

# AGENDA

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**Meeting:** Eastern Area Planning Committee

**Place:** Wessex Room - The Corn Exchange, Market Place, Devizes, SN10 1HS

**Date:** Thursday 8 September 2022

**Time:** 3.00 pm

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Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718221 or email [stuart.figini@wiltshire.gov.uk](mailto:stuart.figini@wiltshire.gov.uk)

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

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## Membership:

Cllr Philip Whitehead (Chairman)

Cllr Paul Oatway QPM (Vice-Chairman)

Cllr Dr Brian Mathew

Cllr Kelvin Nash

Cllr Sam Pearce-Kearney

Cllr Tony Pickernell

Cllr Iain Wallis

Cllr Stuart Wheeler

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## Substitutes:

Cllr Mel Jacob

Cllr Jerry Kunkler

Cllr James Sheppard

Cllr Caroline Thomas

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## **Recording and Broadcasting Information**

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## **Public Participation**

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

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

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

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

# AGENDA

## Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 26 May 2022.

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 **no later than 10 minutes before the start of the meeting**. If it is on the day of the meeting registration should be done in person.

The rules on public participation in respect of planning applications are linked to 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 Thursday 1 September 2022 in order to be guaranteed a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Monday 5 September. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Appeals and Updates** (*Pages 13 - 14*)

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 **PL/2021/11543 - Mill Lane, West Lavington, SN10 4HS** (*Pages 15 - 34*)

Demolition of the existing buildings and construction of 19 affordable homes together with associated parking, access and landscaping.

7b **PL/2022/04255 - O and S Self Storage Units, Lockeridge, SN8 4ER** (*Pages 35 - 48*)

Demolition of existing open-sided, steel-framed storage barn (54 sqm). Installation of 10 x Storage containers (144 sqm).

7c **PL/2022/04676 - Bourne Farm, Preston, Ramsbury, Marlborough, SN8 2HF** (*Pages 49 - 64*)

Erection of 1 No new dwelling in lieu of renewed temporary permission of use of mobile home as agricultural workers accommodation.

8 **Urgent items**

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

**Part II**

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

**NONE**

## **EASTERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 26 MAY 2022 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.**

#### **Present:**

Cllr Philip Whitehead (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Dr Brian Mathew, Cllr Kelvin Nash, Cllr Tony Pickernell and Cllr Iain Wallis

#### **Also Present:**

Cllr Dominic Muns

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#### **22. Apologies**

Apologies were received from Cllr Sam Pearce-Kearney and Cllr Stuart Wheeler.

#### **23. Minutes of the Previous Meeting**

The minutes of the meeting held on 24 March 2022 were presented for consideration.

#### **Resolved:**

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

#### **24. Declarations of Interest**

There were no declarations of interest.

#### **25. Chairman's Announcements**

There were no Chairman's announcements.

#### **26. Public Participation**

The Chairman detailed the procedure for the meeting and the procedures for public participation which were set out at item 5 of the agenda.

#### **27. Planning Appeals and Updates**

**Resolved:**

**To note the report on completed and pending appeals.**

28. **Planning Applications**

The following planning application was considered:

29. **PL/2021/09496 - Land at Dauntsey's School, West Lavington**

Public Participation:

- Peter Storey – spoke in objection to the application
- Philip Richardson – spoke in objection to the application
- Mark Lascelles – Head Teacher - spoke in support of the application
- Brett Farmery – Highways Consultant - spoke in support of the application
- Cat White – Turley Planning - spoke in support of the application
- Julia Ford, West Lavington Parish Council – spoke in objection to the application

Ruaridh O'Donoghue, Senior Conservation/Planning Officer introduced the addendum report and reminded the Committee that the planning application had been deferred at its last meeting on 24 March 2022 for additional highways information, which included the highways impacts associated with the development. The addendum report recommended that planning permission be approved, for reasons detailed in the report, for the development of a coach, mini-bus and taxi drop-off / pick up area and associated infrastructure.

The officer advised that the main issues to be considered by the Committee related to whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed development and what the fallback position is. All other issues raised in the previous report remained the same and these were detailed in the appendix to the addendum.

The Committee noted that currently 14 vehicles entered the school through the main drive and exited onto the B3098 with the majority routing back to the A360 High Street as the B3098 would not be suitable for use by coaches due to the inadequate carriageway width to enable two coaches to pass side by side. In the opinion of the Local Highway Authority the proposed additional movements on the A360 would not have a negative impact on other users. In addition, the officer commented on the school's fallback position, in that the proposal does not constitute a change of use, and the existing hardstanding could be replaced without the need for planning permission.

The officer explained that his conclusion is that the scheme is considered to accord with the development plan policy and is acceptable, therefore planning permission is recommended subject to the conditions set out below.

The report detailed the additional responses to the further information supplied in respect of the highway impacts.

In response to technical questions asked by the Committee, the officer confirmed that only one minibus turns left onto the B3098 from the school, whilst all other coaches/midi coaches / minibuses turn right and route back to the A360; officers are unable to insist on mature planting on site by the applicant; the lighting condition allows for an agreed lux level, allowing the school to function and have minimum impact on local residents and detail about turning vehicle engine and lights off when stationary would be included in the Travel Plan.

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

The unitary division member, Cllr Dominic Muns spoke on the application. Cllr Muns indicated that he supported the schools drive to improve the safety of all users of the site, although he had concerns about the increase in coaches using the A360, other highway and environmental impacts associated with the development. He further referred to the additional highways comments and indicated that he was not convinced about the safety of the proposals, especially for the users of the crossing in the vicinity of the school.

In response to issues raised during public participation and the Unitary Member statement, the planning officer explained that in relation to queries about the proposals generating additional air pollution, there would be no increase in vehicle movements entering or exiting the school site; coaches would not impact traffic flows on the A360; there were no heritage issues arising from the application and no impact on future planning applications; users of the school site during match days would be made aware of the conditions detailed in the Travel Plan; there was no collision history on the pedestrian crossing on the A360 in the vicinity of the school and options to upgrade the crossing could not be justified due to the lack of collision history.

So that the Committee had something to debate the Chairman proposed a motion to approve the application, with reasons detailed at pages 63-66 of the agenda, as per the officer recommendations.

A debate followed where Members commented on the parking plan detailed in the report and suggested that smaller vehicles could exit the school site via the rear exit onto the B3098. The Chairman reminded members that this suggestion could not be considered further as it was not part of the planning application. The Travel Plan would remain flexible to allow for additional issues to be included in the Plan as it evolved over time. Officers confirmed the current vehicle movements once they had exited the school site. The new exit would have a sufficient splay in order to allow vehicle operators appropriate visuals. The environmental impact was still a concern to some members of the Committee. One member welcomed the new application for the improvements to vehicle movements around the school site.

At the conclusion of the debate, it was

**Resolved:**

**That Planning Permission is granted subject to the following conditions:**

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

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

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

- Dwg Ref: 2008-2822 C Design & Access Statement
- Dwg Ref: 2001 C Location Plan
- Dwg Ref: 2100 H Proposed Site Plan
- Dwg Ref: 2 200 A Site Section A - Existing and Proposed
- Dwg Ref: 2 201 A Site Section B - Existing and Proposed
- Dwg Ref: 2 202 A Site Section C - Existing and Proposed
- Dwg Ref: 2 203 A Site Section D - Existing and Proposed
- Dwg Ref: 7310/02 Rev E Engineering Layout
- Dwg Ref: Figure 1 001 Ecological Parameters Plan

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

3. Prior to the commencement of development, an updated Biodiversity Net Gain (BNG) calculation will be carried out, based on the final layout of the site. Submission of the unlocked Biodiversity Metric spreadsheet used to calculate BNG is required (Biodiversity

Metric 3.0), accompanied by site maps referencing the current measured habitats within the site and those proposed for BNG.

**REASON:**

In the interests of conserving biodiversity in accordance with paragraph 180 of the National Planning Policy Framework.

4. No external lighting shall be installed on-site until plans showing:
  1. the type of light appliance;
  2. the height and position of fitting;



3. illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21);
4. a lux plot demonstrating that a level of 0.5Lux (unless an alternative lux level is agreed with the local planning authority in writing) can be achieved at the edges of features with potential function for wildlife;
5. the operational times of the lighting.

have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and maintained in accordance with the approved details, shall not be varied in design and no additional external lighting shall be installed without prior written consent of the LPA.

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

5. The development hereby approved shall be carried out in accordance with the surface water drainage strategy Issue 1 by Cole Easdon Consultants Limited and dated September 2021.

**REASON:** To ensure that the development can be adequately drained in accordance with paragraph 167 of the National Planning Policy Framework.

6. All soft landscaping comprised in the approved details of landscaping (Dwg No. 2100 G) shall be carried out in the first planting and seeding season following 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. The development hereby approved shall be carried out in full accordance with the Arboricultural Method Statement by Assured Trees Arboricultural Consultancy and dated 7th September 2021.

**REASON:** In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during or post construction works taking place and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

8. Prior to the first use of the development hereby approved the Council shall be provided with written evidence of the contract between the school and operator outlining the timing of operation of coaches to ensure that vehicles enter and leave at the same time, minimising conflicting vehicle movements. This should include agreement to ensure that engines are switched off promptly and headlights only used during the operation of the vehicles and not left on. The details of which shall be monitored and managed by the school via their travel plan and monitored by the Council's School Travel Plan co-ordinator.

**REASON:** In the interests of the amenity of the highway users.

9. Prior to first use of the development hereby approved the displaced parking shall be replaced within the site as per the submitted details.

**REASON:** In the interests of the amenity of the highway users.

**Informatives: (1)**

The granting of planning permission does not entitle a developer to obstruct the legal line of a public right of way. It cannot be assumed that because planning permission has been granted that an order for the diversion or extinguishment of the right of way will invariably be made or confirmed. The right of way must be kept open at all times until an order has been confirmed and the alternative path has been certified by Wiltshire Council.

30. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.00 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services,  
direct line 01225 718221, e-mail [stuart.figini@wiltshire.gov.uk](mailto:stuart.figini@wiltshire.gov.uk)

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

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**Wiltshire Council  
Eastern Area Planning Committee  
8<sup>th</sup> September 2022**

Planning Appeals Received between 13/05/2022 and 26/08/2022

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
20/07433/FUL	Land NE of Redhouse Farm Roundaway Lane Clanville, SP11 9JE	Chute Forest	Material change of use of land to caravan site for occupation by Gypsy family with associated development (utility building, alterations to access, access track and hardstanding and installation of septic tank) and agriculture.		Hearing	Refuse	31/05/2022	No
PL/2021/06348	Rabley House, Mildenhall Marlborough, SN8 2LW	Mildenhall	Retrospective installation of stable windows and external door to tack room to existing barn and external lighting	EAPC	Written Representations	Approve with Conditions	08/07/2022	Yes
PL/2021/07810	1 Bedwyn Common Marlborough, SN8 3HZ	Great Bedwyn	Change of use of existing residential annexe to self-contained dwelling including the provision of 2 car parking spaces. No change proposed to plan and elevations of the building.	DEL	Written Representations	Refuse	19/05/2022	No
PL/2021/10170	86 & 87 Church Street, Great Bedwyn, Wiltshire SN8 3NX	Great Bedwyn	Erection of a single storey three bedroom house.	DEL	Written Representations	Refuse	06/07/2022	No
PL/2022/00359	Land at The Old School, Fittleton, SP4 9QA	Fittleton cum Haxton	Erection of a new dwelling with associated access and parking (Revised Scheme)	DEL	Written Representations	Refuse	29/06/2022	No

Planning Appeals Decided between 13/05/2022 and 26/08/2022

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
PL/2021/03423	Close Farm, Close Lane, Devizes, Wiltshire, SN10 5SN	Marston	Conversion and extension of a stable to form a 4-bedroom dwelling, the change of use of a storage building to a stable, the cladding of the proposed stable and an existing store, hard & soft landscaping and associated works.	DEL	Written Reps	Refuse	Dismissed	17/08/2022	None
PL/2021/04264	Land south of Bell House, Lydeaway, Wiltshire, SN10 3PS	Urchfont	Outline application with all matters reserved for erection of 6no. dwellings (2no. affordable starter home dwellings) and associated development	DEL	Written Reps	Refuse	Dismissed	18/07/2022	None
PL/2021/04939	Rear Barn, Land at Devizes Road, Potterne, SN10 5LN	Potterne	Demolition of existing light industrial building and erection of single residential dwelling	DEL	Written Reps	Refuse	Appeal Withdrawn	06/07/2022	None
PL/2021/08120	Fosburys Field, Crowood Lane, Ramsbury, SN8 2SQ	Ramsbury	Conversion and extension of stable block and barn to holiday letting accommodation	DEL	Written Reps	Refuse	Dismissed	27/05/2022	None

## REPORT FOR EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	8 <sup>th</sup> September 2022
<b>Application Number</b>	PL/2021/11543
<b>Site Address</b>	Mill Lane, West Lavington, SN10 4HS
<b>Proposal</b>	Demolition of the existing buildings and construction of 19 affordable homes together with associated parking, access and landscaping.
<b>Applicant</b>	Aster Communities
<b>Parish Council</b>	West Lavington Parish Council
<b>Electoral Division</b>	The Lavingtons
<b>Type of application</b>	Full Planning Permission
<b>Case Officer</b>	Nick Clark

### Reason for the application being considered by Committee

The application is before the Eastern Area Planning Committee at the request of Councillor Muns for the committee to consider the visual impact, the relationship to adjoining properties, design (bulk, height, general appearance), environmental or highway impact and the 'loss of the current property status (supporting elderly residents) in favour of young families catered for as part of the 50 houses going into Lavington Lane site'.

#### 1. Purpose of Report

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

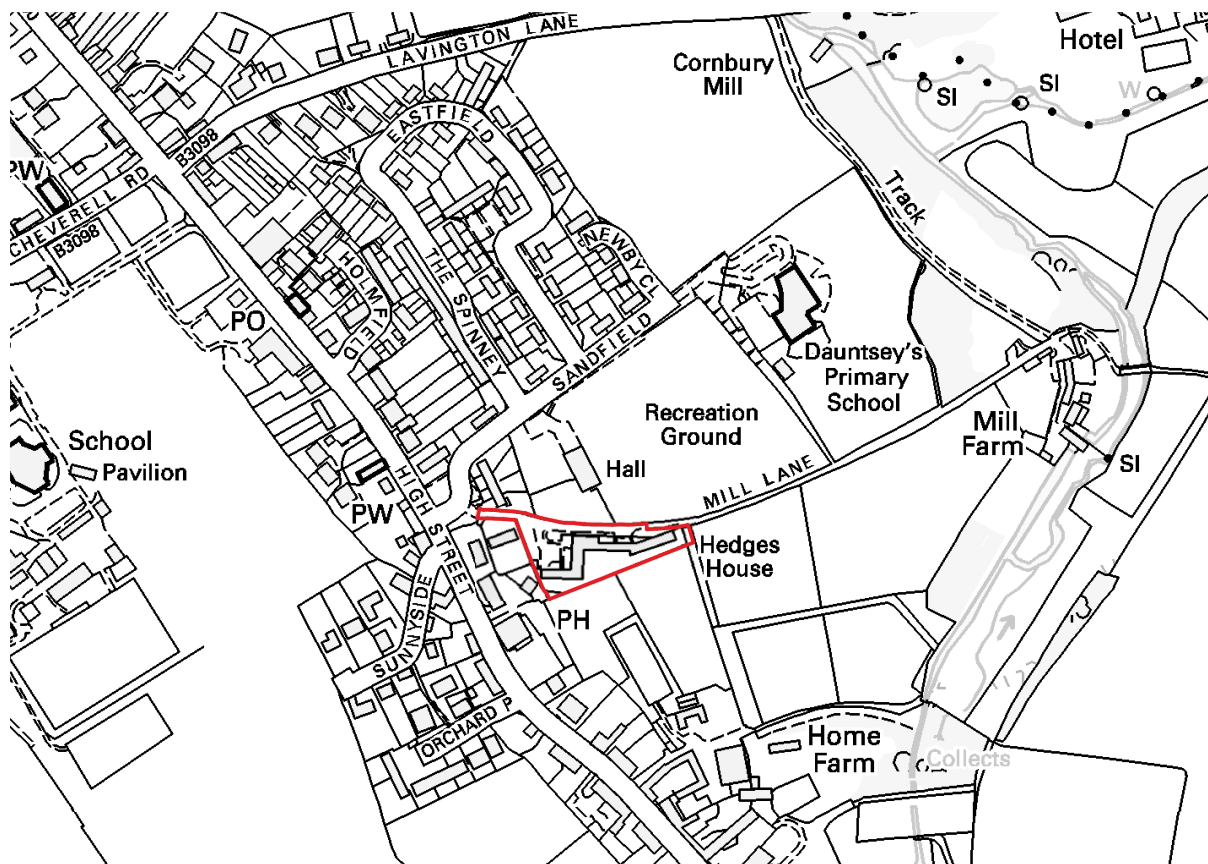
#### 2. Report Summary

The principle of redevelopment of the site is supported both by the Wiltshire Core Strategy and the West Lavington Neighbourhood Plan. The main concerns raised by objectors relate to the loss of a dedicated development for elderly accommodation, impacts in terms of traffic, neighbour amenities and the character of the area. Whilst the development would inevitably result in some changes in these respects, the report concludes that the impacts (and other impacts also considered) would not be material so as to support refusal of the application.

#### 3. Site Description

The application site is on the eastern edge of the village of West Lavington, where it is accessed from the High Street along Mill Lane, a macadamed public bridleway that also serves as vehicular access to a number of properties further east. The site is known as Hedges House, and is a 1 & 2-storey retirement housing scheme of 20 dwellings built in 1963.

It is set on the south side of Mill Lane, opposite the West Lavington Village Hall and Recreation Ground. Open countryside lies to the east and south, with residential properties to the west, but the site lies within the defined settlement boundary.



*Location plan*

#### 4. Planning History

There is no planning history of direct relevance. It is understood that Hedges House was built in 1963 by the local authority before being transferred originally to Sarsen Housing association in the late 20<sup>th</sup> century. It is currently owned by Aster Communities.

#### 5. The proposals

Hedges House (now vacant and fenced off) is proposed to be demolished and the site redeveloped to provide 19 x 2-storey affordable dwellings as detached, semi-detached and terraced properties.

The proposals have been revised during the course of assessment, principally with a reduction in the height of some of the dwellings and changes to the layout to provide increased separation from a neighbouring property. The amendments have been subject to full re-consultation.



## Considered drawings and details:

Location Plan	6482-P-001 A
Existing Site Layout	6482-P-102 A
Proposed Site Layout*	6482-P-100 C
S.106 Layout Plan ***	6482-P-110 A
Ecological Enhancement & Boundary Treatments Plan*	6482-P-103 C
Plots 1 & 2 (floor plans)	6482-P-200
Plots 1 & 2 (elevations)	6482-P-700
Plots 3, 4 & 5 (floor plans)	6482-P-201
Plots 3, 4 & 5 (elevations)	6482-P-701
Plots 6 & 7 (floor plans)	6482-P-202
Plots 6 & 7 (elevations)	6482-P-702
Plots 8 & 9 (floor plans)	6482-P-203
Plots 8 & 9 (elevations)	6482-P-703
Plot 10 (floor plans)	6482-P-204
Plot 10 (elevations)	6482-P-704
Plots 11, 12 & 13 (floor plans)	6482-P-205
Plots 11, 12 & 13 (elevations)	6482-P-705
Plots 14 - 19 (floor plans)*	6482-P-206A
Plots 14 - 19 (elevations)*	6482-P-706A
Illustrative Street Scenes	6482-P-800 A
Maisonette Bin Store Elevations	6482-P-707
Maisonette Cycle Store Elevations	6482-P-708
Arboricultural report	V1.0
Design & Access Statement	6482-P-4000 Rev. B
Ecological Impact Assessment	061CART100 v.2.0
Landscape and Visual Impact Assessment	
Flood Risk Assessment and Drainage Strategy**	203.5001/FRA&DS/2
Surface Water & Foul Water Drainage Design**	203.5001.501 A
Planning Statement	
Transport Statement	203.0001/TS/2

\* Revised drawings received May 5<sup>th</sup> 2022

\*\* Received 26<sup>th</sup> April 2022

\*\*\* Received 13<sup>th</sup> June 2022

## 6. Local Planning Policy

### [Wiltshire Core Strategy](#)

#### SPATIAL VISION

CP1	Settlement strategy
CP2	Delivery strategy

AREA STRATEGIES

CP12 Devizes Area Strategy

DELIVERING THE SPATIAL OBJECTIVES: CORE POLICIES

CP43 Providing affordable homes

CP45 Meeting Wiltshire's housing needs

CP46 Meeting the needs of Wiltshire's vulnerable and older people

CP50 Biodiversity and geodiversity

CP51 Landscape

CP57 Ensuring high quality design and place shaping

CP62 Development impacts on the transport network

CP64 Demand management (parking)

CP67 Flood risk

CP68 Water resources

CP69 Protection of the River Avon SAC

West Lavington Neighbourhood Plan 2017-2026

BE1 Settlement Boundary

BE2 Design of New Development/Local Distinctiveness

BE3 Highway Impact

NE2 Setting of West Lavington Parish

Other policies and guidance

[National Planning Policy Framework](#) (revised 20<sup>th</sup> July 2021)

[Planning Practice Guidance \(national\)](#)

**7. Summary of consultation responses** (original plans)

West Lavington  
Parish Council:

Objections:

"After lengthy consideration and detail discussion at their February 3rd meeting the Councillors were unanimous in voting to object to this application.

The principal reason for objection was the lack of provision for the elderly. Despite the Design and Access Statement referrals to numerous NPPF, Core Strategy and Neighbourhood Plan policies, it was felt the proposal did not realize the full potential of the assets of the site. These present a unique opportunity to provide for the elderly that is being lost. The proposal does not satisfy the NPPF, Core Strategy and neighbourhood Plan policies listed to.

There was a majority objection to the proposed two storey development at the east end of the site. It was considered that proposing two storeys in this peninsular part of the development would be an undesirable protrusion into the open landscape between the Recreation Ground to the north and farm land to the south.

It was noted that care has been taken to give visual variety in the identity of separate structures but this was reduced with the use of identical porches.

	It was also noted that there have been questions regarding the ownership of Mill Lane where it runs adjacent to the site which raised concerns over the area delineated as site”
Wiltshire Council Highways	No objection. Suggested conditions.
Wiltshire Council Drainage:	Objections but suggested conditions
Wiltshire Council Education:	No comments
Wiltshire Council Housing:	No objections. Planning obligation needed to secure 6 of the homes (30% of total) as affordable housing.
Wiltshire Council Conservation Officer:	No objection
British Horse Society:	No objection
Other:	13 objections and comments received, raising principally: <ul style="list-style-type: none"> <li>• Loss of accommodation for the elderly</li> <li>• Neighbourhood Plan emphasis on elderly housing</li> <li>• Loss of bungalows</li> <li>• The development would not accommodate villagers</li> <li>• Additional traffic and parking problems</li> <li>• Neighbouring privacy and disturbance</li> <li>• Displacement of existing residents</li> <li>• Concerns regarding the bridleway being within the application site</li> <li>• Increase noise and light pollution</li> <li>• Affordable housing to be provided through the Neighbourhood Plan</li> <li>• Impact on bats</li> <li>• Beech hedge should be retained</li> <li>• Boundary fence maintenance</li> <li>• Electric vehicle charging</li> <li>• Overdevelopment of the site</li> <li>• Surface water drainage concerns</li> <li>• Concerns to ensure that Mill Lane will not be impacted, particularly concerning access to onward properties</li> <li>• Need for swift nesting boxes within the development</li> <li>• Impact on the adjoining rural landscape</li> </ul>

## 8. Publicity

The application was subject to direct consultation with immediate neighbours and statutory consultees, with further consultation on revised plans received.

## 9. Planning Considerations

Legislation requires that all planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

### 9.1 The principle of development

The application site is within the settlement boundary for West Lavington, where the principle of redevelopment is supported under the Spatial Vision of the Wiltshire Core Strategy, and under policy BE1 of the West Lavington Neighbourhood Plan, which states that within the

settlement, “development will be supported subject to it respecting local character, residential amenity and highway safety”

The principle of the site being redeveloped is thus supportable subject to these impacts and others as considered below.

## 9.2 Respecting local character

Core Policy 57 requires a high standard of design in all development which is complementary to the locality through drawing on the local context, and Neighbourhood Plan policy BE1 requires development to respect local character. Policy NE2 also requires that development should respect views into and out of the village and be designed to integrate well with its surroundings.

Hedges House comprises a combination of single and 2-storey dwellings, with the bungalows being set towards the outer edges of the site:



*View of Hedges House facing east along Mill Lane*



*Terraces of bungalows at the east end of the Hedges House site*



**Existing Site Plan**

The development would be 2-storey, comprising detached, semi-detached and terraced properties.



**Proposed Site Plan**

The terrace at the east end of the site would be of slightly reduced height with a 1½ storey form as seen in here on the left when viewed from the north:



*View of the development from the recreation ground to the north*

The housing would be of varying format and designs, with a mix of brickwork and render finishes to the walls:

Front elevations:



The development would retain existing trees within the site and provide planting of 8 trees indicated alongside Mill Lane:



Whilst much of the accommodation on the site is currently single-storey, within the variety of housing in the local area the proposal for 2-storey accommodation as proposed would not be

out of keeping within built environment of the village, and it would reflect the 2-storey housing in Sandfield on the north side of the recreation ground.

In respect of the impact on the adjoining countryside, the parish council and others raise concern regarding the 2-storey development extending to the eastern edge of the site, where it would be relatively prominent between the recreation ground the north and farmland to the south, and where it would sit on a horizon when approaching along a low point on the adjoining footpath from the south:

Existing development



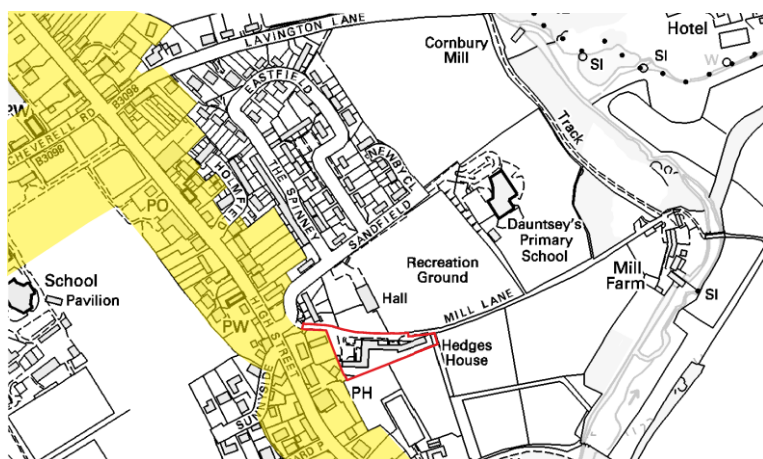
*Approach to the site from the south along Footpath 19*

The view above is relatively localised however and when viewed from the surrounding countryside, the development would be viewed more generally in the wider context of the backdrop of the village, in which, whilst it would be more prominent than the existing development, and as concluded in the submitted Landscape Impact Assessment, it would not result in any material impact upon the rural or landscape character of the area, or the setting of the village or its nearby conservation area.

It is thus concluded that in this respect the development satisfies the requirements of good design as set out in Core Policy 57 and Neighbourhood Plan policy NE2, and that there would be no material impact either on the built environment of the village or the surrounding landscape so as to warrant refusal.

Conditions are recommended to control subsequent extension of the properties, both in the interests of the character of the area, and also residential amenities.

### 9.3 West Lavington & Littleton Panell Conservation Area



The site is located immediately to the east of the conservation area. The site does not contribute to the setting or heritage significance of the conservation area however and the Conservation Officer raises no concerns regarding the impact of the development upon the character and appearance of the conservation area.

#### **9.4 Residential amenity**

Core Policy 57 also requires proposals to demonstrate how they have regard to the impact on the amenities of neighbours, 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). No. 4 Mill Lane and 41 High Street are the only existing properties that would be potentially impacted directly.

##### 4 Mill Lane

4 Mill Lane is immediately to the west of the site. The rear of the houses proposed on plots 1 and 2 would directly face towards the side of the rear garden at 4 Mill Lane.

This relationship has been adjusted in the revised plans to increase the depth of rear gardens on Plots 1 and 2 to 10 metres. This is assessed as being sufficient to avoid any material impact in terms of lost privacy to the garden at No. 4. A recommended planning condition (12) would prevent subsequent 2-storey rear extensions of the dwellings on plots 1 or 2 under permitted development rights.

Any views towards rear windows at No. 4 would be at a glancing angle that would not result in any material loss of privacy to the internal accommodation.



##### 41 High Street

No. 41 is located to the south west side of the site. A first floor side-facing window is proposed in the side elevation of the dwelling on Plot 3 that would face towards No. 41 and its south-facing rear garden area. The window however would serve a bathroom. A condition is recommended requiring the window to be obscure-glazed and with restricted opening so as to avoid any material impact in terms of reduced privacy.

##### 1 Mill Lane

Occupants at 1 Mill Lane to the north of the lane raise concerns regarding increased activity and vehicle movements. There is nothing to suggest however that the estimated increase of c. 14 vehicle movements per day would materially impact on the amenity of the property. A Construction Method Statement secured by condition would also seek to control hours of





working and deliveries etc so as to limit disturbance during the demolition and construction phases.

#### The proposed properties

The proposed properties broadly comply with the Nationally Described Space Standards. All properties have the use of garden space aside from the first floor maisonettes (units 15, 17 & 19), but as these are one-bedroom units, and considering the opposite recreation ground the absence of dedicated garden space for these units is not something that would support refusal of the application.

A condition is recommended to control windows in Plot 3 facing towards 41 High Street. On this basis it is concluded that the development would provide for appropriate levels of amenity in accordance with Core Policy 57.

#### **9.5 Highway safety**

The development would use the existing access along Mill Lane, which, within the red line is owned by the applicant.

The Highway Officer notes that there is likely to be an increase in vehicle movements of c. 14 movements per day for the site, but that this increase is not significant. The submitted Transport Statement shows appropriate vehicle 'tracking' within the site and acceptable visibility splays onto Mill Lane. The Officer is also satisfied with the proposed parking provision and waste bin storage and collection arrangements and thus raises no objections to the application. It is thus concluded that the access, turning and parking arrangements are satisfactory and that the increased traffic would not result in any material impact on highway safety.

In accordance with the adopted Waste storage and collection - guidance for developers Supplementary Planning Document, the development will be required to contribute by way of a s.106 planning obligation towards the cost of household refuse bins and boxes at £91/dwelling.

#### **9.6 Housing for the elderly**

The Neighbourhood Plan reports that there is perceived to be a dearth of new houses for the elderly to downsize and remain in the village, and Policy H1 includes that new developments should include 'smaller accommodation for downsizing, including bungalow and other types of accommodation capable of providing for elderly and disabled people'. Core Policy 46 of the Core Strategy also supports new housing to meet the specific needs of vulnerable and older people. These policies are aimed at new developments and do not provide for protection of existing accommodation.

The new housing will all be affordable. This will include 3 ground floor maisonettes that would be suitable for housing elderly and vulnerable residents. One of these maisonettes will also be fitted out specifically to cater for disabled residents. On this basis it is concluded that there would not be any conflict with Core Policy 46 or Neighbourhood Plan Policy H1, and that the development would make appropriate provision of accommodation for the elderly as required by the policies.

The applicant also states that the existing bungalows have proved difficult to let, as also was the bedsit accommodation due to their size and no separate room for living space. The location of the site is also said to be a factor, in that many of their customers now like to be closer to town or other amenities without having to travel or use public transport.

### **9.7 Affordable housing**

In accordance with Core Policy 43, 6 dwellings are to be secured as affordable housing by way of s.106 agreement. In accordance with the recommendations of the housing team these would be as follows:

#### Affordable Rented (4 units)

1 bed/2 person apartments = 2 units in a 'house-style'/maisonette arrangement (plots 14 & 15) with the ground floor maisonette to be built to M4(2) Standard with a level access shower.

2 bed/4 person house = 1 unit (plot 8)

3 bed/5 person house = 1 unit (plot 9)

#### Shared Ownership (2 units)

2 bed/4 person houses = 1 unit (plot 7)

3 bed/5 person houses = 1 unit (plot 6)

The above meets the requirement of Core Policy 43.

Although not a planning matter, it is the case that the site was originally owned and developed by Kennet District Council. The transfer to a housing association included obligations for continued use of the site for social/ affordable housing. It is understood from the Council's solicitors that a separate legal agreement will be required under the terms of the original housing stock transfer, to ensure that all the properties are used for social/ affordable housing.

### **9.8 Biodiversity**

The application is supported by an ecological assessment that concludes that the development would not impact on protected species or habitats. There is no cause to doubt the methodology, findings and conclusions of the assessment. Recommendations to protect trees and hedges during construction and for ecological enhancements in terms of bat boxes and planting can be secured by way of planning condition to ensure compliance with Core Policy 50.

### **9.9 Drainage and flood risk**

Core Policy 67 requires surface water drainage to be implemented in accordance with the sustainable drainage hierarchy, with increased infiltration to ground where possible.

The site is located within Flood Zone 1 and is thus not at any identified risk of flooding.

Surface water drainage is proposed to be by way of soakaway drainage via a combination of permeable paving and storage/ infiltration crates. There will also be some re-use of rainwater through all properties being provided with water collection butts.

Implementation of this can be secured by way of planning condition.

### **9.10 Planning obligations**

In accordance with CP3, CP43 and the Waste storage and collection - guidance for developers Supplementary Planning Document, the following planning obligations are identified:

#### Refuse bins and boxes

19 x £91 towards provision of boxes and bins for the new dwellings = £1,729.00

#### Affordable housing

As detailed in section 9.7 of this report.

### **10. Conclusion (The Planning Balance)**

The principle of redevelopment of the site is supported by the policies of the Wiltshire Core Strategy and the West Lavington Neighbourhood Plan. The site is currently vacant and there is little apparent prospect of it being brought back into use in its current form. There will doubtless be a change in the residential character of the site, particularly in terms of the replacement of bungalows with 2-storey buildings. The development will continue to provide affordable housing, including housing suitable for the elderly. The proximity of the development will be noticeable to neighbours and there will also be some increase in vehicle movements resulting from the development. The impacts however are assessed as not being material in the context of the site and would not support refusal of the application.

It is thus concluded that the development would be in accordance with the development plan, and it is accordingly recommended that conditional planning approval be granted subject to prior completion of a Section 106 planning obligation.

#### **RECOMMENDATION:**

**THAT THE CORPORATE DIRECTOR, PLACE, BE AUTHORISED TO GRANT PLANNING PERMISSION , SUBJECT TO THE CONDITIONS BELOW AND SUBJECT TO PRIOR COMPLETION OF A SECTION 106 PLANNING OBLIGATION AS SET OUT IN THIS REPORT.**

#### **RECOMMENDED 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 drawings and details:

Location Plan	6482-P-001 A
Existing Site Layout	6482-P-102 A
Proposed Site Layout*	6482-P-100 C
S.106 Layout Plan ***	6482-P-110 A
Ecological Enhancement & Boundary Treatments Plan*	6482-P-103 C
Plots 1 & 2 (floor plans)	6482-P-200
Plots 1 & 2 (elevations)	6482-P-700
Plots 3, 4 & 5 (floor plans)	6482-P-201
Plots 3, 4 & 5 (elevations)	6482-P-701
Plots 6 & 7 (floor plans)	6482-P-202
Plots 6 & 7 (elevations)	6482-P-702
Plots 8 & 9 (floor plans)	6482-P-203
Plots 8 & 9 (elevations)	6482-P-703
Plot 10 (floor plans)	6482-P-204
Plot 10 (elevations)	6482-P-704
Plots 11, 12 & 13 (floor plans)	6482-P-205
Plots 11, 12 & 13 (elevations)	6482-P-705
Plots 14 - 19 (floor plans)*	6482-P-206A
Plots 14 - 19 (elevations)*	6482-P-706A
Illustrative Street Scenes	6482-P-800 A
Maisonette Bin Store Elevations	6482-P-707
Maisonette Cycle Store Elevations	6482-P-708
Arboricultural report	V1.0
Ecological Impact Assessment	061CART100 v.2.0
Flood Risk Assessment and Drainage Strategy**	203.5001/FRA&DS/2
Surface Water & Foul Water Drainage Design**	203.5001.501 A

\* Revised drawings received May 5<sup>th</sup> 2022

\*\* Received 26<sup>th</sup> April 2022

\*\*\* Received 13<sup>th</sup> June 2022

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

3. i) Demolition works shall be carried out in full accordance with recommendations of Section 5 of the approved Protected Species Survey report (21 Apr 2021).
- ii) The dwellings shall not be first occupied until bat roosting and bird nesting facilities have been incorporated in the development in accordance with details first to have been submitted to and approved in writing by the local planning authority; such details to be in accordance with the recommendations of the approved Protected Species Survey report (21 Apr 2021).

REASON

In the interests of biodiversity.

- 
4. i) No development of the new buildings shall progress above ground floor slab level until full details of the materials and finishes to be used for external walls, roofs and porches have been submitted to and approved in writing by the local planning authority.
- ii) The development shall be carried out in accordance with the so-approved details.

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

INFORMATIVES: The details to be submitted under this condition shall include for example, product literature and photographic examples (submitted electronically in pdf format) and shall not include links to manufacturer/ vendor web sites. If requested (for example in the event of the submitted details being inadequate) samples of materials and finishes are to be made available for inspection on the development site.

The details to be submitted of the porches shall include all construction materials, which will be expected to be of traditional construction and not of GRP pre-fabrication.

- 
5. i) No development shall commence on site (including any works of demolition), until there has been submitted to and approved in writing by the local planning authority a Construction Method Statement , together with a site plan, which shall detail:
- a) the provision for parking of vehicles of site operatives and visitors;
  - b) the provision for loading and unloading of plant, materials and demolition materials;
  - c) the provision for storage of plant and materials used in constructing the development, as well as demolition materials;
  - d) the provision for wheel washing facilities;
  - e) measures to control the emission of dust and dirt during construction;
  - f) the provision for recycling/disposing of waste resulting from demolition and construction;
  - g) the hours of construction, including deliveries;
  - h) a pre-commencement condition photo survey to inform LHA and applicant of current surface condition of Mill Lane;
  - i) provision for a condition survey upon substantial completion of the development and works to make good the surface of Mill Lane following any damage caused during the construction works;
  - j) details to demonstrate that Mill Lane will remain open during the demolition and construction phases for its use as a public bridleway and to access private properties to the east; and
  - k) measures for the protection of trees and hedges to be retained in the development.
-

ii) The so-approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in full accordance with the Statement without the prior written permission of the Local Planning Authority.

REASON: 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 and users of Mill Lane, during the demolition and construction phases.

INFORMATIVE: The details to be submitted under this condition shall include all details of timing and phasing of proposed measures to ensure that they are in place and maintained for so long as required.

- 
6. i) Prior to the commencement of the development of the new dwellings there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, the details of which shall include:
- a) all hard and soft surfacing materials,
  - b) means of enclosure, (including details of any existing fencing to be retained),
  - c) a detailed plan identifying existing trees and hedges to be retained and a planting plan and specification showing all plant species, supply and planting sizes and planting densities, and details of after-care.
- ii) All so-approved planting shall be carried out no later than the first planting and seeding season following the first occupation of any part of the development or the substantial completion of the development whichever is the sooner.
- iii) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.
- iv) Any trees or plants (including existing trees and hedges to be retained) which, within a period of five years from first occupation of the development, 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.
- v) All hard landscaping shall also be carried out in accordance with the approved details prior to the first 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.

- 
7. i) Construction of the new dwellings shall not commence until a Landscape Management Plan, identifying the extent of residential curtilages and amenity land and including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas and ecological features (other than
-

privately maintained, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority.

ii) The Landscape Management Plan shall be carried out as approved in accordance with the so-approved details.

REASON: In order that the development is undertaken in an acceptable manner, to clarify maintenance responsibilities and ensure appropriate ongoing management of the landscaped areas in the interests of visual amenity and biodiversity.

- 
8. No dwelling hereby permitted shall be occupied until an electric vehicle charging point has been provided for that unit in accordance with details first to have been submitted to and approved in writing by the local planning authority.

REASON: In accordance with national move to reduce reliance on fossil-fuelled vehicles, and to avoid the need for retro-fitting of electric vehicle charging facilities at a later date.

INFORMATIVE: The details to be submitted for consideration under this condition will be expected to comply with Approved Document S of the Building Regulations 2010.

- 
9. The parking and vehicle turning/ manoeuvring areas as identified on the approved drawings shall be retained for those respective purposes at all times and shall be used for no other purposes.

REASON: To ensure adequate off-street parking provision and vehicle turning manoeuvring space in the interests of amenity and highway safety.

- 
10. i) Notwithstanding the approved details, there shall be no occupation of the maisonettes (units 14-19) until secure covered cycle storage has been provided for those units in accordance with details first to have been submitted to and approved in writing by the local planning authority.

ii) The so-approved cycle storage shall thereafter be so-maintained at all times and shall be used for no purpose other than the storage of cycles.

REASON: In the interests of facilitating active travel as the submitted cycle storage details do not demonstrate any level of security sufficient to suggest that the cycle shed would attract and encourage use.

- 
11. i) There shall be no occupation of the maisonettes (units 14-19) until a bin store has been provided in accordance with the approved details.

ii) The store shall thereafter be so-maintained and shall be used for no purpose other than for the storage of refuse bins and boxes.

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REASON: To ensure appropriate bin storage facilities for the maisonettes in the interests of residential amenity and the character of the area.

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12. Notwithstanding the provisions of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015, there shall be there shall be no extension or additions to the dwellings hereby permitted and no windows, doors or other form of openings inserted above ground floor ceiling level in the flank (south west) elevation of the dwelling hereby permitted on Plot 3.

REASON: In the interests of neighbouring amenity and privacy, and to ensure adequate outdoor amenity space

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13. Notwithstanding the provisions of Classes B and C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015, there shall be no enlargement of any dwellinghouse hereby permitted consisting of an addition or alteration to its roof, and there shall be no windows or other forms of openings inserted in the west-facing roof slope of the dwelling on Plots 2 or the west-facing gable wall on Plot 1.

REASON: In the interests of neighbouring amenities and the character of the area on the edge of the village.

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14. Notwithstanding the provisions of Class D of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015, no porches shall be erected on the front elevations of the dwellings approved on plots 3, 4, 5, 6, 7, 1, 12 & 13 other than as shown on the approved drawings and with their materials of construction as approved under the conditions above.

REASON: In the interests of architectural harmony within the development, and in the interests of the character of the area.

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- END -



Wiltshire Council

PL/2021/11543

Mill Lane, West Lavington,  
SN10 4HS



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## REPORT FOR EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	8 <sup>th</sup> September 2022
<b>Application Number</b>	PL/2022/04255
<b>Site Address</b>	O and S Self Storage Units, Lockeridge, SN8 4ER
<b>Proposal</b>	Demolition of existing open-sided, steel-framed storage barn ( 54 sqm.) and the Installation of 10 x Storage containers ( 144 sqm)
<b>Applicant</b>	Oram
<b>Town/Parish Council</b>	WEST OVERTON
<b>Electoral Division</b>	Cllr Jane Davies
<b>Grid Ref</b>	413653 168003
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Jonathan James

### Reason for the application being considered by Committee

The application has been called-in by Cllr Jane Davies if the application is to be recommended for approval, to discuss the potential impacts of the scheme resulting from the scale of development, the visual impact on the surrounding area, the design of the scheme and the environmental/highway impact.

#### 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 proposal is for an extension of the existing B8 storage use taking place at a former agricultural yard, the replacement / removal of an existing 'Dutch' barn, and the provision of an additional 10 containers for self-storage. The concerns raised relating to visual impact and nuisance on the amenity of the area are acknowledged. However, the visual impact is considered to be minor,. bearing in mind the existing structures and use on site. Also, issues pertaining to nuisance from trial bikes etc would be covered under separate legislation and enforcement by the appropriate body.

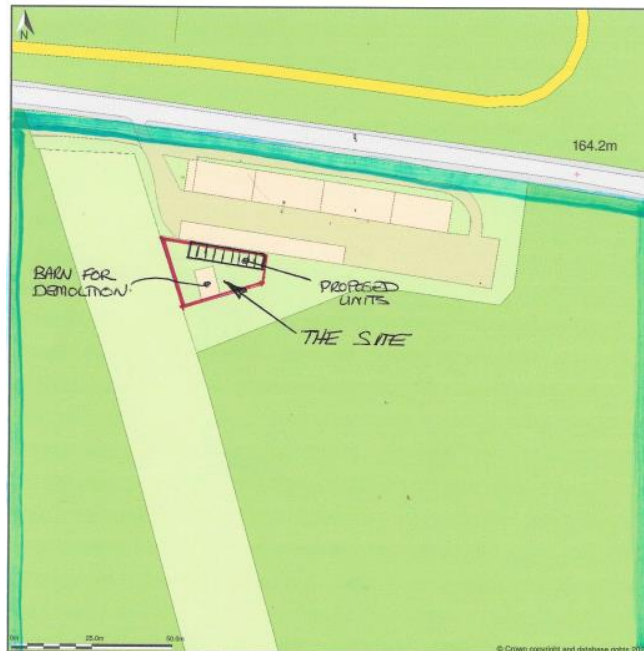
### 3. Site Description

The application concerns a yard previously used for agricultural purposes as part of South Farm. The site is located outside the village of West Overton in a relatively exposed position on raised ground above the Kennet valley within the North Wessex Downs AONB. There is an existing mature tree belt along the western boundary of the site and an existing mature hedgerow with trees forming the northern boundary (ref. 2020/2021 aerial).



*Aerial (2020 / 2021) of the site set within its surroundings*

There is a well-established linear former chicken shed building on the site (ref. site location plan), which has the benefit of planning permission for self-storage use as referenced below. Adjoining steel storage containers also benefit from planning permission.



*Site location plan*

Access into the site exists at present off the adjoining highway at the north-west corner of the site.

The site location plan shows the proposed units and associated access area in relation to the existing units / structures on site. It should be noted that the proposed units would be set at the same level as the existing containers.

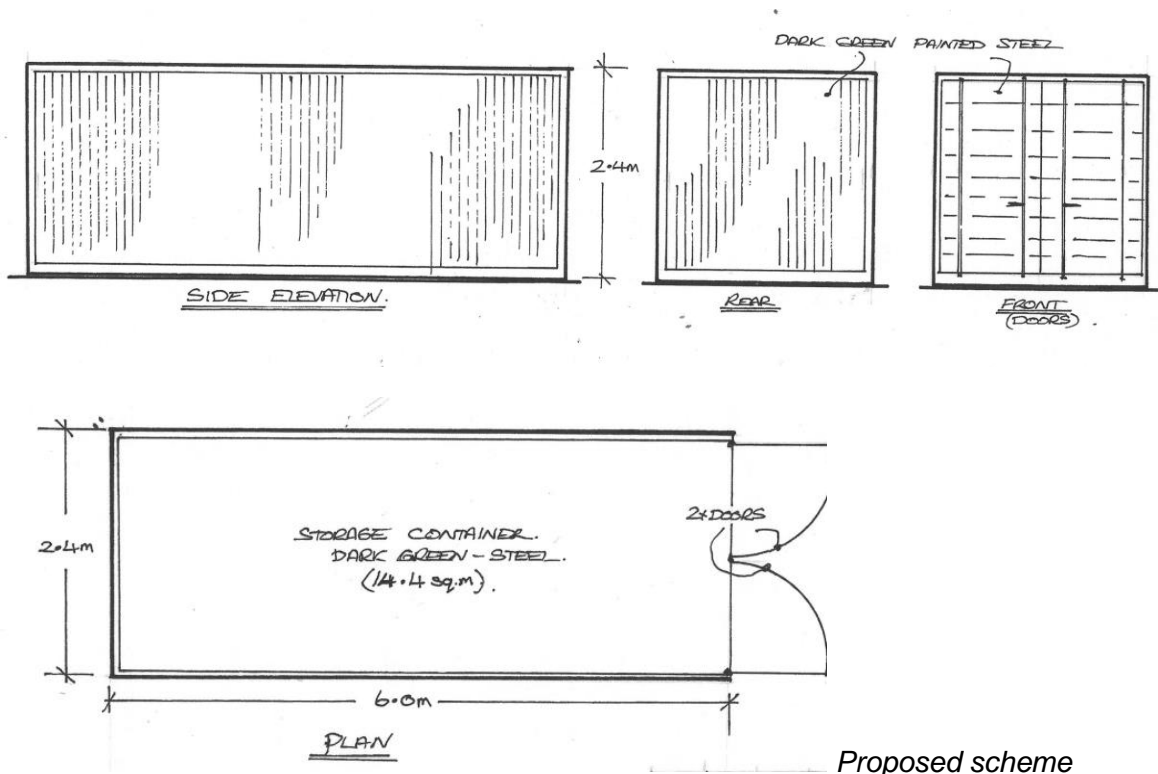
#### 4. Planning History

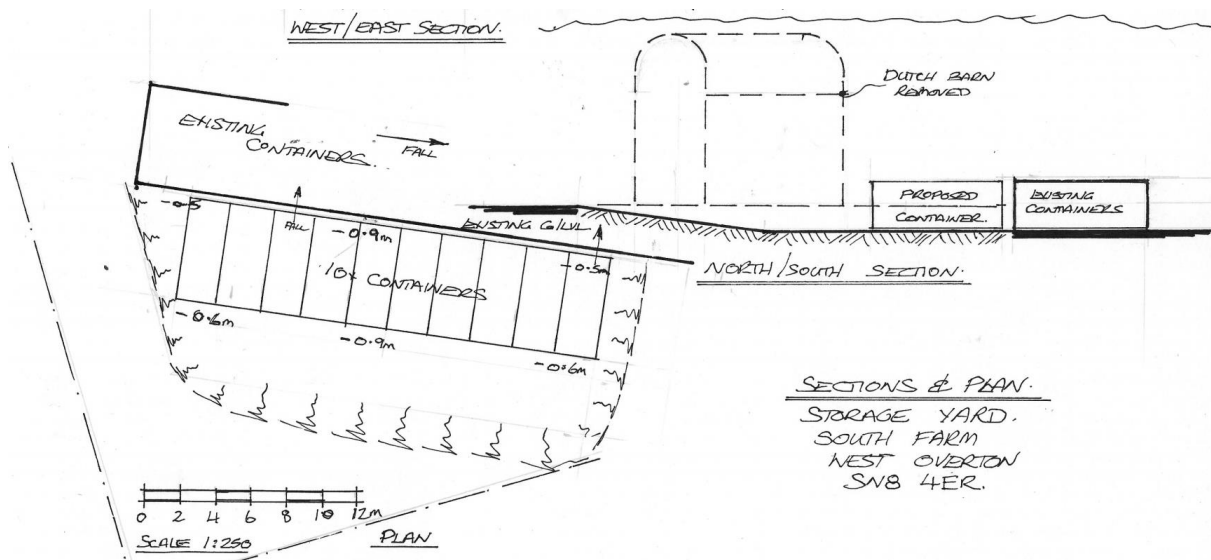
- 20/03917/FUL Conversion of part of former chicken sheds and placement of additional storage containers for B8 'lock-up' -storage purposes.
- 18/01066/PNCOU Prior Notification under Class R - Change of Use of Agricultural Building to B8 Storage Units.
- 19/07772/FUL Retrospective permission for change of use from agricultural to allow for the placement of storage containers for self-storage (resubmission of 19/04352/FUL)

#### 5. The Proposal

The application is for the provision of an additional ten B8 storage units associated with the existing storage use on site. There is an existing 'Dutch' barn that would be removed.

Each unit would measure 6.0m long by 2.4m wide and 2.4m high; they would be finished in a 'dark green' painted steel.





*Proposed section / levels*

The cross-section above shows that the proposed units would be set down so that they are level with the existing units.



*Image 1*

Image 1 taken from the access point of the site shows the existing storage containers and former agricultural shed as well as the existing redundant 'Dutch' barn. The proposed storage containers would be set down in level behind the existing storage units in front of the 'Dutch' barn.

## **6. Local Planning Policy**

### Wiltshire Core Strategy 2015 (WCS):

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 14 – Spatial Strategy: Marlborough Community Area
- Core Policy 34 - Additional employment land
- Core Policy 35 – Existing employment land
- Core Policy 48 – Supporting Rural Life
- Core Policy 51 – Landscape
- Core Policy 57 – Ensuring high quality design and place shaping
- Core Policy 58 – Ensuring the conservation of the historic environment.
- Core Policy 60 – Sustainable transport
- Core Policy 61 – Transport and new development

National Planning Policy Framework (NPPF, 2021)

Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (2015)

Management Plan 2019 – 2024 NWD AONB

## **7. Summary of consultation responses**

Fyfield and West Overton Parish Council – Object: the site is in an Area of Outstanding Natural Beauty. Since permission was granted for the commercial use of the premises there have been recurring acts of common law nuisance and breaches of planning control, to which the Planning Authority's response has been characteristically supine. Traffic associated with the site has proved to be excessive. If the current application is approved the potential for these disadvantages can only increase. This will impair the function of the AONB. Church Hill in West Overton and the traffic conditions there can only become a source of greater concern.

WC Highways – Comments: the applicant is clear that the proposed storage units are for just storage. I note that other representations suggest that some of the units have been used for other types of business use. The previous approval has been granted from a highway perspective based on the B8 use.

I am minded that another 10 units for B8/storage is unlikely to lead to a significant number of additional movements and does not warrant a highway objection. However, one would need to ensure that this is the only use granted and adhered to.

## **8. Publicity**

The application has been advertised by letter to local residents and by site notice. Third party representations have been received and are summarised as follows:

### Third party comments:

- Increase in traffic
- Problems with motor bikes, dirt bikes and quad bikes
- Noise issues
- No regulation on opening / closing times
- Safety issues, conflict between traffic using this site and walkers, cyclists and horse riders
- Use of the site as for purposes other than B8 storage (eg garage)
- Adding extra containers will exacerbate the problems
- Visual impact within AONB
- Impact on AONB
- In breach of planning consent already granted
- Lack of consultation

## **9. Planning Considerations**

### 9.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Wiltshire Core Strategy (WCS) (2015).

The site lies between the nearest villages of West Overton and Lockeridge, both described as small villages within the WCS (2015), and are located within the Marlborough Community Area. The site lies in countryside beyond the limits of development as defined within the Wiltshire Core Strategy (WCS) (2015) and therefore in planning policy terms lies within countryside where policy seeks to restrict new development to that which is permitted by an exceptions policy.



*Image 2 – Location of site in relation to surrounding villages*



The applicant argues that there is a greater demand locally for these units and on the basis of 'Image 2' above, it is apparent that there are a number of small villages (Kennett, West Overton, Lockeridge and Fyfield) within a mile of the site.

The site has the benefit of previous consents (see site history above – 18/01066/PNCOU, 19/07772/FUL and 20/03917/FUL) for the change of use to B8 storage and is therefore now an established B8 commercial storage site. The proposal is to extend the existing use / number of units onto an area of land to the rear of the site, which is described as 'farmyard' within the submission and which contains an existing dilapidated 'Dutch' barn (ref. Google map extract below and site visit photo of site below).



*Extract from Google maps (© Google)*



*View of site from highway*

Core policy 34 (Additional employment land) supports proposals for employment development [B1 (now class E), B2 and B8], generally within the Principal Settlements, Market Towns and Local Service Centres. However, the policy does also support such development outside the Principal Settlements, Market Towns and Local Service Centres, developments where they meet certain criteria.

Core Policy 34, criteria (iii) supports development for new or existing rural based businesses within or adjacent to large and small villages. It is considered that the site does lie within a reasonable distance of the villages of West Overton and Lockeridge so can be considered to comply with the first part of this policy.

The extension of the existing business through the addition of ten units on an area that is contained by the 'Dutch' barn would support the viability of the business, provide further storage where there is an apparent demand and remove a dilapidated structure. The proposed units will be set behind the existing ones, are consistent in scale with their situation and do not adversely affect or detract from the character of the surrounding area or adversely affect residential amenity. The Design and Access Statement (DAS) clarifies that these units will be supporting local residents with additional storage beyond the constrictions of smaller dwellings that new housing offers, and that the proposal enhances the existing viability of the site. The scheme, being an extension of an existing B8 storage unit, would not undermine the delivery of strategic employment allocation and the site is supported by adequate infrastructure. On balance, the scheme is considered to meet the requirements of Core Policy 34.

An underpinning theme of the NPPF is the need to build strong and prosperous economies. Chapter 6 encourages economic growth in rural areas to create jobs and prosperity by taking a positive approach to sustainable new development. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

Taking into consideration all of the material issues in reaching a decision, it is considered that in this instance the fact that there is an existing B8 storage use at this site plays a significant role in supporting this application. The surrounding arguments that add substance to the crux of the case is that of the history of the site. It is therefore considered, on balance, that the principle of the proposed development is considered acceptable in this location in this instance.

### 9.2 Visual Impact

Core Policy 57 of the WCS (2015) refers specifically to development responding positively to the existing landscape features in terms of built form, scale, design and materials to effectively integrate development into its setting. Core Policy 51 seeks to protect the character of Wiltshire's landscape.

Concerns have been raised about the proposed scheme and the potential for harmful visual impact on the surrounding area. The site lies in countryside within the North Wessex Downs AONB. The AONB team have been consulted on the proposed scheme however, no comments had been submitted by them at the time of drafting this report. As described above, the site is well screened within the area by existing trees along the western boundary and also by an existing hedgerow and trees along the northern boundary.

Of relevance is the site planning history that has supported the change from agriculture to B8 storage. Application 20/03917/FUL for the conversion of remainder of building to self-storage units and use of land for stationing 13 steel containers for self-storage concluded that although the site itself is in a relatively exposed location within the landscape, the containers themselves would be largely screened by the building, the external appearance of which, facing the street, would remain unchanged. Rising ground levels, a retaining wall to the rear and a tree belt to the west provide additional screening along with roadside vegetation. It was thus concluded that the development does not materially impact on the rural character or landscape of the North Wessex Downs AONB.

The scheme under this application proposes new containers behind the existing containers and the removal of the existing 'Dutch' barn. The proposed containers would be well screened by the existing structures and trees and hedgerow within this area and the removal of the 'Dutch' barn would be a visual enhancement. As such, it is considered that the development would not materially impact on the rural character or landscape of the North Wessex Downs AONB.

### 9.3 Highway Safety Impact / Parking

Core Policy 61 - Transport and New Development - seeks to ensure that new development is capable of being served by safe access to the highway network. Core Policy 64 seeks to ensure that parking standards are met as set out in the Council's adopted standards. The NPPF (2021) states that an application should only be refused on highway grounds if *"there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.

Concerns have been raised by local residents and the parish council about the impact of traffic increases and the nuisance from motorbikes / trial bikes within the area. The units are for storage purposes only and therefore will only generate a limited level of traffic

movements - a view reflected by the highway officer. Issues pertaining to antisocial behaviour by persons using these units for purposes beyond the planning scope would need to be dealt with by the appropriate enforcing body.

Comments received from the Council's Highway Officer acknowledge that the site is just used for storage and the assessment of the scheme is against a B8 storage use. They consider that the proposed additional 10 units would unlikely lead to significant additional traffic movements and that the scheme does not warrant a highway objection. The agent confirms that there is a demand locally for this type of storage. The access is as existing which offers good visibility in both directions and the ability for vehicles to pass each clearly without causing conflict in doing so. There is sufficient parking and turning space within the site to allow vehicles to enter and exit safely in a forward gear.

On balance, it is considered that the proposal complies with the requirements of local and national policies; Core Policies 60 and 61 of the WCS (2015) and the WLTP (2011 – 2026) Car Parking Strategy (2015) and with the relevant sections in the NPPF (2021).

#### 9.4 Other matters

Comments have been received querying the extent of consultation on the application. The application has been consulted on in accordance with the legislation as prescribed in Article 15 of the Development Management Procedure Order (DMPO) (as amended).

### **10. Conclusion (The Planning Balance)**

There are three aspects of sustainable development - an economic, social and environmental role. The NPPF identifies that there is a presumption in favour of sustainable development. This is seen as a golden thread running through the decision-making process and that local planning authorities should approve development that accord with the development plan without delay.

It is acknowledged that there is some positive weight to be given to economic benefits through the likely local employment that may be generated by the development proposed, as are there likely to be some social benefits through the provision of additional storage units for use of by local residents in the surrounding villages of the area. There will be the added visual benefit of removal of the existing dilapidated 'Dutch' barn.

The scale of the proposed operations would represent an increase in the area covered by units than that previously approved. However, these units are of a temporary nature and low lying within the site and would be screened by the existing hedgerow and trees to the west and north of the site. Therefore, there would not be a significant visual impact as a result of the proposed development and there would be a beneficial visual impact through the removal of the dilapidated 'Dutch' barn. It is therefore considered that the proposed development would not have a detrimental impact on the character of the AONB. The proposal would not result in a detrimental impact on any nearby neighbouring properties. Comments pertaining to noise from antisocial behaviour using motorbikes / trial bikes should be enforced under the appropriate body and would be covered under separate legislation.

Whilst there is a valid argument that the site is not in a sustainable location, there are existing commercial activities taking place here now and it is not forecast that there will be a significant increase in traffic movements. Access and parking are considered acceptable, and no objections have been raised by the highways officer. In addition, this application must also be weighed against the economic benefits of providing additional financial security to the existing business.

In this instance it is considered that the benefits outweigh any limited harm that the proposal might have within this area and that the application complies with Core Policies 34, 51, 57, 60 and 61 of the Wiltshire Core Strategy (2015) and the policies of the National Planning Policy Framework (2021). Consequently, the development is considered acceptable in this instance.

## **RECOMMENDATION**

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

### **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 details:

- Plans
- Application form
- Design and Access Statement
- Site location Plan
- Existing Block Plan
- Proposed Block Plan
- Proposed Storage Containers – Plan and Elevations
- Sections and Plan

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

3. No part of the development shall be first brought into use until all the existing 'Dutch' barn has been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

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

4. No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication "The Reduction of Obtrusive Light" Guidance Note 01/21 (reference GN01/21), 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.

5. This consent relates to a maximum of 10 storage containers that shall not be placed other than as shown on the approved drawings, and individually these shall measure no more than 2.4m x 2.4m x 6.0m, and shall all be placed at ground level and finished in dark green.

REASON: To ensure an appropriate scale of development and the associated activity and to minimise vehicle movements on the local highway network in the interests of highway safety and the amenities of the area.

6. The external materials and finishes to be used in the conversion of the building as hereby permitted shall not be other than as shown on the approved drawings.

REASON: In the interests of amenity, the agricultural character of the building and the rural character of the site within the AONB.

7. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development)(England) Order 2015 (or any statutory instrument revoking or re-enacting that Order with or without modification), the development hereby permitted shall be used as a self-storage facility only and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (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 use is acceptable but the local planning authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

**Wiltshire Council**

PL/2022/04255

O and S Self Storage Units,  
Lockeridge, SN8 4ER



1:3,000



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## REPORT FOR EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	8 <sup>th</sup> September 2022
<b>Application Number</b>	PL/2022/04676
<b>Site Address</b>	Bourne Farm, Preston, Ramsbury, Marlborough SN8 2HF
<b>Proposal</b>	Erection of 1 no. new dwelling in lieu of renewed temporary permission of use of mobile home as agricultural workers accommodation.
<b>Applicant</b>	Mr Andrew Card
<b>Town/Parish Council</b>	CHILTON FOLIAT
<b>Electoral Division</b>	Aldbourn & Ramsbury (Cllr Sheppard)
<b>Grid Ref</b>	
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Ruaridh O'Donoghue

### Reason for the application being considered by Committee

The application is called to committee at the request of Councillor Sheppard due to concerns over the essential need for a rural worker's dwelling on the site.

#### 1. Purpose of Report

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

#### 2. Report Summary

The main issues to be considered are:

- The principle of a new countryside dwelling in this isolated position, with particular regard to the functional need and financial 'tests' established in former PPG7 Annex A which appeal inspectors have satisfied to use as a framework for establishing the justification for such dwellings (CP 48);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would have an acceptable landscape impact (CP 51); and,
- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed development (CP 61 and 64).

#### 3. Site Description

The application concerns Bourne Farm in the hamlet of Preston near Ramsbury. The applicant's freehold ownership at the site extends to 3.2 ha (8 acres); in addition, the applicant has the option to hold a further 2.4ha (6 acres) of land under a Farm Business

Tenancy (FBT) but, has no need for it at this present moment in time. The freehold land is mainly flat, with an extensive frontage to the B4192; the FBT land rises to the northeast.

The site lies in the open countryside to the east of the B4192 within the North Wessex Downs AONB.

A Public Right of Way (PRoW) runs to the east of the site (ALD46).

Part of the site lies within Flood Risk Zones 2 and 3.

Below is a location map that shows the context of the site.

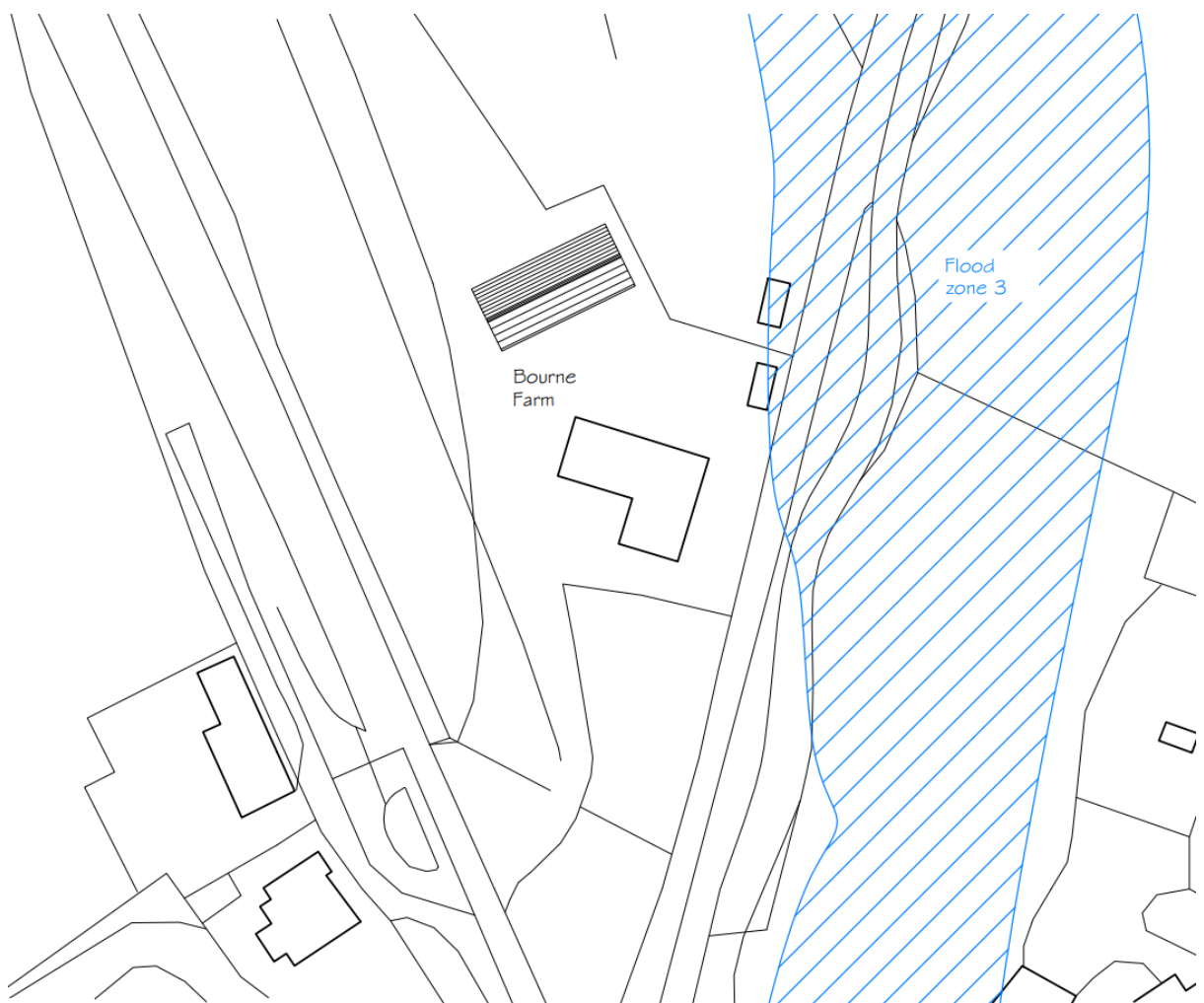


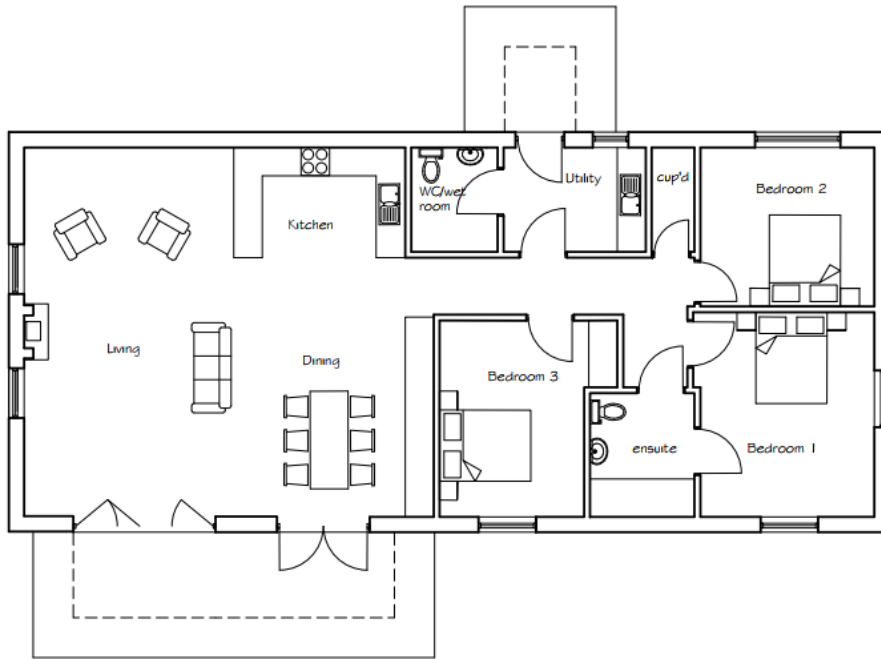
#### 4. The Proposal

The planning application seeks full planning permission for the erection of 1 no. new dwelling in lieu of the mobile home which was granted renewed temporary permission for use as agricultural worker accommodation.

The dwelling will have a footprint of approximately 157m<sup>2</sup> with a ridge height of 5.2m. The dwelling is to be constructed of horizontal timber boarding, left to weather naturally, above a brick plinth with a natural slate roof. The dwelling will be accessed via the main farm entrance off the B4192 and will be served by 2 parking spaces.

Below is the proposed site plan along with a floor plan and elevations of the proposed dwelling.

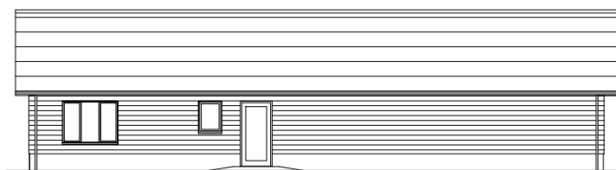




SOUTH ELEVATION



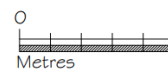
WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



  
 TOWN AND COUNTRY PLANNING DEVELOPMENT CONSULTANTS  
 LPC 2627 PR 03  
 Mr A Card  
 Bourne Farm, Preston  
 ELEVATIONS PROPOSED  
 LPC 2627 PR 03

## 5. Local Planning Policy

### Wiltshire Core Strategy 2015 (WCS):

- CP 1 – Settlement Strategy
- CP 2 – Delivery Strategy
- CP 14 – Marlborough Community Area Strategy
- CP 48 – Supporting Rural Life
- CP 50 – Biodiversity and Geodiversity
- CP 51 – Landscape
- CP 57 – Ensuring High Quality Design and Place Shaping
- CP 60 – Sustainable Transport
- CP 61 – Transport and New Development
- CP 64 – Demand Management

### National Planning Policy Framework 2019 (NPPF)

Section 85 of the Countryside and Rights of Way Act 2000: requires the Local Planning Authority to ‘have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty’.

### Wiltshire Landscape Character Assessment (2005)

The Kennet Landscape Conservation Strategy Supplementary Planning Guidance (May 2005) and associated Landscape Character Assessment (1999).

The North Wessex Downs Area of Outstanding Natural Beauty Management Plan 2014 – 2019.

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

## 6. Relevant Planning History

In 2017, an application was submitted to Wiltshire Council (17/11854/FUL) for the retention of a mobile home as a rural worker’s dwelling for a temporary period of 3 years. To support this application, evidence was submitted by Reading Agricultural Consultants (RAC) to demonstrate that there was a functional requirement arising from the farming activities at Bourne Farm. This was independently assessed by the Council’s own agricultural advisor, APA Consultants. At the time, it was considered that a temporary permission for 3 years could be given to enable the applicant to fully realise the business plan set out by RAC in their supporting statement and that, once realised, there would be a functional need arising at Bourne Farm that is capable of being financially viable. The full reasoning is set out in the case officer report attached to that application. It was approved with conditions on 1 February 2018.

In 2021, an application (ref. PL/2021/03101) was submitted for the erection of a permanent dwelling in lieu of the temporary permission for use of the mobile home as agricultural worker accommodation. It was withdrawn on 22 June 2021 as the applicants had failed to demonstrate that the business was financially viable. Principally, due to

restrictions during the COVID pandemic, the applicant was unable to fully realise business plan that was set out in 2017 and therefore support could not be given for the application at that time as the business was not deemed viable. Due to the exceptional circumstances that arose during these 3 years (i.e. the COVID pandemic), it was felt that a further temporary consent could be applied for to afford the applicants the chance to fully realise the business plan post COVID.

Later in 2021, an application (ref. PL/2021/08229) was submitted for the retention of the mobile home as a rural worker's dwelling for a further temporary period of 3 years. This was approved with conditions on 17 November 2021 as the business plan set out by RAC had not changed and, if fully realised, then according to APA consultants a functional need would still arise that could be planned on a sound financial basis.

## **7. Summary of consultation responses**

### Wiltshire Council Agricultural Consultant

Having reviewed the agricultural appraisal by Reading Agricultural Consultants, it is their opinion that there is a functional need for a dwelling on site and that the business has been planned on a financially viable basis. They also conclude that the dwelling is commensurate in scale to the needs of the holding. The full report can be viewed on the file.

### Wiltshire Council Ecology

No comment

### Aldbourne Parish Council

The Council reiterates the objections made in 2017 & 2018, a summary of which are below.

- The whole site is close to an existing water course, and whilst the proposed property is outside the identified flood risk area, a large part of the surrounding land does flood. This will inevitably reduce the viability of that land for farm business.
- Under Core Policy 1 and 2 it states there is a presumption against new residential development outside of the defined Limits of Development of the settlements unless it meets one of the exception policies within the WCS. The applicant states that Core Policy 48 is the relevant policy that meets the exception. The Parish Council do not agree that this Core Policy 48 is relevant to this proposal and that it is hard to see that a permanent dwelling would be desirable at this site. We specifically refer to the following clause in CP48: - 'Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.'
- We therefore ask that the business plan be thoroughly reviewed by Wiltshire Council. This site, which has a significant area of it that can flood regularly, is unlikely to be viable as an agricultural unit in its own right.

## **8. Publicity**

The application was advertised for a period of 21 days. As a result of this, a couple of letters of objections have been received noting the following:

- No essential need for the dwelling arising from a holding of this scale
- Would set a precedent for similar small holdings in the AONB
- No evidence of other local accommodation being considered and discounted
- Given its small scale the enterprise offers little or no economic or social benefit to the area beyond the supply of eggs and pork to a few local traders.
- It does not generate local employment
- Flooding concerns given the sites proximity to the watercourse and flood zone
- Environmental concerns from keeping pigs close to the water and the potential for run-off pollution to enter it.
- A similar application for outline planning permission was withdrawn by the Applicant in light of a negative Council Agricultural Advisor's report only 12 months ago. It would be unwise, premature and unsafe for the proposed permanent dwelling to be approved on the basis of only one year's further activity and financial data, particularly in view of the present and continuing major uncertainties in the farming sector, its market and worldwide regarding input prices, labour costs and energy costs and supply chain (including abattoir) problems.
- The enterprise's prospects remain aspirational at present and more time to gather evidence proving sustainability in the longer term is needed before any Application for a permanent agricultural dwelling together with its attendant impact on the landscape and environment can properly be considered.
- Agricultural activity doesn't appear to be at the levels suggested in the RAC report.
- No tree nursery or other plant propagation activity at the smallholding has been evident at any time during the past four years or currently. If it does take place , it must be on such minor scale as to contribute little to the business' income and profit.
- The horticulture/landscape business activities should not be considered in the viability assessments
- Question whether the barn is being used for agricultural purposes
- The aspirational development aims used in support of the Applicant's 2017 submission remain largely unrealised after more than 4 years.
- Lack of enforcement on the site does not give confidence that farming activity at a sustainable level will be continued once the desired permanent accommodation approval is obtained.
- The NPPF discourages repeated Applications; this is the third in the past 12 months.
- Half the site is unusable so how can the remaining land support a full-time worker

In addition to the above comments, around a dozen letters of support have been received. The following is a flavour of the comments made in support of the application:

- Provides good quality eggs
- An asset to the community selling quality local produce
- An honest farmer with a business that supports the local community
- The British Pig Association strongly supports the application.
- Support for the conservation of rare breed pigs

- Many in support have been long standing customers of Mr Card
- Andrew has always been a good neighbour and maintains his property well.
- Mr Card support's local people and businesses, through his farming activities.
- I regularly use stud services from his boar for my rare breed Large Black sows. If Andrew's boar was not available, I would need to travel a lot further to find another Large Black boar that would be available to service my sows.
- I have been a customer of Mr Card for a number of years and fully support his application to build a proper home for himself and family
- If this business was to cease due to uncertainty of living arrangements etc it would be another nail in the coffin of local food producers.
- I feel it a shame that small farms are not given the support that supermarkets and warehouses seem to get.
- I understand that Andrew support's local people and businesses, through is farming activities.
- It is great to see Andrew continuing a family tradition of excellence in agricultural.
- I have been a customer at Bourne Farm for 10 years+, I have bought chickens from Andrew Card and eggs on a weekly basis. We are so lucky to have such a well run local business on our doorstep.
- I have been involved in the pig business all my life. I am a pedigree and commercial pig breeder. I show pigs, supply pigs, export pigs, and have contracts with abattoirs and butchers.
- I am a customer of Bourne Farm for pedigree Large Black breeding stock, for the domestic market, and for exports to the EU.
- I believe Andrew's diverse farm business, which supplies local food, livestock, agricultural supplies and services should receive full support from the local authority.
- It is very beneficial for my business to stock and sell quality local produce, and it is just over 1 food mile from Bourne Farm to my shop.

## 9. Planning Considerations

### Principle of Development

Core Policy 48, along with Paragraph 80 of the NPP, allows for the provision of rural workers dwellings where there is an essential need for someone to live permanently close to or at there place of work. The term "essential need" means necessary for the proper functioning of the enterprise i.e., one or more workers must be readily available at most times. In other words, a functional requirement exists that ensures an agricultural enterprise is not financially or materially harmed because there is no on-site presence to monitor situations that could lead to that, for example, birthing complications, loss of livestock etc.

The applicants have submitted an agricultural justification statement produced by RAC. It clearly sets out that the business plan is the same as that proposed in 2017, just that profit margins have now increased post pandemic and have allowed the business to become a financially viable one.



In short, the applicant's income is derived from the following:

- Pigs
  - Sales of pedigree sows and boars
  - Sales of weaners
  - Stud fees and services
- Poultry
  - Eggs for shops and farm gate sales
  - Hatching eggs
  - ChicksLPC2627 - Planning Statement 5
  - Breeding stock
  - Laying hens and point of lays
  - Ex layers
- Miscellaneous
  - Poultry and pig food sales
  - Farmyard manure

The statement by RAC sets out clearly how, in managing the above stock, an essential need arises for the applicant to be based on the site at most times of the day. The statement submitted by RAC has been appraised by APA consultants whereby they conclude that:

*“In my view the agricultural business has developed to a point at which there is an essential need at most times. The submitted accounts for the agricultural business for 2022 show that it is viable. The proposed dwelling is not excessive in relation to the business and the essential need.”*

In light of the views expressed by the Council's agricultural advisor, officers assert that a functional need *does* arise on the site for an agricultural worker dwelling. It is also the opinion of officers that the business has been planned on a sound financial basis and is therefore viable, even when one considers the build and operational costs of the dwelling. As with the previous permissions, a condition will be necessary to restrict occupancy to an agricultural worker.

#### Design and Visual Impact

The proposal is to construct a simple single-storey dwelling, designed in a manner to reflect the existing agricultural building on the site both in terms of architectural style and materials employed. The proposed dwelling is considered to be modest in scale and height; a point agreed by the Council's agricultural advisor who asserts that the dwelling is commensurate in size to the needs of the enterprise.

It is considered that the dwelling will read as a subservient addition to the main farm building and wider farming complex. The materials are acceptable (timber boarding left to weather naturally, under a slate roof) and so too is the form of the dwelling which takes on a simplistic plan reflective of the agrarian style buildings within the wider area (and on the site). Overall, officers consider the design of the scheme to be acceptable.

In landscape character terms, the site has already fundamentally changed. What was once open pasture/grazing land has now been enclosed by fencing and additional planting with the keeping of pigs and chickens on the site. The site contains a hardstanding and track, and permission has been given for an agricultural building which is now complete. The addition of a permanent dwelling will not significantly alter the character of the site above and beyond what is there presently (which includes a mobile home). Furthermore, the wider landscape contains dispersed farm dwellings associated with agricultural buildings and as such the arrangement being proposed here is not uncommon to the character of the landscape. Although it is considered that some impact to landscape character would inevitably result from the siting of a permanent dwelling, this is not considered to amount to significant harm. Cumulatively, the addition of a dwelling in conjunction with other development on the site does not alter this conclusion.

In terms of visual effects, whilst there are some sensitive receptors within the vicinity of the site (the B4192, Marrison Hill and ALD46) significant views of the site are not afforded given the amount of planting in and around the site and intervening structures/buildings. Views from the B4192 are largely screened by the roadside hedging and trees and any glimpse views afforded of the site would be from vehicles travelling at speed. Some distant views of the site are afforded from Marrison Hill where gaps in the hedging exist, but these are somewhat limited and, in any event, they are views from the road as opposed to any PRow and again, mainly from vehicles travelling at speed. From ALD46, glimpse views would be afforded through gaps in the hedging during summer, however, in the winter months, it is appreciated that more views into the site would open up. That said, the section of the site that contains the dwelling represents a very small length of the overall PRow and thus the visual effects to users of this PRow would not be demonstrably different when travelling in either direction. Furthermore, a dwelling associated with an agricultural business with its associated buildings and farmyard machinery is not an uncommon feature within the rural landscape. It has also been sited so far as practicably possible in a position that will help to minimise its visual impact yet afford the applicant the ability to keep an eye on the important aspects of his enterprise (e.g., the livestock and site entrance). With all of this in mind, the views of the site afforded by users of the adjacent road network and PRow would not be deemed significantly harmful.

It should be noted that farming does play a key role in managing the landscape within the AONB and is a large part of the rural economy within it. Therefore, it is essential that the right balance is struck between farming interests and the underlying purpose and function of the AONB designation itself, which is to safeguard the natural beauty, views and visual amenity of this highly valued landscape for current and future generations. It is considered in this case that the right balance has been struck between the essential need for a farm worker dwelling and the landscape character and visual effects that it would pose upon the AONB. Were it not for the essential need requiring the presence of a dwelling on site, and the limited size of the holding restricting where such a dwelling could go, the balance on landscape impacts could well be very different.

The location within the AONB does however mean that the development should be subject to conditions that remove permitted development rights for the erection of fences, sheds/outbuildings and for extensions and alterations to the dwelling. This will enable the LPA to retain control over how the site is potentially developed going forward in the

interests of preserving the AONB landscaping. Furthermore, agricultural workers dwellings should not be excessively large as they are there to meet a functional need, and so control of any size increases would be prudent to consider by the LPA. In addition to these controls, officers would expect materials to be controlled via condition given the sites sensitive location.

Based on the above comments and coupled with the additional planting in and around the site which serves to greatly limit the views of the dwelling, it is considered that the dwelling will preserve landscape character in accordance with the requirements of Core Policy 51 of the WCS.

#### Neighbour Amenity

The nearest neighbour to the mobile home is some 60 metres away. At this distance, it can be reasonably concluded that no neighbours will be adversely affected by the proposal by reason of loss of light, privacy or overbearing impacts.

#### Highways Safety / Parking

It is noted that the site lies in an unsustainable location however, as the new dwelling is being sought under one of the exceptions policies listed at paragraph 4.25 of the WCS this cannot be sustained as a reason to object to the planning application.

In terms of access and parking the Local Highways Authority have always been satisfied that the site can adequately provide these on previous applications. The situation is not changing and therefore, it would be difficult to raise objection now on those grounds. As such, it is considered that the highways impacts associated with the development are acceptable and that no severe impacts will arise.

#### Drainage/Flood Risk

The application:

- Is not classified as a major development
- does not have a site area greater than 1ha in flood zone 1
- is not within flood risk zones 2 or 3
- site is more than 20m from a main river

Due to the above, the applicants have not been required to produce a Flood Risk Assessment (FRA) and the LPA has not been required to consult with the Lead Local Flood Authority or the Environment Agency.

The applicant proposes to use soakaways to deal with surface water drainage which is considered an acceptable method. The matter would be picked up at building regulations stage under Building Regulations Approved Document H to ensure the soakaways are acceptable.

Foul sewerage at this stage is stated as unknown on the application form. Whilst the applicant's agent has confirmed there is a septic tank on site that is currently used for the mobile home, it is not known whether this will be used for the dwelling or indeed, even be

suitable. As such, a condition is recommended to secure details of foul drainage prior to occupation.

#### Ecology

The Council's Ecologist had no comments to make on the application. As such, it is concluded that there are no ecological issues that need to be considered as part of the assessment of this application.

### **10. Conclusion (The Planning Balance)**

Two agricultural consultants have assessed the essential need for a dwelling on site. Whilst one is on behalf of the applicants the Council's consultant has independently assessed the business plan and has drawn the same conclusions. The business plan has not changed since the original application was made in 2017 and so there is no reason to take a different view now that it has been fully realised. The requirements of Core Policy 48 of the WCS and paragraph 80 of the NPPF have thus been satisfied to ensure the principle of development is acceptable.

The visual impacts of the development when weighed alongside the interests of farming and the genuine essential need for an agricultural worker's dwelling on site, are not considered to be adversely harmful and thus accord with the Council's landscape policy (Core Policy 51). Furthermore, the design of the dwelling is considered to meet the standards expected of it under Core Policy 57 of the WCS.

No impacts have been identified that relate to highways or neighbour amenity matters that would weigh negatively in the balance/conflict with the development plan.

In addition to the development plan, the NPPF is supportive of the growth of agricultural businesses in order to help sustain the rural economy. Allowing permission for an agricultural worker dwelling would not only ensure the proper functioning of this agricultural business, but it would also help serve the wider rural economy (it is noted from the support letters that there are many that use/rely on this business for trade). Positive weight can be attributed to this point.

There are no additional material considerations that indicate the proposal should be determined other than in accordance with the statutory development plan for the area. The proposal complies with the development plan as a whole. The application is therefore recommended for approval subject to any conditions outlined in this report.

## **RECOMMENDATION**

**That planning permission be GRANTED subject to the conditions set out below:**

### 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 has been permitted in accordance with the following plans and documents:

Dwg Ref: Application Form

Dwg Ref: Location Plan 1:2500

Dwg Ref: LPC 2627 PR 01 Site Plan - Proposed

Dwg Ref: LPC 2627 PR 02 Plan Proposed

Dwg Ref: LPC 2627 PR 03 Elevations Proposed

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 have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans/details.

REASON: 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 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. The 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 which is within the AONB.

- 5 The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this

permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area which is within the AONB.

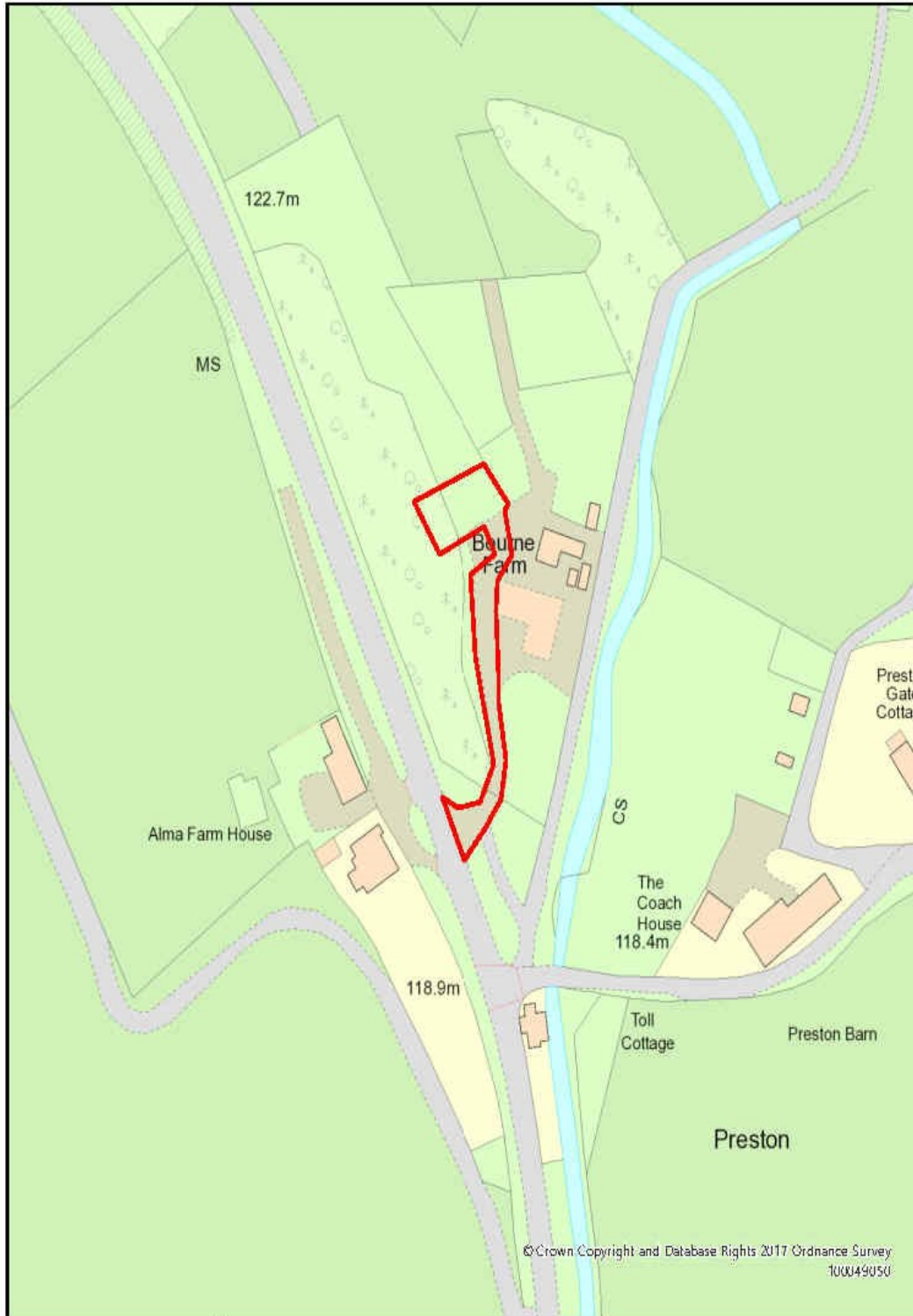
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area which is within the AONB, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations as the scale of the dwelling approved was considered in line with the functional need it was meeting.

**Wiltshire Council**

PL/2022/04676

BOURNE FARM, PRESTON,  
RAMSBURY, MARLBOROUGH,  
SN8 2HF



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