the purposes of marketing and improve the chances of finding a suitable tenant. Should the site be sold on as freehold, this would also provide greater reassurance to any purchaser as to the costs and yield of development. Notwithstanding the lack of any outline phasing condition and the Inspector's conclusions in relation to the principle of employment development in this location, therefore, this is material to maximising the prospects of delivering a balanced mix of housing and employment in tandem with the adjacent site.

Conclusion

It is considered that the much-improved proposals achieve a high standard of design in relation to this prominent corner plot. Notwithstanding that the development represents a significant change to the existing character of the site, the details submitted are of a good standard relative to the assumptions of the outline permission and represent the best chance of securing a long-term active employment use in this location at the entrance to Corsham. It is considered that the revised proposals are acceptable in planning terms.

RECOMMENDATION

That the application is approved, subject to the following conditions:

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

1794 11 C – Detailed Planting Proposals Employment Land
REDR160424-SW SL.01 rev D – B1 Office Units Site Layout
Received 27 June 2017

SLP.01 rev A - Site Location Plan
EL.01 rev A - Engineering Layout
A.e1 rev A - Block A Elevations
A.e2 rev A - Block A Elevations
A.p1 rev A - Block A Ground Floor Plan
A.p2 rev A - Block A First Floor Plan
B.e1 rev A - Block B Elevations
B.e2 rev A - Block B Elevations
B.p1 rev A - Block B Ground Floor Plan
B.p2 rev A - Block B First Floor Plan

Received 16 September 2016

BS.01 - Bin & Cycle Store Plans & Elevations
Received 2 September 2016

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

- 2 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.

- 3 No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

- 4 No paint or stain finish shall be applied to external timber (including external walls and window joinery), until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use.

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

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

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

- 6 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 approved plan EL.01 rev A - Engineering Layout (received 16 September 2016). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, gates, walls, fences or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

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

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions, extensions or external alterations to any building forming part of the development hereby permitted and no plant, machinery or other incidental structure shall be installed outside any such building on the site on the approved plans.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or external alterations, or the installation of any outdoor plant, machinery or other structure.

9 No external lighting shall be installed on site until details of lighting, external cowls, louvers or other shields to be fitted to reduce light pollution have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be put in place before the floodlights are first brought into use and shall be retained and maintained in accordance with the approved details at all times thereafter.

REASON: To protect species and to minimise light pollution in the interests of ecology and the amenities of the area.

10 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.

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.

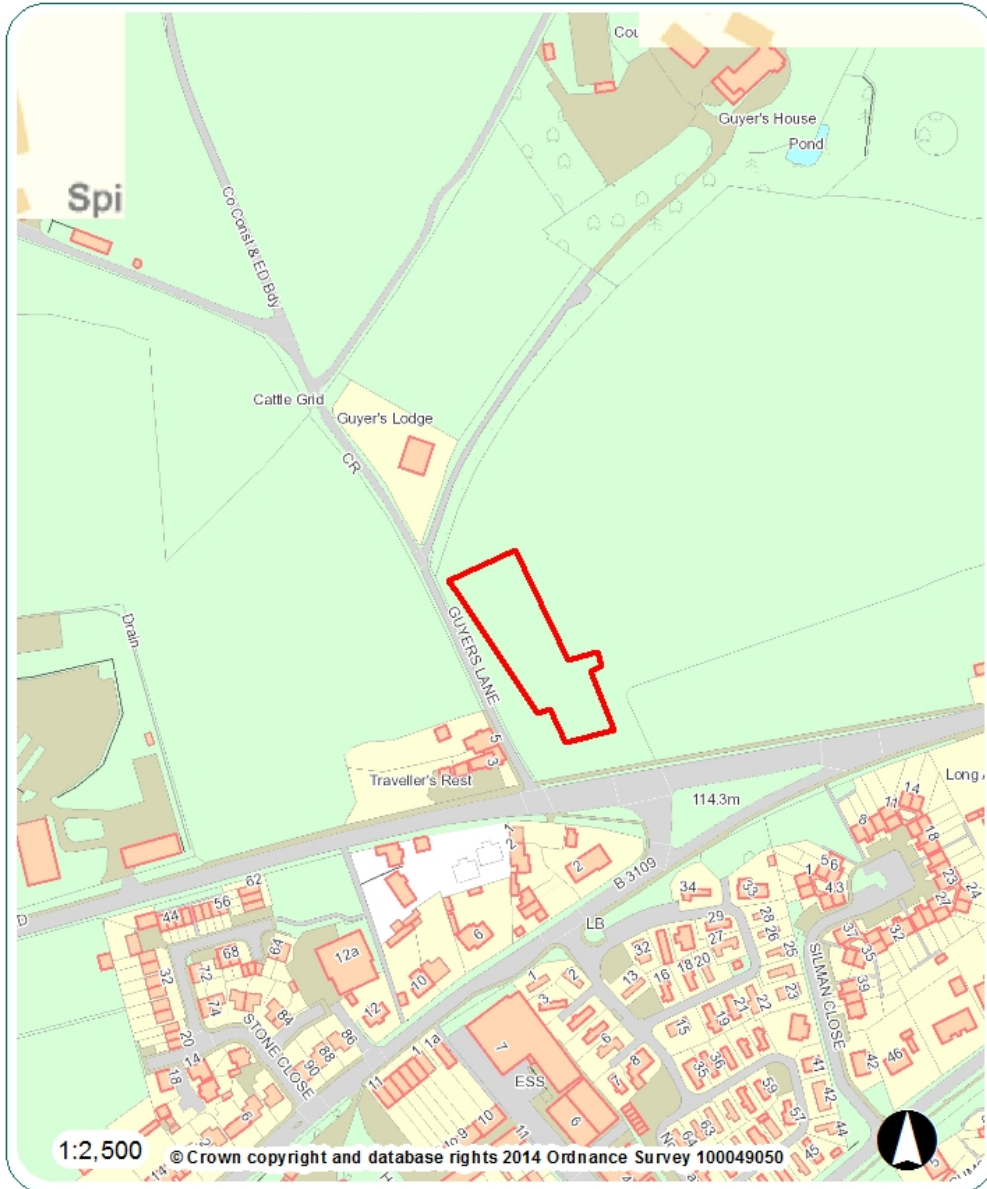
If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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.

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	06 September 2017
Application Number	17/03035/REM
Site Address	Land at Former Blounts Court Nursery, Studley Lane, Studley, Calne, SN11 9NQ
Proposal	Erection of 53 no. Dwellings with Public Open Space and Associated Infrastructure, Approval of Reserved Matters (scale, layout, external appearance and landscaping) to be Conjunction with Outline Application 15/10457/OUT
Applicant	Crest Nicholson South West Ltd
Town/Parish Council	Calne Without
Electoral Division	Calne Rural – Cllr Crisp
Grid Ref	396450 170996
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application was called to committee by Cllr Crisp due to the concerns expressed by local residents. In particular concerns still remain relating to the urban nature of the development, the provision of the crossing and the proposed location.

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 **GRANT** planning permission subject to planning conditions.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of development
- Impact on the character and appearance of the area
- Highway safety
- Design and Layout

The Parish Council object to the proposed development. 28 letters have been received objecting to the proposed development and 0 letters of support were received.

3. Site Description

The application site is located to the south of Studley and the north of Derry Hill in Wiltshire. The site lies adjacent to the A4, with Chippenham approximately 5 km to the west and Calne approximately 4km to the east. To the north of the site lies Vastern Saw Mill and the residential settlement of Derry Hill to the South.

Approximately 1.4 hectares of the site benefits from an extant permission for approximately 1.4 hectares of land as a commercial garden centre, which was granted permission in 2004 and has been lawfully implemented.

4. Planning History

N/99/01373/S73A	Renewal of permission for mobile home
N/00/02147/CLE	Certificate of lawfulness (existing use) for use of part of nursery garden as a garden centre (sui generis)
N/00/02903/CLE	Use of part of nursery as a garden centre (sui-generis)
N/93/01942/ADC	Advertising directional sign advertising directional sign
N/90/03055/ADC	Erection of non illuminated signboards
N/90/00636/ADC	Advertisement sign
N/90/02404/ADC	Resubmission - display of three non illuminated signboards
N/02/00849/FUL	Erection of replacement buildings, car parking, landscaping and highway alterations
N/03/00403/FUL	Refurbishment of existing garden centre including erection of replacement buildings, revised car parking arrangements, landscaping and highway improvements
N/03/03374/FUL	Refurbishment of existing garden centre including erection of replacement buildings, revised car parking arrangements, landscaping and highway improvements
N/08/00822/FUL	Erection of replacement buildings (Alteration / Revision to permission 03/03374/FUL)
14/04177/OUT	Erection Of 28 Dwellings, Including Access, Car Parking & Landscaping.
14/09769/OUT	Erection of 28 Dwellings, Including Access, Car Parking and Landscaping (Re-submission of 14/04177/OUT) GRANTED
15/10457/OUT	Residential Development of 53 Dwellings Including Access, Car Parking, Landscaping and Associated Infrastructure. GRANTED

5. The Proposal

The application seeks permission for the erection of up to 53 dwellings. It follows the approval of an outline application for up to 53 dwellings. The outline permission sought permission for access only. The current planning application is a reserved matters scheme seeking consent for the appearance, landscaping, layout and scale.

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 8- Spatial Strategy: Calne Community Area

Core Policy 51- Landscape

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 62- Development impacts on the transport network

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

Parish Council- Objects to the above planning application on the following grounds:

- The design, layout and materials of the detailed scheme presented in this application do not comply with Wiltshire Councils Core Strategy and the emerging Calne Community Neighbourhood Plan particularly policies below and sections 33.2, 28.1 & 28.3.
- Policy NE3 - Development which adversely affects the rural character of country lanes or **introduces urbanising features** will not be supported

- Policy BE2 – Local Distinctiveness and Aesthetics for all development must be designed to a high quality **that reinforces local distinctiveness, including in relation to materials, built form and settlement patterns**
- Policy H4 – Sustainable Design Development will be required to adhere to the principles of sustainable design and construction whilst **integrating into the environment and the local characteristics of the surroundings**
- In order to comply with these policies the design, layout and materials of the whole scheme must integrate with the local characteristics of the surroundings. That applies to the buildings but also to the layout, boundary treatments and road type. The whole street scene should reinforce local distinctiveness from the road surface to the chimney pots. Unfortunately these proposals clearly fail to do that. The development is at a prominent entrance to the village of Studley and must integrate with the local characteristics and feel of that village rather than the neighbouring village of Derry Hill which is much more urban in character
- The detailed matters which currently fall short are:
 - building mix and design
 - roof lines and material
 - boundary treatments
 - street scene (long continuous building and fence lines)
 - parallel concrete kerbs
 - traffic calming features
 - estate road turning head
 - footways
 - concrete block work
- We would recommend that design improvement should therefore include:
 - more diverse building mix
 - house and garage ridge lines
 - hedge and stone wall boundary treatments
 - some buildings close to the road, others not, some at odd angles
 - variable width carriageway with low countryside kerbs
 - no street lighting
 - verges rather than footways within the scheme
 - footways set back behind verges on Studley Lane and A4
 - gravel and tarmac driveways in keeping with those in the village.
- The location of the pedestrian/cycle (Toucan) crossing, or alternative measures, will have a material influence on the layout of the development. Therefore the location and design of the crossing must form part of the layout which is to be determined. In order to do this Crest should submit their Stage 2 Road Safety Audit (which is understood to have been undertaken) and a Non-Motorised User (NMU) Audit to show where pedestrians and cyclists are travelling to and from, now and in the future. This will not only influence the location and form of the crossing but also the 2m/3m paths on the A4 and through the scheme.

- The provision of the signal controlled Toucan crossing and its location is viewed by the Parish Council as an essential element of the proposals. Council considers it vital that Wiltshire Council and/or the applicant, engages with the Police now, to establish whether or not a reduced speed limit is acceptable. The Parish Council and planning committee can then have confidence that a safe crossing can be delivered as shown in the drawings (or an acceptable alternative location) before they approve the layout as part of the reserved matters application

The application does not appear to include any details of any noise attenuation measures in relation to vehicle noise from the A4. Without effective noise reduction from this source the amenity of future occupiers will be significantly compromised and potentially be detrimental to their health.

Pipeline Agency- Work should not be undertaken or activity without first contacting the CLH Pipeline System Operator for advice and, if required, Works Consent.

Drainage- No objection subject to conformity with submitted plans and discharge of conditions attached to the outline planning permission.

Highways- Revised plans have overcome initial concerns. No objection subject to conditions

Housing- No objection

Tree Officer- No objection subject to conditions

Urban Design- Revised plans have overcome initial concerns- No objection

Public Protection- The sawmill noise has been resolved, no objection subject to compliance with conditions attached to the outline application

Landscape- No objection

8. Publicity

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

The application has generated 28 letters of objection and 0 letters of support. A summary of the comments is set out below:

- The site is outside of the village settlement area.
- In conflict with neighbourhood plan
- The site is greenfield, currently used for agricultural purposes.
- will create a precedent for yet more building on greenfield both within and immediately adjacent to the village.
- Over dense with little privacy for the residents.
- proposed development is too large a scale for the village environment.
- Will cause traffic congestion
- Highway safety issues
- Harm the character and appearance of the area

- Cramped and over development
- Parking is already an issue in this area and would be made worse by this development.
- Development would create parking problems.
- Noise problems from the road and saw mill
- Houses not required
- Density of development too high
- Development will harm protected species
- Development on this site has previously been refused planning permission
- Additional noise and light disturbance, street lighting not required
- Insufficient parking
- Development on this land would affect local drainage
- Issues with connectivity
- No details of speed limit reduction or crossing
- Layout more suited to an urban area
- Lack of sewerage capacity

9. Planning Considerations

Principle of development

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Plan saved in the WCS, forms the relevant development plan for the Calne Community Area.

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

The principle of development has been established through the approval of the Outline Application and cannot be reconsidered under this application. The Council is asked to look at the suitability of the layout, landscaping, appearance and scale of the development.

Alterations and revisions to the proposed Design & Layout

Local residents have raised concerns that Council Officer's and the applicant have been inflexible in their approach to this application and have not responded to the views of local residents. The concerns of local residents are important and have been taken into consideration and the following changes to the scheme have been made by the applicant since it was received and validated by the Council:

- **Street lighting** – The applicant has removed street lighting from its technical approval submission at the direct request of the local residents and Parish. The suitability of that will be determined by the Highways authority when they are considering technical approval pack. This will subsequently be approved through the discharge of conditions attached to the outline application
- **Connections onto Studley Lane and relationship with Toucan** – The applicant has removed the footpath connection in between plots 39 and 40 and opened up a

new 3m cycle link between plots 47 and 48, this now relates better to the proposed Toucan Crossing.

- **Toucan Crossing** – The applicant has submitted for approval the technical details to both Wiltshire Council and their agents, Atkins, based on the outline approved requirements. The applicant has made the payment to the highways authority for the TRO work to commence. Consultation with external third parties (such as the Police) will now take place over the coming weeks together with advertisement of the proposed speed reduction. The applicant has addressed and returned comments to Atkins and are awaiting further comments. The applicant has also addressed and returned comments re the signals to Atkins. Siemens, who are the signal designers have been party to all these comments and assisted in that respect.
- **Landscaping** – The applicant have enhanced further the landscape planting and boundary treatments, including new estate railings along the A4 and native Horbeam hedgerow in response to concerns raised regarding the impact of the A4 and the need to soften the development. Areas of meadow have also been incorporated within the larger open spaces and along site boundaries to enhance green links through the development.
- **Plots 22/24** –The repositioning of the fence to ensure there is a 10m offset shown to rear of these properties in order to comply with the planning condition and at the request of Vastern Timber.
- **Changes to the landscape strategy** - Due to comments and feedback from the local highways authority. Officers confirmed that that they would not adopt any trees within the road. However, to compensate for this the applicant is proposing to plant 62 semi mature trees on site. In addition the scheme proposes to plant flowering shrub and herbaceous species as well as species rich grassland. Introducing these types of species should enhance the local biodiversity.
- **Ecological Enhancements Plan**- has been produced following discussions with local residents. The applicant is also proposing to provide bird and bat boxes across the site and a comprehensive management strategy to give ecology and landscape the maximum importance.
- **Noise**- Some objectors have raised concerns about noise and impact of the A4. As well as already resolving the original noise issue at Vastern Timber, an additional noise report to look at the impact from the A4 has been prepared. Noise mitigation in the form of a glazing solution and a complementary acoustic vent solution has been proposed for the affected facades.

Urban Design and Layout

Though not tied to the indicative masterplan submitted with the original outline application, the proposed development broadly matches this (in terms of residential development, though some changes have taken place). The urban design officer did express some initial concerns with the development with regards to buildings turning the corner, active frontages and the need to incorporate windows and detailing on exposed flanks.

These suggestions have been embraced and the proposal has made the most of this constrained site. It is considered that the scheme is of a reasonably high quality and makes good use of the opportunities and constraints of the site to deliver a coherent pattern of development interspersed with key focal points and open spaces. Where plots occupy prominent positions, either in terms of longer range views or pedestrian footfall, this has

been recognised through the use of additional fenestration and higher quality boundary treatments. The configuration of parking provision is such as to minimise the prominence of hard standing and avoid a street frontage dominated by on-street parking of private vehicles. Some effort is made to design out similar detriment to the public realm through effective boundary treatments.

Landscape impact

The proposal is broadly in accordance with the illustrative Master Plan. The principle of retaining existing important trees and hedgerows within areas of public open space/ landscape areas are included within this proposal and this is a significant benefit of the scheme and will help with its visual coherence with the existing built form of the locality.

The hard and soft landscaping proposal, as shown and specified within the submitted information is considered to be acceptable and provides a good level of visual amenity and external design quality.

Furthermore, the submitted 'Landscape Management and Maintenance Plan' is fit for its intended purpose and will ensure the long term maintenance of the public open space. In summary, the proposed development embraces opportunities to incorporate the development within the wider landscape area and though there will be some harm, as with any development on a site such as this, it is considered that the proposal is high quality and acceptable and accords with CP 51 and CP57 of the Core Strategy.

Pedestrian crossing

The outline planning permission to which this application relates and was permitted in 2016, with a specific condition requiring that:

'No development shall commence on site until details of a pedestrian link from the development hereby approved to Footpath CALW65 to the west of the site, and pedestrian/cycle links from the development site to the local centre, via a new Toucan crossing on the A4...generally as shown on...drawing SK01'.

The current proposal is a reserved matter application seeking approval of scale, layout, external appearance and landscaping. Matters relating to the access to the site and highway improvements such as the crossing and footways beyond the application red outline were considered at the Outline stage and the provision of them have been controlled through planning conditions and the s106 agreement.

Representations received by local residents focus on two main areas, one being highway safety. It is argued by some that the proposed location of the Toucan crossing will compromise the standard of the adjacent right turn lane.

As set out above, this is a matter controlled by condition attached to the Outline permission and does not form a reserved matters and is therefore not open to debate or consideration in the determination of this application.

To provide clarification on this point, officers can confirm that it is the Council's intention to advertise a reduction in the speed limit fronting the site, and in doing so, standards will be met as a result.

It is also argued by some that there is inadequate provision for cyclists – particularly that there is (alleged within representations) no segregated route between the site, along the A4, and links to the south.

As referred to above however, the outline planning permission was conditioned such that there will be a 3m cycleway on the south side of the A4 connecting the new Toucan crossing with the link to Chapel Street and onwards to the village facilities.

The process of designing and establishing the crossing as well as altering the speed limit within the locality is well underway, though not required by this reserved matters application. Taking into consideration the above there is no reason to withhold permission and the development is considered to accord with both local and national planning policies, including CP62 of the CS.

Highways

The access and offsite highway works were approved and fixed through the approval of the Outline application. These details and any concerns with these can not be reassessed through this application.

Initial concerns were expressed with regards to trees on areas to be adopted as public highway, the width of some access to private drives, the need to meet the Council's parking requirements for cars and cycle parking.

Alterations to the approved plans and additional details have been provided to overcome the initial concerns relating to the trees, and the width of the highway.

Some local residents have expressed concerns with regards to the level of parking provided and questioned whether the proposal meets the Council's parking requirements. Particular concerns was raised with regards to the suitability of tandem parking and counting garages as a parking space.

The Council's adopted Car Parking Strategy does allow for tandem parking and the use of oversized garages to meet its parking standards. Taking into consideration the submitted information, officers are satisfied that the proposal does accord with the Council's parking standards. To ensure that communal parking is not allocated to private households these will be within the adopted highway. To ensure that parking within garages isn't lost permitted development rights for the conversion of garages to habitable accommodation are to be withdrawn.

Setting of Listed Buildings

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.

The House of Lords in the South Lakeland case decided that the "statutorily desirable object of preserving the character of 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 proposed development is located over 70m from the nearest listed building (Baptist Chapel on Studley Lane). Having viewed the site from the listed building and attempted to view the listed structures from within the site it is considered that the proposal is unlikely to be visible and will therefore have a neutral impact on the setting of the listed building. The proposal is considered to accord with CP58 of the Core Strategy and the NPPF.

10. Conclusion

The proposed development is sustainable and, acceptable in principle, supporting the long-term objectives of the local area. The proposal will not result in harm to the natural or built environment or otherwise adversely affect highway safety or residential amenity. The

proposal is therefore compliant in policy terms with the Wiltshire Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

GRANT planning permission subject to planning conditions:

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

2550-5-2-DR-0001 P7 Received 19/07/2017

2550-5-2-DR-0002 P7 Received 10/08/2017

2550-5-2-DR-0003 P7 Received 10/08/2017

2550-5-2-DR-0004 P7 Received 19/07/2017

2550-5-2-DR-0005 P6 Received 19/06/2017

2550-5-2-DR-0006 P2 Received 22/03/2017

2550-5-2-DR-0007 P1 Received 01/02/2017

2550-5-2-DR-0008 P1 Received 01/02/2017

2550-5-2-DR-0009 P1 Received 01/02/2017

2550-5-2-DR-0010 P2 Received 13/07/2017

2550-5-4-LM-T4-S3 P1 Received 01/02/2017

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

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

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the (INSERT) roofslope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), 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.

REASON: In the interests of visual amenity.

- 6 No more than 40 units shall be occupied until the unallocated parking shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for the use of parking motor vehicles at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

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.

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.

INFORMATIVE TO APPLICANT:

Your attention is also drawn to the conditions imposed on the outline planning permission

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.

INFORMATIVE TO APPLICANT:

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

17/03035/REM
Land at Former Blounts Court Nursery
Studley Lane
Studley
Calne
SN11 9NQ



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	06 September 2017
Application Number	17/05625/FUL
Site Address	Land between 18 & 19 Avils Lane, Lower Stanton St Quintin, Wiltshire, SN14 6BY
Proposal	Proposed new dwelling and garage with change of use of small area of the rear paddock to residential curtilage
Applicant	Mr B Vitale
Town/Parish Council	STANTON ST. QUINTIN
Electoral Division	KINGTON – Cllr Howard Greenman
Grid Ref	391805 180937
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called in to Committee by Cllr Greenman, in order to consider the size of the proposed dwelling and its relationship to neighbouring properties.

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 key issues in the consideration of the application are as follows:

- Principle of development;
- Impact on the character and appearance of the site and surrounding area;
- Impact on neighbour amenity; and
- Highways impacts.

The application has received three letters of objection, as detailed later in this report. Stanton St Quintin Parish Council also objects to the proposals.

3. Site Description

The application site is located to the immediate south of Avils Lane, on the eastern edge of Lower Stanton St Quintin, which is identified as a 'small village' in the settlement hierarchy of the Core Strategy and thus does not have a defined settlement boundary. The plot is reasonably regular in shape and bounded on either side by traditional cottages at 'Cherry Tree' and 'Brook Cottage' to the West and East respectively. The boundary to Avils Lane is marked by a modest verge and stone wall, which is showing some sign of dilapidation having recently been stripped of plants, with a metal agricultural gate.

To the rear is an open paddock sloping gently upward toward a traditional farmstead, the Grade II-listed Glebe Farm, approximately 100m southward. The neighbouring former Lower Stanton Farm complex, immediately southwest, has been partially converted but largely redeveloped as a contemporary housing estate comprising two cul-de-sacs and now known as The Forge. As with no.18, its eastern boundary is marked by a traditional stone wall.

Outline permission was granted recently in respect of a single dwelling on the same site (16/06164/OUT refers).

4. Planning History

N/89/00578/OUT	OUTLINE-DWELLING HOUSE AND GARAGE – refused
16/03389/OUT	Outline Application for Erection of 1 New Dwelling with all Matters Reserved – approved
16/06164/OUT	Erection of 1 No. new dwelling (Outline application with all matters reserved - resubmission of 16/03389/OUT) - approved
16/10177/OUT	Erection of 1No. Dwelling – appeal dismissed

5. The Proposal

Full planning permission is sought in respect of the erection of a single dwellinghouse on the site as previously approved in outline, although this format is due only to the proposals' having originally sought the use of adjacent agricultural land as residential curtilage prior to amendments that remove this element.

The proposed dwelling is to be located fairly centrally within the plot, taking account of the sewer easement across the site frontage, over which a paved parking/turning area is to be provided. The building is to be of linear form and one-and-a-half-storey scale, spanning much of the plot with a triple-gabled front elevation, rear projecting element and attached single-storey double garage. Externally, the building is to be finished in random-coursed rubble stone beneath a pitched clay double roman tile roof, with render used on the less visible rear projecting section and eastern side elevation. To the rear, paving is to be introduced as part of the main garden area, which is to be enclosed from the agricultural land adjacent by a new native hedgerow.

Aside from the bringing the plot into line with the original outline area by removing a previously-proposed extension of the garden into the rear paddock, amendments to the

scheme also serve to reduce the span and depth of the garage by 0.5m and the remaining dwelling width by a further 0.5m, absorbing this reduction with an additional standoff from the dwelling to the southeast of 1.0m.

6. Local Planning Policy

Wiltshire Core Strategy:

Core Policy 1 (Settlement strategy)
Core Policy 2 (Delivery strategy)
Core Policy 57 (Ensuring high quality design and place shaping)
Core Policy 60 (Sustainable transport)
Core Policy 61 (Transport and new development)
Core Policy 64 (Demand management)
Core Policy 67 (Flood risk)

National Planning Policy Framework:

Paragraphs 14 & 17
Section 4 (Promoting sustainable transport)
Section 6 (Delivering a wide choice of high quality homes)
Section 7 (Requiring good design)

7. Summary of consultation responses

Stanton St Quintin Parish Council – objections, citing overdevelopment of the plot and overbearing impact on neighbouring properties. Also raise concerns in respect of construction traffic and control over adjoining land.

Highways – no objection, subject to conditions

Archaeology – no comment

8. Publicity

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

Three letters of objection (by household) have been received in respect of the application, raising concerns over overdevelopment, loss of character, overbearing, scale of building, selected materials, use of the adjacent paddock, impacts of construction traffic and potential site compounds.

Neighbour concerns were also raised in respect of the principle and impact of changing the use of part of the adjacent paddock, as originally proposed.

One further neighbour letter was received confirming that no objection is raised in respect of the proposals.

9. Planning Considerations

As a matter of principle, residential development in this location has been accepted previously in line with the adopted settlement and delivery strategies, which confirm the acceptability of infill development at small villages such as Lower Stanton St Quintin. Having been reduced to the original outline red line area, which shares its rear boundary with the alignment of the adjacent Brook Cottage, the site now sits comfortably within the established built framework of the village. Accordingly, the proposals are inherently sustainable in their location.

The specification of a robust, appropriate boundary treatment will reinforce this visible limit to the built area as it is not agreed, due to the prevalence of 'backland' development nearby, that visual gaps are a defining feature of residential plots in this location. This will also avert any undue adverse impact on the landscape/visual impact of the development in views from the South/southeast, more likely from domestic paraphernalia rather than the design of the building itself. It is not reasonable, however, to impose conditions restricting the use of the adjacent paddock – which is the same ownership – opportunistically; this is not part of the proposals and it would be unreasonable to attempt to prejudice its future use or disposal. In any case, the role of this land in the context of the village setting is well explained by the Inspector in dismissing appeal ref. APP/Y3940/W/17/3166769 (local ref. 16/10177/OUT), concluding that this land does not form part of the settlement's built envelope and should not be given over to domestic use.

Turning to the physical characteristics, it is considered that in its slightly reduced form the proposed dwelling is not excessive in size relative to the plot and established plot density in this location. The proportions of the building in relativity to the site are largely in keeping with the vernacular cottages in the immediate vicinity, and comparative examples show the building's footprint to be fairly typical of the locality. Further unsympathetic or excessive extensions and outbuildings that may overcrowd the site can be guarded against through conditions restricting permitted development rights.

Likewise, the materials to be used are of a high standard and reflect their setting. However, mindful that the area is not subject to any Conservation Area or other designation, preventing the use of uPVC (as any neighbour could install at any time, and some already have) would be overzealous. In terms of the building's scale and impacts on amenity, it is entirely apparent that the scale follows the established pattern on Avils Lane and, notwithstanding the slightly increased height of the plot relative to the adjacent Brook Cottage, the form of development is not considered to be excessive.

Following the amendment of the scheme and through the building's orientation, increased setback from Brook Cottage and the appropriate use of conditions to restrict fenestration, any significant effect of overlooking or overbearing on the occupants of Brook Cottage can be averted. As the closest component is a single-storey garage, separated by a further private access, no significant impacts on Cherry Tree Cottage are anticipated. Owing variously to the relief of the site, intervening highway and limited amount/scale of development, the proposals will not impact significantly on the amenity of any other properties.

The proposals make adequate provision for parking and turning within the site, relying on the garage to meet the adopted countywide standards. Highways Officers have previously accepted the re-use of the original agricultural access onto Avils Lane, which will afford reasonable visibility and safe access and egress for the limited amount of traffic associated with the development. The safeguarding of the existing sewer easement is an important consideration that has been instrumental in informing both the building's siting and slab level, in order that a full scheme of drainage can be effective in practice.

Turning finally to concerns raised in respect of the use of the adjacent paddock land as a temporary construction compound and/or the short-term use of access adjacent to Croft Barn, this is a matter of private ownership and land rights and is not within the remit of planning to control. Likewise, the temporary use of land either represents permitted development or it does not; it will be for the applicant to satisfy themselves that, if they wish to use this land for such purposes, they may lawfully do so. As such, neither aspect has any material bearing on the planning balance.

The proposals, in their amended form, comply with Core Policies 1, 2, 57, 60, 61, 64 and 67 of the Wiltshire Core Strategy and, in the absence of any material considerations indicating otherwise, are considered to be 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:

892/CAM/2017/1 rev A - Elevations & Floor Plans
Received 31 July 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 development shall commence on site until full details of boundary planting and/or fences have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be carried out in full prior to the end of the first planting season following first occupation of the development, in accordance approved details. The approved boundary treatments shall be retained and maintained as such at all times thereafter.

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

- 5 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.

- 6 The access hereby approved shall not be first brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres in both directions from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1 metre above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

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

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

- 9 Before the development hereby permitted is first occupied the windows in the southeast elevation shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

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 additional windows shall be inserted into the southeast elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

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

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

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

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

- 12 **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.

- 13 **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.

14 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.

15 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.

17/05625/FUL
Land between 18 & 19 Avils Lane
Lower Stanton St Quintin
Chippenham
SN14 6BY



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