

AGENDA

Meeting: Eastern Area Planning Committee
Place: Wessex Room, Corn Exchange, Market Place, Devizes SN10 1HS
Date: Thursday 31 January 2019
Time: 3.00 pm

Please direct any enquiries on this Agenda to Tara Shannon, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718352 or email tara.shannon@wiltshire.gov.uk

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

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Mark Connolly (Chairman)	Cllr Peter Evans
Cllr Paul Oatway QPM (Vice-Chairman)	Cllr Nick Fogg MBE
Cllr Ian Blair-Pilling	Cllr Richard Gamble
Cllr Stewart Dobson	Cllr James Sheppard

Substitutes:

Cllr Ernie Clark	Cllr Jerry Kunkler
Cllr Anna Cuthbert	Cllr Christopher Williams
Cllr George Jeans	Cllr Graham Wright

Recording and Broadcasting Information

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

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

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

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

Details of the Council's Guidance on the Recording and Webcasting of Meetings is available on request. Our privacy policy can be found [here](#).

Parking

To find car parks by area follow [this link](#). The three Wiltshire Council Hubs where most meetings will be held are as follows:

County Hall, Trowbridge
Bourne Hill, Salisbury
Monkton Park, Chippenham

County Hall and Monkton Park have some limited visitor parking. Please note for meetings at County Hall you will need to log your car's registration details upon your arrival in reception using the tablet provided. If you may be attending a meeting for more than 2 hours, please provide your registration details to the Democratic Services Officer, who will arrange for your stay to be extended.

Public Participation

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

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

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

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

AGENDA

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 24*)

To approve and sign as a correct record the minutes of the meeting held on 29 November 2018.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

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

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

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

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

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on 24 January 2019 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 28 January 2019. 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 25 - 26*)

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

7 **Planning Applications**

To consider and determine the following planning applications.

7a **18/07283/FUL - Land at St Marys Close, Potterne, Wiltshire - APPLICATION WITHDRAWN** (*Pages 27 - 42*)

Demolition of garage blocks and erection of a pair of semi-detached dwellings along with the provision of new parking spaces.

This application has now been withdrawn, so will no longer be coming to Committee on 31 January.

7b **18/06977/FUL - Land at Uphill, Friars lane, Urchfont, SN10 4SA** (*Pages 43 - 62*)

Erection of 8 Dwellings together with Associated Works.

7c **18/10309/FUL - Old Manor Farm Yard, Old Manor Farm, Chandlers Lane, Bishops Cannings, SN10 2JZ** (*Pages 63 - 74*)

Demolition of agricultural buildings and erection of two detached dwellings and associated works.

7d **18/08304/FUL - Garage site adjacent 22 Saxon Rise, Collingbourne Ducis, SN8 3HQ** (Pages 75 - 92)

Demolition of garages and erection of two dwellings and associated works.

7e **18/09811/FUL - Stables Cottage, Lower Chute, SP11 9DX** (Pages 93 - 112)

Demolition of Stables Cottage and the erection of two dwellings with access and parking.

7f **18/08874/FUL - Hawthorn Farm, The Street, Marden, SN10 3RQ** (Pages 113 - 124)

Demolition of existing buildings in mixed use and construction of single detached family dwelling.

7g **18/10206/FUL - Harestone House, Church Lane, East Kennett, SN8 4EY** (Pages 125 - 156)

Proposed development of four dwellings, and the extension and alterations to the existing property known as Harestone House, with associated change of use of equine yard, removal of modern barn & stables, and the introduction of car parking and WC facilities for church visitors.

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

This page is intentionally left blank

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 29 NOVEMBER 2018 AT WESSEX ROOM, CORN EXCHANGE, MARKET PLACE, DEVIZES SN10 1HS.

Present:

Cllr Mark Connolly (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Ian Blair-Pilling, Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble and Cllr James Sheppard

Also Present:

Cllr Jane Davies

62. Apologies

There were no apologies received.

63. Minutes of the Previous Meeting

The minutes of the meeting held on 1 November 2018 were presented for consideration, and it was:

Resolved:

To approve and sign as a true and correct record the minutes of the meeting held on 1 November 2018.

64. Declarations of Interest

Cllr Peter Evans declared a non-pecuniary interest in agenda item 7b, application 18/03498/FUL, Sports Field, Green Lane, Devizes, as he was a member of Devizes Town Council. He declared he would consider the application on its merits with an open mind as he debated and voted on the item.

Cllr Mark Connolly declared a non-pecuniary interest in agenda item 7a, application 18/02400/FUL, Former Naafi, Station Road, Tidworth, Salisbury SP9 7NR, as he was the Mayor of Tidworth. He declared he would consider the application on its merits with an open mind as he debated and voted on the item.

65. **Chairman's Announcements**

There were no announcements.

66. **Public Participation**

The rules on public participation were noted.

67. **Planning Appeals and Updates**

The report on completed and pending appeals was presented for consideration.

Resolved:

To note the updates.

68. **Planning Applications**

The following planning applications were considered.

69. **18/02400/FUL - Former Naafi, Station Road, Tidworth, Salisbury, SP9 7NR**

Public Participation

Mr David Wildman, spoke in objection to the application.

Mr Andrew Partridge, agent, spoke in support of the application.

Mr James Sherbourne, applicant, spoke in support of the application.

Adam Madge, Development Management Team Leader, presented a report which recommended that planning permission be granted, with conditions, for the construction of a hardware and DIY store (with associated warehousing and open storage) and 8 residential units, with associated landscaping and parking.

Key details were stated to include the following:

The site was located on the main commercial road in Tidworth. It was currently vacant and had been derelict for a number of years. The applicant controlled 28 spaces within the 43 space car park (accessed via Drummer Lane) located in the north west corner of the site. The residents of the proposed flats were to use some of these spaces for parking. The proposal was for an L shaped building which would front onto Station Road. This would comprise a ground floor DIY retail showroom with a connected double storey height warehouse; associated external storage and parking; with four one bedroom & four two bedroom flats above the retail element and fronting Station Road. Residents would have side access enabling them to enter the building from the Drummer Lane car park, whereas customers would access the site from the front. Vehicular access to the site would be from Station Road, there would also be a further 8 parking spaces at the back of the building accessed via this entrance. Concerns had been raised by local residents regarding the flat windows overlooking their properties, however this issue had been resolved as the windows on the side had been obscured. The proposal represented a significant investment by the

applicant of approximately £2.5 million and the retail unit would create 8 to 10 jobs.

Members of the public then had the opportunity to present their views to the committee as detailed above.

The unitary division member, Councillor Mark Connolly, then spoke regarding the application. It was stated that it had been an aim of Tidworth Town Council to increase footfall along Station Road. However the site had been derelict for many years. Local residents had wanted a pub or cinema on the site, but Tidworth was too small for a viable cinema and no pubs had been willing to take on the site. Public opinion was fairly split regarding the application, with some residents thinking it was good and some thinking it was bad. As the local division member the Chairman stated he had called the application in due to overlooking issues and the fact that there was no shop entrance on Station Road. However, he felt that these issues had been addressed by the applicant. Although the Chairman had some concerns regarding parking he was relatively happy with the proposals. Wiltshire Council Highways had stated that although parking was a concern there were not enough grounds for refusal. It was stated that a mixed use development was reasonable as many shops on Station Road had flats above. It was felt that the business was needed and would thrive.

Cllr Mark Connolly proposed a motion to grant planning permission, with conditions, as per the officer recommendation. The motion was seconded by Cllr Nick Fogg.

A debate followed where key issues raised included the lack of a DIY store in the area, therefore it was felt that if approved the application would reduce traffic and pollution as people would not need to travel so far to visit a DIY store. The reuse of a brownfield site and the mixed use nature of the application was supported by most members. Some members had concerns regarding parking. The Drummer Lane car park had limited capacity and when visiting the site some members found the car park full. It was also stated that the fact there is no access from the Drummer Lane car park to the shop was a concern as customers may therefore need to carry heavy goods along the road to the Drummer Lane car park. Furthermore there were only 8 parking spaces actually on the site and there would be lots of heavy goods vehicles accessing the site due to the nature of the business. Some felt that that the applicants business was more akin to a builders merchants rather than a DIY store and therefore felt that the business was wholesale, not retail, which was a concern.

In response to questions the officer stated that none of the flats fell within the definition of affordable housing as requirements to have affordable housing as this requirement only applied to developments with over 10 units. The Chairman also stated that four of the flats were one bedroom, which were needed in the area and would also be fairly low cost due to fact they are one bedroom flats. The Town Council had been happy with this.

The Chairman proposed an amendment to the motion, which was to add a condition, restricting the hours of construction. Final wording of the condition

was to be delegated to officers. This was seconded by Cllr Richard Gamble. It was;

Resolved:

To amend the motion as proposed.

Cllr Gamble then proposed another amendment to the motion. Which was to add another condition, restricting the site to A1 use. Final wording of the condition was to be delegated to officers. This amendment was seconded by Cllr Mark Connolly. It was;

Resolved:

To amend the motion as proposed.

Therefore, the motion proposed was to grant planning permission, with conditions, as per the officer recommendation, with additional conditions to control the hours of construction and to restrict the use to A1. (The final wording of these additional conditions would be delegated to officers). After debate, the motion was put to the vote and it was;

Resolved:

To approve planning permission, with 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:

17002-A-PL-110 A (Location Plan)

17002-A-PL-110 B (Proposed Site and Ground Floor Plan)

17002-A-PL-111 B (Proposed Ground Floor Plan)

17002-A-PL-112 B (Proposed First Floor Plan)

17002-A-PL-113 B (Proposed Second Floor Plan)

17002-A-PL-114 B (Proposed Roof Plan)

17002-A-PL-115 B (Proposed North and South Elevations)

17002-A-PL-116 B (Proposed East and West Elevations)

17002-A-PL-120 B (Proposed Section A-A/North Elevation; Street Scene/South Elevation)

17002-A-PL-125 B (Proposed Typical Perimeter, Cycle Shelter and Bin Enclosure) Planning Statement

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 a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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 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.

6 No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

7 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 together with location of top ground water level to ensure that the base of any soakaway can achieve at least 1 metre of unsaturated soil between its base and the agreed top level of ground water taking into account seasonal variations, 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: To ensure that the development can be adequately drained.

8 The following Plant Noise Limits contained in Table 2 of Section 4.9 of the Noise Assessment (24 Acoustics, R7034-1 Rev 0, 21 August 2017) shall be adhered to at all times.

Period and Rating Noise Level, dB

Daytime: (07:00-19:00): LAeq,1 hour 34dB

Evening: (19:00-23.00): LAeq, 1 hour 31dB

Night Time: (23:00-07:00): LAeq, 15 minutes 25dB)

REASON: In the interests of residential amenity.

9 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in

accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

10 No development shall commence on site until a scheme for the collection of waste from the development has been submitted to and approved in writing by the Local Planning Authority. The collection of waste shall subsequently only take place in accordance with the approved scheme.

REASON: In the interests of amenity.

11 No development shall commence until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: 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 enable the recording of any matters of archaeological interest.

12 No development shall commence on site until an assessment of risk to any groundwater resources and groundwater quality, including evidence of how these would be protected throughout the construction and operational phases of development, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved details.

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

13 The development hereby approved shall be used solely for purposes of a DIY store and builders merchants and shall not be used solely as a distribution depot falling under class B8 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).

REASON: the location of the development close to neighbouring residential properties within Tidworth town centre is not suitable for significant numbers of heavy goods vehicles as would be generated from a distribution centre use.

14 No construction work (excluding the internal fitting out of dwellings and building) nor the movement of spoil from the site shall take place outside the hours of 07:30 - 1900 Monday to Thursday, 07:30 - 1800 on Friday, 0800 - 1300 on Saturday and at no time on Sundays and Bank holidays.

REASON: In order to protect the residential amenity of future and adjoining residents.

70. **18/03498/FUL - Sports Field, Green Lane, Devizes**

Public Participation

Mr Stuart Hisop, local resident, spoke in objection to the application.

Mr Mark Young, Wiltshire Football Association, spoke in support of the application.

Mr Simon Fisher, Clerk, Devizes Town Council, spoke in support of the application.

Ruaridh O'Donoghue, Senior Conservation/Planning Officer, presented a report which recommended that planning permission be granted, with conditions, for the provision of a new football pavilion and changing facilities for Devizes Town Council and to form new headquarters for Wiltshire FA. Reconfiguration of car park and newly laid out football pitches.

Key details were stated to include the following:

The application proposed a new football pavilion and changing facilities for Devizes Town Council, a new headquarters for Wiltshire Football Association, along with a 3G pitch and associated floodlighting, with a reconfiguration of the

car park. Pictures of the site were shown to the committee; the land was mainly playing fields, which were currently being used for football matches and for other leisure/recreation activities. The site would be accessed via Green Lane, utilising the existing entrance to the car park. The application proposed to resurface the car park, providing 105 spaces. It was confirmed that the site had an established D2 use (leisure and recreation), which was compatible with the current proposal. Whilst the application would result in the loss of some green infrastructure, this would be offset by better provision and so would be acceptable under NPPF paragraph 97. The application would not cause harm to the character of the landscape, it would be well contained within the boundaries of the site and further landscaping was proposed to help mitigate the visual impact. As such, the proposal adhered to the aims of core policy 51 of the Wiltshire Core Strategy.

The Highways Authority did not find any significant issues with access or parking, as the existing level of use was already quite high. The Public Protection Officer considered that there would be no detrimental impact to the amenity of nearby residents. Wiltshire Council's Ecologist offered support for the proposal if conditions were imposed, namely the submission of a revised Landscape & Ecological Mitigation Plan and a robust Landscape and Ecological Management Plan prior to the commencement of works; works to be carried out in strict accordance with the recommendations made in the two reports by Eclipse Ecology; that there would be no lighting in the car park; and a requirement for the placement and maintenance of willow hurdles on the inside edge of the new hedge to ensure an instant light baffle while the hedgerow grows. These conditions were to minimise impact on bats and other local ecology.

Attention was drawn to some late correspondence received from Devizes Town Council in response to the Wiltshire Council Ecologist's views. Concerns were raised regarding the request to have a double hedge on the eastern boundary. It was felt that this would compromise the archery and grass pitches, would add additional cost to the project, would create safety issues and also that there was no need for this identified in their ecological reports and surveys. Late correspondence was also received from a member of the public outlining their objections which included noise pollution and light pollution.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the consultation comments received from Sport England regarding access to the disabled WC, which appeared to be via the officials' changing room which was considered to be far from ideal. The officer stated that a condition could not be added to control internal works/layout, however it may be possible to add an informative to any decision.

Details were sought on the consultation comments received from Wiltshire Police who recommended changes to the design of the scheme due to a possible increase in anti-social behaviour. Members asked for details as to why the police felt this. The officer explained that the police had worries regarding part of the design which had a flat roof, as people may climb on this. They also had concerns due to the lack of lighting in the car park. The officer stated that

the lack of lighting in the car park was a response to concerns raised by the Council's Ecologist. It was stated that avoiding harm to protected species was a legislative requirement and therefore this would take precedent over the police comments.

Comments were also sought regarding the opposing Ecologist's views. The officer stated that the Wiltshire Council Ecologist was looking at the site and application objectively, so their comments should take precedence.

Members of the public then had the opportunity to present their views to the committee as detailed above.

The unitary division member, Cllr Laura Mayes had sent a written statement that was read by Cllr Richard Gamble on her behalf as she was unable to attend. Cllr Mayes had called the application in to the committee due to concerns over traffic volume, car parking capacity, the effects of the floodlights on the natural environment and potential road safety issues at the junction of Green Lane and Byron Road. Cllr Mayes had met with representatives and had been reassured regarding the issues with traffic volume and car parking. She did not agree with the floodlight concerns that had been raised. However Cllr Mayes was still concerned about the impact on the junction of Green Lane with Byron Road, as there had been near misses therefore visiting teams may struggle with this junction. Cllr Mayes suggested that if the application were to be approved the committee may wish to consider adding a condition requiring improvement works to this junction.

Cllr Mark Connolly proposed a motion to grant planning permission, with conditions, as per the officer recommendation. The motion was seconded by Cllr Peter Evans.

Cllr Stewart Dobson proposed an amendment to the motion, which was to add an informative stating that the comments made by Sports England regarding the need for improved access to the disabled WC should be taken into account. The final wording of the informative would be delegated to officers. This amendment was seconded by Cllr Mark Connolly. It was;

Resolved:

To accept the amendment to the motion.

A debate followed where the main issues raised were:

That the application was welcome, it would provide good facilities which had been lacking for a long time and would provide a boost to the town; and the proposed mitigation and conditions were adequate to address issues. The applicants should take note of the police comments and should try to ensure there was no anti-social behaviour if the application was approved. Cllr Mayes' comments were discussed. It was not felt that the condition she requested could be added. However it may be possible to raise her concerns with the Community Area Transport Group.

Following a vote on the proposed motion to grant planning permission, with conditions, as per the officer recommendation, with the addition of an informative regarding access to the disabled WC (the final wording of which would be delegated to officers), it was;

Resolved:

To approve 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 and documents:

- **Drg No. P17-012-02-02-001 - Location Plan**
- **Drg No. P17-012-02-02-002A - Planning GA Site Plan**
- **Drg No. P17-012-02-02-003A - Planning GA Site Plan**
- **Drg No. P17-012-02-02-005 - LANDSCAPING Total Site**
- **Drg No. P17-012-02-03-001D - Planning GA Ground Floor Plan**
- **Drg No. P17-012-02-03-002D - Planning GA First Floor Plan**
- **Drg No. P17-012-02-05-001 - Planning GA Elevations (Sheet 1 of 2)**
- **Drg No. P17-012-02-05-002 - Planning GA Elevations (Sheet 2 of 2)**
- **Drg No. 04 Rev 02 - Proposed AGP Elevations**
- **Proposed Materials and Appearance - 3G Pitch**
- **SSL A Floodlighting Performance Results Rev 2**
- **Optivision - downlight performance - Optivision MVP507**

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

3 No development shall commence on site above ground floor slab level until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

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

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

4 No development shall commence on site above ground floor slab level until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

5 Prior to commencement of any works within the site, a suitable revised Landscape & Ecological Mitigation Plan will be submitted to and approved in writing by the Local Planning Authority. The plan should show all recommendations for mitigation by both Eclipse Ecology Reports but in addition, should particularly address the provision of a secondary hedgerow 5m inside the existing hedgerow along the eastern boundary, with a rough grassland strip between the two. It will also address ways to reduce and prevent light spill from the building onto the car park and vegetation to the immediate west.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species.

6 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before first use of the development hereby permitted. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed;**
- b) Landscape and ecological trends and constraints on site that might influence management;**
- c) Aims and objectives of management - notably securing the secondary hedge on the eastern side of the site to a height of 3m in a reasonable length of time (to be indicated within the prescriptions) and the placement and maintenance of willow hurdles on the inside edge of the new hedge to ensure instant light baffle while the hedgerow grows.;**
- d) Appropriate management options for achieving aims and objectives;**
- e) Prescriptions for management actions;**

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an (X) year period;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species.

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

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

8 No development shall commence on site above ground floor slab level 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: In the interests of visual amenity and the character and appearance of the area

9 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.

10 No part of the development hereby permitted shall be brought into use 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.

11 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until tree protection fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been erected around the mature Scots Pines adjacent to the existing car park, and;

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

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

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

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

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

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

12 The mitigation measures detailed in Section 5 of the approved Ecological Assessment by Eclipse Ecology dated 26th October 2018 shall be carried out in full prior to the first bringing into use of the development and in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the impacts of the development upon existing biodiversity and nature habitats, priority species and priority habitats.

13 The offices hereby approved shall be used for purposes ancillary to / associated with the D2 Use Class attached to the wider site as set out in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed office use is acceptable in an ancillary capacity but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

14 The use hereby permitted shall only take place between the hours of 8am in the morning and 10pm in the evening from Mondays to Sundays.

REASON:

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

15 The floodlights hereby approved shall only be illuminated when the 3G Pitch is in use within the permitted hours of operation, 8am to 10pm Monday to Sunday.

REASON: To minimise the impact of the floodlights in the interests of the amenity and ecology of the area.

16 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to the contents of the consultation response from Sport England on the 14th May and 25th October 2018 regarding the location / provision of a disabled WC at ground and first floor.

71. 18/05252/FUL - Savernake Park Farm, Savernake, SN8 4NE

Public Participation

Mr Samuel Croft, agent, spoke in support of the application.

Mrs Shanne Boyd, applicant, spoke in support of the application.

Ruaridh O'Donoghue, Senior Conservation/Planning Officer, presented a report which recommended that planning permission be refused, for the change of use of redundant agricultural storage buildings into a flexible events space and associated development.

Key details were stated to include the following:

The application site was located in the open countryside, within the North Wessex Downs AONB. It was accessed via a single track that connects with the farm complex, which ultimately links to the A346. The two buildings being considered for a change of use were approximately 200m from the main farm complex. Pictures of the buildings, site and plans were shown to the committee. The main details to be considered were related to Wiltshire Core Strategy Core Policy 48, Supporting Rural Life, namely whether the buildings were structurally sound and capable of conversion; whether the use is acceptable in principle; and whether the proposal is considered to be in a sustainable location.

Attention was drawn to the late correspondence received from the applicants agent, detailing why they felt the application should be approved. Comments included the following: that the proposal was key to the viability of the current business on the site; a structural survey provided by a qualified professional stated that the buildings were in a satisfactory structural condition and were capable of conversion; paragraph 83 of the NPPF was supportive of a prosperous rural economy and that the Leader Programme run by the North Wessex Downs AONB had invited them to apply for funding.

In response to this late correspondence the officer stated that he had contacted the Leader Programme who clarified that it was not their purpose to help determine planning applications. The AONB unit's comments on the application included that they did not feel the works required on the buildings could be categorised as repair work, but rather would be a new build which would harm the landscape. There may also be issues regarding the dark sky status of the AONB. Each planning application needed to be determined on its own merits.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on what type of farming was undertaken on the holding. This was answered during public participation where it was stated that arable farming was undertaken by contractors. It had previously been a dairy farm, but due to TB was now completely arable.

Members of the public then had the opportunity to present their views to the committee as detailed above.

The unitary division member, Councillor Jane Davies then spoke in support of the application. Cllr Davies stated that the application would be a creative reuse of buildings and that paragraph 83 of the NPPF supported rural development. There would be benefits to the community, including the creation of jobs and discounted usage for local people. It was felt that the benefit to the community would outweigh any visual harm. The application was necessary to the economic viability of the farm, which needed to diversify in order to survive in the current difficult economic climate.

Cllr Mark Connolly proposed a motion to refuse planning permission, as per the officer recommendation. The motion was seconded by Cllr Nick Fogg MBE.

A debate followed where all agreed that we should support farmers to diversify, however, one of the main issues raised by councillors was why two buildings were needed. Barn one would clearly involve a complete rebuild, rather than repair work, whereas it may have been possible to convert barn two. If the application was refused it was suggested that the applicant may wish to consider re-applying with just barn two as part of the application. The comments from the AONB unit, who felt that a rebuild would be required, were noted as highly interesting.

Other councillors disagreed with these views, stating that if a structural engineer thought the buildings could be repaired and reused then weight should be given to that argument. It was also stated that this was a good proposal and that farmers should be supported. Some felt that it did meet the requirements of core policy 48 of the Wiltshire Core Strategy, as the application would be of benefit to the community.

Other issues raised included noise pollution and light pollution, as the events spaces may be used for weddings and parties which would create quite a disturbance. Access was also a concern as there was only a rough single track to the location.

Following the debate it was;

Resolved:

To refuse planning permission for the following reasons:

1. The buildings are not structurally sound and capable of conversion without major rebuilding work. By virtue of the proposed use of the

building and the changes sort under this application, the scheme is not considered to preserve the character of the original building and would detract from the character and appearance of the landscape. Furthermore, the site does not have reasonable access to local services. As such, the scheme does not accord with the points i, ii and iv of Core Policy 48 of the Wiltshire Core Strategy 2015.

2. The proposal by virtue of the change of use, the loss of the agrarian character through significant rebuilding works and the external changes to the site would have a significantly harmful impact upon the character and appearance of this part of the North Wessex Downs AONB. As such, the scheme is not considered to protect, conserve or enhance landscape character and is therefore contrary to Core Policy 51 of the Wiltshire Core Strategy 2015 and to central government policy contained within the National Planning Policy Framework 2018, notably, paragraph 172 that places great weight on the importance of conserving AONB landscapes.

3. The proposal by virtue of its isolated rural location, remote from any nearby service centre and remote from access to public transport facilities means it is considered to be in an unsustainable location. The scheme is therefore considered contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy 2015 which seek to ensure development is in accessible locations where reliance of the private car can be reduced, and to central government policy contained within the National Planning Policy Framework 2018.

72. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 5.00 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail tara.shannon@wiltshire.gov.uk

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

**Wiltshire Council
Eastern Area Planning Committee
31st January 2019**

Planning Appeals Received between 16/11/2018 and 18/01/2019

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
17/08306/FUL	Land Adjacent 555 New Buildings, Enford Wiltshire, SN9 6AY	ENFORD	Retention of two shipping containers stacked on top of each other and associated balcony and platform walkway, and their use as an office and store.	DEL	Written Representations	Refuse	21/11/2018	No
18/00445/FUL	Wellaway, Close Lane Marston, Devizes Wiltshire, SN10 5SN	MARSTON	Demolition of existing commercial engineering building and erection of new detached dwelling	DEL	Written Representations	Refuse	27/11/2018	No
18/03794/OUT	Kingfisher House Bath Road, Marlborough SN8 1NR	MARLBOROUGH	Detached family home with detached garage (Outline application relating to layout, access, appearance, scale and landscaping)	DEL	Written Representations	Refuse	27/11/2018	No
18/05366/FUL	Cocklebury Farm Woodborough Road Wilcot, SN9 5PD	WILCOT	Conversion of two stable buildings into three units of holiday accommodation; use of land for the stationing of shepherd's huts (maximum of 4); associated parking.	DEL	Written Representations	Refuse	18/12/2018	No

Page 25

Planning Appeals Decided between 16/11/2018 and 18/01/2019

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
18/00127/FUL	The Elms Kingston Road Shalbourne, SN8 3QF	SHALBOURNE	The erection of one detached dwelling and link detached garage	EAPC	Written Reps	Approve with Conditions	Allowed with Conditions	06/12/2018	Appellant Application for Costs - REFUSED

Agenda Item 6

This page is intentionally left blank

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	31st January 2019
Application Number	18/07283/FUL
Site Address	Land at St Marys Close, Potterne, Wiltshire
Proposal	Demolition of garage blocks and erection of a pair of semi-detached dwellings along with the provision of new parking spaces
Applicant	Aster Group
Town/Parish Council	POTTERNE
Electoral Division	Bromham, Rowde and Potterne – Councillor Richard Gamble
Grid Ref	399843 158762
Type of application	Full Planning
Case Officer	Morgan Jones

Reason for the application being considered by Committee

In accordance with the Council's 'Scheme of Delegation Specific to Planning', this application is brought to committee at the request of Councillor Richard Gamble due to the potential impact of the proposed development on existing car parking spaces.

1. Purpose of Report

To assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to grant planning permission.

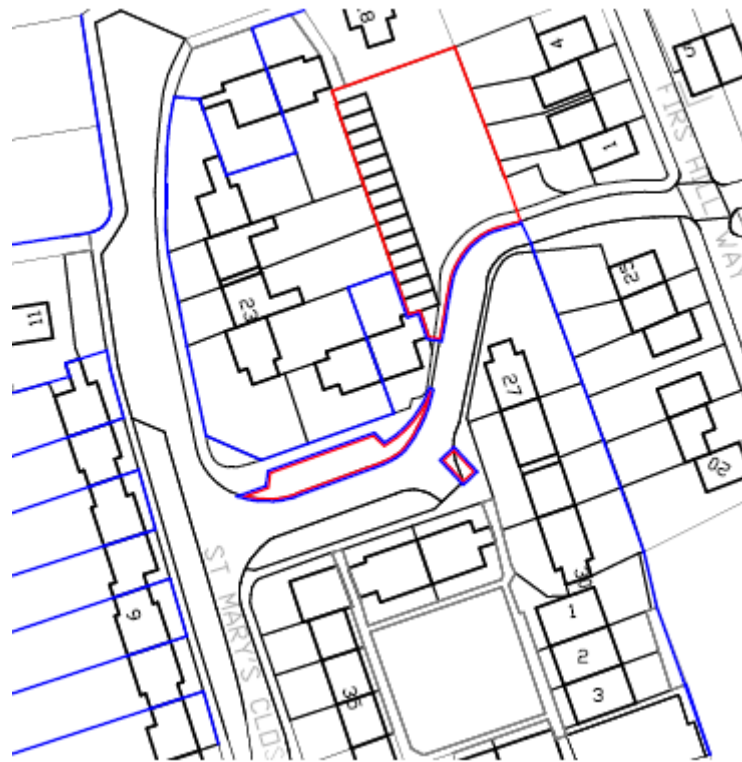
The key issues for consideration are:

- Principle of development;
- Density, design and impact on highway & pedestrian safety;
- Impact on residential amenity.

2. Site Description

The application site comprises a 776m² area of land within the ownership of Aster Group, which is used for car parking. The site is located to the north-east side of Potterne, within St Mary's Close. There is a block of 12 garages, 2 storage units on the site and 9 open parking spaces. The Planning Statement (dated July 2018) submitted in support of the application explains only 7 of the 12 garages are let to local residents and that the parking spaces are used on an ad hoc basis. The parking spaces are made available to Aster residents.

The application site, as amended, also includes a grassed verge within the applicant's ownership, adjacent to the highway which leads to the existing car parking area. The entire site is defined in red on the location plan shown below:



Location Plan

3. The Proposal

The application seeks full planning permission to redevelop the site, which would involve the demolition of the existing block of garages in order to allow for the erection of a pair of semi-detached dwellings with car parking. The scheme as originally submitted proposed a total of 12 car parking spaces - 4 for the new dwellings and 8 to be used by existing Aster residents surrounding the site.

The application was amended on the 8th November 2018 through the submission of the following amended plans:

- Drawing ref. BDS-10-18 (Topographical Survey), received 08.11.18;
- Drawing ref. P1_1761plan6.dwg (Proposed Plans & Elevations), received 08.11.18;
- Drawing ref. Site Loc 1761plan5.dwg (Site Location Plan), received 08.11.18.

The applicant's agent provided the following information in support of the revised scheme:

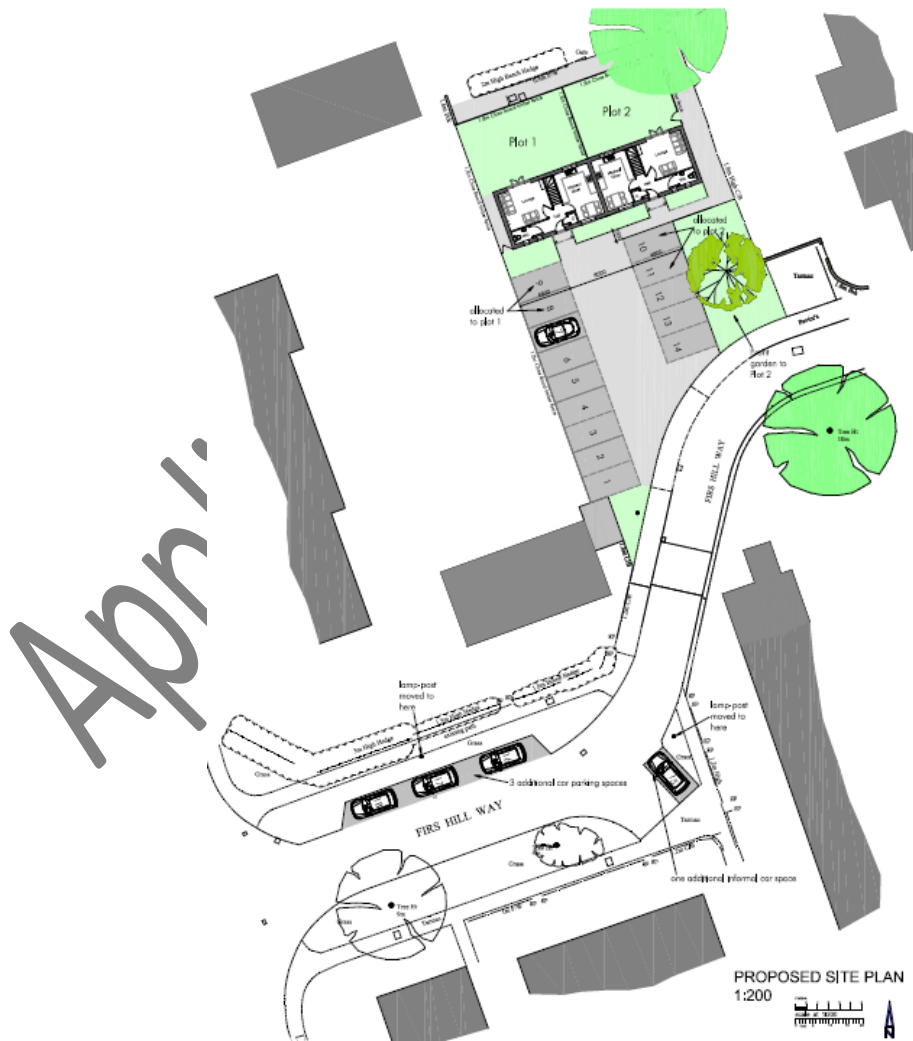
- The number of garages rented out is now 4 (previously 7 of the 12 garages) which results in 8 of the 12 garages being vacant at the site and only 4 displaced parking spaces as a result of the proposed scheme.
- The revised scheme proposes the creation of 16 spaces within the application site (the additional spaces have been created by a reorganisation of the layout of the parking area and the proposed dwellings) and the creation of 4 new spaces on land within Aster's ownership outside of the original application site. The 4 new spaces outside of the site have been created by extending an existing parking bay and creating a new parallel parking bay within an overly large grass verge. This results in a total of 20 spaces to meet the demand for 17 displaced spaces (4 rented garages,

- 4 spaces for the new houses and 9 parking spaces). This is a net gain of 3 spaces.
- The revised plans include a new planning design drawing showing the units at different heights to respond to the topography, with specific Finished Floor Levels marked on the ground floor plan.
- The revised scheme shows the boundary treatments around the shared boundary of the site - the site layout plan shows 1.8m close boarded fencing.
- It is confirmed that the scheme does not involve any works to the landscaping along the northern boundary of the site, apart from the trimming back of the neighbour's hedge where it has encroached onto the site.

The application was amended for the final time on the 19th December 2018 through the submission of the following amended plan:

- Drawing ref. P1_1761plan7.dwg (Proposed Plans & Elevations), received 19.12.18;

The revised scheme removes two parking spaces from the former proposal in response to comments made by the Council's Highways Development Control Engineer. The final proposal is for a total of 18 spaces to meet the demand for 17 spaces (4 rented garages, 4 spaces for the new houses and 9 open parking spaces). This is a net gain of 1 space.



Proposed Site Plan

4. Planning Policy

The **National Planning Policy Framework (NPPF) (2018)** with particular regard to Chapters 4 'Decision-Making', 5 'Delivering a sufficient supply of homes', 9 'Promoting Sustainable Transport', 11 'Making Effective Use of Land', 12 'Achieving Well-Designed Places', 15 'Conserving & Enhancing the Natural Environment', and 16 'Conserving & Enhancing the Historic Environment'.

The adopted **Wiltshire Core Strategy** with particular regard to: Core Policy 1 Settlement Strategy; Core Policy 2 Delivery Strategy; Core Policy 12 Spatial Strategy: Devizes Community Area; Core Policy 50 Biodiversity & Geodiversity; Core Policy 57 Ensuring High Quality Design and Place Shaping, Core Policy 60 Sustainable Transport, and Core Policy 61 Transport and New Development.

The made **Potterne Neighbourhood Plan** (made January 2017) with particular regard to General Policy PNP1 and Housing Policy PNP6.

Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

5. Consultations

Wessex Water – No objection.

Wessex Water has advised that there are existing water mains and sewers within the area (but not within the application site); however, new water supply and waste water connections will be required from Wessex Water to serve the proposed development. Furthermore, separate systems of drainage will be required to serve the proposed development. The foul sewage will be disposed of via the main sewer. No surface water connections will be permitted to the foul sewer system. The application, however, advises that the surface water will be disposed of via soakway which is acceptable to Wessex Water but will need to be approved by the Lead Local Flood Authority. This can be secured at a later date via a condition should planning permission be granted.

Wiltshire Council Highways (the highway authority) – No objection to the amended scheme, subject to a condition to secure the access and parking spaces prior to the occupation of the new dwellings.

Potterne Parish Council – “unanimously objects to this application for the following reasons:-

- The Application does not comply with para 83(d) of the NPPF because it would constitute the loss of a very important open space in an area of high density housing.
- The Council does not accept the claim (para 5.25 of the Planning Statement) that the loss of the garage blocks “will not give rise to an adverse impact upon parking provision in the area”. It believes it would, in fact, constitute a significant loss of valuable parking space in an area already seriously short of parking facilities. We are told by local residents that (contrary to para 5.25 of the Planning Statement) there is in fact no lack of take-up of the garaging on the Site and that it is well-used; its loss would mean yet more dangerous parking on pavements/grass verges, and friction in the community as people compete for parking. There is already inadequate disabled parking for the increasingly-elderly population of St Mary's Close and for their carers, who visit residents several times a day.

- Parking in Potterne as a whole has long been a serious problem (74.44% of the parishioners responding to the pre-NDP questionnaire in 2015 thought it was a 'very important' issue, and the situation has deteriorated since 2015). St Mary's Close has already lost a significant amount of its parking when St Mary's House was demolished (along with its garages and parking) for the development of Mead Close.
- Access to the area by the emergency services and amenity vehicles is difficult enough already; if Permission were to be granted then the inevitable increase in on-street parking would raise serious safety issues. The Council is of the view that this would unquestionably have an unacceptable impact on highway safety and that the cumulative impact on the road network would be severe. Permission should therefore be refused pursuant to para 109 of the NPPF.
- The proposed development does not comply with the Potterne Neighbourhood Development Plan.
- There is very strong local opposition to the Application, and residents St Mary's Close have held several public meetings to discuss how they can best prevent this development; indeed 12 of them attended the Parish Council Meeting to voice their opposition, and we understand that a petition/letter signed by 103 residents opposing the Application has been sent to Wiltshire Council."

Potterne Parish Council also "unanimously objects in the strongest terms to the amended plans ("the Amendments") put forward by Aster Group in respect of this proposed development:

1. The Amendment fails to address any of the points made in PPC's earlier Objection Notice or those of the large (over 100) number of members of the community who had taken the trouble to send in their objections – indeed the Amendment professes to address only the concerns raised by the Highways Officer. PPC's Objection Notice was unanimously reconfirmed last night, both in respect of the original Application and also the Amendments, but should now be read in conjunction with this email.
2. The Potterne NDP already deals (Allocation Sites A3 and A4) with any future development in the St Marys Close area so Aster's Application would (if approved) have a major adverse effect on the NDP because when added to the two NDP Allocation Sites it would make what is already a densely-developed area of the village into one that would be extremely over-developed. For that reason alone, the Application should be refused.
3. The Amendments include the creation of 4 new parking spaces in Firs Hill Way, to be carved out of existing grass verges. In the view of PPC these would be wholly impractical, for several reasons: manoeuvring to park there would be dangerous and difficult as the spaces would be positioned close to a blind bend round which vehicles tend to drive fast; it would destroy more green land and an area where children play; it would create a danger to such children; and it would mean relocating 2 streetlights. The reality therefore is that the Amendments do not properly or satisfactorily address the severe parking problems faced by the local community, but rather exacerbates them by providing only 16 spaces as against the 21 currently available.
4. It was noted that Potterne is by no means unique in facing an application by Aster to build over one of its car parks – it seems to be part of a general policy: Market Lavington (14/08830, 15/08292 and 16/00857), West Lavington (18/04209) and

Collingbourne Ducis (18/08304) have also been targeted, each application strongly opposed by the local parish council and the local community – generally on the same grounds as apply to Potterne (loss of scarce parking, loss of open space etc). Other car parks built on by Aster include Devizes (14/08967) and Rowde (16/05408). In the view of PPC parking areas such as the Site in question are assets of community value which further the social well-being and social interests of the local community and which should not be removed or diminished. In that context concern was expressed at the repeated reference to the Site being “a private parking area, the benefit of which could be removed at any time”. Aster is a not-for-profit Industrial & Provident Society whose principal object is (according to its website) to carry on business for the benefit of the community.

5. Various members of the community in the St Marys Close area have informed PPC that they dispute Aster’s suggestion that if a garage is vacant or unused then that means it is not required: we are told that the main reason a garage is unused is because rents have been raised to make them unaffordable to most members of the community; also at least one applicant claims to have been told no garages are available. PPC notes that this point has also been made by other communities referred to in para 4 above.

Should Wiltshire Council be minded to grant permission, Potterne Parish Council on behalf of the village will feel very let down by the total disregard of its Neighbourhood Plan, together with the overwhelming objections by the many that will be affected, and would expect there to be imposed a condition under section 106 TCPA 1990 that Aster permanently endows PPC with all 20 parking spaces for the benefit of the community in Potterne”.

6. Publicity

The application has been publicised via site notices and letters sent to properties within close proximity of the site. As a result of the publicity, eighteen letters (excluding two duplicates) have been received objecting to the application on the following grounds:

- Aster has not informed local residents and users of the garages of their proposal for the site;
- The existing car park and garages are well used by local residents;
- The development will result in the displacement of parking spaces to the detriment of highway safety;
- There will be nowhere to park if the garages are demolished;
- Cars will be forced to try and park on the already congested streets and laybys within the estate;
- Parking is already a problem within the estate and the development will compound this problem;
- The proposed eight parking spaces for community use is not enough give the current parking usage of the site and the proposed loss of garage parking;
- The existing parking spaces will all be unavailable during the construction period;
- St Mary’s Close is narrow, only allowing parking on one side of the road. This leaves a narrow space which is insufficient for the safe passage of larger vehicles such as refuse trucks and, more importantly, the emergency services.
- Over congested streets may block access for emergency vehicles;
- The exit road from the A360 has become dangerous due to the number of cars parked on the site of the road and this will be made worse by the development;
- Vehicles drive at an excessive speed on the roads approaching the site;
- There is a significant volume of traffic throughout the day and evening, and some of it is going faster than is safe in an environment where children and older people live;

- The garages are not rented to full capacity but this is probably down to the high rent increase Aster has put on them;
- Children would be forced to cross roads between parked vehicles;
- Access by carers and doctors to an ageing and already aged population in the area would be adversely affected;
- The day to day activities / living space of both properties will result in noise pollution to the detriment of the existing peaceful environment enjoyed by the residents of the property to the rear of the site;
- The development will harm the open outlook of the property to the rear and create a sense of enclosure due to the proposed dwellings;
- There could be a degree of overshadowing from the proposed properties;
- The dwelling to the rear of the site half is a meter lower than the level of the site which means the proposed dwellings could prove to be more over-bearing/dominant, affecting the level of daylight;
- These two houses will add to the overcrowding of this area and the impact on the residence with more houses being built in an area that is overcrowded;
- The development will increase the friction and decrease the quality of relationships between neighbours when residents need to jostle for parking spaces.
- We need further information on the details of the demolition of the garages. Our rear wall of our garden forms part of these garages, so how are you proposing to ensure our boundary continues to be private?
- The landscape of our garden will need to greatly change due to the re-rooting of well-established plants, some of which are growing across the wall itself;
- The proposed dwellings may overlook neighbouring gardens.

The letters of objection primarily relate to the impact of the proposed development on highway safety. One of the letters of objection, on the grounds of highway safety and impact on neighbour amenity, requests that the Local Planning Authority considers the following conditions should it be minded to grant planning permission:

1. The protection of the Willow Tree on the northern boundary of the site;
2. The submission and approval of a construction management plan;
3. The removal of permitted development rights to prevent the alteration or extension of the proposed dwellings;
4. Confirmation of the type and height of new boundary treatments;
5. The provision of the new parking spaces before the occupation of the dwellings;
6. The transfer of the parking spaces to the Highways Authority, who would then be responsible for future maintenance and management of the parking area.

A petition has been received with 103 signatures, objecting to the proposed development. The document does not provide the addresses of the signatories or any reasons for the objection but it is assumed the grounds of objection are the same as the points highlighted above.

A re-consultation exercise was carried out following the submission of revised plans on the 8th November 2018. As a result of the publicity, four letters have been received objecting to the revised scheme on the following grounds:

- Parking space 18, 19 & 20 will result in the loss of an open green amenity area and will pose a danger to highway and pedestrian safety;
- Parking space 18, 19 & 20 will prevent adjacent properties from installing off-street parking spaces;
- The safety of the estate would surely decline with increasing traffic;

- The perceived lack of demand for the garages is in part due to the high rent and it is felt that the applicant has been disingenuous;
- The car parking spaces within the car park could be at risk at not being made available to the public, or not created by the new land owner;
- The height of the dwellings will result in a loss of light to neighbouring properties;
- The proposed two dwellings would risk unbalancing this site and community, leading to a more pressurised environment;
- The existing mature wall flowers/landscaping would be damaged with the removal of the wall which forms the west boundary of the site. We purchased the house with a rear wall, and feel this should at least be replaced like for like.

7. Planning Considerations

7.1 Principle of Development

The local development plan document is made up of the Wiltshire Core Strategy (WCS) (adopted January 2015) and the Potterne Neighbourhood Plan (PNP) (made January 2017). In the interest of promoting sustainable development and the protection of the countryside, the policies of the local development plan seek to restrict all new residential development to locations within the Limits of Development / Settlement Boundary defined for the towns and villages. The site lies within the Settlement Boundary defined for Potterne, as delineated on the map 'New Potterne Settlement Boundary' within Appendix E of the PNP.

The WCS includes a settlement strategy and identifies Potterne as a Large Village. Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages. Furthermore, General Policy PNP1 of the PNP supports new residential development within the settlement boundary of Potterne.

In light of the above planning policy framework, the proposed residential development would be consistent with the settlement strategy of the WCS and housing policies of the PNP. However, the proposal would have to conform to the character of the prevailing area and other relevant policies within the development plan; in particular, the policies which seek to secure high quality design and protect highway safety, as discussed with the following sections.

7.2 Density, Design & Impact on Neighbour Amenity

The proposal involves the construction of a pair of semi-detached dwellings which will be set back within the site from Firs Hill Way to allow space for private and communal car parking spaces. The Planning Statement explains that the dwellings have been purposely designed to reflect the simple appearance of the surrounding estates and to ensure that there would be no adverse impact upon the privacy of the occupiers of both the new dwellings and existing residents.

The overall density of the development and the plot ratios will be in-keeping with the established pattern of development, which is a high-density residential environment. The scheme would not therefore appear out of place within the context of the site. The depth of the rear gardens are smaller than expected, however, the dwellings are set back within the plot as far as possible to enable replacement parking spaces to be provided. The overall mass, design and appearance of the dwellings is considered to be in-keeping with existing neighbouring dwellings and each proposed dwelling would benefit from a sufficient amount of parking spaces. The detailed elements of the scheme, such as proposed external

materials, hard and soft landscaping, the design of boundary treatments etc. can be secured via conditions should planning permission be granted.

The rear elevations of the dwellings are specifically designed with no first floor windows to ensure there is no overlooking of the property to the rear (no.18 St Mary's Close). The dwellings are also sited a sufficient distance from the dwelling to the rear and those either side to ensure no unacceptable loss of light or an overbearing impact. The development accords with the standard planning tests (i.e. the 25 degree rule) which assess the potential impact on neighbour amenity as a result of a loss of light or overbearing impact. In order to guard against any potential future impacts, it is considered reasonable to remove permitted development rights via conditions should planning permission be granted to enable the Local Planning Authority to manage future alterations to the dwellings.

The development involves the erection of a 1.8m close-boarded timber fence along the shared boundaries with neighbouring properties and the gardens of proposed dwellings. The existing (private) pedestrian right of way across the site will remain, with a new walkway around the site and to the rear of the new dwellings. The existing hedge along the northern boundary will need to be cut where it overhangs the site. The applicant can be advised via an informative should planning permission be granted, of the need to enter into a Party Wall Agreement with neighbouring landowners in relation to works on or near a shared boundary.

7.3 Impact on Highway Safety

The loss of the existing garages and open parking spaces as a result of the development is the key concern of the local community. The redevelopment of the site will result in the loss of the existing block of 12 garages, 2 storage units and 9 open parking spaces. The scheme, however, includes new parking spaces to ensure that none of the parking spaces currently used are displaced as a result of the development. The scheme proposes a total of 18 spaces to meet the demand for 17 spaces (4 rented garages, 4 spaces for the new houses and 9 open parking spaces). This is a net gain of 1 space.

The Parish Council and local residents feel that the revised scheme would constitute a significant loss of valuable parking spaces in an area already seriously short of parking facilities. The provision of new parking spaces on the grass verge along Firs Hill Way is also considered by them to be unsuitable and detrimental to highway and pedestrian safety because of the configuration of the road; and would lead to the loss of more green land.

The Council's Highways Development Control Engineer has, however, advised that the revised proposal will provide a sufficient amount of car parking spaces to ensure that no cars will be displaced as a result of the development. It is recognised that the site currently has 21 car parking spaces, however only 13 are currently within use (4 rented garages and 9 open parking spaces). The proposed development will deliver 14 spaces to ensure no net loss parking spaces currently within use, and 4 spaces to serve the new dwellings. A refusal of planning permission on the grounds of the loss of existing car parking spaces is therefore not considered to be justified. Furthermore, the proposed parking spaces are considered to be of an acceptable layout, subject to the repositioning of two lamp posts, and will not encroach onto or affect the existing highway.

In terms of the future ownership and management of the car parking spaces, the intention of the applicant is to sell the land containing the houses and their associated car parking spaces, but retain the remainder of the site within their ownership. An easement would be granted across the site for the new landowner(s). The need to provide the parking spaces prior to occupation of the dwellings and to ensure their retention in perpetuity can be secured via a condition should planning permission be granted. The Local Planning Authority is

unable to demand that the parking spaces be transferred to the ownership and / or management of the Parish Council or residents of St Mary's Close. The provision of the parking spaces can, however, be secured prior to the occupation of the new dwellings via a condition should planning permission be granted. A construction method statement could also be secured via condition to manage and limit the neighbour amenity and highway safety impacts associated with the construction process.

7.4 Other Matters Raised by the Parish Council

The Parish Council indicated that it would “feel very let down by the total disregard of its Neighbourhood Plan” should planning permission be granted. It is worth highlighting therefore that the PNP is an integral part of the local development plan and (to the extent that development plan policies are material to an application for planning permission) the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The proposed development is not considered to conflict with any policies of the PNP.

General Policy PNP1 specifically specifies that “new residential development will be permitted within the settlement boundary of the village” and the proposal is not considered to conflict with any other policies of the plan. It is recognised that the PNP allocated various sites for development, however, each application must be assessed on its own merits and the proposed scheme is not considered to prejudice the aims and objectives of the wider plan. It is also recognised that within the Community Aspirations section of the PNP it is specified that “parking problems in Potterne are perceived by many to be increasing” and the Parish Council is of the opinion that this current proposal would compound parking problems. A refusal of planning permission is not, however, considered to be justified for the reasons outlined above.

The Parish Council feel that the parking facility could be classed as an Asset of Community Value (ACV). A building or other land is an ACV if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future. The Localism Act states that ‘social interests’ include cultural, recreational and sporting interests. The area of land accommodates a private car parking area within the ownership of the Aster Group and is available for use by its residents. As such, it is not considered to be classed as an ACV.

8. Conclusion

The proposal involves the redevelopment of the Aster Group garage site through the construction of a pair of semi-detached dwellings and the provision of replacement parking spaces. The principle of a residential scheme on the site is in accordance with the settlement strategy of the Wiltshire Core Strategy and the residential policies of the Potterne Neighbourhood Plan.

The layout, scale and appearance of the development is considered to be in-keeping with the existing built environment, and the proposed new car parking areas will ensure there are no displaced vehicles as a result of the development.

The scheme is considered to be in accordance with both national and local planning policies and subject to suitably worded conditions; it is recommended that planning permission is granted.

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:

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

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

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

- Drawing ref. Site Loc 1761plan5.dwg (Site Location Plan), received 08.11.18.
- Drawing ref. BDS-10-18 (Topographical Survey), received 08.11.18;
- Drawing ref. P1_1761plan7.dwg (Proposed Plans & Elevations), received 19.12.18;

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

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

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 4 No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

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

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) measures to control the emission of dust and dirt during construction;
- e) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period.

The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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

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

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

- 7 No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

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

- 8 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
1. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 2. finished levels and contours;
 3. all hard and soft surfacing materials;

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

- 9 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 dwellings 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.

- 10 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until the Willow tree on the site boundary has been enclosed by protective fencing, in accordance with British Standard 5837 (2012): "Trees in Relation to Design, Demolition and Construction -Recommendations".

The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations unless agreed in writing by the Local Planning Authority.

REASON: In order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 11 No part of the development hereby permitted shall be occupied until the access, turning area and all 18 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.

- 12 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.

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

REASON: In the interests of residential amenity and privacy.

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

REASON: In the interests of residential amenity and privacy.

15 INFORMATIVE TO APPLICANT:

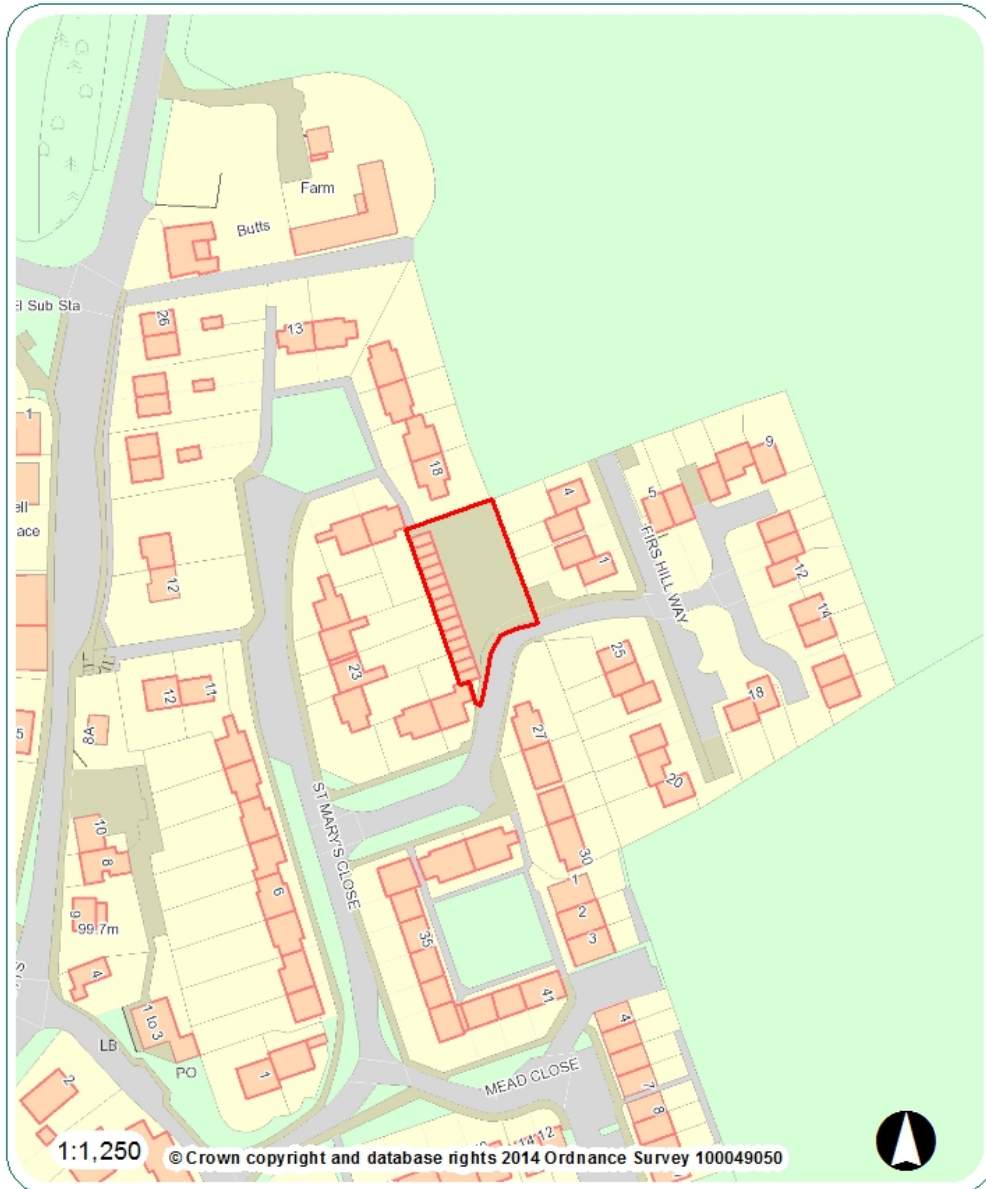
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such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

16 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.

Application Withdrawn



This page is intentionally left blank

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	31st January 2019
Application Number	18/06977/FUL
Site Address	Land at Uphill, Friars lane, Urchfont SN10 4SA
Proposal	Erection of 8 Dwellings Together with Associated Works.
Applicant	Mr & Mrs Ellis, Multon and Bailey
Town/Parish Council	URCHFONT
Electoral Division	Urchfont and The Cannings – Councillor Phillip Whitehead
Grid Ref	404435 157359
Type of application	Full Planning
Case Officer	Morgan Jones

Reason for the application being considered by Committee

In accordance with the Council's 'Scheme of Delegation Specific to Planning', this application is brought to committee at the request of Councillor Phillip Whitehead on the grounds of visual impact and access / highway safety.

1. Purpose of Report

To assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to grant planning permission subject to conditions and a legal agreement.

2. Report Summary

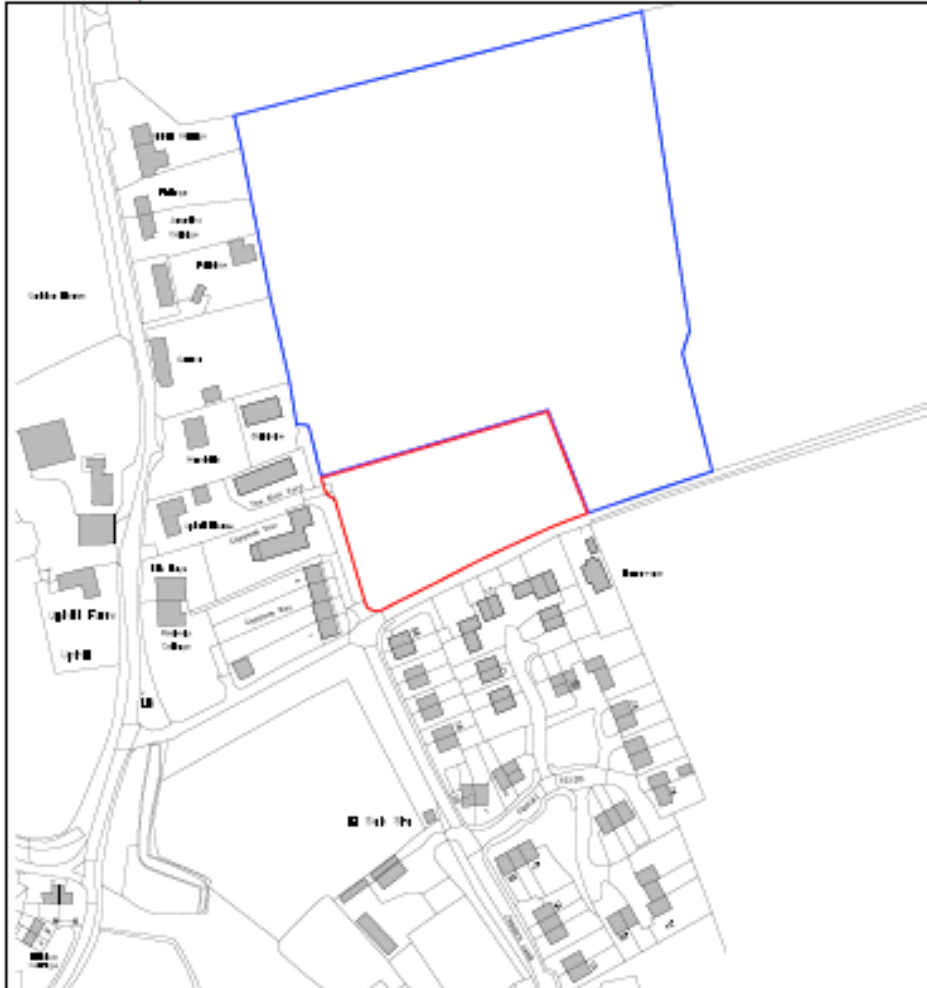
The key issues for consideration are:

- Principle of development;
- Layout, design and density;
- Landscaping & visual impact;
- Impact on residential amenity;
- Impact on highway & pedestrian safety;
- Impact on ecology;
- Impact on heritage assets
- Flood risk, surface water & drainage;
- Planning obligations.

3. Site Description

The application site comprises 1.17 acres / 0.4735 hectares of agricultural land on the north-east periphery of Urchfont. The southern boundary of the site adjoins Friars Lane, which leads onto Public Right of Way ref. URCH18 to the north-east of the site, beyond which further south lie residential properties within the Foxley Fields cul-de-sac. The western

boundary is also adjacent to residential properties and the northern and eastern boundaries open out onto the remainder of the land within the applicant's ownership. The western and southern boundaries are defined by a hedgerow and / or timber fencing and a vehicular access is located within the south-west corner of the field which is accessed via the track.



Site Location Plan

4. The Proposal

The application as originally submitted sought full planning permission for the construction of nine dwellings served by a single point of access at the south-west corner of the site onto Friars Lane. The application was amended via the submission of amended plans on the 17th December 2018 and now seeks permission for the construction of eight dwellings. The residential units include:-

- One 3.bed bungalow;
- One 3.bed detached house
- Two 3.bed detached houses
- Two 4.bed detached houses
- Two 2.bed semi-detached dwellings



Proposed Site Layout

The application is supported by the following reports:

- Planning Statement (July 2018) by RCC Town Planning Consultancy
- Landscape and Visual Appraisal (July 2018) (ref 18.756) by WH Landscape landscape architecture & arboriculture (updated January 2019)
- Habitat & Protected Species Survey (16 July 2018) by Malford Environmental Consulting
- Construction Traffic Management Plan (Technical Note – 6350/01. Issue no.2) by Cole Easdon Consultants
- Drainage Statement (Technical Note – 6350/02. Issue no.2) by Cole Easdon Consultants, submitted 24.09.18.

5. Planning Policy

The **National Planning Policy Framework (NPPF)** with particular regard to Chapters 4 'Decision-Making', 5 'Delivering a sufficient supply of homes', 9 'Promoting Sustainable Transport', 11 'Making Effective Use of Land', 12 'Achieving Well-Designed Places', and 15 'Conserving & Enhancing the Natural Environment'.

The adopted **Wiltshire Core Strategy**, in particular:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 12 Spatial Strategy: Devizes Community Area;
- Core Policy 45 Meeting Wiltshire's Housing Needs;
- Core Policy 46 Meeting the Needs of Wiltshire's Vulnerable and Older People;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 67 Flood Risk;
- Core Policy 68 Water Resources;

The made **Urchfont, Wedhampton and Lydeaway Neighbourhood Plan (UWLNP) 2015**

– **2026** (Made April 2017), in particular:

- Policy H1 Housing Site Allocations;
- Policy H2 Form of Housing Development;
- Policy H3 Provision of Affordable Housing;
- Policy H4 Parking for New Developments;
- Policy D1 Design (including Appendix A: Design Statement);
- Policy TIC1 Local Traffic and Movement;
- Policy CN1 Protecting the Landscape;
- Policy CN2 Protection of Biodiversity Site and Features.

Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

6. Consultations

Wessex Water – No objection.

Wiltshire Council Highways – No objections, subject to conditions to secure the layout, parking, and access arrangement as shown, and the implementation of the approved construction traffic management plan.

Wiltshire Council Landscape and Arboricultural Officer – No objection.

Wiltshire Council Landscape and Design Officer – No objection to the amended proposal.

Wiltshire Council Ecologist – No observations.

Wiltshire Council Drainage Engineer – No objections, subject to conditions to secure full details of the drainage schemes along with details of their ownership and future management.

Wiltshire Council Archaeologist – No objection, subject to a condition to secure a written programme of archaeological investigation in the form of a Watching Brief.

Wiltshire Council Housing Officer – No objection, subject to a legal agreement to secure 2 affordable dwellings in accordance with the policy of the local development plan.

Urchfont Parish Council – “The Planning Committee of Urchfont Parish Council
OBJECT to this application for the following reasons;

UPC objects on the grounds that the UPC Planning Committee had insufficient information to enable support of it. UPC believe that more detailed reports needed to be made available on how the following issues will be addressed:-

- Infrastructure
- Surface Water
- Sewage
- Access / Highway Safety
- Pedestrian Safety
- Pavements on Approach Roads
- Highway Maintenance
- Construction Traffic Access
- Resident Parking during Construction

In addition, with respect to Affordable Housing, UPC believe there should be more units than are currently proposed and that the Applicants should submit a more detailed report on how these Affordable houses will be managed to meet the guidance within the National Planning Policy Framework for Affordable Housing”.

The Parish Council also objects to the revised scheme submitted on the 17th December 2018 for the following reasons:

- “The proposed application does not address the necessary road infrastructure improvements and enhancements for pedestrian and vehicle safety (along its main access route to and from the B3098), to sufficiently support this development. (*UWLNP Policy TIC1 1(a))
- The number of Affordable houses has been reduced from 3 to 2. Development proposals of more than 5 properties are expected to deliver at least 30% (net) Affordable Houses. (*UWLNP Policy H3 (1))
- The proposed entrance layout to the site, at a junction of 4 existing roads, does not allow safe movement of pedestrians and vehicles with priority to pedestrians. (*UWLNP Policy D1 (e))
- The ridge height of proposed houses, are at least 2 metres above those of houses in the immediate area, and as such does not respect the visual impact upon the existing rural locality and reflect local distinctiveness. (*UWLNP Policy D1 (a))”.

7. Publicity

The application has been publicised via press and site notices and letters sent to properties within close proximity of the site. As a result of the publicity, 32 letters were received prior to the 18th September 2018, one expressing support for the proposal and the others raising concerns with the inadequacy of the existing highway network and the harmful impact the proposed development will have on pedestrian and highway safety; the development of greenfield agricultural land; the harm to landscape character and visual amenity; conflict with the made neighbourhood plan due to the number of dwellings and because the site is identified as an important view; the inadequacy and impact of the proposal on drainage infrastructure; the loss of privacy and harm to the amenity of adjoining residents; inappropriate density, design and height; and a lack of affordable housing. The neighbourhood plan process and examination has also been questioned.

The following list of bullet points provide further detail on the grounds for objecting to the application:

- The development will generate an unacceptable level of traffic;
- The existing highway network will be unable to cope with the additional traffic;
- The access from the B3098 is narrow and unsafe and the addition of another 27 vehicles will greatly exasperate the existing problems, making the road even more dangerous for all users;
- The Traffic Management Plan proposes a parking suspension during operational hours. I would request a consultation process and impact assessment is undertaken prior to any decision being made on the planning application.
- The Traffic Management Plan does not consider all necessary risks such as the time children use surrounding roads to walk to School.
- Access to the development is already under pressure with the amount of traffic and parking created by the existing developments.
- Parking is already in short supply on Foxley Fields and Crooks Lane.
- The development will remove parking spaces and does nothing to alleviate the issue of traffic converging at the “crossroads” at the entrance to the site.
- The new footpath along the side of the old road will not be used as a path by the new residents or the existing residents as they use the road to walk on.
- It is questioned whether there is a need for more properties of the scale and price proposed;
- The density of the development is too high;
- The dwellings are too high;
- The bi way is liable to flooding every time it rains and it’s unclear where surface water will run off too;
- There is presently little light pollution;
- The visual qualities, heritage and rural character of the village will be negatively impacted by such a development;
- Development will affect the natural environment & disturb the character of the area
- Many aspects of this development appear to totally disregard the views of the villagers as expressed in the Village Plan;
- The Neighbourhood Plan shows the proposed site as being an ‘important view... worthy of a special landscape designation..’
- It is considered to be important to preserve the current view for all the residents of the village of Urchfont to enjoy.
- This site at Uphill is Prime Agricultural land and therefore should not be built on;
- It does not comply with the Neighbourhood Plan as it will provide very little ‘affordable homes for local people’;
- There are more suitable sites which have been overlooked;
- Existing houses in Uphill will be overlooked;
- The orientation of the proposed properties will mean bedrooms will directly overlook the residents of Uphill Cottages, causing loss of privacy;
- Surface water will head down the hill towards the cottages at The Bottom either on the surface or within the existing drainage used by the Foxley Field estate;
- The Section Drawings in the application are misleading and the proposed built form does not respect the existing;
- The site is inappropriate and should not have been included within the list of allocated housing sites in the UWLNP.

In addition to the original 31 letters of objection, a further 10 letters of objection were received on the same grounds as above, but with the main purpose of commenting on the consultation responses. The concerns of the Parish Council are highlighted but in particular the comments

focus on the observations of the Council Highways Development Control Officer. It is felt that the Highways Officer has clear reservations about the proposed development and ultimately does not object due to the allocation of the site within the neighbourhood plan. The Highways Officer has since provided further observations to provide clarification as detailed within Section 8.4 'Impact on Highway & Pedestrian Safety' below.

A number of the letters also highlight that the original consultation response from the Council Landscape Officer was removed from the Council's website and question why. The consultation response was removed in order to allow the case to be considered further by the Landscape & Design Team, however, the consultation response was subsequently re-published with some revisions but the overall conclusion and recommendations remain as originally written.

The amended scheme submitted on the 17th December 2018 was subject to a re-consultation exercise. As a result of the publicity one letter of support and seventeen letters of objection have been received. The letters of objection outline that the revised plans seem to be a re-submission of the original plans with minimal changes that address the concerns of local residents or Urchfont Parish Council. The same grounds for objecting to the application are therefore reiterated, in particular on highway safety grounds, along with disappointment expressed in relation to the loss of an affordable dwelling from the scheme. As a result of the updated layout and proposed site section plans, it is felt that the new properties would dominate Uphill Cottages and the area of open green space would be dangerous as a play area due to its position. The comments also suggest that the neighbourhood plan is being ignored and other say the development does not accord with the policies of the plan.

The letter of support was on the following grounds:

- It is listed as a site in the made Urchfont, Wedhampton & Lydeaway Neighbourhood Plan (UWLNP).
- It is supported by the NPPF
- It is supported by the Wiltshire Council Core Strategy.
- It provides 2 affordable homes in accord with the UWLNP.
- I feel the effect on the amenity of neighbouring homes has been much reduced in the new layout.
- The use of Michelmersh bricks will give a very pleasing finish and the application has referenced the Design Statement in the UWLNP.

8. Planning Considerations

8.1 Principle of Development

The local development plan document is made up of the Wiltshire Core Strategy (WCS) (adopted January 2015) and the Urchfont, Wedhampton and Lydeaway Neighbourhood Plan (UWLNP) 2015 – 2026 (Made April 2017),

Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' of the WCS outline a settlement strategy which identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. The settlement strategy seeks to restrict new development to within the limits of development of the settlements identified within the plan other than in circumstances permitted by the exception policies of the plan or through subsequent site allocations within Development Plan Documents or Neighbourhood Plans.

The site comprises open agricultural land opposite the built up area of the village which is classed as a 'Large Village' by Core Policy 12 'Spatial Strategy: Devizes Community Area' of

the WCS. The site is, however, allocated for residential development in the made UWLNP and falls within the Development Boundary set by the plan (shown on Figure 2.1 of the UWLNP).

Section 2. 'Housing' of the UWLNP outlines that one of the main objectives of the plan is to 'allocate sufficient land for small scale market housing and affordable housing to meet local needs' (p12). Policy H1 'Housing Site Allocations' of the plan therefore allocates land for approximately 37 houses over the plan period across 9 sites (sites 'a' to 'i') in Urchfont. The current application site corresponds with site 'i' which is allocated for approximately 7 dwellings.

The principle of residential development at the site is therefore supported by the local development plan and is considered acceptable in principle in terms of land use; however, there are a number of key material planning considerations which will have to be taken into account to determine the appropriateness of the proposed scheme, as discussed within the following sections.

8.2 Layout, Density, Design & Impact on Landscape Character

The site is allocated for approximately 7 dwellings within the UWLNP. The number is not fixed because the Planning Inspector who examined the plan stated that "the overall number of houses should not be capped as it may stifle a design-led approach and innovative and proper planning of each site. Furthermore even though WC has confirmed the level of development indicated is considered to be acceptable in the context of the Devizes Community Area, the figure should not be regarded as a maximum. In addition whilst an indicative figure for each site can be included, it should just be that – indicative – and this should be made clear in the policy itself to allow for site specific considerations to be taken account of".

In terms of density, the UWLNP states that "it is important that housing development makes efficient use of land and, as a guide, a minimum density of 30 houses per hectare will be expected. However, the actual density on each site will reflect its location, surroundings and the need for new infrastructure, parking and landscaping". In order to meet the density of 30 houses per hectare, the scheme would need to deliver 14 houses on the 0.4735 hectare site. The guide of a minimum density of 30 houses per hectare is therefore not achieved at the site, however 8 units is considered appropriate for the semi-rural location of the site on the edge of the village and accords with housing policies H1 and H2 of the UWLNP.

In terms of the mix of new developments, the UWLNP specifies that "Housing size and type will be expected to reflect the community's needs. Evidence has shown that the need of the community is for smaller homes, which are suited to meet the requirements of young families and older people. Therefore, it will be expected that new development proposals will show the largest proportion of homes as 2 and 3 bedroomed. Given the trend of an ageing local population, schemes which provide homes for specifically older people will be supported" (p15). The largest proportion of proposed homes are 2 and 3 bedroomed, which meets the aims of the UWLNP i.e. 6 of the dwellings with an additional 2 larger homes containing 4 bedrooms.

The layout and appearance of the scheme has been amended during the application process in order to improve the entrance of the site and the orientation and design of some dwellings to secure a better quality built environment. The dwellings are considered to be of an appropriate scale and design and will be finished primarily with red brick and plain clay roof tiles. The removal of certain permitted development rights to prevent alterations to the roofs of the dwellings is considered appropriate to protect the design and character of the development.

It is recognised that the dwellings will be higher than the properties to the west due to the gradient of the land and their design, however it is not considered that they would dominate the existing properties due to the separation distances, or appear out of place next to the modern properties within the Foxley Fields development. The ridge height of no.38 Crooks Lane for example, which is directly adjacent to the site entrance, is 126.24 AOD compared to the ridge height of the dwelling proposed on plot 8 which is 126 AOD. Furthermore, the closest proposed dwelling to the properties to the west will be a bungalow on plot 1.

The revised scheme is also supported by a landscape scheme which is designed to strengthen and add to the existing natural landscaping around the periphery of the site. There will be an inevitable change to the character of the site from an undeveloped open field to that of a residential environment, however the planting of a continuous hedgerow with larger trees around the north and east boundaries will contain the development and soften its visual impact as much as possible.

The Landscape and Visual Appraisal (July 2018) (ref 18.756) by WHLandscape landscape architecture & arboriculture concludes by stating that “The most notable views of the development are those from the section of Friars Lane that runs along the site’s southern boundary, where the development will obscure views of the AONB beyond, resulting in localised significant adverse effects. However, these only represent a small part of a much larger study area, with there being no significant effects from locations with a high receptor sensitivity, or from any designated PRowS. While there will be changes to visual character in respect of views out from a small section of the residential edge of Urchfont, the overall perception of the site, in terms of views from the wider landscape, will be largely unchanged as the application is for a residential development on the visible residential edge of an established settlement. Overall, any visual change will be limited and will not compromise the study area’s established visual character as a whole”.

The UWLNP identifies important views within the plan area which need to be protected and this includes the application site. The Council’s Landscape Officer highlights that this Important View would appear to relate to the general open views from the edge of the village across fields to the distant hills beyond Devizes and the Vale of Pewsey rather than a specific view and it is not apparent why this would be considered to be an ‘important’ or particularly special view. The Site Brief which forms part of the supporting and background information to the UWLNP highlights that a key consideration for the development of this site will be the impact on views into the village from the east. There will be an unavoidable impact on the view from adjoining properties and Friars Lane looking north-east across the site, however the development does not encroach further than allocated within the UWLNP and the visual impact looking back towards the village from the east will be mitigated as much as possible through a comprehensive landscaping scheme.

The Landscape and Visual Appraisal explains that “Mitigation measures will mainly focus on the retention, enhancement and management of existing vegetation around the site, in particular the hedgerow and tree cover around the land under the applicants’ control. New planting will supplement the existing landscape structure around the site, as well as creating structure within the development itself through the use of strategic tree planting. The aim is to not only integrate the proposed development into the landscape, but also provide enhancements to the green infrastructure network at on the residential edge of Urchfont through a comprehensive scheme of new planting and management of existing vegetation”. The proposed landscaping scheme can be secured via condition should the application be granted planning permission.

In summary, the density, layout and design of the development are considered to be appropriate for the context of the site and in general conformity with the housing, design and landscape policies of the UWLDP. Furthermore, whilst there will be a change to the

undeveloped rural character of the site which will result in localised changes to landscape character and visual amenity, the UWLNP has identified the site as one of the most sustainable options to meet the housing need within the UWLNP area, which justifies these impacts.

8.3 Impact on Residential Amenity

Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the WCS lays down the requirement for good design and requires developments to have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

The proposed development has been designed to limit the impact on the residential amenities of the occupiers of neighbouring properties through the careful siting and orientation of the proposed dwellings. The two storey dwelling on plot 8 faces the terrace of dwellings to the west of the site, but the separation distances are more than required to ensure no direct overlooking. The closest dwelling to the neighbouring properties to the south is on plot 6 but there will be a separation distance of 17.5m between both dwellings, and the south elevation of the proposed dwelling will be a side gable wall with only a small bathroom window at first floor level.

In relation to the residential amenity of future residents of the development, the proposed dwellings will each benefit from private amenity areas and will not be directly overlooked by existing neighbouring properties.

In light of the above, it is considered that the scheme will not have a significant adverse impact on the residential amenity of the occupiers of any neighbouring properties.

8.4 Impact on Highway & Pedestrian Safety

Core Policies 60 'Sustainable Transport' and 61 'Transport and New Development' of the WCS seek to ensure that new developments are located within sustainable locations and are designed to encourage the use of sustainable transport facilities. Core Policy 61 also seeks to ensure that all new developments are capable of being served by safe access to the highway network. Core Policy 62 'Development Impacts on the Transport Network' seeks to ensure that developments provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

Policy TIC1 'Local Traffic and Movement' of the UWLNP requires new development to provide the necessary road infrastructure, demonstrate how the impact of construction traffic during the construction period has been minimised, and take every opportunity to provide new, or enhanced, footpath, cycleway and bridleway networks in the Parish.

The proposed development will be served via a single vehicular point of access to the site from Friars Lane. The estate road will be 5.5m in width to allow two vehicles to pass and enable some on-street parking. The width and layout also enables refuse and service vehicles to manoeuvre around the site. The private parking provision complies with the Council's Car Parking Strategy, albeit the amended proposal does not provide any visitor parking spaces. The development will accommodate footpaths within the site which will also lead out onto Friars Lane and provide easy access to the Public Right of Way immediately to the north-east of the site. A revised site plan was submitted on the 15th January 2019 in order to provide a footpath along the site frontage to address the concerns of the Parish Council in relation to a lack of facilities for pedestrian priority at the site entrance.

The Council's Highways Officer highlighted that the site is not within a particularly sustainable location within the village, due to its position outside the limits of development, and would not therefore ordinarily be supported because of the conflict with the settlement strategy of the WCS (Core Policies 1 & 2). However, it is recognised that the site has been found to be one of the most sustainable within the village to deliver the identified housing need (through the neighbourhood plan site assessment process) and can therefore be supported. Furthermore, the Officer is of the opinion that the proposed development meets the requirements of Policy TIC1 because there is adequate visibility at the site access onto Friars Lane and there is relatively direct access to the B3098 road along Crooks Lane.

The Highways Officer highlights some shortcomings with the road (Crooks Lane) leading to the site, in terms of the narrow width and lack of footways, but it is concluded that the highway network is adequate to deal with the vehicular and pedestrians movements associated with the proposed development and off-site mitigation measures are not compulsory. It was specified that "The Highway Authority acknowledges that there will be a noticeable impact on the road network in regards to vehicle movements to and from the development but I consider that this will not lead to a significant detrimental impact on the safety of the users of the highway. The junction of Crooks Lane and the main B3098 is suitable for an increase of vehicle movement and for the majority of its length there is adequate space for two vehicles to pass."

It is recognised that policy TIC1 advises that every available opportunity should be taken to provide new, or enhance, footpath, cycleway and bridleway networks in the Parish. Improvements have also been requested by those who support and object to the proposed development. The Highways Officer has explored possible options but advised that the extent of the adopted highway surrounding the site does not offer any opportunities to improve the pedestrian facilities in the area. It should however be noted that the proposed development is considered acceptable from a highway safety perspective without the need for any off-site highway improvement works. It would therefore be unreasonable to demand that the applicant provide some form of off-site improvements or dismiss the application on these grounds.

In terms of the impact from construction traffic, this is detailed within the submitted Construction Traffic Management Plan (Technical Note – 6350/01. Issue no.2) by Cole Easdon Consultants. The document provides details of the construction access arrangements, proposals for the temporary construction compound area and contractor parking, details of construction traffic and routing signage, and traffic management. The report concludes by stating that "The developers will commit to minimising where possible the impact of the development on the surrounding area during the construction process. With the proposed HGV route avoiding the centre of the village and nearby narrow lanes, and all deliveries routing via the B3098, construction impact within the existing settlement will be limited. During the construction process, there will be an identified Site Manager who will ensure that the measures set out within this Construction Traffic Management Plan are adhered to. They will also be the first point of contact for any site-related queries". It is recognised that the construction of the site will result in some disruption to the existing local residents, however the construction traffic management plan is designed to try and manage and limit the adverse impacts as much as possible.

It is considered that subject to conditions to secure the parking and access arrangements as shown on the submitted plans, and the Construction Traffic Management Plan, the development will not result in unacceptable highway safety impacts. A scheme for the future ownership and management of the estate road is also considered necessary because it will not be adopted by the Highway Authority. This can be secured via a section 106 agreement should there be a resolution to grant planning permission.

8.5 Impact on Ecology

Core Policy 50 'Biodiversity & Geodiversity' of the WCS outlines that all development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term.

The application is therefore supported by a Habitat & Protected Species Survey (16 July 2018) by Malford Environmental Consulting. The report specifies that "The grassland is of negligible ecological value. The short length of boundary hedge is species-rich and therefore a local priority habitat, but it is of recent origin and will nevertheless be retained and protected during the construction phase (see Section 6.1). There are no protected species associated with the proposed development site, and as such no specific mitigation is necessary other than maintaining the grassland in its current condition (see Section 6.2)". The report does, however, present a series of mitigation and enhancement measures to protect and enhance the habitat of the site by protecting the boundary hedge and the introduction of new landscaping and bat roosting opportunities. The mitigation and enhancement measures can be secured via a condition should planning permission be granted.

8.6 Impact on Heritage Assets

Core Policy 58 'Ensuring the Conservation of the Historic Environment' of the WCS seeks to ensure that developments protect, conserve and where possible enhance the historic environment. The site does not fall within the village Conservation Area and there are no listed buildings within close proximity of the site (the Grade II Listed Ardgowan, no1 Uphill being the closest to the site). The development does, however, have the potential to affect below ground archaeological remains.

The Council's Archaeologist indicated that "The Wiltshire and Swindon Historic Environment Record shows that the proposed development is on the periphery of settlement with origins in the medieval period, referred to as Ierchesfonte in 1086. There have been a number of findspots recorded on the Portable Antiquities Scheme to the east of the site. Based on present evidence there is a low potential for significant archaeological remains to be impacted by the proposals. I do however recommend an archaeological Watching Brief is made a condition of planning approval due to the amount of 'background' activity in the surrounding area. This will ensure that any archaeological remains which are revealed during construction will be recorded". An Archaeological Watching Brief can be secured via a condition of any planning permission.

8.7 Flood Risk, Surface Water & Drainage

Core Policy 67 'Flood Risk' of the WCS outlines that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

The proposal involves the disposal of surface water via soakaways which is supported by the Council's Drainage Engineer, however the Engineer requested details of the drainage scheme and testing to BRE 365 prior to the determination of the application to demonstrate that soakaways will work. A Drainage Statement (Technical Note – 6350/02. Issue no.2) by Cole Easdon Consultants was subsequently submitted on the 24th September 2018 which concludes that the proposal can be delivered sustainably in terms of drainage without having any adverse impact within the site or the neighbourhood.

The Council's Drainage Engineer accepts the conclusions of the Drainage Statement and highlights that the indicative scheme is presented on drawing no.6350/501 at the end of the

report. The Drainage Engineer recommends a condition to ensure the proposed foul drainage scheme is in and connected before the occupation of dwellings on the site, and a condition to secure and approve full details of the surface water scheme. Finally, it was requested that details be submitted and approved of the ownership and maintenance of the highway drainage if not adopted by the Council. The future management of the drainage scheme, along with the open space within the site, can be secured via conditions and / or a s106 agreement.

8.9 Planning Obligations

8.9.1 Community Infrastructure Levy

The Council's adopted Wiltshire Community Infrastructure Levy (CIL) Charging Schedule applies to the proposed development. The site falls within Charging Zone 1 which sets a charge of £40 per square metre of residential development floorspace.

8.9.2 Section 106 Contributions

The Council's most recent policy in relation to affordable housing is outlined within Core Policy 43 'Providing Affordable Housing' of the WCS. The UWLNP, however, includes a more up-to-date affordable housing policy (Policy H3 Provision of affordable housing) which given the proven shortage of affordable housing in the Parish requires new developments on sites of more than 5 properties to provide 30% (net) affordable housing for those in need or with a local connection to Urchfont or its neighbouring Parishes. In order to meet the policy requirement, 2 of the 8 dwellings should be affordable.

The Council's Housing Officer specified that "In line with current affordable housing approaches, an affordable housing contribution would not normally be sought in relation to this application as the proposal falls below the affordable housing threshold trigger. However, I note that 3 affordable homes are now proposed in line with Policy H3 of the 'made' Neighbourhood Plan which seeks a minimum 30% (net) affordable housing provision on sites of more than 5 properties. It would be acceptable for plots 6 & 7 (2 x 2 bed semi-detached houses) to both be provided as affordable housing, with one house being for affordable rent and one house being for shared ownership.

Any affordable housing units agreed would need to be provided at nil subsidy in perpetuity and would need to be transferred to a Registered Provider, approved by Wiltshire Council. When providing affordable housing, developers are advised to engage with a Registered Provider at the earliest opportunity, in order to ensure that the appropriate standards are met at the design stage. Affordable housing will be secured via a S106 Agreement and nominated in line with the Council's current Allocation Policy and Procedures".

9. Conclusion

The application seeks full planning permission for the construction of eight dwellings on land allocated for residential development within the 'made' Urchfont, Wedhampton and Lydeaway Neighbourhood Plan. The development accords with the aims of the neighbourhood plan because it will deliver both open market and affordable housing to help meet the identified housing need within the plan area on this allocated site. The density and layout of the development is considered appropriate for the semi-rural context of the site along with the design and appearance of the dwellings.

The concerns of the Parish Council and local residents, in particular the impact of the proposal on highway safety and landscape impact, have been carefully considered, however the development is considered to comply with the policies of the local development plan. The impact of the proposed development on highway safety and landscape character are no

greater than anticipated and considered during the allocation of the site within the neighbourhood plan and no statutory consultees have objected to the amended proposal.

The scheme is considered to be in accordance with both national and local planning policies and with suitably worded conditions, and a section 106 agreement to secure the affordable homes, and a scheme for the future management of the private estate road, open space, and surface water scheme; it is recommended that planning permission be granted.

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions and a section 106 legal agreement:

- 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 documents and plans:

- Drawing no.BDS-01-18. Title. Topographical Survey, received 24.07.18;
- Drawing no. 01-01-Existing B&L Rev.A. Title. Existing Block & Location Plan, received 24.07.18;
- Drawing no.04-04-Proposed B&L Title. Proposed Block & Location Plan, received 17.12.18;
- Drawing no.04-03-Proposed Site Plan Rev.A. Title. Proposed Site Plan, received 15.01.19;
- Drawing no. 04-07-Boundary & Hard Landscape Plan Rev.A. Title. Proposed Boundary & Hard Landscape Plan, received 15.01.19;
- Drawing no. 04-08-Site Section Rev.A. Title. Proposed Site Section, received 15.01.19;
- Drawing no. 04-09-Vision Splay. Title. Proposed Vision Splay

- Drawing no. 02-01-Plot 1 - Three Bed Bungalow. Title. Proposed Ground Floor Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 02-02-Plot 2 - 3 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan, Block Plan, received 24.07.18;
- Drawing no. 02-03-Plot 3 - 3 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 02-04-Plot 4 - 4 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 02-05-Plot 5 - 4 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 04-02-Plot 6 & 7 - Semi Detached Rev.A. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section, Roof Plan & Site Plan, received 15.01.19;
- Drawing no. 04-01-Plot 8 – 3 Bed Detached. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan, received 17.12.18;

- Drawing no. 02-08-Plot 2 – Single Bay Garage / Rev A.. Title. Proposed Single Bay Garage, received 17.12.18;
- Drawing no. 02-09-Plot 3 – Single Bay Garage / Rev A.. Title. Proposed Single Bay Garage, received 17.12.18;
- Drawing no. 02-10-Plot4 – Double Bay Garage. Title. Proposed Double Bay Garage, received 24.07.18;
- Drawing no. 02-11-Plot5 – Double Bay Garage. Title. Proposed Double Bay Garage, received 24.07.18;
- Drawing no. 04-06-Plot 8 – Single Bay Garage. Title. Proposed Single Bay Garage, received 17.12.18;
- Drawing. 04-10-Brick Wall Detail. Title. Proposed Brick Wall Detail, received 15.01.19;

- Document. Urchfont – Material Schedule – Rev B, received 17.12.18;
- Document. External Facing Materials Schedule Plot 1, received 24.07.18;
- Document. External Facing Materials Schedule Plot 2 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 3 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 4 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 5 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 6 & 7, received 17.12.18;
- Document. External Facing Materials Schedule Plot 8 + Garage (3 Bed), received 17.12.18;

- Document. Construction Traffic Management Plan (Technical Note - 6350/01. Issue no.2) by Cole Easdon Consultants, received 24.07.18.
- Document. Landscape and Visual Appraisal (January 2019) (ref 18.756) by WHLandscape landscape architecture & arboriculture, received 15.01.19;
- Document. Planting and Maintenance Detail (January 2019) (ref 18.756) by WHLandscape landscape architecture & arboriculture, received 15.01.19.

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

3 No development shall commence within the application site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

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

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

NOTE: In order to satisfy the condition full details of the proposed surface water drainage scheme, as indicatively shown on drawing no.6350/501 within the Drainage Statement (Technical Note - 6350/02. Issue no.2) by Cole Easdon Consultants, will be required.

5 No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable

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

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

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

- 7 No railings, fences, gates, walls, bollards and other means of enclosure development, other than those shown on the approved plans, shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

REASON: The 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.

- 9 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 dwellings 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.

NOTE: The approved soft landscaping is shown on Figure number: 'Fig.5 (18.756) Rev.A' within the Landscape and Visual Appraisal (January 2019) (ref 18.756) by WHLandscape landscape architecture & arboriculture.

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

REASON: In the interests of highway safety.

- 11 No part of the development shall be occupied until a visibility splay has 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 point on the edge of the carriageway 43m metres to the east, and a 2.4m clear set back to the west to afford visibility of the junction. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 12 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 roofslopes of the development hereby permitted.

REASON: In order to protect the design and character of the development and in the interests of residential amenity and privacy.

- 13 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.

- 14 The mitigation and enhancement measures to protect and enhance the habitat of the site as detailed in Section 6 of the approved Habitat & Protected Species Survey (16 July 2018) by Malford Environmental Consulting shall be carried out in full prior to the first bringing into use/ occupation of the development and/or in accordance with the approved timetable detailed in the Ecological Assessment.

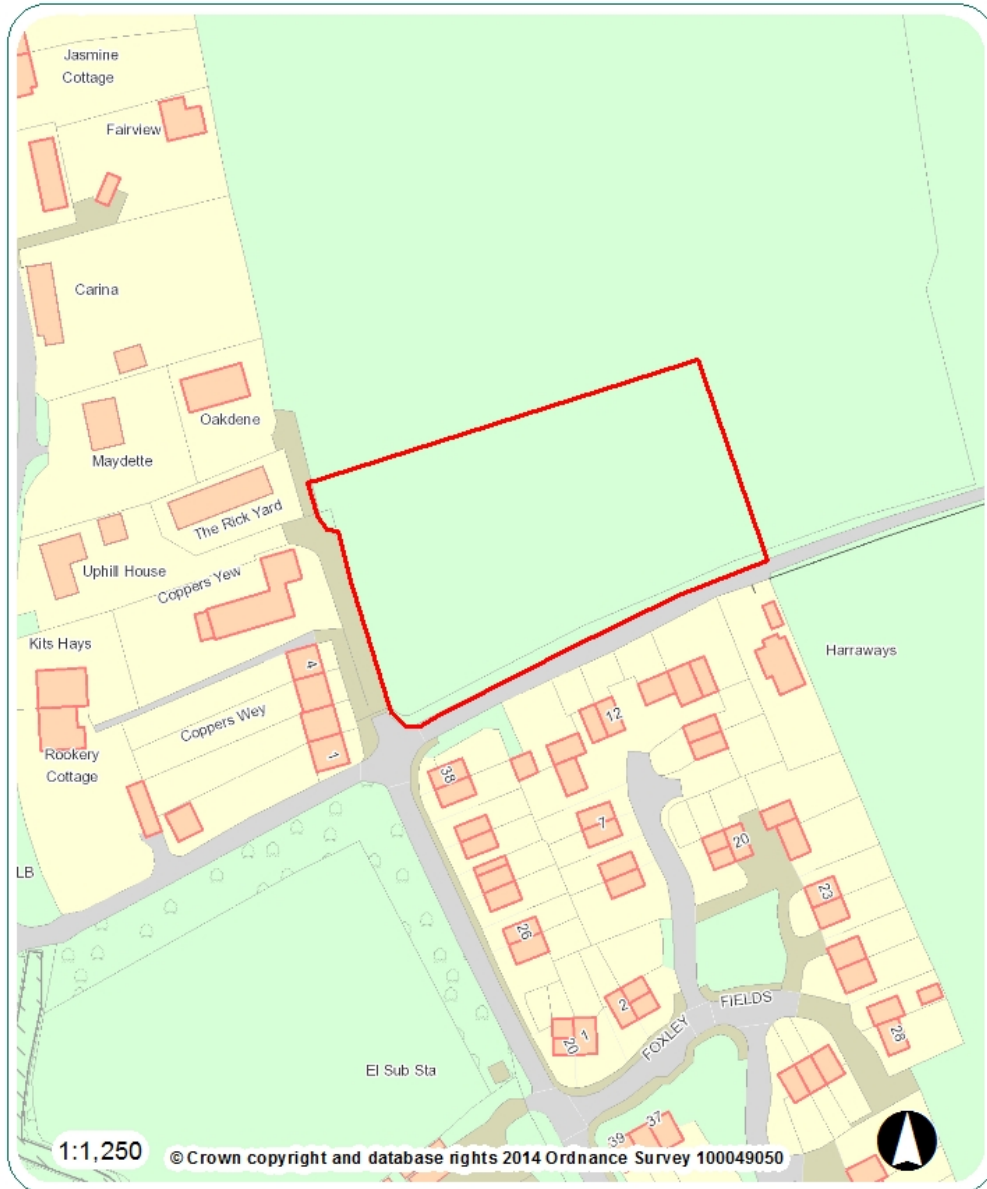
REASON: To mitigate against the loss of existing biodiversity and nature habitats.

- 15 **INFORMATIVE TO APPLICANT:**
The attention of the applicant is drawn to the contents of the consultation response from Wessex Water (dated 16.08.18 / ref KT/SU05NW/ 133) which can be seen on the Council website at www.wiltshire.gov.uk

- 16 **INFORMATIVE TO APPLICANT:**
The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further

information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

- 17 INFORMATIVE TO APPLICANT:
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the *(to be confirmed should there be a resolution to grant planning permission)*
- 18 INFORMATIVE TO APPLICANT:
The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
- 19 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.



This page is intentionally left blank

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 3

Date of Meeting	31 January 2019
Application Number	18/10309/FUL
Site Address	Old Manor Farm Yard, Old Manor Farm, Chandlers Lane, Bishops Cannings SN10 2JZ
Proposal	Demolition of agricultural buildings and erection of two detached dwellings and associated works.
Applicant	Mr & Mrs Sheppard
Town/Parish Council	BISHOPS CANNINGS
Electoral Division	Urchfont and The Cannings – Councillor Phillip Whitehead
Grid Ref	403646 164283
Type of application	Full Planning
Case Officer	Morgan Jones

Reason for the application being considered by Committee

In accordance with the Council's 'Scheme of Delegation Specific to Planning', this application is brought to committee at the request of Councillor Philip Whitehead on the grounds of the 'visual impact on surrounding area' and 'relationship to adjoining properties'.

1. Purpose of Report

To assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to refuse planning permission.

The key issues for consideration are:-

- Principle of development;
- Design and impact on heritage assets & landscape character;
- Ecological impact;
- Impact on highway safety.

2. Site Description

This application site relates to an area of land at Old Manor Farm Yard, Chandlers Lane, Bishops Cannings. The site comprises the former agricultural buildings associated with Old Manor Farm. The Old Manor Farmhouse itself, which is Grade II Listed, lies to the south of the site and is within the applicant's ownership. The Farmhouse has been damaged by fire but planning permission and listed consent have been granted for all of the dwelling to be rebuilt. The whole site lies within the Bishops Cannings Conservation Area and the North Wessex Downs Area of Outstanding Natural Beauty.



Site Location Plan

3. The Proposal

The application seeks full planning permission for the demolition of the existing agricultural buildings and the erection of two detached dwellings and associated works. The dwellings will be sited on the footprints of the buildings to be demolished as shown on the proposed site plan:



Proposed Site Plan

The Planning Statement explains that “as well as echoing the plan arrangement and extent of the existing buildings, the proposed buildings also deliberately reflect the characteristics of the superstructures. For example, the eaves and ridge heights of the proposed Dwelling 1 (3.8m and 6.9m) and Dwelling 2 (3.4m and 5.9m) reflect those of the nearby former stable block which is to be retained as an ancillary outbuilding to the Old Manor Farmhouse (at 3.4m and 6.6m respectively). The sizes of the buildings that are to be removed are also reflected in the proposal”. The external elevations of the dwellings would primarily be finished with timber boarding and the roofs with profiled metal sheets with black metal roof lights. The front elevation of each dwelling is shown below:



Proposed Dwelling no. 1



Proposed Dwelling no. 2

The application is supported by the following reports and drawings:

- Document. Planning Statement (October 2018) by RCC Town Planning;
- Document. Preliminary Ecological Assessment & Phase 2 Bat Surveys (July 2018) by Gareth Harris Ecology & Conservation;
- Document. Tree Survey, Arboricultural Impact Assessment and Tree Constraints Plan (ref 18.781) by WHLandscape;
- Document. Heritage Assessment (October 2018) by Ian Lund.

- Drawing no.3439-01 (Plans & Elevations for New Dwelling 1 [showing Location Plan, Block Plan, & Proposed Site Plan]);
- Drawing no.3439-02 (Plans & Elevations for New Dwelling 1);
- Drawing no.3439-03 (Plans & Elevations for New Dwelling 2);
- Drawing no.3439-04 (Diagram for Yard Access Visibility Splays);
- Drawing no.19119-200-01 RevD [showing existing site / topographical plan].

4. Planning Policy

The **National Planning Policy Framework (NPPF) (2018)** with particular regard to Chapters 4 'Decision-Making', 5 'Delivering a Sufficient Supply of Homes', '9 'Promoting Sustainable Transport', 12 'Achieving Well-Designed Places', 15 'Conserving & Enhancing the Natural Environment' and ' 16 'Conserving & Enhancing the Historic Environment' .

The adopted **Wiltshire Core Strategy**, with particular regard to:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 12 Spatial Strategy: Devizes Community Area;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 67 Flood Risk;
- Core Policy 68 Water Resources;

The made **Devizes Area Neighbourhood Plan** (July 2015 Referendum Version), with particular regard to:

- H1 Strategic Policy Intent - Settlement Framework Boundary
- H2 Strategic Police Intent – Built Environment & Sustainability
- T1 Strategic Policy Intent - Getting Around
- ESD1 Strategic Policy Intent - Environment & Sustainability

The made Devizes Area Neighbourhood Plan is jointly produced by the neighbouring parishes of Bishops Cannings, Devizes and Roundway. These contain the whole urban area centred on Devizes and the rural hinterland. The Plan fits within the broader Wiltshire Core Strategy.

Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

5. Consultations

Wessex Water – No objection, standard advice and guidance provided.

Wiltshire Council Highways – No objection, subject to conditions to secure the layout, parking spaces and visibility splay as shown on the submitted plans. .

Wiltshire Council Landscape Officer – No observations.

Wiltshire Council Conservation Officer – Objection on the ground of poor design and subsequent impact on the setting of the listed farmhouse building and the character and appearance of the Bishops Canning Conservation Area.

Wiltshire Council Arboricultural Officer – No objection, subject to a condition to ensure the development is carried out in accordance with an Arboricultural Method Statement.

Bishops Cannings Parish Council – No observations received.

6. Publicity

The application has been publicised via site and press notices, and letters sent to the occupiers of properties within close proximity of the site. As a result of the publicity, two letters have been received expressing support for the proposal because it is considered that the redevelopment of the site has the potential to improve its appearance. One of the letters, however, states that the contemporary design of the proposed 2 new dwellings is such that they will not sit well with the very sensitive nature of this site. The suitability of the proposed materials, such as the profiled metal roof, is also questioned and it is suggested that traditional materials, such as slate tiles, would be more appropriate. The letter also outlines that it is the author's greatest concern that there is a real risk that the Grade II listed thatched farmhouse will never be re-built. No attempt has been made to protect what remains and it is said the applicants wish to live in one of the new houses on the site and do not intend to re-build the farmhouse themselves.

7. Planning Considerations

7.1 Principle of Development

The local development plan document is made up of the Wiltshire Core Strategy (WCS) (adopted January 2015) and the Devizes Area Neighbourhood Plan (DANP) (made July 2015).

In the interests of promoting sustainable development and the protection of the countryside the policies of the plan seek to restrict all new residential development to locations within the Limits of Development defined for towns and villages. The WCS includes a settlement strategy, Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages and development should be restricted to within the limits of development other than in exceptional circumstances as set out within the relevant core policies contained within the plan (outlined within paragraph 4.25 of the WCS i.e. rural exception sites and specialist accommodation).

The housing policies of the DANP (i.e. H1 Strategic Policy Intent - Settlement Framework Boundary & H2 Strategic Police Intent – Built Environment & Sustainability) are consistent with the WCS settlement strategy as they seek to contain new housing within the existing settlement framework boundary (which equates with the Limits of Development within the WCS), identified within the plan.

The site falls within the Devizes Community Area on the western side of Bishops Cannings. The settlement is classed as a 'Small Village' by Core Policy 12 'Settlement Strategy: Devizes Community Area' of the WCS. The settlements identified as Small Villages do not have Limits of Development, however the WCS settlement strategy does allow 'infill' within the existing built up area of Small Villages provided proposals meet the housing needs of settlements and subject to the following criteria:

1. Respects the existing character and form of the settlement;
2. Does not elongate the village or impose development in sensitive landscape areas;
3. Does not consolidate an existing sporadic loose knit area of development related to the settlement.

The WCS clarifies that for the purposes of the settlement strategy, 'infill' is defined as the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling. Exceptions to this approach will only be considered through the neighbourhood plan process or development plan documents.

The site comprises the farmyard and former modern agricultural buildings associated with Old Manor Farm on the edge of the village. The pattern of development along Chandlers Lane is irregular with the northern and western boundaries of the site adjoining open agricultural land. The redevelopment of the site, which cannot be classified as brownfield land, through the construction of two new dwellings is not considered to represent natural infill within the built up area of the village under the settlement strategy of the WCS.

The Planning Statement argues that it “is certainly not an isolated site nor is it physically or visually detached from the settlement. It is a small and enclosed farmyard which relates to Old Manor Farmhouse and is part of the established streetscene of the village centre”. It is agreed that the site is not isolated or physically detached from the village and is adjacent to Chandlers Lane. The site, however is on the periphery of the village and its redevelopment would not represent the natural infilling of a gap within the built environment, in particular due to the size of the site and the agricultural land to the north and west.

The proposed development is therefore not considered to represent ‘infill’ and as such, would conflict with the residential policies of the WCS and DANP. Furthermore, no information has been submitted to demonstrate that the dwellings have been designed for, and will meet the housing need of the settlement.

7.2 Design, Landscape Impact, and Heritage Impact

The Heritage Assessment (October 2018) by Ian Lund advises that “If carefully designed a low-rise and low-key redevelopment of the Old Manor Farmhouse and farmyard offers the potential to resuscitate the fire damaged listed building, and to breathe new life into the redundant stable block and farmyard. A sympathetic scheme would provide a rare opportunity to provide accommodation in the village that will help with the stewardship of the landscape, and enliven the village without detracting from its rural essence”.

The proposed development has been designed in line with recommendations made within the Heritage Assessment, however it should be highlighted that the application site consists of the modern barns and associated farmyard and the field behind the farmhouse. The listed Old Manor Farmhouse and the adjacent 19th century stable block, which is considered to be a curtilage listed structure associated with the farmhouse, lie outside of the application site but within the applicant’s ownership. The proposal involves the demolition of the modern agricultural buildings and the construction of two new dwellings on their footprints. There are no associated plans for the repair and restoration of the stable building or an update in relation to the re-building of the Old Manor Farmhouse.

The proposal is described in detail within the Planning Statement and it is highlighted that the yard, as a whole, is considered to make a positive contribution to the conservation area by virtue of its traditional layout and associations with past farming practices within the village. It is then subsequently argued that the low-key redevelopment of the yard, will enable the long-term retention of the simple courtyard form at the site, and the replacement of modern utilitarian buildings with those of a higher quality, without affecting the significance of the listed Old Manor Farmhouse.

The redevelopment of the yard with two new houses would undoubtedly result in the loss of the pure agricultural character of the site. The Council’s Conservation Officer does, however agree that the buildings to be removed are of no architectural or historic merit and that their replacement with more aesthetically pleasing buildings could potentially enhance the appearance of the area. The Officer is, however of the opinion that the design of the current proposal does not preserve or enhance the character and appearance of the site:-

“For example, dwelling 1 has a similar footprint but slightly increased height and bulk than the existing barn. The existing building is a barn and its form reflects this use. The proposed scheme is for a residential unit but retains the footprint with wide gable, high eaves with large openings for windows and doors. Its mass and scale does not reflect the traditional mass and proportions of traditional dwellings nor traditional farm buildings in the area. Dwelling 1 is located close to the grade II listed farmhouse and the stable and I am of the view that in its current form it would compete visually with the Old Farmhouse and stable, rather than appearing as a subservient ancillary building. This is contrary to policies C57 and C58 of the Wiltshire Core Strategy.

The application infers a positive benefit for the historic environment however it is unclear what this would be. The farm buildings are lost and whilst the farmyard area is retained the scale of the new houses does not reflect the traditional scale and form of the local area. In addition, there would be some harm to the setting of the listed building.

The agricultural buildings add to the significance of the grade II listed farmhouse as part of the historic farmstead. However the replacement of the farm buildings with new houses with a mass and form which competes with the listed building would cause harm to its significance. The loss of agricultural character will have an adverse impact on the conservation area. ...

I am of the view that the scheme due to its footprint, bulk, mass, scale and overall design will harm the setting of the listed building and the character and appearance of the conservation area and should therefore be refused. There is the potential for it to have an adverse impact on the viability of the farmhouse as its historic landholding is being reduced and this could jeopardise its reconstruction. It is contrary to policies C57 and C58 of the Wiltshire Core Strategy and Chapter 16 of the NPPF”.

The duty placed on the Council under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 is the requirement to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Furthermore, the duty placed on the Council under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 is the requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

Chapter 16 of the National Planning Policy Framework (NPPF) includes the policies on conservation of the historic environment, with the main underlying policy being that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. At the local level, Core Policy 58 of the WCS seeks to ensure that development proposals protect, conserve and where possible enhance the historic environment and Core Policy 57 seeks to secure good design in all new developments.

The Council's Conservation Officer has advised that the proposed development would result in less than substantial harm to the setting of the listed Old Manor Farmhouse building and the character and appearance of the Bishops Canning Conservation Area. As such, in line with paragraph 196 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against public benefits of the proposals including, where appropriate, securing its optimum viable use. The proposed development does not, however deliver any public benefits that would outweigh the harm. The scheme would result in the provision of two new dwellings but the DANP does not identify a need for development at the site and the application does not demonstrate that the dwellings have been designed to meet a demonstrable local need. The application asserts that there would be a wider heritage benefit through the preservation

of the former stable building, however it does not form part of this planning application. The Conservation Officer highlighted that the farmyard area would be retained but the buildings replaced with houses and separated off from the historic farmhouse so the historic entity would be lost, and there are no other heritage benefits. Furthermore, the Officer highlighted concerns in relation to the lack of progress in repair of the Farmhouse itself.

In light of the above, the proposed development is considered to conflict with Core Policies 57 and 58 of the WCS and Policy ESD1 'Environment – Sustainability' of the DANP due to the design of the development and its impact on designated heritage assets. It is, however considered that there will be no harm to wider landscape character or the special qualities of the Area of Outstanding Natural Beauty because the site is well contained by mature boundary trees.

The Tree Survey, Arboricultural Impact Assessment and Tree Constraints Plan (ref 18.781) by WHLandscape does identify that a number of the trees will be removed to accommodate the development. The Council's Arboricultural Officer does not object to the proposal subject to the approval of an Arboricultural Method Statement to manage the works and the planting of replacement trees where appropriate. The Officer advised that the recommendation of the Tree Survey report would improve the quality of the retained tree stock, as well as the site as a whole, without any major detriment to the overall landscape appearance.

The retention of the mature landscaped boundaries will ensure very little inter-visibility with neighbouring properties and therefore the proposal will have a negligible impact on the residential amenity of neighbouring residents.

7.3 Impact on Ecology

Core Policy 50 'Biodiversity & Geodiversity' of the WCS outlines that all development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term.

The application is therefore supported by a Preliminary Ecological Assessment & Phase 2 Bat Surveys (July 2018) by Gareth Harris Ecology & Conservation. The report concludes that the proposed development will not harm any protected species and no further surveys are recommended; and that no mitigation is required to offset any negative impacts upon roosting bats.

7.4 Impact on Highway & Pedestrian Safety

Core Policies 60 'Sustainable Transport' and 61 'Transport and New Development' of the WCS seek to ensure that new developments are located within sustainable locations and are designed to encourage the use of sustainable transport facilities. Core Policy 61 also seeks to ensure that all new developments are capable of being served by safe access to the highway network.

The Council's Highways Development Control Officer advised that the adjacent road network is rural in nature but able to accommodate two-way traffic and the vehicle movements associated with 2 dwellings. Furthermore, the access and visibility splay shown on the submitted plans is considered acceptable along with the layout of the development and amount of parking. The Officer therefore offers no objection to the proposal subject to conditions to secure the layout, parking spaces and visibility splay prior to the occupation of the development.

8. Conclusion

The application seeks full planning permission to redevelop the farmyard associated with The Old Manor Farmhouse, Bishops Cannings. The site lies on the periphery of the village and is within an agricultural use, with agricultural land to the north and west of the farmyard. The provision of new residential development at the site is not supported by the settlement strategy of the Wiltshire Core Strategy or residential policies of the Devizes Area Neighbourhood Plan which limit new development with the village to infill only. The development is not considered to represent 'infill' which is defined as the filling of a small gap within the built up area of the village. Furthermore, it has not been demonstrated that the development has been designed to meet the housing needs of the settlement.

The redevelopment of the farmyard with two new houses would result in the loss of the original agricultural character of the site; however, an opportunity does exist to enhance the appearance of the area through the demolition of the modern buildings and sensitive redevelopment of the area. It is however considered that the proposed dwellings, by reason of their footprints, bulk, mass, scale and overall design, would have a harmful impact on the character and appearance of the site. The proposed dwellings would result in the loss of the agricultural use and character of the site which, coupled with the proposed design, would have an adverse impact on designated heritage assets; namely, the setting of the grade II listed farmhouse and the character and appearance of the Bishops Cannings Conservation Area. The development would result in 'less than substantial' harm to the designated heritage assets and the public benefits of the scheme would not outweigh the harm that would be caused to the heritage assets.

In light of the above, it is recommended that planning permission be refused.

RECOMMENDATION

That planning permission be **REFUSED** for the following reasons:

1. **The proposed development, due to the position of the site within the 'open countryside' on the periphery of the village of Bishops Cannings, would conflict with the settlement strategy of the Wiltshire Core Strategy and residential policies of the Devizes Area Neighbourhood Plan. The site is within an agricultural use on the edge of the village and the redevelopment of the site to accommodate two new detached dwellings would not represent 'infill' within the existing built area of the village. Furthermore, it has not been demonstrated that the development has been designed to meet the housing needs of the settlement.**

The proposed development is therefore deemed to be unsustainable and would conflict with the Council's plan-led approach to sustainable development. The Council can demonstrate a deliverable 5 year housing land supply within the East Housing Market Area and there are no exceptional circumstances or material planning considerations which justify the approval of the proposed development.

In light of the above the proposed development would conflict with Chapters 4 'Decision-Making', 5 'Delivering a Sufficient Supply of Homes', and 9 'Promoting Sustainable Transport' of the National Planning Policy Framework (2018), Core Policies 1 'Settlement Strategy', 2 'Delivery Strategy', 12 'Spatial Strategy: Devizes Community Area'; 60 'Sustainable Transport' and 61 'Transport and New Development' of the adopted Wiltshire Core Strategy (2015), and policies H1 'Strategic Policy Intent - Settlement Framework Boundary', H2 'Strategic Policy Intent - Built Environment & Sustainability' and T1 'Strategic Policy Intent - Getting Around' of the made Devizes Area Neighbourhood Plan (2015).

2. **The proposed dwellings, by reason of their footprints, bulk, mass, scale and overall design, would have a harmful impact on the character and appearance of the area. The provision of two dwellings would result in the loss of the agricultural use and character of the site, which coupled with the proposed design, would have an adverse impact on the significance of designated heritage assets; namely, the setting of the grade II listed farmhouse and the character and appearance of the Bishops Cannings Conservation Area. The development would result in less than substantial harm to these designated heritage assets and the public benefits of the scheme would not outweigh the harm that would be caused to the heritage assets.**

In light of the above the proposed development would conflict with Chapters 12 'Achieving Well-Designed Places' and 16 'Conserving & Enhancing the Historic Environment' of the National Planning Policy Framework (2018), Core Policies 57 'Ensuring High Quality Design' and 58 'Ensuring the Conservation of the Historic Environment' of the adopted Wiltshire Core Strategy (2015), Policy ESD1 'Strategic Policy Intent - Environment & Sustainability' of the made Devizes Area Neighbourhood Plan (2015), and Sections 16(2) & 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

18/10309/FUL
Old Manor Farm Yard
Old Manor Farm
Chandlers Lane
Bishops Cannings
SN10 2JZ



This page is intentionally left blank

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 4

Date of Meeting	31 st January 2019
Application Number	18/08304/FUL
Site Address	Garage site adjacent 22 Saxon Rise, Collingbourne Ducis SN8 3HQ
Proposal	Demolition of garages and erection of two dwellings and associated works.
Applicant	Aster Group
Town/Parish Council	COLLINGBOURNE DUCIS
Electoral Division	COLLINGBOURNE DUCIS – Councillor Blair-Pilling
Grid Ref	424520 154199
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the application being considered by Committee

This application is brought to committee at the request of Councillor Blair-Pilling for the following reasons:

- Car parking; and
- Loss of green/amenity space

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.

2. Report Summary

The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- Character & Design
- Neighbouring Amenities
- Highways
- Public Open Space
- Trees
- S106/CIL

The application has generated an Objection from Collingbourne Ducis Parish Council and 17 letters of objection.

3. Site Description

The site is situated within the main built-up area of the village of Collingbourne Ducis, which is defined as a Large Village by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area). It is surrounded to the east and south by other residential properties and their associated gardens/parking provision. These are set out in a 1970s style housing estate layout which has been extended more recently with a modern housing estate to the east creating Riverbourne Road. To the west some sort of ditch/open space separates the site from further residential development that extends into the main centre of the village. To the north the site abuts open countryside. The settlement boundary line identifying the extent of the Large Village of Collingbourne Ducis extends along the immediate western and northern boundary of the site. The Collingbourne Ducis Conservation Area boundary extends up to the adjacent ditch/open space to the west but does not extend into this housing estate or site. The whole site is however within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

The site is provided in 3 parts and currently consists of a surfaced parking area and a row of garages serving the estate. A total of 6 garages are provided in this area. The surface parking area extends from the garage block and along the western edge of the residential estate. A grass verge defines the western edge of the site and an equipped children's play area is situated within this grassed area but is fenced off from the adjacent parking provision and remains outside of the site. The rest of the verge does however extend inside the red edge. The children's playground, along with the grassed verges to the north and south of the playground (which are within the application site) are identified in the Saved Kennet Local Plan (KLP) policy TR17 as an Existing Outdoor Sport and Recreation Site. A further parking area situated on Saxon Rise to the south/east of the garages is also identified as being within the site.



PLAN 1: Location Plan & Constraints

4. Planning History

Application Ref	Proposal	Decision
15/11936/FUL	Demolition of garages and erection of four dwellings and associated works	Refused – 27.01.2016
18/0305/OUT	Erection of a detached dwelling and detached garage (Outline application in relation to access). Land North of 7 West Farm Close	Pending

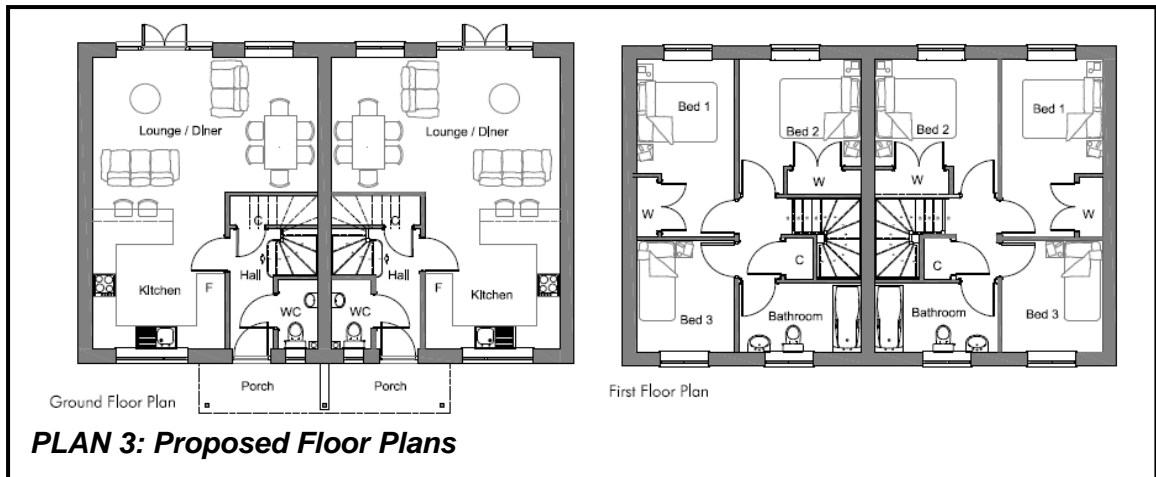
The previous scheme on this site involving the erection of 4 dwellings in place of the garages was refused on three grounds which were as follows:

- 1. The proposals involve the redevelopment of an existing block of garages and parking provision serving the local area and would therefore result in the loss of on-site vehicle parking facilities. Insufficient replacement parking has been identified to mitigate for this significant loss. The proposals are therefore likely to encourage the parking of vehicles on the public highway which would interrupt the free flow of traffic and prejudice the safety of road users at this point. The scheme is therefore considered to be contrary to the provisions of Wiltshire Core Strategy policies CP57 (Ensuring High Quality Design & Space Shaping), CP61 (Transport & Development) and CP64 (Demand Management).*
- 2. The development would result in the loss of a locally valued, local plan allocated public recreation space. No justification has been provided to justify the loss of this facility and no alternative recreation provision has been proposed to mitigate the loss of open space. The proposals are therefore considered to be contrary to the provisions of Saved Kennet Local Plan policy TR17; and Wiltshire Core Strategy policy CP52 (Green Infrastructure).*
- 3. Insufficient information has been submitted with the application to demonstrate that the proposals would not cause detrimental impact or removal of onsite trees and would not therefore result in a detrimental impact for the character of the area or North Wessex Downs Area of Outstanding Natural Beauty. The proposals are therefore considered to be contrary to Wiltshire Core Strategy policies CP51 (Landscape) and CP57 (Ensuring High Quality Design & Space Shaping).*

Application 18/0305/OUT is included in the history for this site because its access involves some of the car parking land to which this application relates.

5. The Proposal

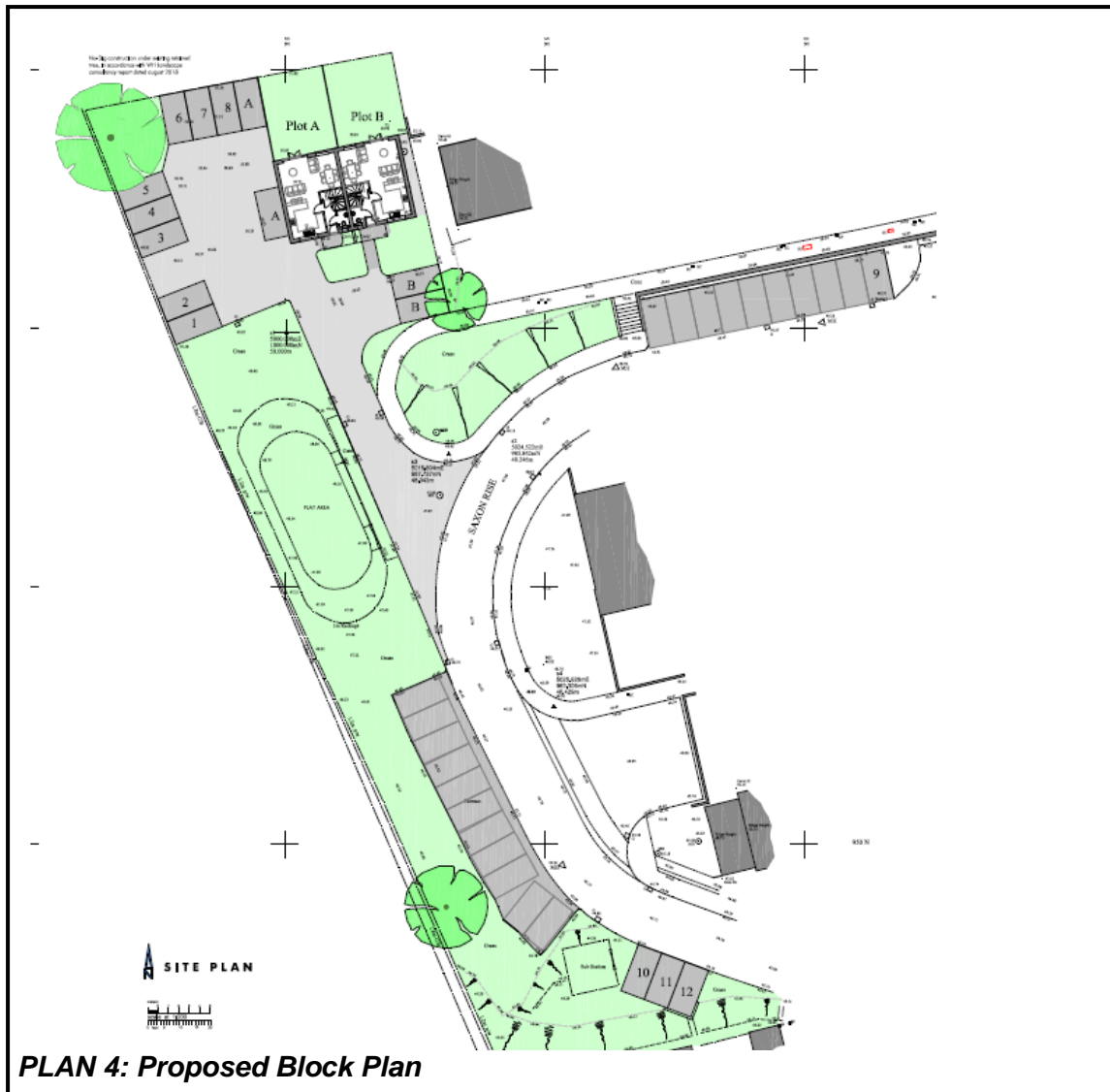
This is a full application proposing the demolition of the existing garage block and the redevelopment of the northern part of the site with a pair of semi-detached properties and their associated gardens. Each dwelling is to be two storeys in height and provide 3 bedrooms of accommodation. The dwellings are to be positioned adjacent to an existing pair of semi-detached properties known as 21 and 22 Saxon Rise.



The western half of the site is to be all be resurfaced (including the existing area of grass verge) to create an enlarged parking court to serve both this and the existing housing estate. The existing parking area to the front of the existing dwellings is also to be extended and an area further down Saxon Rise will be hard surfaced to provide an additional 3 parking spaces. The scheme therefore proposes a total of 16 parking spaces in these three areas (4 of which are to be provided for the new dwellings) as identified in the proposed Block Plan provided in PLAN 4 below.

It is confirmed that only 3 of the 6 current garages are in use/rented out to local residents and that the existing parking court provides 13 spaces (16 spaces in total). The three garage tenants are to be accommodated in other garage development nearby. The proposals therefore represent the overall loss of 1 parking space serving the wider housing estate.

During the course of the application, amended plans have been submitted to properly detail what parking provision is proposed. The application is accompanied by a Planning Statement.



6. Local Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Kennet Local Plan policies (Saved by Wiltshire Core Strategy) (KLP):

- TR17 - Existing Outdoor Sport and Recreation Site

Wiltshire Core Strategy (WCS):

- CP1 (Settlement Strategy)
- CP2 (Delivery Strategy)
- CP3 (Infrastructure Requirements)
- CP26 (Tidworth Community Area)
- CP43 (Providing Affordable Housing)
- CP45 (Meeting Wiltshire's Housing Needs)
- CP50 (Biodiversity and Geodiversity)
- CP51 (Landscape)
- CP52 (Green Infrastructure)
- CP57 (Ensuring High Quality Design & Space Shaping)
- CP61 (Transport & Development)

- CP62 (Development Impacts on the Transport Network)
- CP64 (Demand Management)

Supplementary Planning Documents:

- Creating Places Design Guide SPG (April 2006)
- Achieving Sustainable Development SPG (April 2005)
- Collingbourne Ducis Village Design Statement (VDS)
- North Wessex Downs AONB Management Plan 2009-2014
- Affordable Housing SPG (Adopted September 2004) Affordable Housing SPG (Adopted September 2004)
- Wiltshire Open Spaces Study (draft)

7. Summary of consultation responses

Collingbourne Ducis Parish Council – Objection

- Do not object to housing in principle but taking the application as a whole, the Council has voted to object
- 22 residents of Saxon Rise & Riverbourne Road attended an Extraordinary Meeting of the Parish Council (EMPC) to voice their opinions which shows the strength of feeling
- One of the main reasons that the application to develop the garage area in this area of Saxon Rise was refused in January 2016 (15/11936/FUL) was related to parking.
- Parking is at a premium in the area and the wish of the council, would be - at minimum - to maintain the status quo in terms of number of spaces.
- While it is accepted that the application changes the configuration of parking spaces, there is opportunity to add a further two in a gap showing on the plans.
- It is understood that this 'gap' is related to a linked outline application (18/08305/OUT), wherein further development is proposed behind West Farm Close. Failure to mitigate the loss of parking through this application will contribute to additional parking on the public highway (Cadley Road).
- Loss of green space was another main reason for refusal of the previous plans (15/11936/FUL).
- It is alleged by Aster that the current green spaces around the play area host anti-social behavior and litter but this was strongly refuted by the attendees of the meeting.
- Linked to the number of parking spaces and loss of green space around the play area, it was felt that the new configuration would leave the play area isolated with an increased danger to children when crossing the road and walking through so many cars to get there.
- The likelihood of increased parking on the corners of Saxon Rise, on the grass verge and on Cadley Road itself all prejudice the safety of road users, both cars and pedestrians.
- The residents of Riverbourne Rise did not receive letters from Wiltshire Council informing them of the plans.
- Similarly, individuals who rented garages were not informed

Highways – No Objection subject to conditions

- I can confirm that based on my previous comments and the revised drawing showing the
- Proposed parking layout I am willing to raise no highway objection subject to the parking being conditioned as shown and maintained for the purpose of parking in perpetuity.

- The access is currently being used for the garages and the parking areas and the introduction of two houses will not lead to an increase in vehicle movements.
- the proposed parking for this application leaves a gap between the parking spaces for access to the residential property being considered under 18/08305/FUL
- I am satisfied that there is enough width to accommodate a vehicle and the dimensions are acceptable for the adjacent site.
- The vehicle access track and parking area used as access is private and the applicant will need to demonstrate that they have right of access over it to reach their parking area.
- There is an obvious potential for people to park in front of the adjacent residential access, however as the parking court is private there is no opportunity for any restrictions such as Double Yellow Lines or “no parking” signs to be officially erected by the Council therefore the onus will be with the applicant (with Aster’s agreement) to erect private signage.

Public Open Space– No Objections subject to S106 Contributions

- An offsite contribution to off-set the loss of recreational facilities protected under TR17 allocation would be calculated on the cost of replacing the m² being lost.
- I would consider the grassed areas to be casual POS which we cost at £34.87 per m² based on SPONS rates.
- The total area was 165m² of that 75m² is currently the parking spaces so clearly not POS; as such the agent’s calculation of 90m² POS being lost is what needs to be compensated.
- The obvious target site for such contributions would be improvement of the play area that also forms part of the TR17 allocation.
- Should this be agreed I would not hold an objection to these applications as this would be accepted as provision for the improvement or replacement of facilities nearby.

Wessex Water – No Objection subject to conditions

- The applicant has indicated that foul sewerage will be disposed of via the main sewer.
- Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding.
- The applicant has indicated in the current application that rainwater (also referred to as “surface water”) will be disposed of via soakaway.
- If your proposals require new connections to the public foul sewer and public water mains
- According to our records there are no recorded public sewers or water mains within the red line boundary of the development site.
- The proposal is located in an area prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather. Separate systems of drainage on site must be completely watertight and vent stacks rather than durgo valves must be used to prevent restricted toilet use during these prevailing conditions.
- One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.
- You have indicated that surface water will be disposed of via soakaway. The strategy is currently acceptable to Wessex Water, subject to agreement to detail with the local planning authority.

- The planning authority will need to be satisfied that soakaways will work and arrangements are clear for any shared obligations.
- Soakaways will be subject to Building Regulations
- The use of soakaways currently attracts a discount in the sewerage infrastructure charge, proof of arrangements will be required when applying for foul sewerage connection.
- There must be no surface water connections to the foul sewer network.

8. Publicity

This application was advertised through the use of site notices and letters of consultation.

Letters – 17 letters of objection received from the residents of 1, 4, 7, 10, 15, 18, 20, 21 Saxon Rise; and 22, 24 Riverbourne Road. The following comments made:

- I rent two of the six garages which Aster wish to knock down. Aster have not bothered to contact me to tell me off their application or intentions.
- Having a rented garage and know that there are non available within Saxon Rise, this will be taking away a facility already in use/being paid for.
- Parking in this area is already at breaking point with vehicles regularly being parked on kerbs and grass.
- Taking away parking spaces and adding houses is only going to compound the situation.
- The photos on the application are severely out of date and do not portray an accurate representation of the situation.
- Will the space lost for storing vehicles be compensated within the new build area?
- It will make it hard for emergency services to have access to Saxon Rise
- There has already been damage done to cars and vans due to tight spaces.
- I feel that Saxon Rise is at capacity for car parking and cannot take any more.
- Digging up the grass and taking away green spaces is not in keeping with the village location
- This would take away 10 car parking spaces
- There will be car parking on either side of the park which will make it unsafe for children.
- The parking facilities to the left of the garages were all secured/required by the planning permission granted for the Riverbourne development
- Removing the garage, and the further spaces 5 in front of the garages, results instantly in 20 vehicles with nowhere to park.
- Currently Riverbourne has 1.5 spaces allocated per house, but some residents have 4 cars per household as the children get older and cars are needed to get to and from work in rural locations and with a lack of public transport.
- Garages: prices have been increased recently in an attempt to become too expensive to rent and therefore meaning they are not required.
- Taking away some of the precious little green space we have will leave the growing number of children less safe areas to play
- The green area is used by the children as a football pitch and is not an antisocial site.
- The play area in question was created as a condition of the Riverbourne Development and now serves some 2 dozen children and grandchildren of residents who regularly use both the playground and the adjoining open areas.
- The preservation of green space is something mentioned in Wiltshire's Core Strategy and which within our community is already limited.

- With the village recreational ground being across a busy main road it is not possible for the children living here to visit frequently, therefore the green space we have, no matter how small currently, is of huge importance.
- The quality and value of this space has been played down somewhat within the developer's proposal in an endeavour to meet their own needs.
- This is the second time an application for houses has been put forward and got rejected thankfully
- Application 15/11936/FUL listed loss of on-site vehicle parking as a reason for Refusal.
- This is a second attempt to achieve planning permission in a totally unsuitable place with little or no regard to the impact on existing home owners and tenants.
- It is shoehorning in houses here there and everywhere with little thought to the future needs of an area or the quality of life here and now.
- Impact on schools. The local school is already full to maximum capacity and therefore bringing more families into the area will put even more strain on them
- No additional provision has been made to increase Doctors surgeries
- Fearful of the impact that this will have on nature, as the back of the existing garages and the proposed houses is on a conservation area.
- The garages form part of my garden wall, how will this be replaced?
- The location plan incorrectly indicates land owned by 4 Saxon Rise as belonging to the applicant.
- Having read the design document I am disappointed by the number of unsubstantiated claims relating to parking, play areas etc.
- Aster are making claims of land ownership where they are not the land owner and they are also using photos that are at least 3 years old
- The decision date for this application is far in the past
- Wouldn't it be nice if a developer could take the time and put in a little effort to work with a community for the benefit of all
- Aster tenants and residents at Riverbourne Road were not consulted despite us being affected by the planning

9. Planning Considerations

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

9.1 Principle of development

The site is situated within the defined built up area of the village of Collingbourne Ducis. WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area) define the village as a Large Village where policy CP2 (Delivery Strategy) confirms that '*Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages*'. Furthermore, policy CP26 (Tidworth Community Area) confirms that '*Over the plan period (2006 to 2026), approximately 1,920 new homes will be provided*' in the Tidworth Community Area (within which Collingbourne Ducis falls). Given that the proposals involve the erection of two additional dwellings within the defined extent of the settlement boundary for the village of Collingbourne Ducis, in line with the above policies, the proposed development is therefore considered to be acceptable in principle.

However the overall acceptability of the proposals is subject to the detail. It should also be noted that a previous scheme involving 4 dwellings on this plot was refused on 3 grounds in 2016 (under ref: 15/11936/FUL). These concerned parking provision; loss of public open space; and potential impact for trees. An assessment of these issues and whether they have been addressed by the current scheme therefore needs to be made. The scheme will also be dependent on how well the proposals integrate into their setting and respond to the character of the area/AONB; design; and neighbouring amenities. These matters will therefore be addressed in more detail below.

9.2 Character & Design:

The area, as is identified above, is predominantly residential in character and has been laid out in a 1970s style housing estate with a highway dominated layout and existing dwellings predominantly being laid out in blocks of terraces/semi-detached properties with small back gardens. The existing dwellings are of uniform design and generally extend in terraces of four, although on this particular part of the estate there are a small cluster of semi-detached properties. A fairly modern extension to this estate has recently occurred however creating the development known as Riverbourne Road. These houses have a different design and character but flow from the original turning head off the original Saxon Rise development.

The application site is situated within the original Saxon Rise development. It currently provides a detached garage block of 6 garages and areas of surface parking around a children's equipped play park. The redevelopment of the site with a pair of two semi-detached properties would be appropriate and in keeping with the strong, uniform character of the existing dwellings in this part of the estate and would therefore effectively integrate into the character of the street scene.

The design of the dwellings has been kept simple. No architectural details, such as chimneys and traditional porch features (as found on the properties in the more modern Riverbourne Road development), have been incorporated into the design and instead the design follows the linear, more simplistic design and proportion of the dwellings in the older part of the estate in which this site sits. Whilst the resultant development will not be particularly exciting in design terms, it is considered that it will be appropriate on this site and would reflect the existing character and design of the other dwellings in the immediate vicinity. The proposals are therefore considered to be acceptable in terms of their implications for the character of the area and will have limited implications for the character of the wider AONB.

9.3 Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

The site is situated on the edge of the existing residential estate. The orientation and position of the proposed dwellings in relation to the existing residential properties mean that it is unlikely to result in any particular issue for neighbouring residents in terms of overlooking or loss of light.

The proposed pair of semi-detached properties are to be situated to the west of the neighbouring semi-detached properties known as 21 and 22 Saxon Rise. The front and rear elevations of the new dwellings are to roughly be in line with the front and rear elevations of the existing properties and no windows are proposed on the flank wall of the development. The site is otherwise off set from the properties that exist opposite the site and so no direct line of sight will be created. In any event the intervening area of parking and the main access road through the estate, will provide sufficient separation between the proposed and existing dwellings to ensure minimal impact in this regard.

The proposed gardens for the dwellings are fairly small but are also considered to accord with the existing level of provision for each dwelling found elsewhere in this estate. They are therefore considered to be sufficient for the needs of the future occupants.

9.4 Highway Safety:

The proposals involve 2 x 3 bed dwellings which therefore require a provision of 4 new parking spaces to serve the development. These have been identified on the plans immediately outside of the properties to the front and side. This arrangement is considered to be acceptable and therefore satisfies the parking requirements for the two new dwellings.

The previous scheme, albeit proposing 4 new dwellings, was however refused because replacement parking provision accounting for the loss of 6 garages and a large area of surface parking area serving the existing estate could not be adequately reprovided. This current scheme however has halved the amount of development proposed and has therefore reduced the amount of parking provision that is to be redeveloped for other purposes. It is confirmed that 3 of the 6 garages are currently unoccupied and the remaining parking court and other areas of hardstanding have been extended/rearranged or created to provide a total of 12 spaces to serve existing residents. It is also confirmed that the 3 garage tenants will be offered garaging elsewhere but nearby. Overall the proposals therefore represent a loss of 1 parking space serving the estate.

Much local representation has been received that suggests that there is currently a shortfall of parking and that *any* loss of parking provision is unacceptable. However the extension to Saxon Rise (Riverbourne Road development) was granted based on the parking standards of the time (1.5 spaces per dwelling) and the current proposals identify enough parking to serve the new dwellings that meets the current standards (2 spaces per 3 bedroom dwelling). It is not reasonable to expect the developer of this site to provide for a possible parking deficiency on an adjacent scheme that was in any event previously of an acceptable standard.

In addition, the current proposals represent a significant improvement to the previously refused scheme which would have resulted in an unworkable/insufficient parking layout and thus a net loss of 17 car parking spaces. The highway authority has also confirmed that a net loss of 1 parking space is acceptable in this instance and would no longer justify a robust reason for refusal. No highway objection has therefore been received and it is considered that the previous reason for refusal has been addressed.

It should also be noted that the proposed site/parking layout has left a gap to enable access to a further development off site that is being considered for land north of 7 West Farm Close (under ref: 18/08304/OUT). Whilst this application is being considered separately and has not yet been determined, the highway authority has

considered both applications in tandem and has confirmed that both applications can proceed without implications for the other in highway terms.

9.5 Public Open Space:

A further reason for refusal for the previous scheme involved the loss of public open space that would have resulted from the redeveloped parking court and loss of green verges necessary to provide replacement parking provision.

As is identified above, part of the site is within an allocated area of outdoor recreation and public open space. The applicant previously argued that the allocation is incorrect as it should only extend around the existing equipped children's play area (which is outside of the application site) rather than include the grassed areas to the north and south of this facility (and thus part of this site). However the extent of the public open space is identified in Saved KLP policy TR17. This is an adopted policy that has been saved by the adopted WCS. The allocation is clearly identified on the adopted proposals plan and includes the children's play area as well as the land both to the north and south of the play area (to the extent that is identified on PLAN 1 above). The policy also makes it clear that the allocated areas are required for both children and adult open space and that '*the overall recreational value of the open space available to local residents must be maintained*'.

WCS policy CP52 (Green Infrastructure) confirms that '*Development shall make provision for the retention and enhancement of Wiltshire's green infrastructure network, and shall ensure that suitable links to the network are provided and maintained*'. Saved KLP policy TR17 further confirms that:

Development of existing outdoor sport and recreational space for other uses within the Limits of Development of towns and villages, as identified on the Inset Maps, will only be permitted where it can be demonstrated that:-

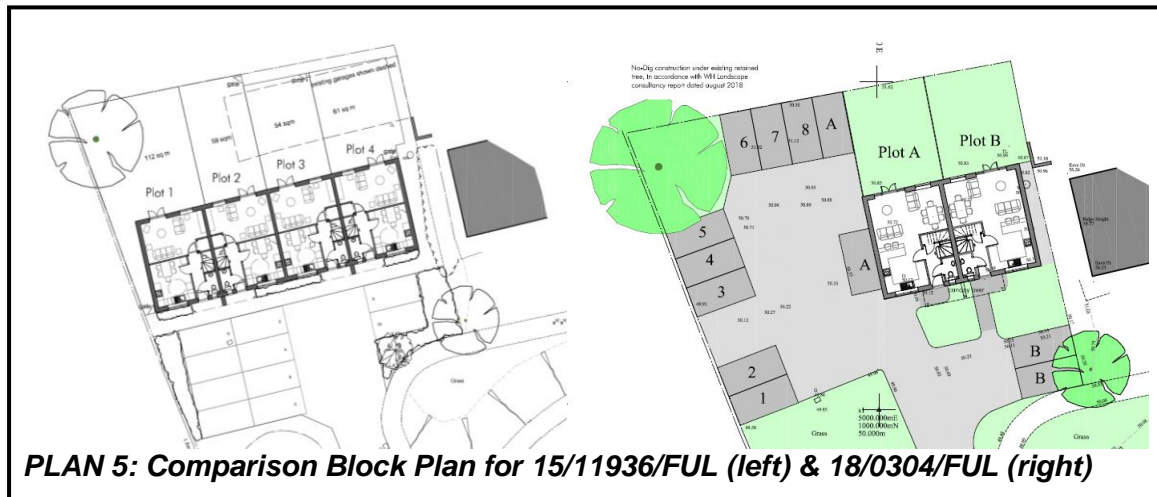
- a) The development of a small part of the existing facility provides improvements to the remaining facilities and provides for their greater use; or*
- b) A suitable alternative site, of comparable size and facilities, is provided in an acceptable location; or*
- c) The proposal is for an alternative recreational or community use of benefit to local residents. In this case the overall recreational value of the open space available to local residents must be maintained.*

As is identified above, the current scheme has significantly reduced the scope of development proposed and thus the extent that this area of POS is affected is also reduced. It does however still result in the loss of approximately 90 square metres of the existing allocation. The Council's Public Open Space Team has confirmed that subject to an off site contribution for the improvement of the adjacent equipped children's play area being secured; they would raise no objection to the proposals. It is considered that this would represent a significant community benefit as the existing grassed verge area that is concerned is currently over hung by cars and does not represent a very attractive or safe form of public open space provision. Therefore improvements to the more formal area of open space are encouraged. This recommendation is therefore made on the basis that a Section 106 agreement (S106) is completed to secure these contributions before the decision is issued.

9.6 Trees:

Previously, the final reason for refusal was based on the fact that an attractive tree that is situated in the north western corner of the existing parking court would be affected by the proposed development and may ultimately be damaged resulting in implications

for this soft edge of the wider estate and for the wider AONB. However, as is shown by the comparison plans below (PLAN 5), the scheme has significantly altered since the previously refused scheme, not least because the number of dwellings proposed has been reduced. The tree in question is now to be maintained within the proposed parking court and is adequately considered in both the parking layout and proposed surface of this area. It is therefore considered that this matter has also been adequately addressed, especially given that this tree is not subject to any formal protection by Tree Preservation Order (TPO).



PLAN 5: Comparison Block Plan for 15/11936/FUL (left) & 18/0304/FUL (right)

9.7 S106/CIL:

As the proposals involve a net gain of 2 dwellings in the area, WCS policy CP43 (Providing Affordable Housing) is not triggered and no affordable housing is required as part of the scheme. However as is addressed above, the scheme directly results in the loss of public open space provision and therefore this recommendation is made subject to a S106 being completed to secure contributions towards the improvement of the adjacent children's play area (equating to a contribution of £3,138.30).

In addition, local concern has been raised about the implications of the development for local schools and doctor's surgeries etc. However the scheme only involves the provision of 2 dwellings which is not considered to be significant or a level to which contributions towards such off site infrastructure could reasonably be secured, in line with WCS policy CP3 (Infrastructure Requirements) and the government guidance set out in the NPPF which confirms that such infrastructure can only be secured from proposals involving 10 dwellings or more.

However, as of May 2015 the Council adopted its Community Infrastructure Levy (CIL) which applies and is sought from any additional dwellings in the area. A note is therefore attached to the recommendation to bring this to the applicant's attention accordingly.

10. CONCLUSION:

It is considered that significant alterations have now been made to the scheme which has resulted in a development that makes an effective use of underused land whilst maintaining the character and appearance of the estate; is acceptable in terms of highway safety and residential amenities; and will secure improvements to the off site children's play area. It is therefore considered that the proposals have addressed the previous reasons for refusal for this site and are recommended for permission accordingly.

10. RECOMMENDATION

That planning permission be **GRANTED** subject to conditions and the completion of a S106 legal agreement to secure off site public open space contributions:

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:

Application Form & Certificate

Ref: Location_1775 planning.dwg – Location Plan. Received – 30.08.2018

Ref: Location Plan. Received - 15.01.2019

Ref: P1_1775 planning A.dwg – Proposed Scheme. Received – 16.10.2018

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

3. No development above slab level shall continue 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: In the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - location and current canopy spread of all existing trees and hedgerows on the land;
 - full details of any to be retained, together with measures for their protection in the course of development;
 - finished levels and contours;
 - means of enclosure;
 - car park layouts;
 - other vehicle and pedestrian access and circulation areas;
 - all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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 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.

6. No dwelling hereby approved shall be first occupied until the parking spaces together with the turning provision and access thereto, have been provided in accordance with the approved plans. These areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the eastern elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

8. No development shall commence on site until a scheme for the discharge of foul drainage from the site including details of how it will be implemented to ensure it results in a sealed system, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul drainage system 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 and that no groundwater enters the foul water drainage system within the site..

9. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on Mondays to Fridays and 08:00 to 13:00 on Saturdays.

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

11. INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and

Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website: www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

12. INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

13. INFORMATIVE TO APPLICANT:

The applicant's attention is drawn to the comments received from Wessex Water with regard this application in their letter dated 17.09.2018.



This page is intentionally left blank

REPORT FOR EASTERN AREA PLANNING COMMITTEES

Report No. 5

Date of Meeting	31 st January 2019
Application Number	18/09811/FUL
Site Address	Stables Cottage, Lower Chute SP11 9DX
Proposal	Demolition of Stables Cottage and the erection of two dwellings with access and parking
Applicant	Ms Stella Coulthurst
Town/Parish Council	CHUTE
Electoral Division	CHUTE – Councillor Blair-Pilling
Grid Ref	431273 153238
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the application being considered by Committee

This application is brought to committee at the request of Councillor Blair-Pilling, for the following reasons:

- Scale of development;
- Visual impact on surrounding area; and
- Design, Bulk, Height, General appearance

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.

2. Report Summary

The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- Heritage, Character & Design
- Neighbouring Amenities
- Highways
- Ecology
- S106/CIL

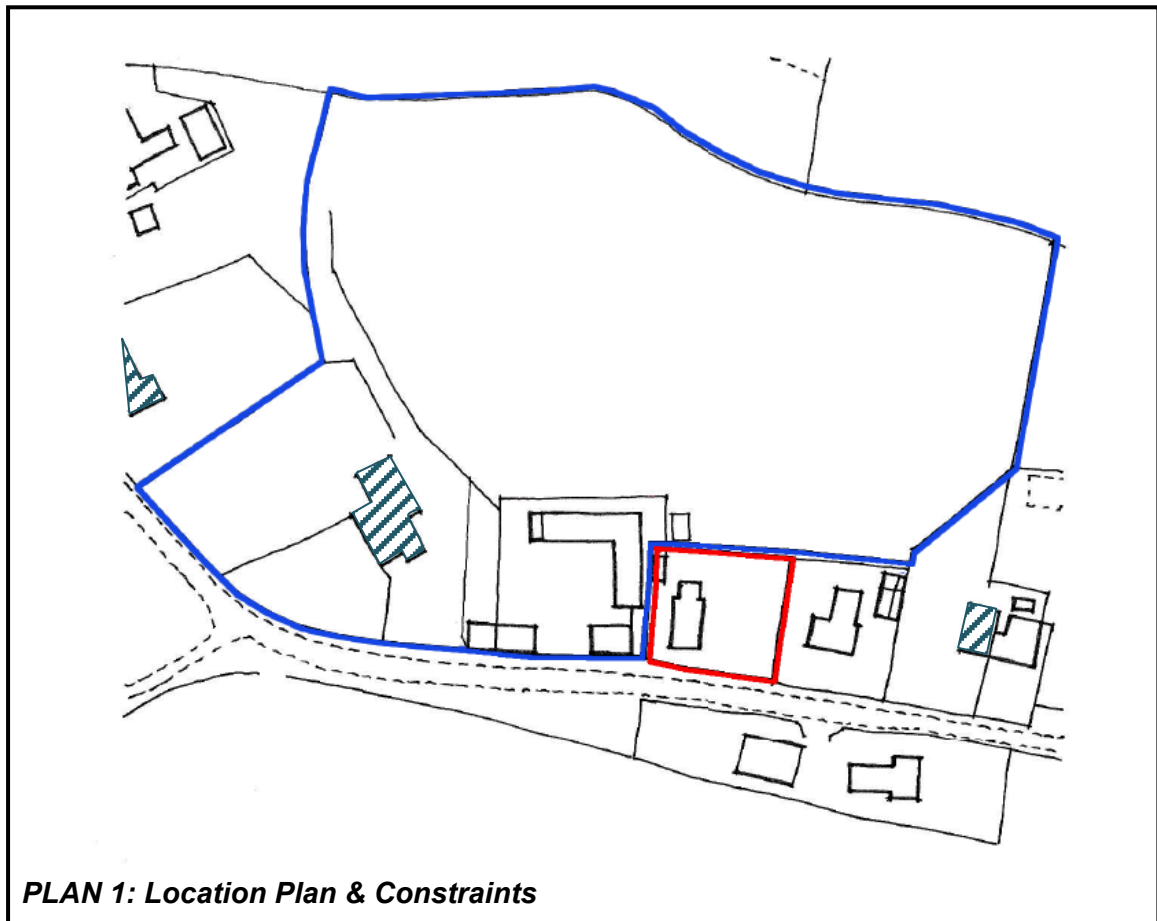
The application has generated an objection from Collingbourne Ducis Parish Council; and 19 letters of objection.

3. Site Description

The site is situated within the main built-up parameters of the village of Lower Chute, which is defined as a Small Village by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area). This part of Lower Chute is a ribbon form of development with properties all fronting

the road which leads through the village. To the east and south, the site is surrounded by other residential properties and their associated parking/amenity provision. To the west, the site abuts a traditional stable yard which is still in equestrian use. To the north, the site adjoins open countryside/paddocks. The site is situated within the Chute Cadley/Lower Chute Conservation Area. Whilst there are listed buildings in the vicinity of the site (hatched blue on PLAN 1 below), none are situated immediately adjacent to or on the site. The site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

The site currently consists of an attractive, detached, single storey bungalow (Stables Cottage) that sits perpendicular to the road. It is of modest size, of brick and slate construction and sits on the site of the former Methodist Chapel. A detached garage serves the dwelling, which is sited towards the rear/west of the dwelling, at the end of the private driveway serving the property. The driveway is accessed directly from the main village road running along the southern boundary of the site. The eastern half of the site is laid to lawn and currently provides a large garden for the dwelling.



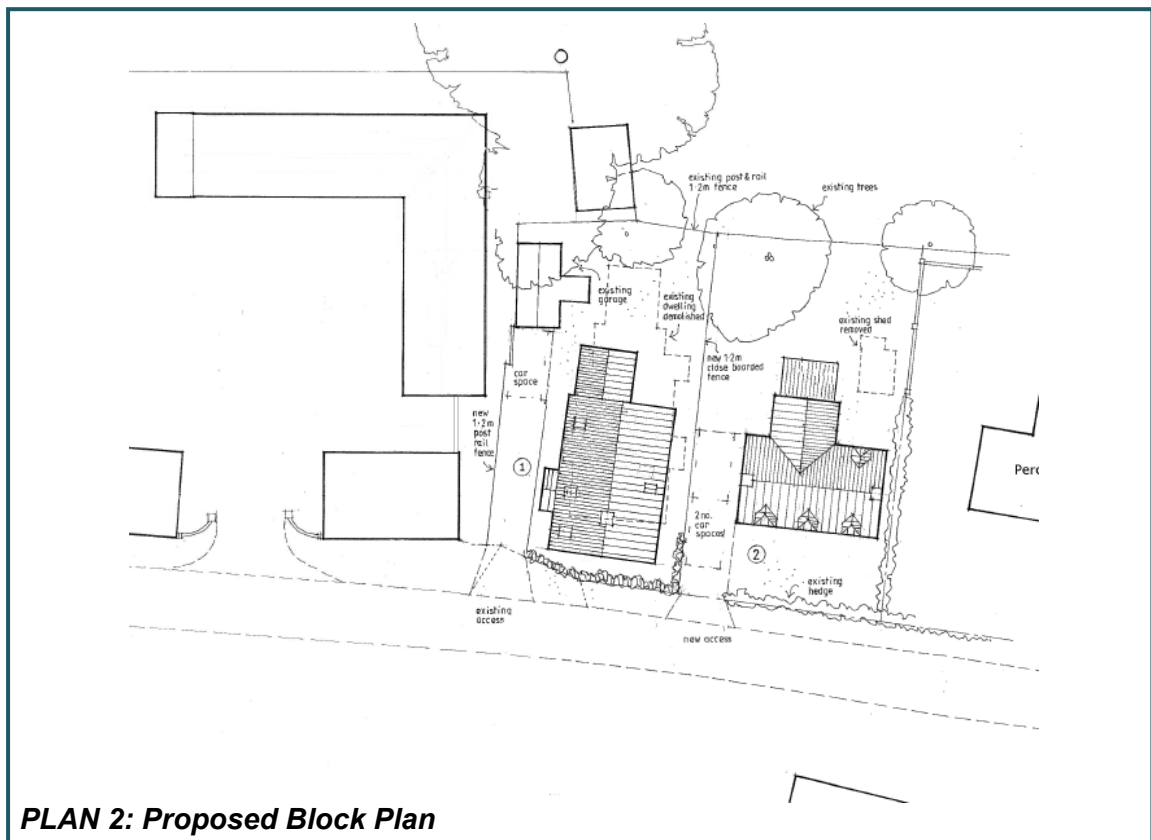
4. Planning History

Application Ref	Proposal	Decision
K/15815/O	Outline: Erection of one bungalow and double garage and construction of new access.	Refused – 15.05.1990 Appeal Dismissed – 09.11.1990

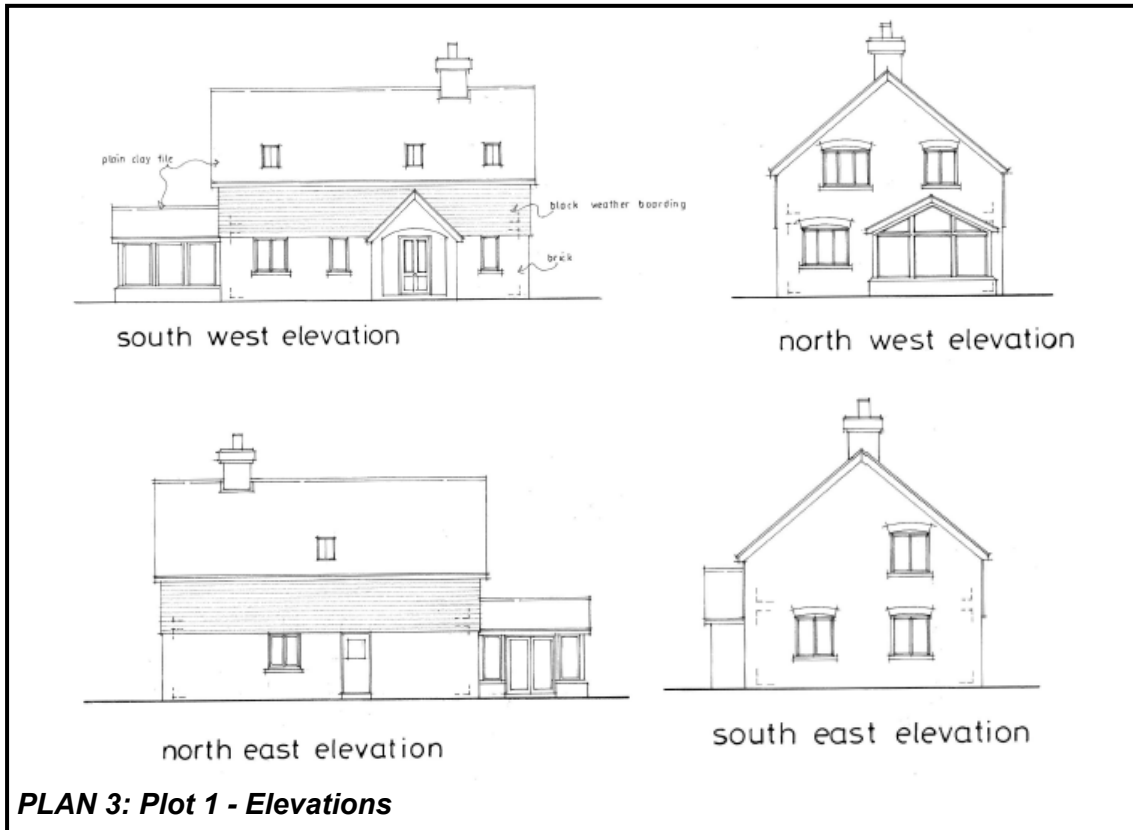
K/30300/C	Conservation Area Consent for demolition of existing chapel and the erection of a new detached bungalow.	Consent – 17.08.1990
K/30331	Demolition of existing Chapel and the erection of a new detached bungalow.	Permission – 21.12.1994
K/38670	Rear Porch & Velux roof windows.	Permission – 09.03.2000
k/44689	The erection of a conservatory	Refused – 06.02.2003
K/45817	The erection of a conservatory	Permission – 08.08.2003
K/46998	The erection of a conservatory	Permission – 22.03.2004

5. The Proposal

This is a full application proposing the demolition of the existing bungalow and its replacement with two new dwellings. During the course of the application, amended plans have been received which have changed the design, appearance and orientation of the dwelling which is proposed on Plot 1. This dwelling is effectively a replacement dwelling for the existing bungalow.



Plot 1 is to consist of a 1½ storey dwelling that is to be of part brick/part weatherboard cladding construction, with a plain clay tile roof. As per the existing dwelling, it is to be orientated perpendicular to the road, but is to be situated further forward in the plot than the existing dwelling in order to enable some private amenity space/garden to be created at the rear of the dwelling. It is to utilise the existing access driveway on its western side and is to also retain and benefit from the existing detached garage.



Plot 2 is to consist of a more traditional style, double-fronted property, also of 1½ storeys in height. It is similar in design and orientation to the existing dwelling to the east (Percy Cottage) and is to front the road. It is to be of brick and clay tile construction. A new access and driveway is to be created between Plots 1 and 2 to serve this second dwelling. A small rear garden is also proposed to serve this property.



The application is accompanied by a Phase 1 & 2 Bat Report and a Planning Statement which includes a Heritage Statement.

6. Local Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Kennet Local Plan policies (Saved by Wiltshire Core Strategy) (KLP):

- HC25 – Replacement of Existing Dwellings

Wiltshire Core Strategy (WCS):

- CP1 (Settlement Strategy)
- CP2 (Delivery Strategy)
- CP3 (Infrastructure Requirements)
- CP26 (Tidworth Community Area)
- CP43 (Providing Affordable Housing)
- CP45 (Meeting Wiltshire's Housing Needs)
- CP50 (Biodiversity and Geodiversity)
- CP51 (Landscape)
- CP52 (Green Infrastructure)
- CP57 (Ensuring High Quality Design & Space Shaping)
- CP58 (Ensuring the Conservation of the Historic Environment)
- CP61 (Transport & Development)
- CP62 (Development Impacts on the Transport Network)
- CP64 (Demand Management)

Supplementary Planning Documents:

- Creating Places Design Guide SPG (April 2006)
- Achieving Sustainable Development SPG (April 2005)
- The Chutes Village Design Statement (VDS)
- North Wessex Downs AONB Management Plan 2009-2014
- Affordable Housing SPG (Adopted September 2004) Affordable Housing SPG (Adopted September 2004)

7. Summary of consultation responses

Chute Parish Council – Objection

- strongly object
- the site is too small to support two three bedroomed houses
- over-development of a relatively small site
- changes the character of the conservation area
- totally contrary to the Village Design Statement
- contradiction to the original planning application for the former Wesleyan Cottage
- contrary to Conservation Designation Area statement.
- The revised plans do not address the issues raised

Highways – No Objection subject to conditions

- The proposal will create two 3 bedroomed dwellings within the curtilage of this site once the existing dwelling is demolished with each having their own vehicle access and parking.
- The existing dwelling is two bedroomed and located on an unclassified road which is subject to a 30mph speed limit.
- The site in question would make use of the existing access for the bungalow that will be demolished and has good visibility for one of the dwellings.

- The creation of a new access for the second dwelling will need to be suitably surfaced and consolidated and provide visibility splays in each direction, measured 2m back down the centreline of the new access.
- In order to meet Wiltshire Parking Standards, 2 off-road parking spaces are required which I am satisfied can be met by way of the drive of one of the dwellings and the drive and single garage of the other.
- No Highway objection is raised, subject to conditions

Conservation – No Objection subject to conditions

- The site lies within the Lower Chute Conservation Area and immediately to the NE of Lowerhouse Farm and its outbuildings, all of which are grade II listed.
- Stables Cottage itself is modern, on the site of a former chapel, but of traditional appearance with Flemish bond brickwork and a Welsh slate roof covering.
- The CA is characterised by fairly loosely spaced detached dwellings of a variety of materials including brick, flint, slate, tile and thatch.
- The only roadside buildings are the stable yard buildings of Lowerhouse Farm, otherwise properties are set several metres into their sites.
- The demolition of Stables Cottage would cause no loss of historic fabric, however its modest scale and quality of materials does sit well in the street scene and it is the LPA's statutory duty to pay special regard to preserving or enhancing the character of the CA.
- If consent is to be granted on this basis, then we need to ensure that the redevelopment proceeds and is completed promptly, rather than the site cleared and left empty.
- The proposal would see a pair of new dwellings erected, one on the same orientation as the existing cottage, but moved 3m closer to the road, and the other facing the road about 2.8m forward of Percy Cottage, the modern brick and flint cottage to the NE.
- The design and orientation of the buildings provides adequate distinction between them to maintain the varied nature of the street scene, and subject to the use of quality brickwork, tiles and timber joinery (as in the D&A) they should sit comfortably with the neighbouring properties.
- It is highly unusual to have three dormers on the front of a traditional cottage, and the central dormer facing the road should be omitted, preferably without substitution by roof light.
- My only concern of note relates to the positioning within the site and the street scene.
- The existing property is set far enough back into the site that it is seen in conjunction with other properties to the NE from the area of Lowerhouse Farm, whereas the relocation towards the street means that those views would be much more constricted.
- Views of the listed roadside farm buildings from the north would also be significantly reduced.
- The CA street scene would be affected, as would views of some curtilage listed farm buildings, but I do consider the level of harm to be at a very low level and therefore raise no objection.

Ecology – No Objection subject to conditions

- I note the submission of the Lindsay Carrington ecology report (Oct 2018).
- Survey work found very low numbers of pipistrelle bats roosting in the existing building proposed for demolition, and a satellite roost of pipistrelles (linked with a nearby maternity roost) in the garage which is proposed for retention.
- A Natural England EPS licence will be required in order to conduct works as bat roost will be destroyed.

- Assuming that no works to the garage are proposed the development can proceed in accordance with the recommendations in the Lindsay Carrington report.
- No external lighting must be included in the proposal which could impact the retained roost in the garage.

8. Publicity

This application was advertised through the use of site notices and letters of consultation.

Letters – 19 letters of objection received from the residents of 3 New Buildings, Folly Cottage, Jimila, Providence Cottage, The Old Cottage, Meadow View, Keepers Cottage, Hyde Cottage, Percy Cottage, Cadley Lodge, Woodruff, Wansdyke, & Lower House, Chute Cadley; and Hazel Cottage, Hatchett Hill. The following comments made:

- Strongly object
- This is not an infill plot it is a garden.
- This is garden grabbing
- In 2010 the Ministry for Housing, Communities & Local Government gave Local Planning Authorities power to prevent garden grabbing
- This plot cannot seriously be regarded as a suitable infill plot
- There is no statement of what the housing needs of the village are, therefore it is not possible to assess whether this plan addresses a need.
- These houses are not needed or wanted
- This would provide negligible benefit to the "Tidworth area remainder" of 74 dwellings
- Contrary to Village Design Statement
- The Chute Conservation document from the Kennet Plan is still being disregarded
- CP2 allows infilling in small villages provided it does not consolidate an existing sporadic loose knit area of development related to the settlement
- conflict with Wiltshire Planning Policy CP2 as this is not infilling and consolidates loose knit character
- it does not meet HP24
- does not comply with HH5
- The demolition of the Stables (Wesleyan) Cottage cannot in any way be regarded as preserving, conserving or enhancing the historic character of the village/AONB
- paragraph 1.17 from the Kennett Local Plan states: "In the interests of sustainability, housing development should be limited to those villages which have a good range of facilities, and should be restricted to a small scale"
- In the interests of sustainability, housing development should be limited to those villages who have a good range of facilities to support additional inhabitants. Lower Chute, Chute Cadley, Chute Standen, Upper Chute and Chute Forest have no local facilities other than one public house
- This is not affordable housing
- The proposal is far from what should be allowed in a green belt
- Development between Jimila and Chute Forest is a prime example of infill but that was turned down. This is not infill. It is not a vacant plot between properties
- A former Chute Conservation document from the Kennet Plan interestingly states that any development of this site must follow the modest scale and form of the then single story structure and should adhere to the spatial relationship that the Chapel had with nearby buildings and surrounding land

- This site is far too small to sustain two properties whatever orientation is suggested
- No dimensions for the amended proposal for Plot 1 given in the planning statement.
- The Chutes are a beautiful part of Wiltshire, please don't let developers spoil it by cramming houses into sites that are too small
- The "in fill" that would happen, if this application was to be approved, would replicate the density and scenario of overcrowding found in the suburbs
- Existing house is structurally sound, perfectly good and reasonably new and does not need demolishing
- The unnecessary demolition of a property with the loss of its history of the original Chapel is unwarranted.
- The wanton and unnecessary demolition of a perfectly functional property with the loss of its history of the original Chapel is unwarranted
- The demolition of the Stables/Wesleyan Cottage and its associated history must surely require substantially more justification than purely development of the plot for commercial reasons
- The two red brick houses are not in keeping with the village, conservation area or AONB
- Wooden boarding has now been added as an afterthought
- Black timber cladding is not a residential building material in this village.
- we have few facing brick houses
- Suggesting that this development does not consolidate the existing loose knit character of the village is obviously wrong, as doubling the housing density on one plot of land inevitably consolidates the village.
- If this was to go ahead the unique nature of Lower Chute particularly the environs around Lower House Farm would be damaged, destroying the distinctive style and "loose knit " nature of properties along the lane.
- Will consolidate development along this road
- Claiming that the site is within a group of residential properties is wrong as the site is adjacent to agricultural and equestrian buildings on one side, a residential property on the other and faces, and is backed by, open agricultural land.
- Consolidation will intensify by bringing the proposed building in plot 1 closer to the road.
- This will not preserve the character and appearance of the street scene
- The proposed development will dwarf the stable barns, and significantly impact the visual aspect of the lane, particularly as building 1 has now been moved forward closer to the road.
- The village is made up of different sized plots, yet these buildings will be sat on matching plots, contrary to the variety that makes up the village character.
- Outside space is very restricted and the physical space between building and road is limited.
- Change from a boundary hedge to a close boarded fence between plot 2 and Percy Cottage is out of character in this village and contrary to the village design statement
- Two storey nature of the development will dominate the street scene.
- The original permission for Stable cottage stated that 'Any such scheme must, however, follow the modest scale and form of the present single storey structure, and should adhere to the spatial relationship that the Chapel has with nearby buildings and surrounding land'
- The planning restrictions applied to the original building of Stables Cottage (once Wesleyan Cottage) were designed to maintain in perpetuity a link with the

village's past. It is wrong to ignore the reasoning behind those restrictions, and to allow unfettered buildings to be erected

- The detail surrounding the original guidance and planning approval for Chapel Cottage was very specific in its lack of close proximity to neighbouring houses.
- The existing dwelling was therefore designed to reference the Methodist Chapel and positioned on site to respect the stable buildings and their associated paddocks.
- This should continue to be adhered to now
- The result is these buildings will still dominate the street scene
- The Wesleyan Chapel footprint saved by Kennet Council will be destroyed.
- plans for a second storey to be added to Stables Cottage has already been turned down by the council
- Plans for two houses each having two storeys is not justifiable
- An additional access on this single track road is just not feasible
- The permission for Percy Cottage was subject to the closure of the existing access and it being relocated where the road was wider, not having 2 accesses next to each other, what has changed?
- less car parking will be available for plot 1, as the drive apron will be reduced
- This is a very narrow stretch of road
- If this road is blocked for any length of time for delivery of building materials, it will definitely cause disruption.
- The defibrillator is in Lower Chute. A three- mile detour if the lane became blocked would certainly have adverse effects
- Will cause increase in traffic
- Not enough parking to take into account visitor, deliveries, size of houses proposed
- Removal of hedge to create access is unacceptable in this countryside location
- Will detrimentally affect nesting birds and bats
- Will cause loss of light, overshadowing, reduced outlook, loss of privacy, noise to Percy Cottage
- It does not provide any benefit to the community of Lower Chute
- Amended plans do nothing to address the concerns raised about the unsuitability of these proposals on this site
- Turning one of the houses around makes no difference to the application
- The revised statement submitted with the amended plans contains significant errors and omissions

9. Planning Considerations

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

9.1 Principle of development

The site is situated in the countryside, within the existing built up area of the Small Village of Lower Chute, as defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area). Small Villages have a low level of services and facilities, and therefore few employment opportunities. WCS policy CP1 (Settlement Strategy) confirms that *'there is a general presumption against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages'* and that development in Small Villages will therefore be *'limited to that needed to help meet the housing needs of settlements and to improve employment*

opportunities, services and facilities'. WCS policy CP2 (Delivery Strategy) further confirms that such development in Small Villages will be *'limited to infill within the existing built area'*, provided that the development respects *'the existing character and form of the settlement; does not elongate the village; and does not consolidate the existing sporadic loose knit areas of the development'*. WCS policy CP26 (Tidworth Community Area) however confirms that there is a need for an additional 1,920 dwellings in the Tidworth Community Area up to 2026, with approximately 170 of these to be provided outside of the large settlements of Tidworth and Ludgershall and in accordance with the housing strategy set out in CP1 (Settlement Strategy) and CP2 (Delivery Strategy).

In addition, saved KDLP HC25 confirms that *'In the countryside, the replacement of an existing dwelling which has not been abandoned will be permitted where: a) the siting is closely related to the footprint of the dwelling it replaces...and b) the scale of the replacement dwelling is not significantly larger than the original structure'*.

In this instance, the proposals involve the demolition of the existing dwelling on the site and its replacement with two dwellings. Significant local objection has been received to both the demolition of the existing building and the proposed 'infill' of the plot as it is suggested that the existing building is of merit and in a good state of repair; and that the proposals do not represent 'infill' but instead involve 'garden grabbing'. References to legislation have been made in support of these principle objections; unfortunately, much of this is now out-of-date or has been superseded by the NPPF and WCS, which are the primary considerations for any such planning application.

With regard to the demolition of the existing dwelling, the matter of its implications for the conservation area and heritage value will be discussed in greater detail below. However, whilst it is agreed that the existing building is attractive and appears in sound order, the fact remains that it is not a listed structure nor is it considered to be an undesignated heritage asset. Its demolition is therefore acceptable in principle under saved KDLP policy HC25 which allows for replacement dwellings regardless of the state of the current dwelling on the site (other than that they must not be abandoned). This in itself is not therefore a reason to warrant the refusal of the scheme.

With regard to the matter of 'infill', WCS policy CP2 (Delivery Strategy) defines this as *'the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling'*. Nowhere does it say that the 'gap' must be a vacant plot, or that it must not be a garden, and whilst there was a lot of talk at government level in 2010 regarding 'garden grabbing', this has not transcended into a restrictive policy in the WCS that prevents the redevelopment of gardens. Indeed, the majority of infill development that is proposed in Wiltshire is on garden land. It is considered that the proposed demolition of the existing dwelling and redevelopment of the plot with two dwellings would therefore constitute infill development within the remit of WCS policy CP2 (Delivery Strategy) and is therefore acceptable in principle.

This acceptability in principle is, however, subject to the detail in terms of how the development responds to the existing character of the area; design; heritage assets; neighbouring amenities; and highway safety. These matters will therefore be addressed in more detail below.

9.2 Heritage, Character & Design:

As identified above, the site in question involves an unlisted building on a plot that is in the vicinity of a number of listed buildings and wholly within the Chute Cadley/Lower Chute Conservation Area. The site is also within an AONB and is therefore within a 'heritage sensitive' location. WCS policy CP58 (Ensuring the Conservation of the

Historic Environment) confirms, however, that the designation of a conservation area, listed building, or scheduled ancient monument does not preclude the possibility of new development but that 'it is expected that development will be of the highest standard in order to maintain and enhance the quality of the area or building, and be sensitive to its character and appearance. In addition, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting. Section 72 of the Act further states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In having 'special regard' and/or in paying 'special attention' the NPPF confirms that an assessment must be made as to whether the proposal causes '*substantial harm*', '*less than substantial harm*' or *no harm* to the asset

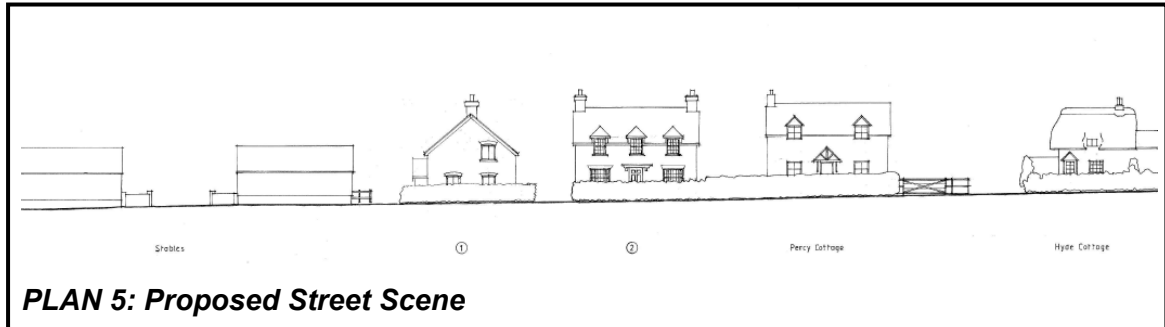
Significant local objection has been received to the application due to concerns that the regarding the demolition of the existing dwelling (so it should be retained) and that the proposed development does not preserve nor enhance the conservation area, AONB or the setting of nearby listed buildings. However, the Council's Conservation Officer has considered the proposals and has confirmed that, whilst Stables Cottage is on the site of a former Chapel and of traditional appearance, the building is of modern construction and therefore its demolition would cause no loss of historic fabric. It has also been confirmed that it does not represent an undesignated heritage asset and is therefore afforded limited protection. Its scale and quality of finish does however mean that it sits comfortably in the streetscene and it is therefore imperative that following demolition the building is replaced; and that any replacement/redevelopment of the site equally preserves or enhances the character of the conservation area. This can be ensured by the imposition of planning conditions.

The area is characterised by one-off dwellings on their individual plots. There is a fairly eclectic mix of roof heights, styles, ages and forms of architecture. The village in the main has quite a loose-knit range of development with large detached houses on large plots. However, there is some variance to this with a few semi-detached properties thrown into the mix. Some plots are broad with gardens to the side; others are narrower with gardens to the rear. There is also a mix of plot sizes and there is very little uniformity from one plot to the next along this lane. The existing character reflects an organic growth over time, which is typical of a village such as this.

Originally the proposals involved two similarly-designed dwellings on the site. It was, however, considered that whilst the principle of infill development was acceptable, the uniformity of the proposals was such that it would be out of keeping with the existing character of the area as described above. Amended plans were therefore submitted, which reoriented the dwelling on Plot 1 (so that it is now perpendicular to the road and therefore more akin to the existing dwelling) and ensured that the dwelling on Plot 2 addressed the streetscene directly. The reorientation of Plot 1 did necessitate the dwelling being pulled forward, but this is still shown to be behind a front, hedged road boundary and does not protrude further forward than the adjacent stable building, which also has an immediate road side presence. Plot 2 then provides a staggered transition between Plot 1 and the adjacent property, known as Percy Cottage. It is now considered that the design and orientation of the two dwellings provides adequate distinction between them to maintain the varied nature of the existing streetscene and thus the character of the area.

The two plots will obviously be smaller than the existing plot; and than some of the adjacent plots, but they are each still considered to be of appropriate size for this

village setting and the type of dwelling proposed. It is also considered that they are comparable to other plots in this part of The Chutes. Much local concern has been raised that this proposal represents overdevelopment because it would close up the sporadic, loose knit character of the lane, however it is not considered that the existing plot represents an important gap in this streetscene and the ultimate development will fit effectively into the eclectic grain of development in this lane, still providing gaps and separation between plots, albeit not as large as the current gap.



It has also been suggested by third parties that two storey nature of the development is not appropriate in this area and that the existing dwelling was limited in height to reflect the site's Methodist Chapel past. However, the proposals involve two 1½ storey dwellings (of a similar height to the adjacent property at Percy Cottage) and unlike 2 storey development, the upper floor is tucked within the roof. It is considered that the scale of the development is appropriate and similar to others in the area/adjacent, and would not dominate the streetscene. In addition, whilst the history of the site is of importance locally, the existing building is not listed or considered to be an undesignated heritage asset and there are no outstanding restrictions on the site that would limit the height of any replacement dwelling. Any application instead has to be considered on its own merits and in relation to its potential impact on the character and of the area; heritage assets; and street scene, which in this instance has all been assessed against current, up-to-date policies/guidance and has been found to be acceptable.

Local concern has also been raised about the choice of materials and finish of the proposed development, stating that red brick, timber cladding and fenced boundary treatments are not common features in this village. However, the existing dwelling on the plot is of brick construction, as is the dwelling opposite. In addition, weatherboarding is an appropriate material for such a rural location, especially as it is to be of dark finish, which it is quite an agrarian finish. The materials, boundary treatment and detailed architectural features can all be controlled by condition to ensure the appropriate quality and finish is achieved but are otherwise considered to be appropriate; adding interest and difference between the two dwellings and in some instances aiding to subdue their scale. The Council's Conservation Officer has confirmed that subject to the use of quality brickwork, tiles and timber joinery the two properties should sit comfortably with the neighbouring properties in this street scene.

The Council's Conservation Officer has confirmed that there are a few issues with the scheme; and it is clear that some elements of the proposals are a little contrived, such as the position of the house on Plot 1 which enables a private garden to the rear. It is also confirmed that Plot 1's position will change the relationship between the residential and equestrian uses along this lane constricting and possibly competing with the farm buildings in some views. Some of the views of the curtilage listed farm buildings may also be affected. However, it is not considered that this would constitute harm. No objection has therefore been raised in this regard accordingly.

9.3 Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'*. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

The most immediate neighbours that are likely to be affected by the proposals are the residents of Percy Cottage to the north east. Whilst the development does involve built development coming closer to this common boundary than the existing arrangement, the proposed design of Plot 2 has been carefully managed in order to limit its potential impact on these neighbours. The depth of the proposed dwelling is not as deep as this neighbouring property (certainly at first floor); no windows above ground floor are proposed on the flank facing wall; the dwelling is slightly angled away from the neighbouring property; and a level of separation (approximately 6 metres) will still exist between the two. This neighbouring property also has no windows on its flank wall facing the site and the intervening hedgerow is to be retained. It is therefore considered that any implications regarding overlooking or loss of light will be minimal and certainly not significant enough to warrant a reason for refusal.

With regard to the south western neighbour, this consists of stabling with no windows positioned on its flank wall. The relationship between this adjacent stable yard and the dwelling on Plot 1 is also similar to the existing arrangement and is not therefore considered to be of significant concern.

In terms of potential mutual overlooking between the two new dwellings, it is considered that the arrangement is less successful but has still been managed effectively. The orientation of the dwelling on Plot 1 necessitates that the primary outlook of the majority of the internal rooms is to the side. However, these have in the main been directed south westerly with only a bathroom window proposed at first floor facing Plot 2. Conditions can be imposed to secure this long term arrangement and there is approximately 5 metres of separation and boundary treatment proposed between the two which will further mitigate any potential for harm.

9.4 Highway Safety:

The proposals involve 2 x 3 bed dwellings which therefore require a provision of 2 car parking spaces each. These have been identified on the plans being provided by a mix of driveway and/or garaging. The Highway Authority has confirmed that the level of parking that is proposed is acceptable and accords with the Council's adopted parking standards.

Local concern has been raised about the proposed provision of a new access off this lane and it is considered that the lane is too narrow to accommodate the additional traffic and access that will be generated from the net gain of one dwelling and the construction process of this development. However, construction is part and parcel of any development and cannot be used to refuse a planning application. In addition road traffic laws govern what can and cannot be done on the highway during construction. Ultimately, the Highway Authority has assessed the application and considers that the proposed new access/intensification of the use of the lane to serve

an additional dwelling and principle of the development is unlikely to result in any significant implications for highway safety. It has raised no objections accordingly.

9.5 Ecology:

The application is accompanied by a bat report and it has been established that very low numbers of pipistrelle bats are roosting in the existing dwelling that is proposed for demolition, and a satellite roost of pipistrelles (linked with a nearby maternity roost) has been found in the garage which is proposed for retention. It is therefore confirmed that an European Protected Species License from Natural England will be required.

The existing garage is to be retained to serve the replacement dwelling on plot 1 and therefore the satellite roost will not be affected by the development. The low level numbers of pipistrelle bats that have been found in the bungalow will be accommodated within the roof of the proposed replacement dwelling. The Council's Ecologist is satisfied that subject to a license being achieved; these measures being implemented; and a number of other recommendations outlined in the report being secured, that the development is therefore acceptable and has raised no objection accordingly.

9.6 S106/CIL:

As the proposals involve only a net gain of 1 dwelling in the area, WCS policy CP43 (Providing Affordable Housing) is not triggered and no affordable housing contributions are required as part of the scheme. However, as of May 2015 the Council adopted its Community Infrastructure Levy (CIL) which applies and is sought from any additional dwellings in the area. A note is therefore attached to the recommendation to bring this to the applicant's attention accordingly.

10. CONCLUSION:

It is considered that the proposed development will represent infill development and accords with the provisions of WCS policy CP2 (Delivery Strategy). The design, finish and orientation of the two dwellings provides adequate distinction between them to maintain the varied nature of the existing street scene; and it is also considered that the proposals will result in only very low level of harm for the surrounding heritage assets. Furthermore, the proposals would not result in significant or unacceptable implications for highway safety; neighbouring amenity; or ecology. The proposals are on balance, recommended for permission accordingly.

11. RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:

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

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

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

Application Form & Certificate

Ref: 170127-01 A – Site & Location Plan. Received – 11.12.2018

Ref: 170127-03 – Design Scheme (Plot 2). Received – 25.10.2018

Ref: 170127-04 A – Street Scene. Received – 11.12.2018

Ref: 170127-05 – Design Scheme (Plot 1). Received – 20.12.2018

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

3. No development above slab level shall continue 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: 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 all eaves, verges, roof lights, windows (including head, sill and window reveal details), doors, porches, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - finished levels and contours;
 - means of enclosure;
 - car park layouts;
 - other vehicle and pedestrian access and circulation areas;
 - all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. 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.

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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the north eastern or South western elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

8. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on Mondays to Fridays and 08:00 to 13:00 on Saturdays.

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

9. The development hereby approved shall be carried out in strict accordance to the recommendations set out in the submitted Lindsay Carrington survey report (updated October 2018).

REASON: To ensure the protection and mitigate the impact for Protected Species

10. No external lighting shall be installed on Plot 1 that is directed toward the retained garage

REASON: To ensure the protection and mitigate the impact for protected species and a known bat roost

11. The development hereby permitted shall not be first occupied until the first five metres of the new access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety

12. 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: To ensure that the development can be adequately drained.

13. The new access hereby approved shall not be first brought into use until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

14. INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition,

you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website: www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

15. INFORMATIVE TO APPLICANT:

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

16. INFORMATIVE TO APPLICANT:

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

This page is intentionally left blank



This page is intentionally left blank

REPORT FOR EASTERN AREA PLANNING COMMITTEES

Report No. 6

Date of Meeting	31st January 2019
Application Number	18/08874/FUL
Site Address	Hawthorn Farm, The Street, Marden SN10 3RQ
Proposal	Demolition of existing buildings in mixed use and construction of single detached family dwelling.
Applicants	Mr & Mrs J & B Purves
Town/Parish Council	MARDEN
Electoral Division	Pewsey Vale – Councillor Oatway
Grid Ref	408709 157873
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by Committee

The application is being reported to the planning committee for consideration at the request of Councillor Oatway, to consider matters of scale, visual impact and the relationship to adjoining properties and to consider the ‘removal of unsightly buildings, which will never be replaced as agricultural buildings, considerable local support including parish council, recent stated case of dwelling built within the village under similar circumstances’

1. Purpose of Report

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

2. Report Summary

Hawthorn Farm is located outside any recognised Limits of Development and outside the built area of the village, where it is surrounded by farmland but opposite the Marden Conservation Area and the grade II listed Grange Farmhouse and Old Vicarage, and prominent in views of the grade I listed All Saints Church on approaching the village from the south. The former Hawthorn Farmhouse lies c. 100m to the north east and the Marden Conservation Area Statement notes that the ‘farm buildings stand detached in the meadow to the south’ where they are separated from the former farmhouse by the meadow.

Due to the standalone position of the site, outside recognised Limits of Development and outside the built area of the village, the proposal for a dwelling in this location does not meet the definition of ‘infill’ development in small villages and would thus be contrary to the Spatial Vision of the Wiltshire Core Strategy. Furthermore, the scale and visual

impact of a large stand-alone 10.16m high dwelling with a footprint of 267m², would be prominent within the street scene (particularly in winter) and the scale and mock-Georgian form would be at odds with the prevailing pattern and scale of development within the village. The design also fails to reference to the historic form of the farmstead, and it would compete with the historic hierarchy of buildings within the village, to the detriment of the setting of the conservation area. This would be contrary both to the advice of the Conservation Area Statement and the Wiltshire Farmsteads Guidance, and contrary to Core Policy 57 and Core Policy 58.

Whilst the existing former farm buildings could be considered by some to be unsightly, redundant and neglected, rural buildings and farmyards feature regularly within the countryside and are wholly consistent with the rural character and agricultural setting of the village. In any event, the buildings are relatively low-level and their demolition cannot justify the scale of the dwelling proposed.

The applicants have been offered the opportunity to redesign the proposals but have declined to do so.

The report thus concludes that the development would be contrary to the development plan and harmful to the character of the village, the setting of the conservation area and nearby listed buildings.

The NPPF advises that development resulting in harm to heritage assets cannot be approved unless the harm is outweighed by public benefits. With no such public benefits identified, the report recommends refusal of the application.

3. Site Description

A farmstead at Hawthorn Farm has existed since at least the 19th century. The existing farm buildings however are relatively modern; appearing to date from the mid 20th century, and most recently used as part of Grange Farm rather than Hawthorn Farm. The collection of buildings are relatively low-level, with heights of 3.45m, 3.75m, 3.95m, 4.5m, 4.7m and 5.43m and the site is surrounded by farmland to the north, south and east, with The Street and Marden Conservation Area to the west.



The application suggests that the new building would be of benefit as it would replace unsightly buildings. This is not accepted, however. Under-used and neglected rural buildings and farmyards feature regularly within the countryside and the site contributes to the rural character and agricultural setting of the conservation area and wider village.



The buildings appear unsuited to modern agricultural use, which appears to have ceased around 1996, whereafter there were a number of consents for alternative uses of the buildings and farmyard site, which have persisted at a low level of use.

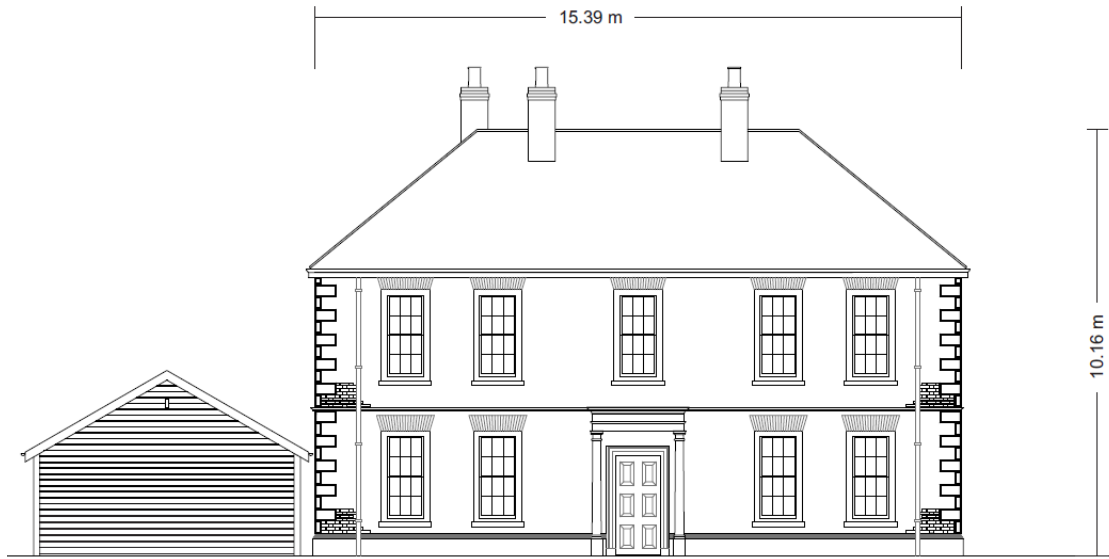
In terms of neighbouring properties, the village hall lies c. 60m to the south west; being separated from the site by farmland. The former Hawthorn Farmhouse lies c. 100m to the north east, also separated from the site by farmland as well as a track to the sewage works.

Planning History

K/15216	CHANGE OF USE TO PURPOSE WITHIN CLASS B1 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987	Refused
K/18815	CHANGE OF USE FROM AGRICULTURAL TO STORAGE OF FURNITURE AND HOUSEHOLD GOODS	Approved
K/32669	Change of use of existing farm buildings to B1 and B8 industrial use	Approved
K/46975	Use redundant farm buildings for storage (under cover) of building materials.	Approved

4. The Proposal

The application proposes demolition of the existing buildings. It is then proposed to erect a mock-Georgian 2-storey 4-bedroom brick and slate dwelling with stone detailing. Its height would be a height of 10.16m and footprint 267m², with a gross internal floor area of 443m² (excluding additional loft floor space).

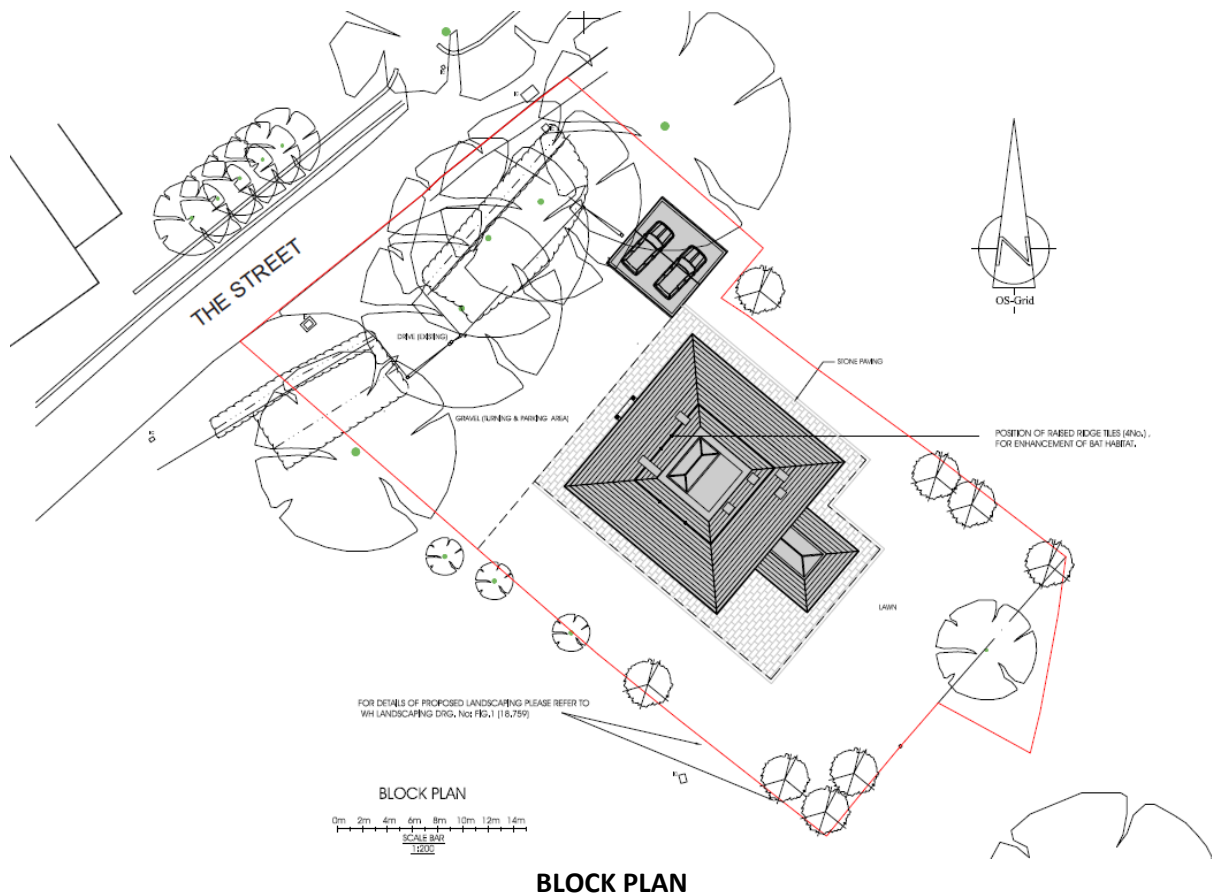


FRONT ELEVATION



SIDE ELEVATION

A 2-bay car port would be located to the front/ side of the dwelling, and the curtilage of the dwelling would be extended beyond the area of the existing farmyard by c. 200m².



Access from The Street would remain as existing.

Existing trees and hedges around the site are to be retained and additional planting is proposed.

5. Local Planning Policy

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

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

- | | |
|------|------------------------------------------------|
| CP57 | Ensuring high quality design and place shaping |
| CP58 | Historic environment |

Government policy for 'conserving and enhancing the historic environment' is set out in section 16 of the National Planning Policy Framework and needs to be read together with other policies of the Framework.

6. Summary of consultation responses

Marden Parish Council:	Support: “Having received views from a number of the electorate and having carefully studied the documentation provided and visited the proposed site the Marden Parish Council is supportive of the application for the following reasons. <ol style="list-style-type: none">1. The site is effectively within the built area of the village given the proximity of other residential properties and the fact that it currently has farm buildings erected thereon.2. The farm buildings themselves are unattractive and the demolition and replacement with a sympathetically designed residence with appropriate quality materials would enhance the village and benefit the community.3. The footprint of the proposed development is almost entirely within the footprint of the existing farm buildings and hard standings.4. A minority of those who have offered opinions to the Parish Council expressed concerns at the scale of the proposed house, particularly the height, which they argue will adversely impact the overall view of that part of the village. Having reflected on those concerns the Parish Council nevertheless supports the application for the reasons stated”.
WC Conservation Officer:	Objection due to the impact of the development on the setting of the Marden Conservation Area and nearby listed buildings.
CPRE:	Objection: disproportionate scale and impact on the rural character and landscape, and views of the church.
WC Highways Officer:	No objection
Wessex Water:	No objection
Other:	5 letters of objection received; generally supporting the principle of redevelopment of the site, but objecting to the scale and impact of the proposed house. 10 letters of support received – generally supporting the development as an improvement upon the existing buildings. (some of the above include comments from two occupants of the same house)

7. Publicity

Direct consultation was carried out with nearby neighbours and statutory consultees. Indirect consultation was carried out by way of a site notice posted to the front of the site on 3rd October 2018.

8. Planning Considerations

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

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provide in respect of listed buildings, that the Council must 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Section 72 requires that the Council must pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

Section 85 of the Countryside and Rights of Way Act 2000 requires that the local planning authority must 'have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'.

Principle of development

Core Policy 1 and Core Policy 2 set a hierarchy of settlements within Wiltshire, under which Marden is designated as a small village. The Spatial Vision of the Core Strategy directs new housing to be developed in the larger settlements (which excludes small villages) unless for excepted purposes such as agricultural worker dwellings, none of which apply in this case.

A further exception is for 'infill' development in the 'built area' of small villages. The stand-apart position of the farmyard does not comply with this exception. Furthermore it does not meet the Council's definition of infill development, which is "the filling of a small gap within the village that is only large enough for not more than a few dwellings; generally only one dwelling".

The development would thus be contrary to Core Policy 1, Core Policy 2 and Core Policy 18 (Pewsey Community Area Strategy) of the Wiltshire Core Strategy, and thus unacceptable in principle.

Impact on the setting of the Marden Conservation Area and the village

Core Policy 57 requires a high quality of design in new development that draws on the local context and which is complementary to the locality, and which must be able to demonstrate, amongst other things, that it enhances local distinctiveness through responding to the historic environment and existing pattern of development, and which effectively integrates the development into its setting in terms of built form, height, mass, scale, elevational design, and rooflines.

Core Policy 58 requires development to protect, conserve and where possible enhance the historic environment. The setting of designated heritage assets must be conserved and enhanced where appropriate.

Marden is an essentially linear village in which the Conservation Officer notes a clear hierarchy of building types from the formal Manor and Grange and larger farmhouses to humble vernacular cottages and converted farm buildings. This hierarchy has generally been respected in 20th century development within the conservation area and the village is not characterised by Georgian architecture.

Whilst the farm is adjacent to the Conservation Area, it is referred to in the Conservation Area Statement and is clearly part of the setting of the conservation area and the wider village. The Conservation Area Statement advises that there is no typical design with which a new building should confirm, but that any new dwelling should be no more than two storeys, with a steep pitched roof and a chimney and should be of a scale and span not to exceed about 6.0 m.

Whilst the dwelling would be 2 storeys, the pitched roof would be flat-topped and the span of the building would be 15.25m rather than the recommended 6m. The overall scale is thus substantial and does not reflect the modest scale of development anticipated by the Conservation Area Statement. As noted by the Conservation Officer, together with its non-traditional Georgian styling, this would disrupt the visual and physical hierarchy of buildings within the village, and particularly those closest to the site, such as the opposite grade 2 Grange Farmhouse and the Old Vicarage. The building would also be prominent in views towards the village, and disturb views of the All Saints Church, on the approach to the village along the public footpath from the east.



VIEW FROM MARDEN FOOTPATH 3

The Conservation Officer also raises objection in terms of the historic use of the site as a farmstead, and the requirement under the Wiltshire Farmsteads Guidance for redevelopment proposals to reflect the historic use and layout of the site.

The Officer thus concludes that 'the pastiche Georgian dwelling is highly inappropriate in style, size, proportions and character for the redevelopment of an historic farmyard site and the proposals do not show any consideration for the character of this site and its relationship with this rural village and the hierarchy of buildings within it'.

It is thus concluded that the development would be contrary to Core Policy 57 and Core Policy 58.

Whilst existing and additional trees and hedging are proposed, there is no mechanism to secure their retention beyond the short term. It is also a well-established principle that planting should be used to enhance a development and that it cannot be used to make otherwise unacceptable development acceptable.

The Conservation Officer is nonetheless satisfied that a design that both respects the hierarchy of buildings within the village and the historic form and character of the farmstead could be achieved, but this would require a revised design approach.

Access and parking

The Highway Officer raises no concerns in respect of the proposed access and parking arrangements.

Residential amenities

The development would not impact on neighbouring amenities.

Ecology

The application is supported by an ecological assessment which found multiple bat roosts in the buildings proposed for demolition, including a maternity roost of brown long-eared bats.

The report makes mitigation recommendations are appropriate and have been incorporated into the proposals. These could be secured by way of planning condition.

Other material considerations

Due to the recent non-agricultural use of the site, it now falls within the definition of 'previously developed land' under the revised National Planning Policy Framework. The NPPF supports the principle of making good use of suitable previously developed land, but this does not support otherwise unsustainable development.

Noting also, however, the unsuitability of the buildings for other uses and that they have no realistic long term prospects and are likely to fall into further decline, as well as the relatively central position of the site within the village (albeit that the location is poorly served by local services and facilities), it is concluded on balance that the principle of proportionate redevelopment of the site in-line with the Conservation Officer comments,

whilst contrary to the development plan, could be capable of support in this instance. The applicants have declined the offer to submit a revised design.

9. Conclusion (The Planning Balance)

The principle of development of a new dwelling in this location would be contrary to the development plan. Furthermore the excessive scale and Georgian design would be inappropriate in style, size, proportions and character for the redevelopment of an historic farmyard site and the proposals do not show any consideration for the character of this site and its relationship with this rural village and the hierarchy of buildings within it, and views towards All Saints Church.

As such, both in principle and in practice, the development would be contrary to the development plan. With no circumstances sufficient to warrant otherwise, the application is recommended for refusal for the reason set out below.

RECOMMENDATION

That planning permission is **REFUSED** for the following reasons:

1. The development of a dwelling on the site, outside recognised Limits of Development, would be contrary to Core Policy 1, Core Policy 2 and Core Policy 18 of the Wiltshire Core Strategy.
2. The position, height, mass and scale of the proposed dwelling and its Georgian design would contrast with the agricultural character of the village, this historic agricultural use of the site and the prevailing scale and style of buildings, and would undermine the established hierarchy of buildings within the village, resulting in harm to the setting of the village and Marden Conservation Area and the setting of the opposite grade 2 listed Old Vicarage and The Grange, and harm to the setting of the nearby grade 1 listed All Saints Church in views approaching from the public footpath approaching the village from the east.

As such the development fails to draw on the local context to demonstrate a high quality of design and fails to protect the historic environment, contrary to Core Policy 57 and Core Policy 58 of the Wiltshire Core Strategy.



This page is intentionally left blank

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 7

Date of Meeting	31 st January
Application Number	18/10206/FUL
Site Address	Harestone House, Church Lane, East Kennett SN8 4EY
Proposal	Proposed development of four dwellings, and the extension and alterations to the existing property known as Harestone House, with associated change of use of equine yard, removal of modern barn & stables, and the introduction of car parking and WC facilities for church visitors.
Applicant	Mr & Mrs P Jones
Town/Parish Council	EAST KENNETT
Electoral Division	WEST SELKLEY – Cllr Davies
Grid Ref	411666 167455
Type of application	Full Planning
Case Officer	Ruaridh O'Donoghue

Reason for the application being considered by Committee:

This application is brought to committee at the request of Divisional Member, Cllr Davies, to consider the community benefits this development would bring to the Church which has resulted in local support for the scheme.

1. Purpose of Report

To consider the detail of the application against the policies of the development plan and other material considerations, and the recommendation that the application be refused.

2. Report Summary

The main issues to be considered are:

- Whether the proposal constitutes infill development as defined with CP 2;
- Whether the proposal is considered to be in a sustainable location (CP 48);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would preserve or enhance the character and appearance of the Conservation Area (CP 58 & Section 72 of Planning (Listed Building and Conservation Areas Act) 1990)
- Whether the scheme would preserve or enhance the setting of the listed buildings (CP 58 & Section 66 of Planning (Listed Building and Conservation Areas Act) 1990)
- Whether the proposal would protect, conserve or enhance landscape character (CP 51);

- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed use (CP 61 and 64); and
- Whether the proposal would have a harmful impact upon ecology (CP 50).

3. Site Description

The proposal concerns land at Harestone House in East Kennett, near Marlborough, which forms part of an historic farmyard known as East Kennet Farm. In the Wiltshire Core Strategy, East Kennett is identified as a small village suitable for infill development only.

The historic farmstead survives in part, with the original stables identified as significant unlisted buildings within the adopted Conservation Area Statement as, part of the site lies within the East Kennett Conservation Area. The original farmhouse appears, from the historic OS maps, to have been Foxtwitchen: the house still surviving and is also a significant unlisted building, which forms the visual terminus of the lane from the village into the adjacent fields and open countryside.

The site is adjacent to Christ Church, which is grade II listed.

EKEN5, a public right of way (PRoW) runs to the South Eastern boundary of the site.

The settlement of East Kennet is washed over by the North Wessex Downs AONB.

The village of East Kennett is bordered to the North, South and West by the Avebury World Heritage Site. The site is considered to fall within the setting of this.

The site is in a groundwater vulnerability zone according to EA mapping.

There are no other planning constraints listed for the site.

Below is a location map with photographs that show the context of the site.

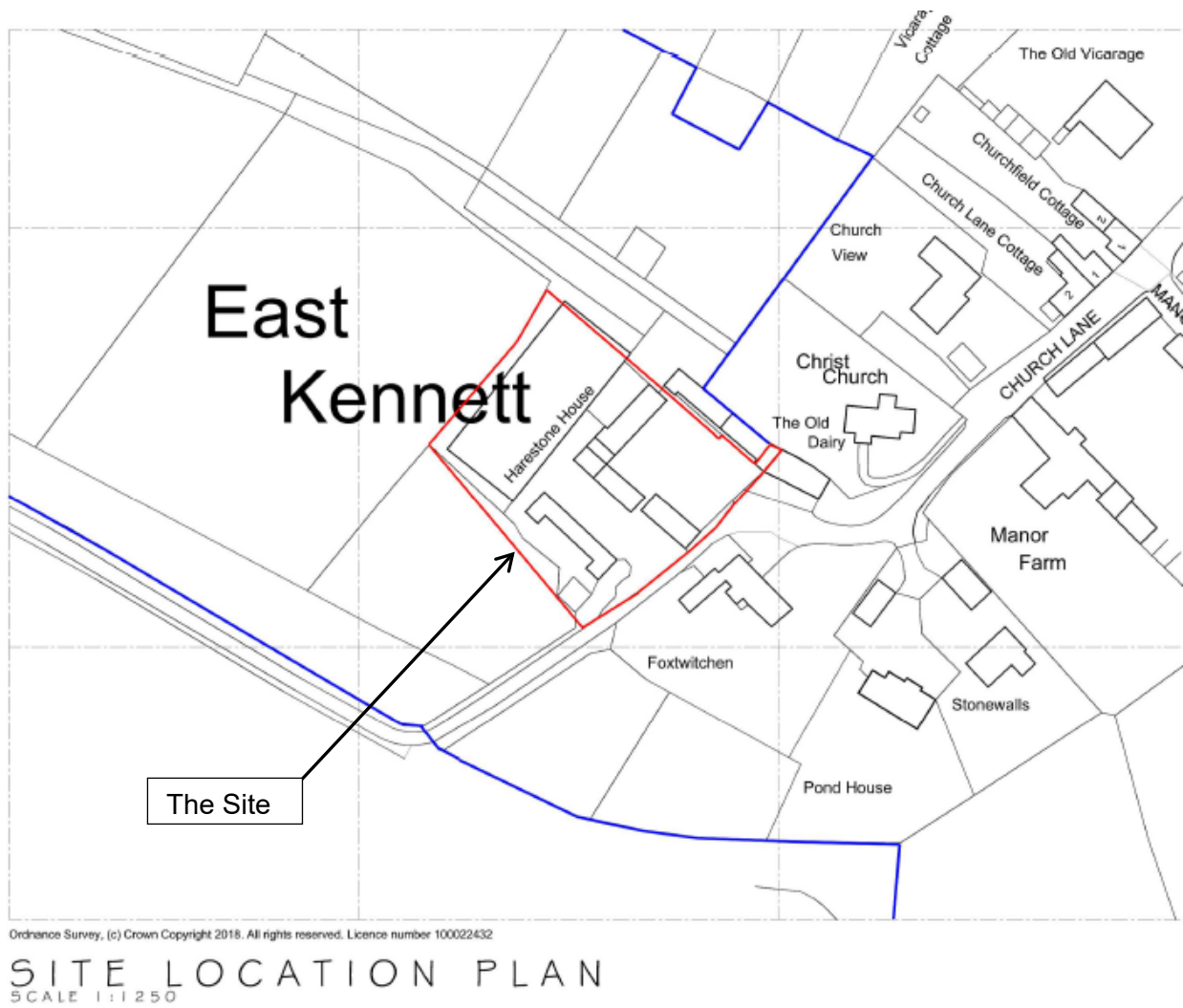


Photo 1: View of part of site looking North West



Photo 2: View to the West of the site



Photo 3: View to the West of the site showing open AONB landscape



Photo 4: View from Church Lane looking South West across the site



Photo 5: View of existing farm courtyard looking North West across the site



Photo 6: View of existing farm courtyard looking North East across the site



Photo 7: View looking to the South East of the site



Photo 8: View looking North East Across the site

4. Relevant Planning History

There have been several applications on the site in the past but none are relevant to the residential scheme that is put before this committee.

5. The Proposal

The application proposes the development of four dwellings, and the extension and alterations to the existing property known as Harestone House, with associated change of use of equine yard, removal of modern barn & stables, and the introduction of car parking and WC facilities for church visitors.

Plots 1-3 form a terrace. Plots 1 & 2 will occupy a footprint of 99m² with Plot 2 having a footprint of 90m². All 3 of the dwellings will have a ridge height of 6.5m.

Plot 4 will occupy a footprint of 202m² with a ridge height that varies from 6.5 – 7.4 metres.

Harestone house is to be extended significantly. The existing dwelling has a footprint of 119m² with the proposed scheme taking it up to 234m². The ridge height will not be increased as a result of the works and will thus remain at 6.8m.

All dwellings will be served by a shared access coming off Church Lane and branching into private driveways / parking areas.

Included within the application is the redevelopment of the existing courtyard into a parking area to serve the Church. 10 spaces are to be provided. The development will also include a passageway through to the Church from this proposed car park. To achieve this, a small section on the South East elevation of the existing stable block on the Eastern side of the site is to be removed. Part of this stable block will then be converted into a WC to serve the Church.

A landscaping scheme for the site has been provided as part of the LVIA.

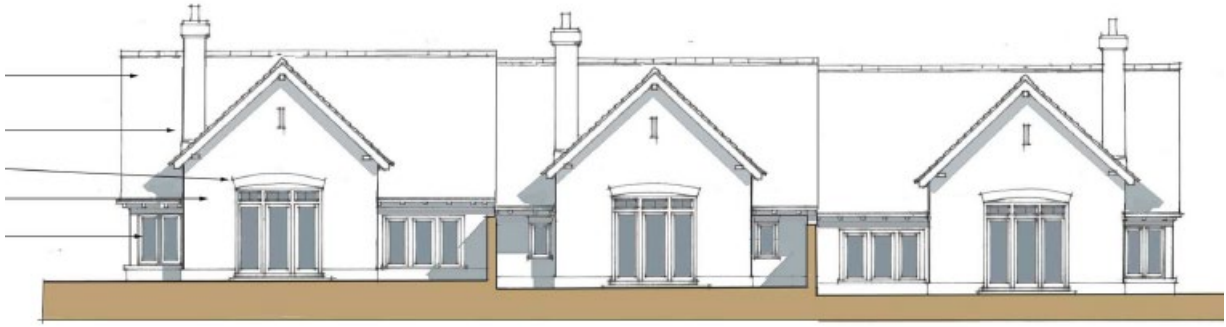
Below are the existing and proposed plans and elevations of the scheme.



North East Elevation Barn 1



Plots 1-3 North East (Front) Elevations



Plots 1-3 South West (Rear) Elevations



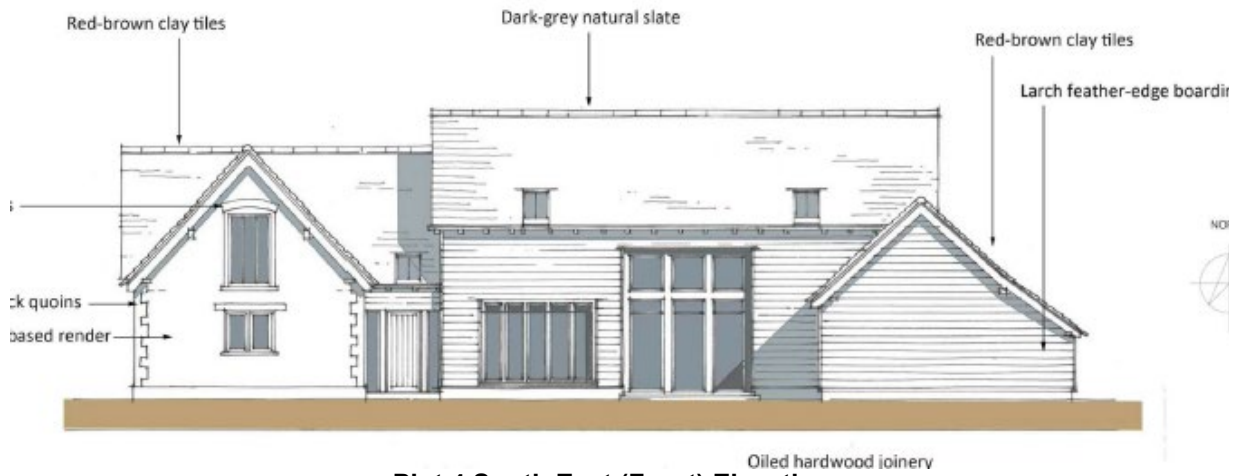
Plots 1-3 South East (End) Elevation



Plots 1-3 North West (End) Elevation



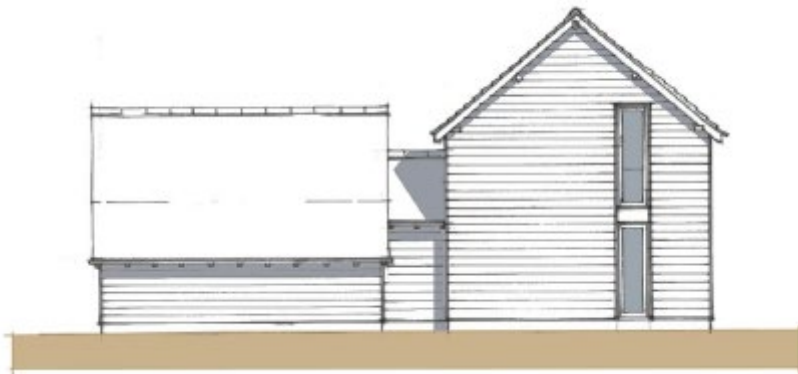
Plots 1-3 Floor Plan



Plot 4 South East (Front) Elevation



Plot 4 North West (Rear) Elevation



Plot 4 North East (End) Elevation



Plot 4 South West (End) Elevation

1ST FLOOR PLAN



GROUND FLOOR PLAN

Plot 4 – Floor Plans

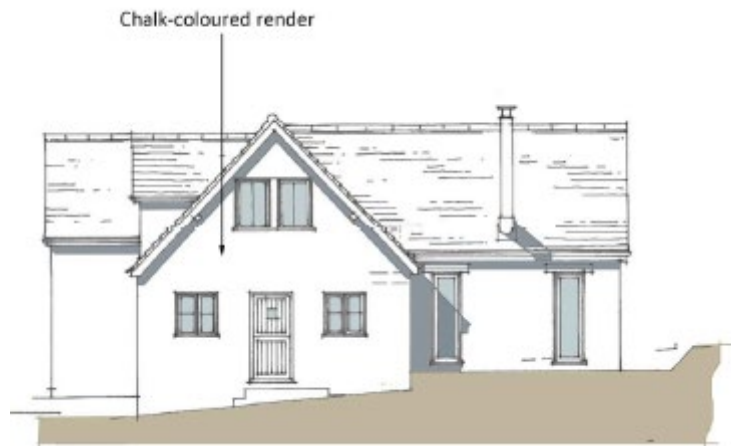
01/10/



Harestone House Proposed South East (Front) Elevation



Harestone House – Proposed North West (Rear) Elevation



Harestone House Proposed North East (Side) Elevation



Harestone House Proposed South West (Side) Elevation

POSED FIRST FLOOR



PROPOSED GROUND FLOOR



Harestone House Proposed Floor Plans

6. Planning Policy

Wiltshire Core Strategy 2015 (WCS):

- CP 1 – Settlement Strategy
- CP 2 – Delivery Strategy
- CP 14 – Marlborough Community Area
- CP 45 – Meeting Wiltshire’s housing needs
- CP 51 – Landscape
- CP 57 – Ensuring high quality design and place shaping
- CP 58 – Ensuring the conservation of the historic environment
- CP 59 – The Stonehenge, Avebury and Associated Sites World Heritage Site and its Setting
- CP 60 – Sustainable Transport
- CP 61 – Transport and new development
- CP 64 – Demand Management

National Planning Policy Framework 2012 (NPPF)

Section 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990

Supplementary Planning Guidance:

- Local Transport Plan 2011-2026 Car Parking Strategy (March 2011) – Minimum residential parking standards.
- Local Transport Plan 2011-2026 Cycling Strategy (March 2015) – Appendix 4
- Wiltshire Landscape Character Assessment 2005
- East Kennet Conservation Area Statement June 2004

7. Consultations

Local Highways Authority

They note that location of the proposal and the road network in the vicinity but they are minded that the likely vehicle movements associated with the residential use will not result in a significant detrimental impact.

They are happy to accept the layout for the site in regards to parking and it should be provided as per the layout drawing.

They suggest that a Construction Management Statement should also be conditioned to include pre-construction photographs and details of types and size of vehicles, working hours, site staff parking, mud mitigation etc.

Savernake Parish Council

Overall the Parish Meeting is in favour of this development, recognising the regeneration of the site and communal benefits for the Church, with the expectation that it be done in a manner sympathetic with its setting in an AONB and in keeping with the village vernacular.

Wiltshire Council Drainage Engineer

Supportive in principle of the scheme but they require more information to be supplied – notably, an outline surface water disposal plan, including infiltration testing results to BRE

365 standards and evidence that any proposed soakaway has a clearance of at least 1m from the groundwater level, allowing for seasonal variations.

Wiltshire Council Landscape Officer

They have looked at the information submitted for the Harestone House application, including the LVIA report.

The site lies within the setting of the World Heritage Site and within the East Kennett Conservation Area next to the listed Christ Church. It is also an historic farmstead.

They have noted the Case Officers in principle objection at the pre-app stage. In design terms they consider the heritage aspects to be main issues for this site – they request that consultation with the Conservation/ Heritage Officer is carried out.

Wiltshire Council Conservation Officer

Harestone House is a dwelling located within an historic farmstead on the edge of the rural village of East Kennett. The historic farmstead survives in part although the original stables have been identified as significant unlisted buildings within the adopted Conservation Area Statement. The original farmhouse appears, from the historic OS maps, to have been Fox Twitchen: the house still surviving and is also a significant unlisted building, which forms the visual terminus of the lane from the village into the adjacent fields and open countryside. The site is adjacent to Christ Church, which is grade II listed.

The provision of car parking and WC facilities for the church is an obvious benefit of the proposals, as is the removal of redundant, modern format farm buildings from the site, however the design of the proposed dwellings and the spilling of residential development into the fields beyond the Conservation Area and village boundary raise various concerns.

Guidance that really is the primary consideration in this case is *Wiltshire Council's Farmsteads Guidance*. This guidance was produced for the Council by Historic England to aid the understanding and development of proposals that preserve and enhance the farmstead character that is a strong presence in so many of Wiltshire's villages and East Kennett is no exception. It emphasises that traditional farmsteads make a positive contribution to local character and distinctiveness, by means of their architectural form, use of materials and how historic farm buildings, houses and spaces all relate with each other. The suite of documents that form the *Wiltshire Farmsteads Guidance* aims to inform and achieve the sustainable development of historic farmsteads, including their conservation and enhancement and therefore proposals to develop or redevelop historic farmsteads within Wiltshire should refer to this document. Unfortunately, the current application does not appear to have consulted this extremely important and informative document in drafting its proposals as I see no reference within the supporting information that this document has been referenced.

The first consideration in forming proposals to redevelop this site should be the *Farmsteads Guidance* given the history, form and character of the site. The proposed dwellings do not illustrate the farmstead character that is important to this part of the village's heritage and character. Indeed, although the submitted Planning Statement states that the linear range of houses have modest ridge heights that reflect 'the ides of a traditional brick agricultural or equine building', the ridge heights is about where the agricultural character of these buildings ends, as their design appears more akin to later Victorian almshouses rather than something reflecting the historic farmstead character of the site. On Page 9 of the *Farmsteads Guidance Assessment Framework*, it states the following in relation to design and siting:

Getting the design right is essential on such sensitive sites, and the understanding gained from Stages 1 and 2 will help to prepare a scheme that conserves and

enhances the historic character and significance of the whole site. New development might include new buildings, the demolition of modern or insignificant buildings and the opening of spaces to better reveal the significance of heritage assets.

New buildings and their siting

Consider how the understanding of the whole site and its historic plan form, as created in Stage 1, could:

- *Secure the future of highly significant or traditional buildings which have low potential for adaptive reuse.*
- *Inform the siting of new buildings so that they are on the footprint of lost buildings or so that they are sensitive to the historic plan form of the site.*
- *Make use of materials and building techniques of appropriate quality.*
- *Minimise fuel costs and reduce carbon emissions at source through careful consideration of site layout, building design and materials.*
- *Maximise orientation of buildings to take advantage of the sun's energy: many historic farmyards faced south.*
- *Help to consider whether the site requires enabling development, in order to secure the future of heritage assets.*

This is not to say that pastiche farm buildings should be proposed, but the character of the site and this form of buildings should be a starting point to influence the character and design of any development proposals, even if this is taken to be a modern interpretation of more ancillary building types.

This is important to emphasise, as the buildings within the village have an established hierarchy of building type, which peters out at the end of Church Lane: from church to dwelling to farmstead to open fields. This architectural hierarchy of buildings forms the character of the village and defines its setting. East Kennett is an agricultural settlement yet there is a clear hierarchy of building types evidenced in the village, from the formal Manor to larger gentleman farmer dwellings and then more humble vernacular farmworker cottages to converted farm buildings. 20th century development has generally respected this hierarchy of buildings within the Conservation Area and although there is a substantial proportion of 20th century development, for the most part the new housing is relatively unobtrusive. This has mostly, although not wholly, preserved the historic social stratum and development of the village that forms part of its character and appearance: any redevelopment of the proposal site will have an impact on this character and appearance of the conservation area and thereby it is vital that proposals respect its immediate and wider surroundings.

The provision of 3 rear gable extensions, front dormer windows and rooflights on the existing Harestone House (plot 5) are not respectful of the overall character and appearance of the conservation area, and the adopted statement has the following on these architectural features within the village: *Over-extension of existing buildings and the insertion of rooflights, or inserted dormers on prominent roof slopes, would be inappropriate in relation to the architecture of the village.*

In addition, Wiltshire Council's adopted *Householder Design Guide* has the following on dormer windows for all buildings, not just those within or adjacent to conservation areas:

A dormer window is a vertical window or opening in a sloping roof, having its own roof, either flat, pitched or curved. Since it can have a significant effect on the appearance of a house, its design needs careful consideration in line with the following principles

Design – The design of a dormer window should:

- reflect the style, proportion and shape of the existing house and roof design

- be designed to provide light to existing spaces and not as an opportunity to create an enlarged floor area
- always be located at the rear of the property unless dormer windows are a particular feature of the surrounding streetscape
- work on the principle that small is beautiful – two smaller dormer windows will always be preferable to one larger structure
- minimise overlooking of adjoining properties; where this is not possible, rooflights may have to be considered as an alternative

Position – Dormer windows should

- line up with the existing windows below
- be set well back from the front or rear wall of the property and below the existing ridge line
- neither wrap around existing roof slopes, nor match nor exceed the ridge line
- on semi-detached or terraced properties, be set in approximately 1m from the party wall, flank wall or chimney

Proportion and scale – To retain a proper balance

- the window and the dormer frame to each side of the window, including cheeks, should be smaller than the window below it
- the entire dormer structure should be subordinate in the roof and should not occupy more than one third of the width or half the depth of the roof slope.
- dormer cheeks should be the minimum necessary to simply frame and support the window opening
- the pitch of the roof to the dormer should match that of the principal roof
- the window itself should reflect the style and design of those below.

Those dormers that are proposed are overly large, making the roof appear rather top-heavy and introduce a feature that is not in keeping with the village's established character and appearance.

Policy reasons regarding the acceptability of redeveloping the site, the proposals are not considered to preserve or enhance the character and appearance of the Conservation Area. From the point of view of the historic environment, the redevelopment could be considered acceptable if an appropriately and sensitively designed scheme came forward that reflected and took influence from the historic farmstead and form and style of agricultural buildings. As it stands, the proposals offer limited community benefits that does not outweigh the harm caused by the density and design of the development: this community benefit could still be provided with a revised scheme that is more appropriate in style, design, siting and density. Therefore the proposals are considered to be contrary to current planning policy, in particular:

Wiltshire Council's Core Strategy

CP57 states that 'development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality' and this is not considered to be the case with this proposal. The policy promotes good design, and 'good design helps to provide a sense of place, creates or reinforces local distinctiveness, and promotes community cohesiveness and social wellbeing. Wiltshire has a rich built heritage and its vibrant towns and villages are set within large expanses of open countryside which is valued for its tranquility and beauty as well as its environmental value. Enhancing the character of Wiltshire's countryside and settlements is of the utmost importance and, in order to do this, development must be informed by a thorough understanding of the locality and the development site' – none of the aspirations for design set out in this Core Policy are adhered to in the proposal.

CP58 'Ensuring the conservation of the historic environment' requires that the '*distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced. The potential contribution of these heritage assets towards wider social, cultural, economic and environmental benefits will also be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Core Policy 57 (Ensuring High Quality Design and Place Shaping)*'. The designs of the proposed dwellings, which include the introduction of non-traditional architectural elements that are not evidenced in the village, are considered to have a negative impact on the setting of the designated heritage asset, namely the East Kennett Conservation Area, causing it harm.

NPPF

Paragraph 193 states that '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*'.

Paragraph 196 states that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*'. Although considered less-than substantial, this is still harm to the heritage asset and a sensitive redesign of the dwellings that respect the farmstead character of the site and removes controversial elements could significantly reduce this harm. Although the redevelopment of the site could benefit the village, the design, style, density and form of development causes harm and this is not outweighed by the limited public benefit that is proposed as part of the proposal: this benefit could still be achieved with a revised scheme that addresses these concerns.

Paragraph 200 states that '*local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.*' The development fails to preserve the character and appearance of the conservation area and therefore causes harm to its setting.

Wiltshire Council Public Protection Officer

No objection subject to conditions to control hours of working and that no waste is burnt on the site during the demolition and construction phase of the development.

Wiltshire Council Archaeology

The Wiltshire and Swindon Historic Environment Record shows that the proposed development affects a heritage asset, known as Foxtwitchen, a historic farmstead which dates back to at least the 19th century. The Wiltshire and Swindon Farmsteads Project states the site consists of three sides of loose courtyard formed by working agricultural buildings with additional detached elements to the main plan. It goes on to state that the farmhouse is set away from the yard and there has been less than 50% loss of traditional buildings. The site is also situated within an area of settlement which dates back to the Saxon period, known as Cynetan in AD 939. The development site is situated on the periphery of the Avebury World Heritage Site and there is a high potential for prehistoric remains, with a group of possible barrows recorded only 80m to the south.

The Desk Based Assessment submitted with the application states that the development site is situated within the westernmost edge of the area suspected to be the site of the Saxon settlement, where an extensive series of earthworks forming small rectangular enclosures have been recorded, with building platforms, banks and hollow way. The Desk Based Assessment concludes that there is a moderate to high potential for prehistoric and medieval

archaeological remains within the areas proposed for development. It goes on to state that the remains may have been truncated by previous activity associated with building and construction of the barn, stables and Harestone House, or by activity associated with the farm.

In light of the conclusions of the Desk Based Assessment they recommend that a programme of archaeological investigation can be made a condition of planning approval. Following demolition of buildings on site, trial trench evaluation will need to be carried out and depending on the results further mitigation may be required.

There may be a requirement for building recording and on this matter they urge the Case Officer to discuss the necessity and appropriate level with the relevant Conservation Officer. On its impact on the World Heritage Site they urge the Case Officer to discuss this matter with the Stonehenge and Avebury World Heritage Site Partnership Manager.

World Heritage Site Officer

As set out in Policy 59 evidence is required to demonstrate that the development will have no individual, cumulative or consequential adverse effect upon the WHS and its OUV. This includes the physical fabric, character and appearance, setting or views into or out of the WHS.

It is disappointing to note that nowhere in the application is there specific evidence and explicit analysis of impacts on the World Heritage Site and its OUV. The Planning Statement does not mention Policy 59 or provide evidence to demonstrate impacts on the WHS even though the proposed development is within the setting of the WHS and pre-application advice was provided on the requirement for this. The Archaeological Desk based assessment does not refer to Policy 59 and in its bibliography, includes only the Consultation Draft of the WHS Management Plan (2014) despite the 2015 Management Plan having been available being on line for over 3 years.

The LVIA does mention the WHS and provide some relevant viewpoints although it is not designed specifically to discuss impact on the WHS as, in line with accepted LVIA methodology, it limits itself to “predicting possible effects from PRowS, roads, publicly accessible areas and residential properties within the study area.” In discussion with the WHSCU viewpoints could have been identified and agreed to specifically assess impacts on the WHS and its OUV. These would have included East Kennet Long Barrow and Bronze Age barrows to north and closer to the development.

The most relevant viewpoints included appear to be 6, 7 and 8. The development would be visible in these viewpoints. In order to assess its impacts more accurately photomontages would have been helpful with indications of the palette. This would have helped with ensuring the scale and layout are the least intrusive in sustained views from and into the WHS. It would also have assisted in identifying where mitigation in terms of choice of materials and palette would have been appropriate. Choice of an appropriate, muted minimally intrusive palette and non-reflective materials will be important in minimising intrusion.

Currently the limited evidence provided by the viewpoints do not indicate significant harm but further evidence will be needed to better assess impacts on the WHS and its OUV and ensure that the most appropriate and effective mitigation can be identified and agreed. Filtering by tree cover should not be accepted as effective mitigation if development is not demonstrated to be appropriate. Trees are not permanent features in the landscape setting.

I am very happy to advise on further evidence to assist in assessing impact and effective mitigation measures as required to protect the WHS and its OUV.

The proposed dwellings in this area are likely to increase light in the wider landscape extending the domestic footprint of the village. A scheme for limiting additional light pollution needs to be provided.

The Archaeological Desk based Assessment concludes that “there is moderate to high potential for prehistoric and medieval archaeological remains within the areas of the Site selected for development, within this proposal.” My colleague the County Archaeologist has advised on necessary archaeological assessment and mitigation.

8. Publicity

The application has been advertised by way of a site notice and neighbour notification letters. Around 10 letters of support have been submitted for the application as a response to this consultation process. The following is a summary of the main comments made:

- It will visually enhance the site with the removal of the large agricultural buildings and dilapidated sheds / stables.
- It will provide much needed facilities for the church – the only meeting place in the village
- It will provide much needed housing for the community and wider area
- It will reduce the amount of traffic down Church Lane
- It will reduce the amount of parking on Church Lane caused by visitors to the Church
- There is community support for the proposal
- Support for the scheme provided there is adequate drainage for the development and that the road can take the traffic associated with it
- Support provided there is good landscaping and materials for the dwellings

9. Planning Considerations

The starting point for the determination of this application under section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the decision be made in accordance with the development plan, unless material considerations indicate otherwise i.e. and for the purpose of Section 54a of the Town and Country Planning Act, the proposal must comply with the development plan as whole.

Principle of Development

East Kennett is defined as a Small Village where under Core Policy 1 and 2 new residential proposals are only acceptable in the form of infill development. For the purposes of Core Policy 2, infill is defined as a small gap within the village that is only large enough for not more than a few dwellings, generally only one (page 52 of the WCS). If a site is considered to be infill then a proposal will be supported where it seeks to meet the housing needs of settlements or provide employment, services and facilities provided that it:

- i. Respects the existing character and form of the settlement
- ii. Does not elongate the village or impose development in sensitive landscape areas
- iii. Does not consolidate an existing sporadic loose knit areas of development related to the settlement.

Looking at the definition of infill development, there are 3 questions to take from it that must be answered. They are as follows.

Does the site constitute a small gap?

The site contains a range of former farm buildings that have since been converted to stables and 2 no. dwellings. The site also contains a modern stable block on the western side. It is therefore not considered to be a small gap but rather a developed site; a site for that matter proposed to be redeveloped.

Is the site within the village?

The site is considered to be on the edge of the built up area of East Kennett. It is surrounded on two and half sides by open countryside / paddocks. Development on the edge of a village cannot be said to be development within it. For a site to be considered infill it should be sandwiched between groups of housing or other forms of development.

Is it only large enough for not more than a few dwellings (generally only one)?

The site is approximately 0.33 ha and can, as the plans demonstrate, accommodate more than a few dwellings. It therefore does not meet this part of the definition.

Setting aside the definition of infill to look at other parts of the policy, no evidence has been submitted to demonstrate that this development is required to meet the housing needs of the settlement. However, it is acknowledged that the provision of car parking facilities for the church and a WC would be providing a community facility for the benefit of the church. Support in principle for this part of the proposal is recognised. That said, it is unclear from the evidence provided why this benefit needs to be delivered alongside 4 new dwellings and substantial additions to another. A more muted scheme could achieve the same benefit.

With regard to the three Roman numeral points above, the scheme is not considered to respect the existing character and form of the settlement and would consolidate an existing sporadic loose knit area of development. These points will be covered in more detail in further sections of the report. It is accepted that the development would not elongate the village. Although it is clear that non-conformity with these points further exacerbates the conflict with Core Policy 2.

Whilst it is appreciated that equestrian development can be considered as 'brownfield land', it must be noted that this is not a trump card. Indeed, there is a preference for development of brownfield land over greenfield but this should not come at the expense of other local plan policy.

Design / Heritage Impact

The size of the site is fairly small for the comparatively different forms of development that are proposed on it. There is a range of architectural styles, materials, buildings heights and detailing employed across the site. The architecture of a farmstead would be one of much simpler form with less fussy design and a humbler palette of materials – as displayed within the existing historic buildings on the site and to a degree in the newer build elements. As the design rationale for the scheme appears to have been to create a development that reflected well the history of the site this seems to have been somewhat lost in translation.

Although now in equestrian use (the informal builders yard use being unauthorised and therefore forming no part of the considerations), the site retains its agrarian character and the proposed layout and design of the new dwellings and the alterations to the existing one, will erode this through a scheme that does not reflect well the history of the site as a former farmstead. East Kennett is very much influenced by agriculture as seen in Manor Farmhouse, Orchard Farmhouse and farmyards within the village and this makes up one of the key characteristics of the Conservation Area. Removal of these agricultural influences

erodes the historic value of the Conservation Area to a harmful degree. This would be contrary to the aims of CP 57 with regards to the developments response to the historic environment and the need for it to be sympathetic to and conserve historic buildings and landscapes. Ergo, it would also conflict with Core Policy 58 as it fails to protect or conserve the historic environment.

Furthermore, the density of development in relation to the sites immediate environs is notably higher. The neighbouring properties of Foxtwitchen, Pond House, Stonewalls, Manor Farm, Church View and Christ Church take the form of sporadic loose knit development. The introduction of higher density housing will consolidate this area of existing sporadic loose knit development that exists in this part of the village. By way of an example, the curtilage of Foxtwitchen is more or less the same size as the total for the 4 new dwellings. This will have a harmful character change to this part of East Kennett contrary to the designs principles set out in CP 57 – notably, point i (responding to the existing pattern of development) and point vi (appropriate development which relates effectively to the immediate setting...of the area).

The high density also results in a rather cramped form of development. Plot sizes are not in keeping with the surrounding area and thus the development overall, does not positively respond to the existing built form, a requirement of point iii of CP 57. The lack of planting in the site (as indicated on the plan entitled Mitigation Strategy in the LVIA) highlights the fact that the development is cramped as there is little space left to provide planting throughout the development. It is worth noting that the Conservation Area Statement states that a potential threat to the character and appearance of the Conservation Area is an excess of paved surfaces, including formal driveways – something which this development through its lack of planting and soft surfacing fails to prevent. It is evident therefore that the density of development negatively impacts upon the character and appearance of the Conservation Area.

Turning to the detailed design issues with each of the plots, the following comments are noted.

Plots 1-3 form a terrace. Whilst it is acknowledged that they have been designed to reflect the idea of a traditional brick agricultural or equine building, they will still appear overtly domestic in character, and, as the Conservation Officer has stated, more like Alms Houses than agricultural buildings. Furthermore, traditional agricultural or equine buildings do not typically contain rear projecting gables and / or porches. In addition, the enclosed amenity spaces and domestic paraphernalia will obviously add to the domestic character of the site.

Plot 4 is a large dwelling of differing form, materials and height. It is somewhat larger than the surrounding properties and thus sits out of character with the immediate environs. Whilst it is appreciate that it replaces a large modern shed it will domesticate this part of the site in the same manner as with Plots 1-3 (garden, domestic paraphernalia etc.)

The extensions to Harestone House are large and will add considerably to the footprint of the building. As an historic agricultural building its current form still retains this character to a reasonable degree. The addition of non-traditional elements such as the large dormer windows, rear projecting gables and attached garage will alter the character of this building significantly such that the ability to read the building as a former agricultural one will be all but lost. This will further erode the agrarian character of the site. Furthermore, the East Kennett Conservation Area Statement states that *“the insertion of rooflights, or inserted dormers on prominent roof slopes, would be inappropriate in relation to the architecture of the village”* (page 9). The design approach taken for the extension and alteration of Harestone House will therefore have a negative impact on the East Kennett Conservation Area.

The design approach taken for the dwellings is considered not to reflect the history of the site and the wider agricultural influences of the village. The Conservation Officer has stated that no reference has been made to Wiltshire's Historic Farmstead Guidance which is something that was brought to the applicant's attention at pre-application stage – with none of the dwellings reflecting any agricultural style. Whilst the Conservation Officer and the Case Officer are in agreement that a pastiche of the old is not necessarily the appropriate way forward for the site, the character of the site and this form of buildings should be a starting point to influence the character and design of any development proposals, even if this is taken to be a modern interpretation of more ancillary building types. At present, the design of the dwellings conflicts with the design principles set out in CP 57, which in turn causes harm to the character and appearance of the East Kennett Conservation Area contrary to CP 58 and policy within the NPPF.

Visual Impact

Core Policy 51 of the WCS requires development to protect, conserve and where possible enhance landscape character. It must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as practically possible.

The site takes advantage of some existing boundary screening in the form of mature hedging and trees. Nevertheless, there are still open elements to the site that border the agricultural fields. It is accepted that the existing modern buildings on the site are not of aesthetic quality within the landscape. However, this is not uncommon with agricultural buildings as they are designed to be functional buildings that are there to meet the needs of the farm, usually storage. It does not mean that they are appropriate in the landscape and are often erected under permitted development rights without the same controls by the LPA.

Furthermore, these buildings were erected when the site was in use as a farm or equestrian enterprise and as such tied in with these uses and the more historic farmstead buildings. Although it can be argued that they are not of any architectural merit they have never looked out of character by reason of this point. The former farmstead offers an important transition between the main built form of the village and the countryside beyond which is, a common arrangement throughout many villages in Wiltshire and the countryside alike (indeed East Kennett, rich in its farming history reflects this tradition well with the former farmsteads petering out the village out at the end of the lanes). It gives a sense order to the architecture and a degree of ranking to the importance of the buildings - the 'urban' core of the village, with its more formalised housing and being of higher importance to the informal and simpler formed agricultural buildings that surround it. This provides the appropriate transition between the settlement and countryside beyond, offering a softer and more appropriate transition to the more modern, harsh urban edge, formed by close boarded fencing and estate style dwellings that is unfortunately, all too often seen these days. The proposed development would upset this balance.

Landscape Character

The introduction of housing where currently there lies former agricultural /equestrian buildings would change the landscape character of the site introducing urbanising features into what is currently a very rural landscape. It would in a sense extend the residential element of the village outwards to the south west. East Kennett Lies on the boundary between Type: 1A Horton Downs and Type: 5A Kennet Chalk River Valley of the Wiltshire Landscape Character Assessment. One of the main conservation aims within these landscapes, as set out in their Character Assessments, is to prevent urban sprawl. Extending the residential element of the village outwards at a density that is not in keeping with the site environs would very much constitute urban sprawl. This would have a harmful and permanent character change to the landscape and would create a more defined and harsher urban edge. Even the proposed planting will bring a degree of formality to the garden edges and thus will not be able to truly combat the issue. Given the sensitivity of the landscape

(part of the site is within the Conservation Area and the whole of it is within the AONB and setting of the Avebury World Heritage Site) the susceptibility to change is something that should be very carefully managed to avoid insensitive and harmful character changes. It worth noting that paragraph 172 of the NPPF states that great weight should be afforded to conserving the landscape and scenic beauty of AONBs as they have the highest status of protection.

Visual effects

Officers consider the main landscape harm to derive from character change. However, the knock-on effect of this harmful character change is on the visual receptors that run past the site or near to it. The existing former farm complex offers a visual transition from village to countryside and a much softer developed edge for those walking along the PRoW to the south west of the site. The introduction of 4 additional houses, car parking, extensions to the existing dwelling and an overall domestic feel to the site would have a pronounced visual effect on this part of the village; both from views obtained when leaving the village along EKEN5 and when approaching the village on it. Mitigation against some of these impacts through landscaping is proposed but this does not make the visual effects acceptable. As mentioned above, the site being within the AONB with much of the surrounding landscaping designated as World Heritage Site means these visual receptors are of elevated importance. Certainly given the fact that much of the villages is surrounded by higher ground affording more distance views of the site.

It is clear from the above points that there is conflict with Core Policy 51 of the WCS as the development would not be considered to conserve landscape character. Whilst, it is appreciated that the site is currently vacant, and without maintenance or upkeep, this in itself should not be reason alone to sweep aside the visual impacts the proposed development would have. Furthermore, the elements of the site considered untidy by virtue of the informal storage of building materials are not something which should influence this decision. This use is unauthorised and therefore, is not the fallback use of the site. The matter can be addressed separately through the Council's Planning Enforcement Team.

Highways Safety / Parking

The likely vehicle movements associated with the residential use will not result in a significant detrimental impact on the surrounding road network.

The Local Highways Authority (LHA) accept the layout for the site in regards to parking. They request that it should be provided as per the layout drawing, which, in the event the application was being recommended for approval could have formed one of the conditions.

The LHA also think a Construction Management Statement should be conditioned to include pre-construction photographs and details of types and size of vehicles, working hours, site staff parking, mud mitigation etc. Your officers would have considered this condition necessary to protect the amenities of the surrounding area if the application was being recommended for approval.

Neighbour Amenity

The nearest dwellings to the proposed development are Foxtwitchen and The Old Dairy (excluding Harestone house as it forms part of the development scheme). The proposed dwellings have been designed to ensure that there will be no loss of privacy to these dwellings as no windows are positioned in close enough proximity to cause overlooking. The dwellings also sit a sufficient distance away such that they will not cause any loss of light or have an overbearing impact upon the occupiers of these properties. No other dwellings stand to be affected by the development.

With regard to the amenity of future occupiers of the development itself, Core Policy 57 requires a reasonable standard to be achieved. As noted previously, the development appears somewhat cramped and this is likely to give rise to amenity issues. Such issues are symptomatic of high density developments

This is evident when looking at Plot No. 4. It contains a window at first floor level in the North East (End) Elevation that directly looks out on the rear garden of Harestone House with a separation distance between the two entities of just 4.7m (acceptable standards are usually 10.5m). It also contains a window at first floor level in the South East (Gable) Elevation that faces directly towards Plot No. 3 at a distance of just 6.8m to the boundary. This window will look across the rear garden of Plot No. 3 and directly down to the corner window serving bedroom 2 of this property.

Further evidence is seen when assessing the proposed parking for the development. Each property within the terrace (Plots 1-3) requires two off road parking spaces to be provided to meet Council standards. When looking at Plot 2, it appears that parking for this property is in part provided on Plot 1. This is an unsatisfactory arrangement that will cause noise and disturbance issues to Plot 1 - notably as it is a single storey dwelling and this parking space is right outside a bedroom window.

Whilst it may be possible to design out some of these issues, this is likely to come about from a reduced scheme. Whilst officers accept that there may be a certain degree of buyers beware (as these are new dwellings), at present, it is not considered that an appropriate standard of amenity is achieved for future occupiers of the development site that would accord with the high design requirements of CP 57.

Archaeology / World Heritage Site

In light of the conclusions of the Desk Based Assessment they recommend that a programme of archaeological investigation is made a condition of planning approval. Following demolition of buildings on site, trial trench evaluation will need to be carried out and depending on the results further mitigation may be required. In the event the application was being recommended for approval, your officers conclude that this matter could have been conditioned accordingly.

The World Heritage Site Officer has supported the scheme subject to conditions. They have concluded that despite no reference being made to the WHS in the applicants submission, the limited evidence provided suggest it is unlikely to have a significant impact upon any attributes of Outstanding Universal Value. The design issues raised by the World Heritage Site Officer are concerns raised by the Case Officer through other policies (CP 51, 57 and 58) of the local plan. It is therefore not necessary to replicate them here.

Impact to Ecology

The buildings were inspected for the presence of bats. To a large extent the buildings provide suboptimal conditions for bats and therefore, their presence was unlikely. The report however confirms that no bats species were found to be present on the site. Provision of a bat box or bat tiles on the site to provide a suitable roosting place for crevice dwelling bats is to be provided. It is suggested by the applicant that this can be provided via a planning condition.

Nesting birds were found on the site, predominately under the eaves of the buildings. The Ecology Report outlines measures to provide suitable replacement habitats for nesting birds. The applicants have stated that the type and number of these can be controlled via planning condition.

In the event the application was being recommended for approval, these conditions could have been imposed to ensure adequate compensatory habitat is provided for nesting birds and that biodiversity enhancement is secured for bat species.

On this basis, there are no ecology objections on the site.

Drainage

The original information submitted to cover surface water drainage on the site was considered inadequate by the Drainage Officer. Further details were supplied by the applicant but still do not contain the level of information that the Drainage Officer was after.

The area is shown at risk of groundwater flooding on EA mapping, and is not much higher in elevation than the River Kennet, which is a known winterbourne (groundwater fed) watercourse. It is therefore likely that while the local chalk does have good drainage properties, this will not work if the local groundwater levels inhibit infiltration.

Infiltration testing results to BRE 365 standards and evidence that any proposed soakaway has a clearance of at least 1m from the groundwater level, allowing for seasonal variations would need to be supplied to demonstrate soakaways would work on the site. In spite of the latest comments from the Drainage Officer, your officers are satisfied that this could be dealt with via a suitably worded planning condition to ensure no work commenced until a scheme for the discharge of surface water from the site was submitted to the LPA for approval. Such a condition would have been added in the event the application was being recommended for approval.

In any event, the applicants will require land drainage consent from the Lead Local Flood Authority (the Council).

10. Planning Balance / Conclusion

Harms

The proposed development would be contrary to Core Policy 2 of the WCS as the proposal does not constitute infill development. It is therefore not considered to be acceptable in principle.

The design does not meet the high standards required by Core Policy 57 of the WCS as it fails to respond positively to the history of the site, the surrounding area and the pattern of development for this part of East Kennett. Furthermore, by virtue of the cramped form of development, it fails to achieve appropriate levels of amenity for future occupiers of the site.

As a result of the loss of the agrarian character of the site, and the suburban influences introduced by a high density residential scheme, the character of the landscape will undergo a permanent and harmful change where the soft transition between urban and rural is lost by the breaking down of the hierarchy of buildings – the farm buildings on the edge of the village, functional and associated more with the surrounding countryside and the dwellings associated with the built form of the village. The result is the creation of a form of development that is unacceptable within this sensitive AONB landscape. This is contrary to Core Policy 51 of the WCS that seeks to preserve or enhance landscape character.

Less than substantial harm is caused to the character and appearance of the East Kennett Conservation Area. Paragraph 196 of the NPPF states that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”* See paragraph below for an appropriate assessment of this.

Benefits

The scheme will provide dedicated car parking facilities for the church, removing the current demands on Church Lane. It will also provide a WC for the Church. As the only meeting space within the village, these facilities will make it a more attractive venue for events beyond the regular church services. For the purposes of paragraph 196 of the NPPF this would be considered a public benefit. However, it has not been made clear why a scheme of 4 houses is required to deliver these benefits. This somewhat tempers with the weight that is therefore attributed to this benefit. Furthermore, the harm arising from the redevelopment of the former farmyard upon the Conservation Area is not outweighed by these public benefits as it seems these could be delivered without causing the level of harm that this scheme does.

The removal of the large agricultural building and stable blocks would open up the site, providing enhanced views of the Church from the EKEN5 and would improve the setting of the villages Conservation Area. A conservation benefit results here which, is a public benefit in its own right. It would also be beneficial to the landscape as these buildings are not of architectural merit. However, this benefit is all but cancelled out by the introduction of 4 No. dwellings which in themselves cause harm to the historic environment. As such, this public benefit is not considered to outweigh the harm.

The scheme has not accrued any technical objections from the Local Highways Authority, the Council's Public Protection Team and the County Archaeologist. The LPA is also satisfied that matters relating to surface water drainage and ecology on the site can be controlled via the use of planning conditions. These points obviously weigh in favour of the scheme.

Conclusion

The benefits of the scheme are indeed noted and weight is given to the positive impacts this may have on the village. However, the clear and evidential conflict with development plan policy (CP 2, 51, 57 and 58) carries with it sufficient weight such as to greatly outweigh the benefits of the scheme. As a result, the scheme cannot be considered to comply with the development plan as a whole. Material considerations, including the policies contained within the NPPF do not indicate a decision should be made otherwise. Accordingly, your officers request that the scheme be refused in line with the recommendations raised below.

RECOMMENDATION:

That planning permission be refused for the following reasons:

1. The proposed development is not considered to be infill development as it is not a small gap within the village that is large enough for not more than a few dwellings, generally only one. Furthermore, it does not respect the existing character and form of the settlement and would consolidate an existing area of sporadic loose knit development. As such, it fails to comply with the criteria of Core Policy 2 of the Wiltshire Core Strategy that pertains to development at Small Villages.
2. The proposed development by virtue of its design, layout and density would conflict with Wiltshire Core Strategy Core Policy 57 point i which requires development to enhance local distinctiveness by relating positively to the existing pattern of development, to point iii which requires development to respond positively to the existing townscape in terms of building layout, form, height, mass, scale, plot size and materials, to point iv, which requires development to be sympathetic to the historic environment and to point vi, which requires development to be appropriate to the immediate setting of the site and

the wider character of the area.

3. The proposed development would cause harm to the character and appearance of the Conservation Area by virtue of its poor design which erodes the agrarian character of the village and fails to respect the historic value of the East Kennett Conservation Area. Whilst this harm is considered to amount to less than substantial harm in the context of the NPPF (requiring there to be public benefits to outweigh this harm in order to grant planning permission), no public benefits have been identified which are considered to outweigh the harm to the heritage assets (NPPF paragraph 196).

The proposal is therefore considered to be contrary to Core Policy 58 of the Wiltshire Core Strategy; guidance within the PPG and NPPF (especially paragraph 196), and the duty placed on the Council under sections 72 of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

4. The proposed development would harm the amenity of existing occupants by virtue of overlooking from first floor windows, and would not ensure that appropriate levels of amenity are achievable within the development itself by reason of noise and disturbance from the proposed parking areas and through overlooking of private amenity spaces and a bedroom window. As such, the proposal is contrary to Core Policy 57 point vii of the Wiltshire Core Strategy 2015.
5. By virtue of the loss of the agrarian character of the site, the suburban influences introduced by a high density housing scheme, and by extending the residential element of the village outwards, the character of the landscape will undergo a permanent and harmful change. The scheme is not considered to protect, conserve or enhance landscape character and is therefore contrary to Core Policy 51 of the Wiltshire Core Strategy 2015 and to central government policy contained within the National Planning Policy Framework 2018, notably, paragraph 172 that places great weight on the importance of conserving AONB landscapes.



This page is intentionally left blank