

AGENDA

Meeting: Eastern Area Planning Committee

Place: Council Chamber - Council Offices, Browfort, Bath Road, Devizes
SN10 2AT

Date: Thursday 15 March 2012

Time: 6.00 pm

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

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

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

Membership:

Cllr Jane Burton	Cllr Chris Humphries
Cllr Peggy Dow	Cllr Laura Mayes
Cllr Nick Fogg	Cllr Jemima Milton
Cllr Richard Gamble (Vice Chairman)	Cllr Christopher Williams
Cllr Charles Howard (Chairman)	

Substitutes:

Cllr Liz Bryant	Cllr Howard Marshall
Cllr Trevor Carbin	Cllr Francis Morland
Cllr Nigel Carter	Cllr Christopher Newbury
Cllr George Jeans	Cllr Jeffrey Ody
Cllr Simon Killane	Cllr Jonathon Seed
Cllr Jerry Kunkler	

AGENDA

Part I

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

1. **Apologies for Absence**

2. **Minutes of the Previous Meeting** (*Pages 1 - 10*)

To approve and sign as a correct record the minutes of the meeting held on 2 February 2012. (copy herewith).

3. **Declarations of Interest**

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

4. **Chairman's Announcements**

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

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular,

questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Thursday 8 March, 2012**. 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 Applications**

To consider and determine the following planning applications:-

- 6.a **E/2011/1139/OUT - Land east of Quakers Walk, off London Road, Devizes, SN10 2DJ - Development of a Care Village (Use Class C2) including Access, Car Parking and Landscaping (Pages 11 - 34)**
- 6.b **E/2011/0896/LBC - Southcott Manor, Pewsey, SN9 5JF - Part Demolition of Existing Building including Double Garage and New Extensions and Alterations (Pages 35 - 44)**
- 6.c **E/2011/0895/FUL - Southcott Manor, Pewsey, SN9 5JF - Part Demolition of Existing Building, Alterations and Construction of New Extensions. Demolition of Garage and Erection of Garden Wall (Pages 45 - 50)**
- 6.d **E/2011/1701/FUL - Kytes Cottage, 10 High Street, Market Lavington, SN10 4AF - Erection of 1 No. New Dwelling (Pages 51 - 58)**
- 6.e **E/2011/1715/FUL - Land to the Rear of 21 to 42 Wood Park, Ludgershall, SP11 9NS - Construction of 7 New Dwellings, with Associated Gardens and Sheds and 22 Car Parking Spaces (Pages 59 - 66)**
- 6.f **E/2011/1751/FUL - Waters Edge, Mildenhall, Marlborough, SN8 2LY - Partial Demolition and Rebuilding, including Ground and First Floor Extensions of an Existing Bungalow, together with the Addition of a Garden Shed (resubmission of E/2011/1173/FUL) (Pages 67 - 74)**

7. **Urgent items**

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

Part II

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

None

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 2 FEBRUARY 2012 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, DEVIZES.

Present:

Cllr Peggy Dow, Cllr Nick Fogg, Cllr Richard Gamble (Vice Chairman), Cllr Charles Howard (Chairman), Cllr Chris Humphries, Cllr Jerry Kunkler (Substitute), Cllr Laura Mayes and Cllr Jemima Milton

1. Apologies for Absence

Apologies for absence were received from Cllr Jane Burton and Cllr Christopher Williams (who was substituted by Cllr Jerry Kunkler).

2. Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the Committee meeting held on 15 December 2011.

3. Declarations of Interest

Cllr Jemina Milton expressed a personal and prejudicial interest in planning application 6b. E/11/0838/FUL, Chantry Meadow, Ogbourne St George. She had done so in the initial application as she previously had an arrangement with the applicants to store horse lorries at her property.

4. Chairman's Announcements

There were no Chairman's announcements.

5. Public Participation and Councillors' Questions

The Committee noted the rules on public participation and the manner in which the meeting would be held.

Members of the public addressed the Committee as set out in Minute No 6, as detailed below.

There were no questions received from members of the public or members of the Council.

6. Planning Applications

6.a E/2011/1247/FUL Ashwyns, Kingsbury Street, Marlborough, Wilts SN8 1JA - Demolition of existing house and garage and their replacement with a new dwelling; studio space to rear lowered courtyard; extension of front boundary wall (amendment to E/11/0168/FUL).

The following people spoke in support of the application:

Mr David Higgins
Mr Ian Cowan (Agent)
Mrs S Rupp (Applicant)

Mrs M Rose (Chairman of Marlborough Town Council Planning Committee)

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that permission be granted subject to a planning obligation and conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion,

Resolved:

To grant planning permission for the following reasons:-

The proposal will not cause any significant harm to interests of acknowledged importance, including the amenity of residents of nearby properties and road safety. It would preserve and enhance the appearance of the conservation area and would accord with policy PD1 of the Kennet Local Plan and with national guidance in PPS5.

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years of 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 not be exercised in addition to or in combination with the development permitted by the permission granted under Ref. E/2011/0168/FUL dated 23/06/11

REASON:

In the interests of sound planning.

3. No development shall take place until details (including samples) of the materials to be used for the external walls and roofs (including details of the colour and type of render to the summer room) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

4. In the interests of visual amenity and the character and appearance of the area.

No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys and dormers have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

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

5. No development shall commence on site until details of the bricks, bond, mortar, capping and termination of the extended front boundary wall have been submitted to and approved in writing by the local planning authority. Furthermore a sample wall panel shall have been constructed on site, inspected and approved in writing by the local planning authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON:

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

6. Prior to commencement of development, assessment of the listed status of the boundary walls of the sunken garden is to be made and presented to the local planning authority. Full details of proposals for

works of repair or rebuilding to any existing boundary wall to the sunken garden wall, including details of new bricks, bond, mortar and capping are to be submitted to and approved in writing by the local planning authority in advance of these works being undertaken. Rebuilding works will involve the re-use of the existing bricks where these are in good condition and shall be carried out in accordance with the approved details.

REASON:

To secure the upkeep of these historic walls, in the interests of preserving the character and appearance of this part of Marlborough Conservation Area.

7. Prior to commencement of development, the applicant shall advise the local planning authority of results of investigations into depth of foundations of existing historic boundary walls and buildings on the site (in relation to the need to meet building regulations and the Party Wall Act) and advise of any consequential works required to secure the structural integrity of such structures due to the construction of the new development.

REASON:

Such details do not form part of the application.

8. Notwithstanding the details shown on plan 10085(L)020 Rev A, no development shall take place until there has been submitted to and approved by in writing by the local planning authority a fully detailed scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. Details shall also include species, sizes at planting, densities, location and numbers.

REASON:

To ensure a satisfactory landscaped setting for the development.

9. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwelling or the completion of the development whichever is the sooner; 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.

10. The office/studio building hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwelling house.

REASON:

To define the extent of the permission and given the residential character of the neighbourhood.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON:

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings shall be inserted above ground floor ceiling level in the northern or southern side elevations of the dwelling hereby permitted.

REASON:

In the interests of residential amenity and privacy.

13. Prior to the dwelling hereby permitted being first occupied, the roadside kerbs shall have been lowered and raised as necessary to suit the revised access width, with the footway being resurfaced as necessary to suit the revised levels.

REASON:

In the interests of highway safety.

14. No development shall commence within the site until:

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

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

REASON:

To enable the recording of any matters of archaeological interest.

15. INFORMATIVE TO THE APPLICANT:

The applicant should note that the costs of carrying out the required archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred. The work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by the County Archaeologist.

16. INFORMATIVE TO THE APPLICANT:

Listed building consent may be required for any repairs to the boundary walls of the sunken garden. This should be obtained before any works commence.

17. INFORMATIVE TO THE APPLICANT:

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

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

18. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

9041-50-02, 9041-100-01, 9041-100-03, 10085(L)011B and 10085(L)012B, all received 12/09/11

10085(L)005G, 10085(L)006J, 10085(L)007K, 10085(L)008H, 10085(L)009F, 10085(L)010H, 10085(L)013F and 10085(SK)039_A all received 19/12/11

6.b E/11/0838/FUL Chantry Meadow, Ogbourne St George, Marlborough, Wiltshire, SN8 1SU - Change of use of the land from agricultural to mixed use of agriculture/equestrian, retention of stable building

The following people in opposition to the proposal:

Mr Freeman (Local resident)
Mr Anthony Hawnt (Local resident)
Lizzie Hawnt (Local resident)

The following persons spoke in support of the proposal:

Mr Tim Frost (Local resident)
Paul Oakley (Agent)

Mr Timothy George spoke on behalf of Ogbourne St George Parish Council.

Cllr Jemima Milton left the room and did not return (minute no. 3 refers).

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended, that permission be granted subject to a planning obligation and conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Chris Humphries, the member for the adjoining Division, who opposed the application highlighting issues surrounding highways, North Wessex Downs Area of Outstanding Natural Beauty and CPRE.

After discussion, it was proposed that the application should be refused, this motion failed. After further discussion a second motion for approval was proposed,

Resolved:

To grant planning permission for the following reasons and subject to the conditions set out below:-

The decision to grant planning permission has been taken on the grounds that the proposal will not cause any significant harm to interests of acknowledged importance, including the visual amenities of the area, the amenities of the North Wessex Downs Area of Outstanding Natural Beauty, residential amenity or highway safety. Development would accord with policies PD1 & NR7 of the Kennet Local Plan 2011 and

government policy contained in Planning Policy Statement 7: 'Sustainable Development in Rural Areas'.

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

REASON:

To comply with the provisions of Section 91 of the Town and Country Planning Act 190, as amended by the Planning and Compulsory Purchase Act 2004.

2. This planning permission shall ensure solely for the benefit of the applicant and only for so long as the applicant's main place of residence is at the property known as The Vicarage, Ogbourne St George. Should the applicant cease to reside at this property then the equestrian use shall cease and the stable building shall be permanently removed from site and the use of the land shall revert to agricultural use.

REASON:

In order to reserve to the Local Planning Authority long term control over the land and the buildings since this permission is granted solely to meet the needs of the present applicant in view of the alternative access available through their property, 'The Vicarage' .

3. The development hereby permitted shall be used solely for private use and shall not be used for any commercial purpose, including any livery (or DIY livery) use.

REASON:

Any commercial use would give rise to fresh planning considerations, including traffic generation and the potential impact on the amenity of nearby properties

4. There shall be no overnight parking of vehicles, including horse boxes or horse trailers, anywhere within the application site, or within the area outlined in blue.

REASON:

In the interests of visual amenity and preserving the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty.

5. There shall be no loading or unloading of horseboxes or horse trailers using the existing field access adjacent 'Fauns Close' at the north of the site. All transportation of horses to and from the site shall use the access through the applicant's property (The Vicarage).

REASON:

To prevent an increase in the use of a substandard access by vehicles resulting from the need to transport horses associated with the equestrian use of the land hereby permitted.

6. There shall be no burning of any animal waste or bedding emanating from the development hereby permitted anywhere on the site or on land outlined in blue.

REASON:

To preserve the amenities of neighbouring residential properties.

7. No external lighting shall be installed on the site (or within the area outlined in blue) unless otherwise first agreed in writing by the local planning authority.

REASON:

To enable the local planning authority control over proposed lighting in the interests of visual and neighbour amenity.

8. Within two months of the date of this permission, the area on the plans labelled for 'Equestrian Use' which is currently in use as a riding area, shall be fenced along its boundary (marked in red on the amended location plan received on the 18th October 2011) with timber posts and dark green tape at a height no greater than 1.4 metres and shall be thereafter maintained as such thereafter unless otherwise first agreed in writing by the local planning authority.

REASON:

To ensure that the area granted change of use to equestrian/ riding is properly demarcated for the purposes of monitoring and enforcement and in the interests of the visual amenities of the area.

9. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref: Site Plan (3187.1) and Stable Elevations and Plan View (Drwg 01) both received on the 30th June 2011 and amended Location Plan and attached letter received on the 18th October 2011.

(Duration of meeting: 6.00 - 7.10 pm)

The Officer who has produced these minutes is Anna Thurman, of Democratic Services, direct line 01225 718379, e-mail anna.thurman@wiltshire.gov.uk

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

EASTERN AREA PLANNING COMMITTEE

Date of Meeting	15 th March 2012
Application Number	E/2011/1139/OUT
Site Address	Land east of Quakers Walk, off London Road, Devizes, Wiltshire SN10 2DJ
Proposal	Development of a Care Village (Use Class C2) including access, car parking and landscaping.
Applicant	Society of Merchant Venturers
Town/Parish Council	DEVIZES
Grid Ref	400928 162065
Type of application	Outline planning
Case Officer	Rob Parker

Reason for the application being considered by Committee

This application has been brought to committee at the request of the Division Member, Cllr Mayes.

1. Purpose of Report

The purpose of this report is to consider the recommendation that outline planning permission be granted.

2. Report Summary

The proposal is discussed in detail in the officer comments below. However, some of the key issues to be considered (having regard to planning policy, consultee responses and objections received) are:

- The principle of development;
- The impact upon the amenities of the area, and in particular the setting of Quakers Walk;
- Whether the indicative layout is acceptable, including levels of parking provision;
- The impact upon traffic levels on London Road;
- The impact upon air quality in the town;
- Whether the development should make provision for affordable housing;
- The arrangements for foul drainage and whether the development would contribute to odour nuisance in the area of New Park Road;
- Impact upon bats; and
- Whether the requirements of the Council's Highway Officer in respect of resurfacing Quakers Walk are necessary and reasonable.

3. Site Description

The application site lies to the east of Quakers Walk, at the end nearest Devizes town centre. The site covers an area of 4.5 hectares and is currently in agricultural use. The recent housing development at Quakers Walk lies immediately to the north, Devizes Sports Club is adjacent to the east and allotments abut the site to the south. Beyond the allotments lies the Kennet & Avon Canal.



4. Planning History

E/10/0213/FUL - Development of a care village (use class C2) and a primary care centre (use class D1) including access, car parking and landscaping – Application withdrawn in March 2010.

5. The Proposal

The current proposal is for the development of a care village, to include 121 extra-care apartments and 18 extra-care cottages. The scheme also includes an 80 bed care home which would include a 20 bed suite specifically designed for residents with dementia. The development will be provided with communal facilities, including restaurants, activity rooms, a library, swimming pool and health suite. There will also be areas of open space within the site, providing leisure facilities including a village green with bandstand, bowls and croquet lawns.

Access to the site will be via the existing Quakers Walk housing development to the north. That development links onto London Road via Quakers Road.

The development provides the opportunity for an alternative access to Devizes Sports Club, in accordance with the requirements of the original Quakers Walk Planning Brief. This would enable the existing dangerous access onto London Road to be closed.

This application is submitted in outline with all matters reserved. However, a detailed layout has been submitted for indicative purposes, along with elevational drawings. These give a clear indication as to how the applicant would like the site to be developed.



Indicative Layout



Computer generated images showing the indicative layout in three dimensions.

(Note: These 3D images relate to the scheme as originally submitted. The layout has since been submitted to move Block C out of the Quakers Walk buffer zone and reduce the size / adjust the positioning of Block H.



6. Planning Policy

The site lies within the Limits of Development defined for Devizes in the Kennet Local Plan 2011. The land is not specifically allocated for development and no designations apply.

Policies PD1, HC5, HC7 & AT1 of the Kennet Local Plan are relevant to the consideration of this planning application. Policy HC30 of the local plan and supplementary planning guidance contained in the Devizes Strategic Brief are also relevant to the discussion in relation to affordable housing.

Interim Development Control Policy on 'Renewable Energy and New Development' (adopted by the former Kennet District Council on 20th September 2007) is a material consideration.

The emerging Wiltshire Core Strategy is a material consideration but the weight given to its content is limited due to the fact that the soundness of the document has not yet been tested through public consultation and Examination in Public. Core policies 43 & 46 are referred to in the officer comments regarding affordable housing.

The parking standards contained in the latest Wiltshire Local Transport Plan (March 2011) are referred to within this report.

Government policy contained in PPS1, PPS3 and PPS9 is a material consideration. Publication of the National Planning Policy Framework (NPPF) is imminent and this document is likely to supersede planning policy statements (PPS). However, the NPPF is currently in draft form and it may be modified in response to public consultation. For this reason the NPPF carries limited weight as a material planning consideration.

7. Consultations

British Waterways – no objection subject to the applicant entering into a legal agreement to provide £1000 per annum to cover the additional maintenance costs arising from increased usage of the towpath by the residents of the development, staff and visitors.

CPRE – objects to the development on the following grounds:

- Development would worsen congestion on London Road and increase air pollution.
- The proposal would result in the loss of a greenfield site which should be protected.
- The application conflicts with Structure Plan Policy.
- The developer's pre-application consultation with the community was inadequate.
- Assumptions contained in the submitted Transport Assessment are not credible.
- The need for private care accommodation in Devizes is questioned.
- The development would produce exclusive and expensive accommodation, unaffordable to the average inhabitant of Devizes.

Devizes Town Council – objects on the grounds that there would be added traffic to an already congested London Road and also there is a lack of parking provision. The town council made the following additional representation:

“The historic character of Quakers Walk has always been vigorously defended by Devizes Town Council, as this route is an important access way from the town centre to the surrounding open countryside. Its appearance has already been significantly reduced by the development of the surrounding fields, therefore any further proposals that have the propensity to diminish the character further are always strongly scrutinised by this authority.

“At a recent meeting of the Town Council Planning Committee, its members considered the sustainable transport appraisal, which suggested various off site enhancements to the area.

“It is the Town Council's strong view that laying an asphalt surface on any part of Quakers Walk would significantly alter the character of the area and further urbanise this important historic route from the Town and therefore would resist any plans to do so. The committee did recognise that the Heritage Park development had laid a parallel path giving access to the estate and therefore a suggestion would be to extend this for the care village, which will provide enhanced access to that facility from Quakers Walk for its residents in addition to giving an alternative route for those who may need a smoother surface for mobility aids.

“The Town Council did concede that the entrance to Quakers Walk via New Park Road can be difficult for those in wheelchairs and they can see the benefit of making some improvement here; however, again this is a sensitive historic area and work would need to recognise this and pay due regard to any planning conditions which may be in place.”

Environment Agency – no objection subject to appropriate conditions and informatives.

Roundway Parish Council – strongly object on parking allocation and impact on the London Road including sewage impact on an already overloaded system.

Trust for Devizes – The present uncontrolled junction with London Road will be unable to cope with peak traffic and considerable queuing will take place. The development will place additional strain on the junction at the morning peak when pupils are being dropped off at the new primary school (08:30-08:45). Congestion will increase and with it air pollution. The fact that air pollution will increase by only a small amount is irrelevant; the Council will have allowed pollution to increase, rather than taking steps to decrease it. The application should therefore be rejected until an effective air quality management plan is in place and shown to be working.

Wessex Water – no objection:

- Foul Drainage - The 'Foul Drainage Options Preliminary Assessment' submitted by the applicant is acceptable to Wessex Water as a basis on which to agree a strategy and progress to Section 104 Agreement. The developer may have to install septicity control at the pumping station until the connected property numbers increase.

- Water Supply - Network modelling will be required to ensure that the local water supply network has the capacity to serve the development. This modelling will be carried out by Wessex Water on behalf of the developer following a grant of planning permission. Any infrastructure works required can be secured under non-planning legislation.

Wiltshire Council Archaeologist – No objection. The application site lies south of the one evaluated in 2007 as part of planning application reference K/52761/O (Quakers Walk housing scheme). The results of that work, together with the topography and nature of the affected landscape, indicate that there is little potential for surviving archaeology which would be disturbed or destroyed by this new development.

Wiltshire Council Ecologist – no objection subject to a condition requiring the submission of an Ecological Management Plan for the site.

Wiltshire Council Environmental Health – no objections, with the following comments:

- The submitted 'Air Quality Impact Assessment' demonstrates that there will be very little impact upon air quality. It is accepted that there are potential issues with the cumulative impacts of development on air quality. This will be dealt with as part of the Wiltshire Core Strategy. However, the Council would not be in a position to refuse planning permission for the current proposal as the relevant policies are not in place.
- The Environmental Health Service has received odour complaints relating to sewage pumped between Quakers Walk sewage pumping station and the main sewer in New Park Street. The Environmental Protection Team are investigating these complaints and are working toward a resolution with the Quakers Walk site developer. The odour is believed to be arising because the pumping station is running under capacity currently. It is the experience of the Environmental Protection Team that once the pumping station is running at capacity, the odour problem will be resolved.

Wiltshire Council Highways – no objections to the revised plans, but request that the following be secured as part of the development:

1. Submission of a staff Travel Plan;
2. Gate signing, including an advance sign and the approach to the gates to be illuminated;
3. Provision of the access roads, the sports club access stub, vehicle parking and turning areas, and bicycle parking areas;
4. Resurfacing of an area outside the Quakers Walk gates with new tarmac; and
5. Resurfacing of Quakers Walk along its entire length (between the gates at the southern end and Roundway Park) at 3m width in a smooth buff coloured surface such as stone mastic asphalt using clear binder and coloured aggregates.

Wiltshire Council Landscape Consultant – no objections. It would be useful to see the plans fully worked up with a landscape masterplan, which also includes the buffer strip and treatment of the Quakers Walk boundary. Any regrading or water attenuation facilities will require an Arboricultural Implications Report.

Wiltshire Council Strategy & Commissioning – Adult Care and Housing

“Wiltshire’s Older Persons Accommodation Development Strategy, adopted in December 2010, projects a 61.7% increase in the numbers of people aged over 85 and a 58.6% increase in the number of people aged 75 – 84 between 2007 and 2021. The recently completed Strategic Housing Market Assessment (SHMA) estimates that around 34% of all households in the Devizes community area have older people in them with 27% of those being entirely older person households and that the number of older person households

will increase by 52% between 2011 and 2026. The SHMA also confirmed that just over 70% of older person households are owner-occupiers with around 21% currently renting affordable housing with the remainder privately renting. The SHMA also indicates that 59% of older person households are under-occupying their current property i.e. their current property has three or more bedrooms.

“The increase in the numbers of older people indicates that there is a high need for additional extra care housing within Wiltshire and in the Devizes community area. The financial status of older people in Wiltshire indicates that the mix of units proposed within this scheme should include a minimum of 20% of the homes as affordable homes to reflect the needs of the whole older population to ensure the properties are accessible to the older people who will need them and that a mixed and balanced community is created to reflect the balance of the wider community. A mixed tenure scheme will also enable older people to move out of larger properties in the local area, both owner-occupied and rented, to release family accommodation.

“It is recommended that the proposal should be supported subject to a requirement to provide a minimum of 20% of the extra care units as affordable housing in order to meet the needs of the whole community. Suggested Heads of Terms are as follows:

- a) 20% of all the extra care/very sheltered housing should be affordable.
- b) Affordable housing is defined by Planning Policy Statement 3 (PPS3) Annex B dated June 2011.
- c) Each of the affordable dwellings shall be let at no more than 80% of local market rents or the Local Housing Allowance cap, whichever is the lower.
- d) The Council to agree in writing the level of local market rents (procedure to follow) and to further agree in writing the maximum rent which may be charged on each dwelling.
- e) The Council to have the right to nominate tenants to each of the affordable dwellings in perpetuity.
- f) Each dwelling over which the Council will have nomination rights is to be agreed in writing with the Council prior to first occupation of the development and must reflect the needs of the Council’s nominees at that time.
- g) The applicant to enter into a nominations arrangement with the Council which will set out the nominations process, criteria for nominees etc (details to follow).”

Wiltshire Fire & Rescue Service – standard guidance letter on fire appliance / firefighting access, water supplies for firefighting and domestic sprinkler protection.

8. Publicity

The application has been publicised by way of site notice, neighbour notification letter and press advertisement. Notification letters were sent to nearly 200 local addresses. 12 representations of objection have been received raising the following issues:

- a) The proposals will increase traffic congestion on London Road which is already at capacity. Any increase in traffic movements at any time of day will make a bad situation worse. The application must be tested using the newly updated version of the Devizes traffic model.
- b) The submitted Transport Assessment contains assertions based on assumptions that objectors do not find credible. The projected number of traffic movements is grossly underestimated and the green travel plan is completely unrealistic given the likely age profile of residents.

- c) The proposals will lead to an increase in levels of air pollution which are already above legal limits in certain parts of the town.
- d) There is inadequate provision for car parking.
- e) A roundabout at the junction of London Road and Quakers Road should be considered.
- f) The proposal would result in the loss of an important greenfield site and harm the amenities of the area. Some open space should be retained for future generations to enjoy. The land should be protected under guidelines set out in paragraph 130 of the draft National Planning Policy Framework (NPPF).
- g) The type of accommodation being proposed will not be affordable to Devizes residents and will not serve a local need. The development will therefore attract incomers to the area and put further pressure on existing infrastructure in the town.
- h) The real need for this development has not been explained. There are numerous other applications in various stages of submission for care homes in Devizes and there is already retirement accommodation in the town which is not selling. Dementia care should be given in the community, not in developments like this.
- i) The disruption caused during the building process will place a burden on the local community in terms of heavy plant movements, noise and air pollution.
- j) The plan includes a road which terminates at the edge of the allotments. This road is not required for the present development and indicates a longer term intention to develop the allotments. This must not be allowed.
- k) Employment opportunities for local people would be limited to unskilled, low value employment, generating little benefit to the local community. All "skilled" staff would travel into Devizes and add to the congestion.
- l) More usage of the towpath would dissuade people from using this pedestrian route into town and encourage them to drive, thus increasing congestion and air pollution.
- m) It is unreasonable to construct 3 storey buildings at the Quakers Road end of the development where they will dominate and restrict evening sunlight on existing dwellings. It would be better to locate these at the end of the site nearest the allotments.
- n) Residents are concerned by the placement of refuse/bin stores at the boundary with homes in Quakers Road.
- o) The development will have a severe impact on bat commuting corridors.
- p) Devizes cannot sustain any further development, the town is already at capacity. The proposal takes no account of the problems it would bring to the already over-stretched infrastructure, e.g. water and sewage, highways, health services. The development will have little or no benefit to the local community to compensate for the harm caused. This is not sustainable development.
- q) The development would put additional pressure on the town's doctor surgeries and hospital which are already under severe strain and not fit for purpose.
- r) The submitted foul drainage assessment puts forward various alternatives, none of which are acceptable. The option of a sewage pipe being put across the canal outside the bridge parapet is not acceptable.

- s) As a result of the extra flow generated by the Quakers Walk development, New Park Road regularly smells of sewage. The system cannot cope at present and further input would only exacerbate the problem.
- t) Concerns are expressed regarding the possibility of further works being carried out to Quakers Walk itself.

9. Planning Considerations

Principle of Development

The application site lies within the Limits of Development defined for Devizes in the adopted Kennet Local Plan 2011. The land is not specifically allocated for development and it is not covered by any local plan designations. Land to the west on the opposite side of Quakers Walk is protected by an 'Area of Minimum Change' designation under local plan policy HH10, the allotments to the south are protected by policy TR20 and Devizes Sports Club to the east is protected recreation land under policy TR17. The application site lies in the centre of these designations without any specific policy protection. Subject to development preserving the setting of Quakers Walk it is considered that the proposal is acceptable in principle.

It is relevant to note that the emerging Wiltshire Core Strategy (the first draft of which was approved by Cabinet for the purposes of public consultation on 7th February 2012) places a strong emphasis on the need to plan for an ageing population. Core policy 46 is explicit in its support for specialist accommodation including nursing homes, residential homes and extra-care housing. The current proposal would therefore make a positive contribution towards achieving the Council's objectives.

Indicative Layout

The application has been submitted in outline with all matters reserved so the detailed design and layout are not for consideration at this stage. Notwithstanding this, the applicant has supplied a considerable level of detail to demonstrate how the site could be developed. This includes an indicative layout, elevational drawings and three dimensional computer generated images. The submitted details show an attractive form of development with single storey and well spaced two storey buildings nearest Quakers Walk and a larger three storey block furthest away, adjacent to Devizes Sports Club. The proposal includes an undeveloped 35m wide buffer zone with the footpath along Quakers Walk which was a requirement of policy HC9 of the Kennet Local Plan in relation to the housing scheme to the north.

The current scheme is considered to be a significant improvement over an earlier withdrawn proposal (E/10/0213/FUL). That proposal included a Primary Care Centre in addition to the care village. The removal of the Primary Care Centre from the scheme has freed up a lot of space which has allowed for a lower density layout and the creation of a more attractive landscape setting.

Although the submitted layout plan is only indicative, it will form the basis for a reserved matters application. Amendments have therefore been negotiated to move Block C out of the Quakers Walk buffer zone, and reduce the size / adjust the positioning of Block H. The amendments have resulted in a reduction in the number of extra-care units on the site from 147 to 139.

Affordable Housing

(i) Adopted planning policy

Proposals for residential schemes of 15 dwellings or more within Devizes would be required under policy HC30 of the adopted Kennet Local Plan 2011 to provide a 50% proportion of affordable housing, divided into 30% subsidised housing for rent through a Registered Social Landlord and 20% intermediate housing (i.e. shared ownership or low cost market).

The Devizes Strategic Brief states that a contribution towards subsidised affordable housing will not be sought from housing schemes which restrict occupancy of the units to people aged 55 or over in recognition of the management problems associated with letting units to people of similar age and mixed tenure within a communal scheme. The adopted policy requirement for an age restricted scheme of dwellings would therefore be a 20% contribution of intermediate housing.

(ii) Emerging planning policy

Core policy 43 of the emerging Wiltshire Core Strategy requires a 40% contribution of affordable housing in all residential schemes of 5 units or more. The tenure would be negotiated on a site-by-site basis to reflect the nature of the development and local needs. Core policy 46 explicitly includes extra-care housing within the affordable housing requirement. This gives a clear indication of the Council's 'direction of travel' in respect of its approach towards extra-care accommodation.

(iii) Application of planning policy to the current scheme

It has long been acknowledged by Planning Inspectors when this matter has been considered at appeal that extra-care accommodation would fall within the C2 residential institution use class, particularly when associated with traditional nursing home accommodation. In this context, it is not legitimate to require affordable housing under the Council's adopted planning policies as these relate to residential development falling within the C3 dwellings use class.

The emerging Wiltshire Core Strategy does require provision of affordable housing in extra-care housing schemes. However, policies in this document would have limited weight in an appeal situation due to the fact that the soundness of the Core Strategy has not yet been tested through public consultation and Examination in Public.

(iv) Negotiations during the course of the current application

Notwithstanding the lack of policy support in the adopted local plan, officers have sought to negotiate an element of affordable housing in the scheme. This would be beneficial in the interests of creating a mixed, balanced and sustainable community and would help to achieve the Council's wider objectives as set out in the emerging Wiltshire Core Strategy.

The applicants point out that there is no formal adopted planning policy to require affordable units but they acknowledge the Council's aspirations and have therefore offered a total of 16 extra-care apartments as affordable units for rent. This represents a contribution of 11.5% of the total number of units on the site (139). The applicants' offer is made without prejudice to their position at any future appeal – it has been indicated that the offer would be withdrawn in the event of the application being refused by the committee.

Whilst the offer of 11.5% is less than the 20% which is being requested by the Council's Adult Care & Housing Team, it is more than could be insisted upon under current adopted local plan policy. On this basis, the Committee is advised to accept the applicants' offer.

Traffic

Objectors raise concerns that development will increase traffic congestion along the London Road. The Council's Highways Officer has responded as follows:

"The Transport Assessment has followed the required methods and parameters set out in the scoping study required by the Highway Authority. The traffic impact on London Road will be around 2% as a worst case which is acceptable. The junction with London Road has been shown in the Assessment to satisfactorily cater for the traffic arising from the development including the forecast future year of 2011. Additional queue lengths caused by the development for vehicles leaving the access road and for vehicles entering will not be significant in the overall terms of the junction operation. The reason for lack of traffic impacts described above is because the development is not a significant contributor to the overall traffic numbers at the junction given the consented school (410 pupils eventually), the consented dwellings (248), and because the shift changeover times of the development are not anticipated to occur in the peak traffic hours.

"Some objectors have made the point that the development should be tested against the updated Devizes traffic model. This is not necessary given the points set out in the paragraph above and the fact that a test of the junction has been made using PICADY [industry standard computer modelling software]. The development will not have a quantifiable effect on traffic in the town centre. A further point is that at the time of the scoping study when the methods for assessment were set, the Devizes model was being updated and it was unclear when it would be available for use. For these reasons use of the model was not specified."

The Highways Officer is not raising an objection to the development and it would therefore be difficult to substantiate a refusal of planning permission on grounds relating to increased traffic on London Road. It is relevant to consider that a care village is likely to generate less traffic than a conventional housing scheme, which could be the alternative option for this site.

Parking Provision

The Council's latest Local Transport Plan (March 2011) introduces a new system of minimum residential parking standards for conventional housing development, but the standards relating to other forms of development (including sheltered housing and nursing homes) remain expressed as maximums. The maximum standards to be applied to the current proposal are as follows:

- 1 space per 4 beds in the care home
- 1 space per 2 staff in the care home
- 1 space per 2 extra-care units
- 1 space per 5 units for visitors

This translates to 130 spaces, based upon a proposal for 139 extra-care units, an 80 bed care and 25 staff on site at any one time. The indicative layout supplied with the application shows a total of 127 spaces. The Council's Highways Officer is satisfied with this level of provision, which falls just short of the maximum standard.

It should be stressed that the current application is for outline planning permission with all matters reserved, so parking will need to be considered at the reserved matters stage as part of the layout. There would be plenty of scope to increase (or decrease) parking within the current indicative layout, should that become necessary.

Other Highway Matters

The Council's Highways Officer has set out a number of other requirements, including:

1. Submission of a staff Travel Plan;
2. Gate signing, including an advance sign and the approach to the gates to be illuminated;
3. Provision of the access roads, the sports club access stub, vehicle parking and turning areas, and bicycle parking areas;
4. Resurfacing of an area outside the Quakers Walk gates with new tarmac; and
5. Resurfacing of Quakers Walk along its entire length (between the gates at the southern end and Roundway Park) at 3m width in a smooth buff coloured surface such as stone mastic asphalt using clear binder and coloured aggregates.

The first four requirements can be made the subject of appropriately worded planning conditions. The final requirement to resurface Quakers Walk is more controversial. The Highways Officer makes the request on the basis that the development will generate additional pedestrian movement, including wheelchairs and electric buggies. He considers that the existing surfacing, including the recently upgraded section, is not ideal for these movements due to its rough and undulating nature.

In response to this, it is relevant to consider whether a condition requiring the resurfacing of the entire length of Quakers Walk would meet the tests set out in Circular 11/95 'The Use of Conditions in Planning Permissions'. In particular, it is important to decide whether the condition would be necessary in order to grant planning permission, and whether it would be reasonable.

The public footpath along Quakers Walk has already been upgraded for a proportion of its length to provide a convenient pedestrian route into the town centre from the new residential development to the north. The hoggin surface was chosen to retain the rural character of Quakers Walk whilst at the same time providing a firm, well drained surface for pedestrians, cyclists and pushchairs. The balance has been struck successfully and it is not considered that it would be reasonable or necessary to require further surfacing works, particularly works which could harm the character of Quakers Walk. This position is strongly supported by Devizes Town Council (see its representation above).

It is acknowledged that a care village is likely to generate additional wheelchair and electric buggy movements, but this type of activity should also have been anticipated when planning for the neighbouring residential scheme.

Impact on Air Quality

The application is accompanied by an 'Air Quality Impact Assessment' which satisfactorily demonstrates that there will be very little impact upon air quality. The Council's Environmental Health Service accepts the content of this assessment and raises no objection to the development on air quality grounds.

Objectors raise concerns regarding the impact of development upon air quality. Officers do accept that there are potential issues with the cumulative impacts of development on air quality. However, this will be dealt with as part of the emerging Wiltshire Core Strategy. The Council would not be in a position to refuse planning permission for the current proposal as the relevant policies are not in place.

Note - The Environmental Health Service has confirmed that Devizes does have elevated levels of nitrogen dioxide in some parts of the town. The Council is currently undertaking a detailed assessment of the town (which involves gathering more monitoring data) in order to determine whether it needs to review the boundaries of the Air Quality Management Area which is currently

centred around Shanes Castle at the junction of the A342 Bath Road & A361 Chippenham Road. This work is ongoing.

Foul Drainage & Odour Nuisance

The application is accompanied by a document entitled 'Foul Drainage Options Preliminary Assessment' which sets out a number of options for foul drainage. Wessex Water considers this document to be acceptable as a basis for agreeing a strategy and progressing to a Section 104 Agreement under the Water Industry Act 1991. The preferred option is to direct foul flows from the development to the existing sewage pumping station for the Quakers Walk housing development, from where it will be pumped within the existing sewer which runs along Quakers Walk, across the canal bridge and into New Park Street. The solution would necessitate an upgrade to the sewage pumping station but no other works would be required and there would be no need to carry out any further off-site works, including any works along Quakers Walk or to the canal bridge.

Local residents have reported problems of sewage odours in the New Park Road area and they are concerned that the development would make this problem worse. The Council's Environmental Health Service is aware of the problem and has been investigating possible solutions in liaison with Wessex Water. The water authority has confirmed that this is known problem whereby insufficient flows can give rise to odour nuisance; this problem will ease once the Quakers Walk housing development is complete and additional properties are connected to the sewer. The proposed care village development is likely to further improve the situation by adding to the foul flows. In the meantime Wessex Water has advised that the developer may have to install septicity control at the pumping station until the connected property numbers increase. This has already been done in response to the complaints received by local residents regarding odour nuisance.

Surface Water Drainage & Flooding

The application is accompanied by a 'Flood Risk Assessment & Surface Water Drainage Strategy'. This satisfactorily demonstrates that the site is not at risk of flooding. The proposal is to manage surface water from the site in a sustainable manner to ensure that there is no increase in flows from those prior to the development. This will involve the use of permeable paving to the parking areas and cellular soakaways beneath the site. The latter would be located within the buffer between the development and Quakers Walk, and also underneath the car parking areas. The plans have been amended during the course of the application to ensure that the drainage strategy can be implemented without harm to the trees along Quakers Walk. The Environment Agency has agreed the principles contained within the submitted drainage strategy.

Impact on Ecology

The application is accompanied by an Extended phase 1 habitat survey and protected species surveys for bats and reptiles. These surveys show that the site itself is of relatively low ecological value, comprising a large arable field. However, nearby Quakers Walk forms a strong habitat feature linking the Kennet & Avon Canal County Wildlife Site with the ecologically valuable woodland habitats to the north at Roundway, including Home Covert and Roundway Down SSSI.

The submitted reptile survey shows the presence of low numbers of grass snake on the margins of the site. Young toads were also recorded using these marginal areas, which are also likely to be used by small mammals and invertebrates.

The bat survey confirms the presence of eight species of bat foraging, commuting and socialising across the site, including two particularly rare Annex II species. Whilst bats were recorded using all of the site boundaries, the key habitat feature was Quakers Walk, where the majority of foraging, commuting and socialising activity was recorded, including the rare species.

The Council's ecologist concludes that:

- a) Any local reptile population could be safely translocated out of working areas during the construction phase of development and in the long term habitats created within landscaped areas could provide additional habitat if managed sensitively for reptiles.
- b) The development is likely to impact upon bats' use of the eastern and southern boundaries of the site, as access and car parking are proposed in these areas, which are likely to be well lit. Nevertheless, activity in these areas was largely restricted to foraging by the commoner species and impacts could be reduced through a sensitive lighting scheme (which could be made the subject of an appropriately worded planning condition).
- c) Any impacts upon foraging bats can be compensated for through habitat enhancements along Quakers Walk, which will be retained within a wide habitat buffer which will remain dark and therefore should not be impacted upon by development.

Contributions Issues

British Waterways has requested that the applicant be required to enter into a Section 106 legal agreement to pay £1000 per annum to cover the additional maintenance costs arising from increased usage of the towpath by the residents of the development, staff and visitors. It is not considered that this would be a reasonable request, given the scale of the development being proposed (139 extra-care units + 80 bed care home) and the likely level of additional use arising from the development. The Council has not previously sought contributions towards maintenance of the towpath from major developments in the town (including nearby Quakers Walk and Spitalcroft) and therefore it is not considered reasonable to require contributions from the current proposal. British Waterways cite the emerging Wiltshire Core Strategy as justification for its request; this document currently has limited weight and until such time as a Green Infrastructure Strategy has been developed it is considered that the request for developer contributions is premature.

Other Issues

Objectors raise a variety of other issues to which officers would respond as follows:

- a) Objectors raise concerns regarding the justification for this development and whether there is genuinely a need for accommodation of the type being proposed. However, it is clear from the comments of the Council's Adult Care & Housing Team (set out above) that there is a demonstrable need for extra-care housing in the Devizes community area and within Wiltshire in general.
- b) Objectors request that the site be protected under guidelines set out in paragraph 130 of the draft National Planning Policy Framework. The NPPF is currently in draft form and it carries limited weight as a material planning consideration. Nevertheless, it should be noted that paragraph 130 is advocating the protection of green areas **through local and neighbourhood plans**. The application site has not been identified in this manner.
- c) It would be unreasonable to refuse planning permission due to the potential for disruption during construction. However, any disruption can be minimised by requiring the developer to submit a Construction Method Statement. This can be secure by planning condition.
- d) Concerns are expressed regarding the provision of an access to the allotments. This is not intended to provide access for future development – it is simply providing convenient access to the allotments for manure deliveries, etc. This was a requirement identified in the original

Quakers Walk Planning Brief and policy HC9 of the Kennet Local Plan in respect of the adjacent housing scheme stated that development should not prejudice use of the allotments. Deliveries to the allotments were previously made using Quakers Walk itself but the proposed surfacing upgrade was not considered to be compatible with agricultural vehicles, so an alternative access was needed.

- e) One objector expresses concern that the employment opportunities for local people would be limited to unskilled, low value employment, generating little benefit to the local community. This is an unsubstantiated claim which lacks any evidential basis. The development will generate jobs and this can only be viewed as positive for the town, especially in the current economic climate. The Government has made it clear in the ministerial statement 'Planning for Growth' that it expects local planning authorities to be positive towards development which stimulates the economy and creates jobs.
- f) Concerns have been expressed that the development would put additional demands on the town's already stretched doctor surgeries and hospital. Government advice contained in Circular 03/2005 (paras. 64-65) acknowledges that this type of public concern is common, but reminds local planning authorities that they should concentrate on the land-use planning considerations such as the impact on amenity and the environment. Residential care homes and nursing homes must be licensed through the Care Quality Commission and it is through this process (which involves consultation with General Practitioners) that the impact upon existing medical facilities will be addressed. In practice, care home providers often provide "gap funding" to GPs until capacity improves due to increased public funding from national budgets, or alternatively they make their own arrangements to address concerns over capacity, for example by funding a visiting GP. The applicant has provided a more detailed response on this issue which can be viewed on the working file. However, the important point to note is that it would not be legitimate to refuse planning permission on the basis of the scheme's impact upon health facilities – such issues are dealt with elsewhere under non-planning legislation.
- g) Residents of Quakers Road have expressed concerns regarding the siting of refuse/bin stores close to their properties. It is not considered that these would be harmful to neighbour amenity and there is no reason why a properly constructed bin store with adequate ventilation, proper cleaning/maintenance and regular refuse collection is likely to cause nuisance. The precise positions of the bin stores will be considered as part of the reserved matters application.
- h) Concerns have also been expressed regarding the position of the three storey block. It is not considered that this block would be harmful to the amenities of neighbouring residents. The block would be a satisfactory distance from properties in Quakers Road. Siting the block elsewhere on the site would be likely to harm the setting of Quakers Walk.

10. Conclusion

This proposal for a care village presents an excellent opportunity to deliver a care home and extra-care housing which would assist the Council in meeting its objectives to deliver specialist accommodation for an ageing population. There are no policy reasons why the site cannot be developed as a care village and the indicative layout and supporting information provided by the applicant demonstrate how an attractive development can be achieved without adversely affecting the setting of Quakers Walk or the amenities of neighbouring residential occupiers.

The layout maintains a minimum 35m wide buffer zone with Quakers Walk and provides for access to Devizes Sports Club and the existing allotments. These were requirements of the original Quakers Walk Planning Brief.

The submitted Transport Assessment (which has been prepared in accordance with a methodology agreed with the Council's Highways Officer) demonstrates that the development would add no more than 2% to existing traffic levels on London Road. The evidence also

suggests that there will not be a quantifiable effect on traffic in the town centre. Furthermore, there will be very little impact on air quality in the town.

Officers are satisfied that the development can be connected to existing sewerage infrastructure without causing odour nuisance for existing residents in the area of New Park Road. They are also satisfied that there would be no adverse impact upon protected species, subject to appropriate mitigation measures being secured via an Ecological Management Plan.

The applicant is offering 16 affordable extra-care units with nomination rights for the Council. This is a positive planning gain, negotiated by officers, which can be taken into account by the Committee when considering the application. Members should be aware that the offer will be withdrawn by the applicant in the event of planning permission being refused, as the Council's adopted planning policies cannot insist upon the provision of affordable housing in C2 residential schemes.

It is also relevant to consider that the economic benefits of this development which will be create jobs and generate additional spending in the town, both during construction and when the care village is operational. The Government has made it clear in the ministerial statement 'Planning for Growth' that it expects local planning authorities to be positive towards development which stimulates the economy and creates jobs.

Overall, it is considered that this development should be supported and accordingly a grant of outline planning permission is recommended, subject to the applicant entering into a S106 legal agreement to secure the affordable housing.

RECOMMENDATION

That outline planning permission be GRANTED subject to the applicant entering into a Section 106 agreement to secure the affordable housing and subject to the conditions set out below.

The reasons for granting planning permission are:

- a) Development would accord with policies PD1, HC5, HC7 & AT1 of the Kennet Local Plan 2011, Interim Development Control Policy 'Renewable Energy & New Development' and government policy contained in PPS1, PPS3 & PPS9.
- b) This mixed tenure development would assist the Council in meeting its objectives to deliver specialist accommodation for an ageing population, as set out in the emerging Wiltshire Core Strategy.
- c) The development also has economic benefits, creating jobs and generating additional spending in the town, both during construction and when the care village is operational.
- d) The indicative layout and supporting information provided by the applicant demonstrate how an attractive development can be achieved without adversely affecting the setting of Quakers Walk or the amenities of neighbouring residential occupiers.
- e) The indicative layout maintains a minimum 35m wide buffer zone with Quakers Walk and provides for access to Devizes Sports Club and the existing allotments. These were requirements of the original Quakers Walk Planning Brief.
- f) The development would not be detrimental to highway safety or congestion in the town, adding no more than 2% to existing traffic levels on London Road. There will not be a quantifiable effect on traffic in the town centre. Furthermore, there will be very little impact on air quality.

- g) The development can be connected to existing sewerage infrastructure without causing odour nuisance for existing residents in the area of New Park Road.
- h) There would be no adverse impact upon protected species.

Conditions:

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

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

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;
- (e) The means of access to the site.

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the development or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development.

- 5 The development hereby permitted shall not be occupied or otherwise brought into use until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.

- 6 (a) The details of layout and access submitted as part of the reserved matters application shall accord with the indicative layout and indicative access points shown on drawing no. PL02 Rev E received on 16th November 2011.

(b) The scale of the individual blocks submitted as part of the reserved matters application shall accord with the details shown on drawing nos. PL03, PL04, PL05, PL06 & PL07 received on 24th August 2011.

(c) The number of extra-care units on the site shall not exceed 139 and the number of beds in the care home shall not exceed 80.

REASON: The Local Planning Authority has considered the proposals based upon the information on indicative layout, scale parameters and amount of development submitted with the application. It would wish to give separate consideration to any proposal which departs from these details.

- 7 The development hereby permitted shall be used solely as a C2 care village comprising a care home, extra-care accommodation units and ancillary facilities for the benefit of residents. The development shall not be used for any other use (including other uses falling within Class C2 of the Use Classes Order 1987, as amended).

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.

- 8 No development shall commence on site until details of protective fencing for the trees along Quakers Walk have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with British Standard 5837 (2005): 'Trees in Relation to Construction' and the information shall include details of the type of fencing to be used and its position. Once the fencing has been erected it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising or lowering of ground levels, shall be allowed within the protected area(s).

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

- 9 No development (including excavation and earthworks) shall take place within 35m of Quakers Walk (identified on the approved plans as the Buffer Zone) until an Arboricultural Implications Report has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To protect trees on the site in the interests of visual amenity.

- 10 No development shall commence on site until details of existing and proposed ground levels across the site (including within the Quakers Walk buffer zone), proposed slab levels and details of spoil disposal have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity.

- 11 No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been fully implemented in accordance with the approved details.

REASON: To ensure that the proposal is provided with a satisfactory means of foul drainage.

- 12 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

13 No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and prudent use of natural resources.

14 No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment.

15 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to the contents of the attached letter from the Environment Agency and dated 26th September 2011.

16 No development shall commence on site until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the location of construction compound(s) and positions for site office(s);
- e) the erection and maintenance of any security hoarding / fencing;
- f) wheel washing facilities;
- g) measures to control the emission of dust and dirt during construction;
- h) a scheme for recycling/disposing of waste resulting from construction works;
- i) measures for the protection of the natural environment; and
- j) hours of construction, including deliveries

has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved Construction Method 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, during the construction phase.

- 17 No development shall commence on site until a scheme for on-site renewable energy to reduce CO2 emissions from energy use by users of the buildings constructed on site by a minimum of 10% has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of the development.

REASON: In the interests of reducing CO2 emissions.

- 18 No development shall commence on site until an Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should include details of:

- a) Habitat creation and management measures along Quaker's Walk;
- b) Mitigation measures for reptiles;
- c) Monitoring for Annex II bat species;
- d) Enhancements for Wiltshire BAP habitats / species.

All development shall be carried out in accordance with the approved Ecological Management Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of mitigating the impact of development upon protected species and enhancing the local ecology of the area.

- 19 No external lighting shall be installed on the site without the prior written approval of the Local Planning Authority. Any request for external lighting submitted pursuant to this condition shall include details of the type of light fitting and information regarding its position, height, orientation and power. The lighting shall be installed in accordance with the approved details and thereafter it shall not be modified without the Local Planning Authority's prior written consent.

REASON: To prevent disturbance to bats which are protected species under law.

- 20 The development hereby permitted shall not be occupied or otherwise brought into use until a Staff Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request together with any changes to the plan arising from those results.

REASON: To promote car sharing and modes of transport other than the private car, in the interests of sustainable development.

21 The development hereby permitted shall not be occupied or otherwise brought into use until tarmacadam resurfacing works have been carried out in the area outside the Quakers Walk gates, in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority.

REASON: The existing tarmacadem surface just outside of the gates is rough and in poor condition and resurfacing is required to improve access to the town centre for wheelchairs and electric buggies.

22 The development hereby permitted shall not be occupied or otherwise brought into use until the access road, sports club access stub, vehicle parking and turning areas and bicycle parking facilities have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

23 Any entrance gates to the development shall be properly signed including an advance sign and the approach illuminated in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

24 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

(a) Planning Supporting Statement, Design Statement, Documents titled "Defining the C2 Use" & "Care Needs Assessment", Extended Phase One habitat survey (May 2009), Reptile Survey (July 2009), Bat Detector Transect Activity Surveys (Summer 2009), Proposed Site Perspectives (2 no.), Transport Assessment (including Non-Technical Summary), Foul Drainage Options - Preliminary Assessment, Consultation Statement and Drawing nos. PL01, PL03, PL04, PL05, PL06 & PL07 received on 24th August 2011.

(b) Air Quality Assessment received on 6th September 2011.

(c) Revised site layout plan (Drawing no. PL02 Rev E) received on 16th November 2011.

(d) Amended Flood Risk Assessment & Surface Water Drainage Strategy (Revision A) received on 21st November 2011.

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EASTERN AREA PLANNING COMMITTEE

Date of Meeting	15 th March 2012
Application Number	E/2011/0896/LBC
Site Address	Southcott Manor, Pewsey, Wiltshire SN9 5JF
Proposal	Part demolition of existing building including double garage and new extensions and alterations.
Applicant	Mr & Mrs R Middleton
Town/Parish Council	PEWSEY
Grid Ref	416990 159387
Type of application	Listed Building Consent
Case Officer	April Waterman

Reason for the application being considered by Committee

This application, and its sister application for planning permission, have been called to committee by the Division Member, Cllr Kunkler.

1. Purpose of Report

To consider the recommendation to refuse the application for Listed Building Consent.

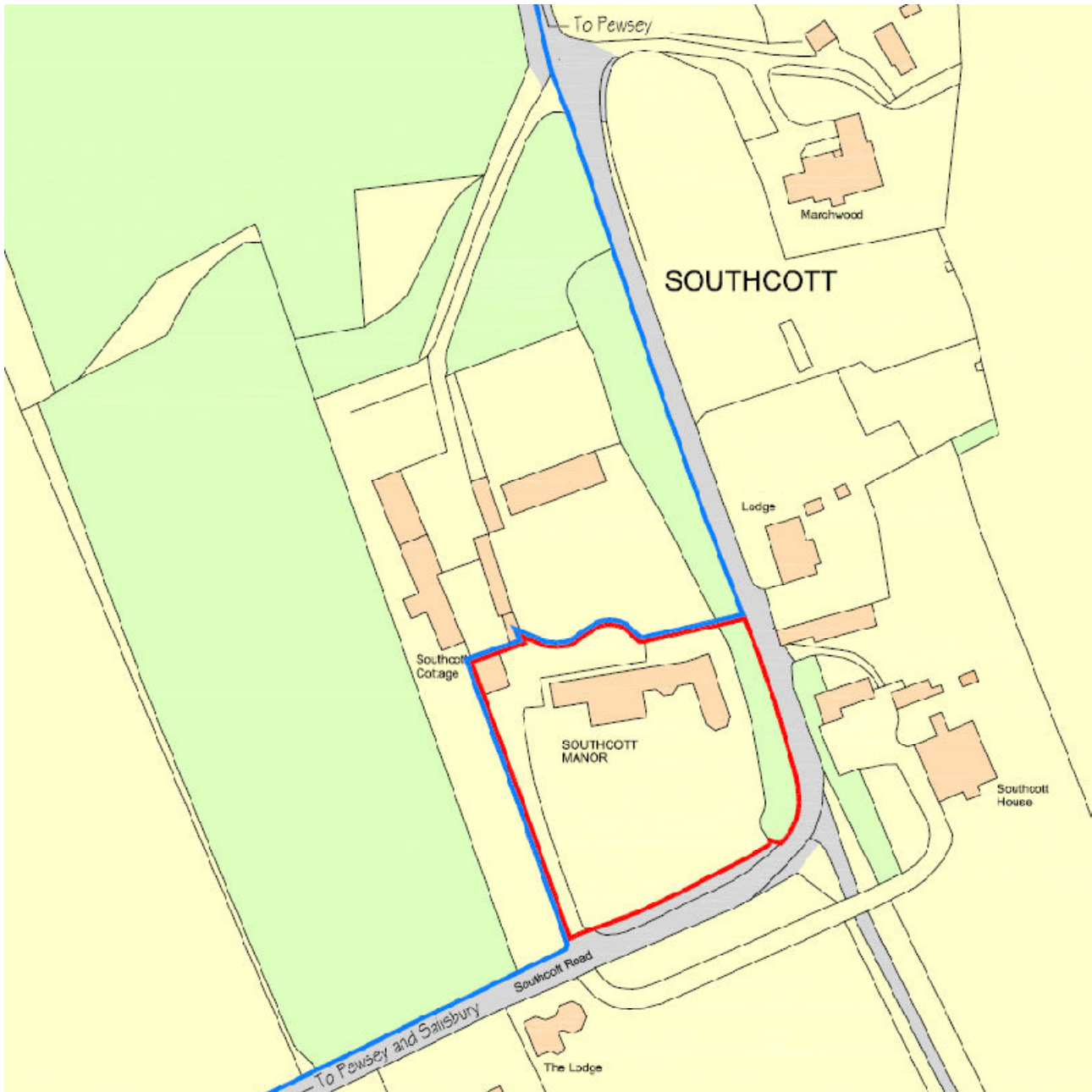
2. Report Summary

Listed Building Consent is sought for the partial demolition, reconfiguration and extension of this Grade II Listed Building. As a result of the degree of loss of historic fabric and of the scale and design of the extensions, the proposed works are considered to be unjustified and unacceptable in terms of the impact on the heritage significance of the asset.

3. Site Description

Southcott Manor is a Grade II Listed early C19 farmhouse located in the open countryside about 1km to the south east of the centre of Pewsey, served off Green Drove, and bounded to the east by Southcott Road. The site lies within the North Wessex Downs Area of Outstanding Natural Beauty, on relatively flat land in the Pewsey Vale floor.

Other residential and agricultural development is grouped loosely along these roads.



The property comprises the principal house, together with a collection of buildings including an enlarged cottage, a timber framed thatched former threshing barn and further domestic and agricultural outbuildings. Land associated with the manor is used for garden and orchard/ agricultural purposes.

The original house is orientated with its main rooms presenting to the south, overlooking gardens. The driveway now serving the property brings vehicles to the garage and parking areas to the immediate north west and north of the house, and the most used entry into the house is now on the north side, rather than through the main porch on the south face of the building.

The house as it now stands comprises a central two storey block, almost square in form, with a ground floor modern wing to the east, and a narrow two storey service wing to the west. The different scales, forms, designs and detailing of the two existing wings are clearly identifiable from the original central four-room-and-central-passage plan house, especially from the south, where the integrity of this core structure is best appreciated.

The current west wing incorporates elements of earlier structures (a dairy) and although it has undergone much change, evidence of each stage of its evolution (and therefore the history of the overall building) is retained in the existing structure.

4. Planning History

E/2011/0895/FUL	Part demolition of existing building including double garage and new extensions and alterations.
K/45176/L	Replacement of existing conservatory with new larger one.
K/45177	Replacement of existing conservatory with new larger one.
K/13069	Single storey extension housing swimming pool and amenities.
K/86/1239	New conservatory and extensions to stable block
E/11/0408/LBC	Erection of orangery (Southcott Cottage).

Pre-application advice relating to the extension of the building was provided to the applicants by the Conservation Officer in March 2011. This advice was, in general, not supportive of further extension to the principal Listed Building.

5. The Proposal

The proposals for which Listed Building Consent is sought have been amended since first submission, as discussion between the applicant, agent and your officers has taken place in an attempt to resolve problems identified with the scheme. Notwithstanding these discussions, the proposals still comprise the partial demolition, reconfiguration and extension of the house, and the removal of roughcast render from the building and its replacement with a smooth lime render. Listed Building Consent is also sought for the demolition of a double garage.

The existing accommodation comprises a kitchen, lounge, dining room, drawing room, two utility rooms, front and rear halls retaining the through passage route, main and back stairs, conservatory, sauna, changing room, two downstairs W.C.s and enclosed swimming pool. The first floor of the main house has been altered from its original four bedroom and landing layout to show three bedrooms and two bathrooms, with a fourth bedroom and third bathroom in the connected first floor section of the west wing.

The application initially sought permission to provide a six bedroomed house by the following alterations and extensions:

- the removal of the upper floor area of the main house above part of the rear hall and existing drawing room to show a galleried dining space, including a new main curved staircase;
- the blocking of the through passage hallway and the insertion of a cloakroom with W.C.;
- the provision of three bedrooms and one bathroom within the remaining first floor of the original house;
- replacement of the single storey east wing (except for a section of the north wall) to form a two storey block with games room and kitchenette (with retention of the swimming pool building beyond), and two new bedrooms, four new bathrooms and a laundry on its first floor;
- demolition of the west wing (again, with the exception of parts of its north and west walls) and replacement with a two storey and further single storey extension to provide a kitchen/breakfast/family room, a sub-kitchen, a pantry, a utility room, a boot room and a W.C. on the ground floor, with a master bedroom, dressing room and en-suite bathroom

above. Quartered windows in the retained north wall of the existing structure are proposed to be replaced with small paned “Georgian” style windows in altered openings.

Amendments to the scheme comprise:

- the retention/re-instatement of the four-room plan on both ground and first floors of the original house, accommodating a dining room, drawing room, study and snug on the ground floor, with three bedrooms, a bathroom, and the dressing room to serve the master suite on the first floor;
- a two storey (largely replacement) extension on the west side to provide a master bedroom and bathroom only at first floor level, still with kitchen/breakfast/family room below;
- a two storey (largely replacement) extension on the east side to provide only two further bedrooms and two bathrooms at first floor level, and games room below (i.e. still six bedrooms in all);
- the setting back of the proposed ground and first floor east wing by 2.3 metres from the south facade of the original house;
- the setting back of the ground floor of the west wing extension by 0.8 metres from the south facade of the original house, with the first floor element being set back by 2.3 metres.

In essence, the revised proposals differ from the initial submission by a reworking of proposals in the central house and a slight reduction in the overall size of the extensions. This has resulted in the omission of the new curved staircase and galleried dining space, two upstairs bathrooms, a sub-kitchen and a kitchenette. The depth of the wings has been reduced, with a slight shortening of the length of the east wing only.

The degree of demolition of the existing west side structures has not changed, and the proposed replacement of existing windows on the north elevation of the west wing is also not altered. The ridge and eaves levels of the proposed wings are also not altered, each being shown as only 0.4 metres and 0.25 metres below the corresponding ridge and eaves levels of the main house. The removal of the roughcast render and its replacement with a smooth finish render is still proposed.

6. Planning Policy

Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990

National Policy contained in PPS5 ‘Planning for the historic environment’.

7. Consultations

Wiltshire Council Conservation Officer (Comments on initial submission):

In pre-application advice given in March 2011, the following was conveyed to the applicant:

“...our preliminary advice to owners is to ensure that the current level of accommodation suits their needs as no extension to a listed building can be guaranteed....additional accommodation may be desired but this is not sufficient justification for the proposals to extend a listed building and current government policy requires additional supporting information to establish the case of whether the building is redundant in its current form. Current Government policy PPS5: HE9.3 states that local planning authorities require the applicant to provide evidence that other potential owners or users of the site have been sought through appropriate marketing and that reasonable endeavours have been made to seek grant funding for the heritage assets’ conservation. This would prove the redundancy of the building in its current form before any extension to the building will be considered,

although it certainly does not expect people to actually sell their property, but merely to establish the current level of interest in it in its current form....

... it would appear that successfully extending the house without impacting on the special interest of the building may be difficult to achieve, due to the fact that the building has been extended in the past. Notwithstanding the desirability of additional accommodation, any proposals to alter or extend a listed building must be fully justified (in terms of their impact on the listed building, its fabric and setting) and I am therefore unable to see what convincing justification could be given for further extension to the property.”

Despite this initial advice, no more information was received for further advice, and an application for significant proposals to the protected building has been submitted.

Objection is raised to the scheme on a number of counts:

Demolition of dairy/servants' wing:

The loss of this historic part of the building would remove evidence of the evolution of the house, and its function. This building provides a working entrance to the house from the farm, along with a less formal or servants' access to the first floor, and the lower status of this part of the house is differentiated from the main core by the style and rhythm of its windows. The proposal to lose this part of the house is deemed to be harmful to the listed building and is therefore an unacceptable loss to the significance of the designated heritage asset. With no convincing justification for it being submitted, the proposal is contrary to PPS5 Policy HE9.1.

Proposed two two-storey extensions:

The building already offers a large amount of living accommodation over two storeys and no need has been demonstrated that it is necessary to enlarge it further to retain its function as a dwelling house. The proposed extensions are extremely large in relation to the proportions of the original house, require demolition of important parts of the house in order to be implemented and dominate the historic house in overall size and location.

The main house has been given an elegant setting, with a formal south entrance porch and grounds, which differentiate the house from the working farm buildings. The proposed extensions provide the house with 'wings', being two storeys approaching similar ridge heights and depth/footprint to the historic building. These are deemed to be detrimental additions, as they dominate the main house, almost losing it as it appears to be consumed by the proposed wings.

As stated at pre-application stage, any proposals to alter or extend a listed building must be fully justified (in terms of their impact on the listed building, its fabric and setting). Nothing convincing has been put forward that outweighs the substantial harm caused to the listed building. Additional accommodation may be desired but this is not sufficient justification for the proposals to extend a listed building and current government policy requires additional supporting information to establish the case of whether the building is redundant in its current form (which clearly it is not). There is no need for the additional space, as the building is currently functioning as a habitable dwelling. The extensions proposed would erode the historic identity of the manor house, much to its detriment, causing significant harm to its special interest and its setting.

Internal alterations

West wing – comments above

Main house ground floor:

The reinstatement of the dividing wall between the existing kitchen and dining room is welcomed: it reinstates the historic floor plan of the house. Other alterations proposed for the ground floor, however, combine to have a detrimental impact on the significance of the designated heritage asset. The loss of the through passage from the original front door and rear door/hallway disrupts the historic plan form of the building, which is a defining feature of this building type. The loss of a presumed load bearing wall between the rear hall and the drawing room is also unacceptable interference with and loss of the historic plan form of the building.

The removal of the ceiling and floor to create a new staircase and access to the first floor is also a highly damaging alteration to this listed building and the justification for this work is unconvincing for such major structural intervention into the building.

First Floor:

The alterations to the first floor, which include altering/blocking/creating doorways, creating a room on the landing area, which result in a significantly altered plan are also damaging to the building's special interest.

Generally the blocking and/or relocating of doorways (on both floors) are unnecessary alterations to the listed building – current guidance does not support the blocking of historic openings and these should be retained, complete with door, frame, fittings etc, in situ but locked or fixed shut if no longer in use.

Overall, the extent and nature of the proposed internal alterations are substantial to the point they have a highly negative impact on the listed building and its fabric. The majority of the alterations are highly invasive and although they may be desired, they are not necessary to retain the use of this building as a habitable dwelling.

External alterations

Removal of render – it is proposed to remove the roughcast render and replace this with smooth lime render. These works would be considerable, given the size of the building, and is not deemed to be necessary work to the building. No convincing justification for the change in render has been provided, the building does not appear to be suffering with damp and the render appears to be in a good state of repair: as the replacement of the render is deemed unnecessary intervention into the building's fabric, the proposal is unacceptable.

The alterations to window arrangements for the retained north elevation of the dairy/servants' quarter are not acceptable. The form and function of the two distinct parts of the historic building are differentiated by the style and rhythm of the windows, which are important and defining features of the former dairy: this difference therefore should be retained.

Demolition of existing garage and erection of new wall

The garage is an inter-war structure of little importance to the site as a whole. It is proposed to demolish this building: the loss is not deemed to impact on the significance of the listed building or its setting and there are no objections to this proposal.

Lack of justification set out in the Heritage Statement of the Design and Access Statement

Policy HE9.1 states that 'there should be a presumption in favour of the conservation of designated assets.....Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification.' The Design & Access Statement attempts to justify the proposals but the arguments presented do not provide a clear and convincing justification for such significant and highly invasive works to the listed building and therefore this does not comply with the requirement of PPS5.

Summary

The demolition, extensions and the extent of internal alterations proposed for this listed building are unacceptable as they are deemed to result in substantial harm to the designated heritage asset and its setting, which is contrary to PPS5 Policy HE9.

Wiltshire Council Conservation Officer (comments on revised plans):

The objection is repeated. While some amendments to the proposals are welcome, overall the scheme is still too similar to the initial proposals, with changes not being radical enough to negate the concerns raised over the loss of historic fabric, the dilution of evidence within the building of its evolution, and the impact of the scale and design of the wings.

English Heritage (comments on initial submission):

We consider that the cumulative impact of the proposed works would have an adverse impact on the significance of the heritage asset and there is not sufficient justification for the works. The works would be contrary to PPS 5 and we recommend that the Council seeks revisions to the scheme or refuses to issue consent.

The application is accompanied by an historic building record which provides useful background facts on the evolution of the building and the heritage statement provides some analysis of the impact of the changes that have taken place. The area where the heritage statement could be enhanced is its assessment of the impact of the proposed works on the significance of the asset.

There are a number of aspects of the proposal which do raise significant concerns. Whilst we appreciate the reinstatement of the wall between the existing kitchen and drawing room will restore some of the ground floor plan, the extent of proposed change elsewhere negates this benefit. The removal of the wall in the hall and substantial area of floor in order to introduce a grand staircase will alter the plan form and character of the building. The closure of access to the existing staircase and introduction of a cloakroom at ground floor level would compromise its use and importance in relation to the rest of the house. The change in the circulation route also involves changing the door positions in the two southern bedrooms to beside the chimney breasts which is an odd architectural arrangement. The addition of the wings also involves new openings in the original outside walls of the house, at first floor level. The works appear to include almost total demolition of the dairy/service wing. Whilst this is a later addition it was constructed in the mid-19th century and shows the evolution of the house and has evidential and historical value. The accompanying heritage statement does not appear to adequately address the impact of the proposed works on the historic fabric and floor plan of the house.

The link to the swimming pool is a recent addition and is not considered of any inherent interest and therefore its removal is not contentious. As stated above the demolition of the dairy wing is a major intervention into the historic fabric. The scale of the proposed extensions also raises issues. The south elevation was originally the principal approach to the house. The dairy wing and the more recent swimming pool link do have a visual impact on the overall aesthetic value of the building however there is some mitigation in terms of the garden front of the building as they appear more subservient due to being set back from the front building line or single storey. The proposed new wings will be two storey and of similar building line (footprint) to the existing house. If built the difference in ridge and eaves height between the house and new wings would not be perceived to be significantly deferential to the main house. We are of the view that the new wings would dominate the existing building. It is the height and bulk which [are] the principal issues as the design mainly follows the original form. Although it is considered that the proposed bi-folding doors will be a rather incongruous feature in terms of scale and detail. This is contrary to the advice in paragraph 178 of the Practice Guide which states "It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting".

Whilst we acknowledge the owners' desire to make some amendments to the bathroom layouts and some of the internal arrangements we are of the view that these works would have a harmful impact on the significance of the house. We are unconvinced that the house requires such major change in order to provide a family house for the present day.

Recommendation:

We are of the view that the proposals would have an adverse impact and [cause] harm to the significance of this designated heritage asset and are contrary to the policies in PPS 5 and the accompanying we recommend that the Council seeks major amendments or refuses the application.

English Heritage (*comments on revised plans*):

We note that the revised application shows some changes in line with our previous advice. The total removal of the hall wall, the introduction of a new staircase and closing off the main staircase have all now been omitted from the scheme which is welcomed. Although, it would be preferable too if the scheme retained more of the hall wall.

The scheme still proposes major demolition of the 19th century service wing which has evidential and historic value of the evolution of the house. In particular, the demolition of the rear wall at first floor level appears unjustified. The existing first floor of the wing already has a bedroom and bathroom and it may be possible to reconfigure these spaces to provide an enhanced space for the new master bedroom.

We question the design rationale and conservation philosophy of replacing Victorian windows in the Victorian section of the building with new Georgian style windows.

We suggest that the Council seeks further amendments to the scheme to limit the adverse impact on the significance of this listed building.

English Heritage Recommendation

We urge you to address the above issues, and recommend that this application be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice. It is not necessary for us to be consulted again. If you feel you need further advice, please let us know why.

Please re-consult us if there are material changes to the proposals beyond those necessary to address the issues we have raised. We will then consider whether such changes might lead us to object. If they do, and if your authority is minded to grant consent, you should notify the Secretary of State of this application in accordance with Circular 08/2009.

Parish Council: Support.

8. Publicity

The application was advertised by site notice and by notice in the local press. No public comments have been received.

9. Assessment of the case

The only consideration to be taken into account in the determination of this application for Listed Building Consent is the impact of the proposed works on the significance and integrity of the designated heritage asset. The requirements of section 16 of the Planning (Listed Buildings and Conservation Areas) Act, and national government guidance comprised within PPS 5 – Planning for the historic environment (together with its accompanying Practice Note) are the relevant documents against which to test the application.

As a result of your officers' own assessments of the initial proposals, and in the light of the objections received from English Heritage, lengthy discussions were held with the applicant and agent to explore whether and how a scheme of works could be devised that would achieve the applicants' desired accommodation **and** ensure that the integrity and significance of the designated heritage asset would be sustained. While some revisions that have been made to the proposals are welcomed, the amount of demolition of and change to the existing west wing structure has hardly been revised from that indicated in the initial submission. Furthermore, the reductions in size of the extensions are not enough to avoid the adverse impacts described in both the English Heritage and Conservation Officer's initial comments. On these counts, therefore, and on other matters raised that have not been addressed, the proposals remain unacceptable.

10. Conclusion

Notwithstanding the amendments that have been made to the proposed works, the proposals would cause harm to the significance of the designated heritage asset.

RECOMMENDATION

That Listed Building Consent be REFUSED for the following reason:

The proposed works would comprise the removal of a substantial amount of historic fabric from the heritage asset, and the loss of evidence in terms of the evolution of the building, which would diminish greatly its significance architecturally and historically. Furthermore, the proposed works to construct two two-storey wings on the east and west sides of the main C19th core of the house would be harmful to its character, integrity and primacy. The proposed works to the house would neither preserve nor enhance the designated heritage asset, and no justification for implementing such works has been demonstrated. The scheme would be contrary to the advice contained within PPS 5 and its Practice Guide, therefore.

Note: In the event of the committee being minded to approve the Listed Building Consent application against the advice of English Heritage, the matter will need to be referred to the Secretary of State, who will then make a decision on whether to call the application in for his own determination.

Appendices:

None

Background Documents Used in the Preparation of this Report:

Application files, PPS 5 and its accompanying Practice Guide.

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EASTERN AREA PLANNING COMMITTEE

Date of Meeting	15 th March 2012
Application Number	E/2011/0895/FUL
Site Address	Southcott Manor, Pewsey, Wiltshire SN9 5JF
Proposal	Part demolition of existing building, alterations and construction of new extensions. Demolition of garage and erection of garden wall.
Applicant	Mr & Mrs R Middleton
Town/Parish Council	PEWSEY
Grid Ref	416990 159387
Type of application	Full Planning
Case Officer	April Waterman

Reason for the application being considered by Committee

This application, and its sister application for Listed Building Consent, have been called to committee by the Division Member, Cllr Kunkler.

1. Purpose of Report

To consider the recommendation to refuse the application for planning permission.

2. Report Summary

Permission is sought for the partial demolition, reconfiguration and extension of this Grade II Listed Building, the demolition of a double garage, and the construction of a new 2.2m high wall to separate the garden of Southcott Cottage from the driveway to the north of the principal house.

The proposed works to the house are considered not to be acceptable in terms of the degree of loss of historic fabric and of the scale and design of the extensions.

The demolition of the double garage and the erection of garden wall are considered to be acceptable.

3. Site Description

Southcott Manor is located in the open countryside about 1km to the south east of the centre of Pewsey, served off Green Drove, and bounded to the east by Southcott Road. The site lies within the North Wessex Downs Area of Outstanding Natural Beauty, on relatively flat land in the Pewsey Vale floor.

Other residential and agricultural development is grouped loosely along these roads.

The property comprises the principal Grade II Listed house, together with a collection of buildings

including an enlarged cottage, a timber framed thatched former threshing barn and further domestic and agricultural outbuildings. Land associated with the manor is used for garden and orchard/agricultural purposes.

The house is orientated with its main rooms presenting to the south, overlooking gardens. The driveway serving the property brings vehicles to the garage and parking areas to the immediate north west and north of the house, and the most used entry into the house is now on the north side, rather than through the main porch on the south face of the building.

The house as it now stands comprises a central (original early 19th century) block, almost square in form, with a ground floor modern wing to the east, and a narrow two storey service wing to the west. The different scales, forms, designs and detailing of the two existing wings are clearly identifiable from the original central four-room-plan house, especially from the south, where the integrity of the main house block is best appreciated.

The current west wing incorporates elements of earlier structures (a dairy) and although it has undergone much change, evidence of each stage of its evolution (and therefore the history of the overall building) is retained in the existing structure.

4. Planning History

K/45176/L	Replacement of existing conservatory with new larger one
K/45177	Replacement of existing conservatory with new larger one.
K/13069	Single storey extension, housing, swimming pool and amenities.
K/86/0409	Alterations and extension
K/86/1239	New conservatory and extensions to stable block
E/11/0408/LBC	Erection of orangery
E/2011/0896/LBC	Part demolition of existing building including double garage and new extensions and alterations.

Pre-application advice relating to the extension of the building was provided to the applicants by the Conservation Officer in March 2011. The advice included the following:

“ it would appear that successfully extending the house without impacting on the special interest of the building may be difficult to achieve, due to the fact that the building has been extended in the past. Notwithstanding the desirability of additional accommodation, any proposals to alter or extend a listed building must be fully justified (in terms of their impact on the listed building, its fabric and setting) and I am therefore unable to see what convincing justification could be given for further extension to the property.”

5. The Proposal

The scheme for development has been amended since its first submission, although it still comprises three elements: the partial demolition, reconfiguration and extension of the main house, the demolition of a double garage, and the construction of a new 2.2m high garden wall.

The existing accommodation comprises a kitchen, lounge, dining room, drawing room, two utility rooms, front and rear halls retaining the through passage route, main and back stairs, conservatory, sauna, changing room, two downstairs W.C.s and enclosed swimming pool. The first floor of the main house has been altered from its original four bedroom and landing layout to

show three bedrooms and two bathrooms, with a fourth bedroom and third bathroom in the connected first floor section of the west wing.

The application initially sought permission to provide a six bedroomed house by the following alterations and extensions:

- the removal of the upper floor area of the main house above part of the rear hall and existing drawing room to show a galleried dining space, including a new main curved staircase;
- the blocking of the through passage hallway and the insertion of a cloakroom with W.C.;
- the provision of three bedrooms and one bathroom within the remaining first floor of the original house;
- replacement of the single storey east wing (except for a section of the north wall) to form a two storey block with games room and kitchenette (with retention of the swimming pool building beyond), and two new bedrooms, four bathrooms and a laundry on its first floor;
- demolition of the west wing (again, with the exception of parts of its north and west walls) and replacement with a two storey and further single storey extension to provide a kitchen/breakfast/family room, a sub-kitchen, a pantry, a utility room, a boot room and a W.C. on the ground floor, with a master bedroom, dressing room and en-suite bathroom above.

Amendments to the scheme comprise:

The application now shows:

- the retention/re-instatement of the four-room plan on both ground and first floors of the original house, accommodating a dining room, drawing room, study and snug on the ground floor, with three bedrooms, a bathroom, and the dressing room to serve the master suite;
- a two storey (largely replacement) extension on the west side to provide a master bedroom and its bathroom;
- a two storey (largely) replacement extension on the east side to provide two further bedrooms and two bathrooms (i.e. six bedrooms in all);
- the setting back of the proposed ground and first floor east wing by 2.3 metres from the south facade of the original house;
- the setting back of the ground floor of the west wing extension by 0.8 metres from the south facade of the original house, with the first floor element being set back by 2.3 metres.

In essence, the revised proposals differ from the initial submission by a reworking of proposals in the central house and a slight reduction in the overall size of the extensions. This has resulted in the omission of the new curved and galleried staircase, two upstairs bathrooms, a sub-kitchen and a kitchenette. The depth of the wings has been reduced, with a slight shortening of the length of the east wing only.

The degree of demolition of the existing west side structures has not changed.

6. Planning Legislation and Policy

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

National Policy Guidance

PPS1 Delivering sustainable development

PPS5 Planning for the historic environment

PPS7 Sustainable development in rural areas

Wiltshire and Swindon Structure Plan 2016

Policy HE7 Conservation areas and listed buildings
Policy C8 Areas of Outstanding Natural Beauty

Kennet Local Plan 2011
Policy PD1 Development and design
Policy NR6 Sustainability and protection of the countryside
Policy NR7 Protection of the landscape

7. Consultations

Wiltshire Council Conservation Officer

Initial proposals: Summary - The demolition, extensions and the extent of internal alterations proposed for this listed building are unacceptable as they are deemed to result in substantial harm to the designated heritage asset and its setting, which is contrary to PPS5 policy HE9.

Amended plans: Objection sustained, as the scheme has not addressed all the reasons for objection previously raised (in particular the degree of demolition, and the scale of extensions).

[Note – English Heritage comments on the LBC application are relevant also to the determination of the planning application, although English Heritage is a formal consultee only for the LBC application.]

Parish Council – Support.

8. Publicity

The application was advertised by site notice and by notice in the local press. No public comments have been received.

9. Planning Considerations

Impact on Heritage Asset

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 places a duty on the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, when determining an application for planning permission.

The assessment of the impact of the proposed works to the house on the heritage asset is set out fully in the preceding report for the application for Listed Building Consent E/12011/0896/LBC. In summary, the proposed works are considered to comprise inappropriate development, which would not safeguard the architectural and historic heritage of the area. The development would not preserve the building, its setting, nor particular features of special architectural or historic interest, so would not accord with the expectations of satisfy the requirements of relevant legislation but instead would conflict with national government policy contained in PPS 5 and with the terms and objectives of policy HE7 of the Wiltshire and Swindon Structure Plan 2016.

The existing garage has not been identified as having any significant intrinsic or group heritage value, although by dint of it being a curtilage structure, and its age (probably having been constructed prior to 1948) it falls in the protection of the Listing of the main house. The contribution that it makes to the setting of the principal house is considered to be neutral. Its demolition would be acceptable, subject to appropriate works of making good to the ground being defined, approved and carried out. The proposals also include the erection of a 2.2 m high brick wall, which (also

subject to details being submitted and approved of its design, bond and material) would be acceptable in terms of its impact on the setting of the Listed Building.

Impact on AONB

The impact of the development on the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty would, in general, have no damaging effect on the designation, and would not conflict with the terms of Policy C8 of the Wiltshire and Swindon Structure Plan 2016 nor the protective landscape policies (NR6 and NR7) of the Kennet Local Plan 2011. The scale of the development in relation to the total grouping of buildings at Southcott within the landscape, and the significance of the enlargement of the principal building *in this overall context* would not harm the character and special landscape quality of this part of the Wiltshire countryside.

Impact on neighbouring residents / land uses

The scheme would have no detrimental impact on the amenity of other residential property in the area, nor would it adversely affect agricultural activity in the area.

Highway Issues

No highway issues are raised by the proposed works.

Impact on Trees / Biodiversity

While some crown-trimming of a number of trees close to the proposed eastern first floor extension may be needed, no significant harm to the biodiversity value of the site would result from the proposed development.

Summary: The scheme would accord with the criteria of policy PD1 of the Kennet Local Plan 2011, therefore, except for the fundamental issue of the damage that the scheme would cause to the heritage asset (i.e. B7 of the policy PD1 criteria, namely relationship with historic features).

10. Conclusion

The proposed demolition of the garage, and the erection of a garden wall are acceptable, but the proposed extensions to the Grade II Listed house are not acceptable. It is not possible to issue a split decision on applications for planning permission, therefore refusal of permission for the scheme in its entirety is recommended.

RECOMMENDATION

That planning permission be REFUSED for the following reason:

As a result of the extent of demolition of historic fabric, and of the scale and design of the extensions and alterations that are intended, the proposed works are considered to comprise inappropriate development, which would not safeguard the architectural and historic heritage of the area. The development would not preserve the building, nor particular features of special architectural or historic interest, so would not accord with the expectations of, nor satisfy the requirements of relevant legislation but instead would conflict with national government advice contained in PPS 5 and with the terms and objectives of policy PD1 of the Kennet Local Plan 2011 and policy HE7 of the Wiltshire and Swindon Structure Plan 2016.

Appendices:

None

Background Documents Used in the Preparation of this Report:

Application files, PPS 5 and its accompanying Practice Guide, Wiltshire and Swindon Structure Plan 2016, Kennet Local Plan 2011.

EASTERN AREA PLANNING COMMITTEE

Date of Meeting	15 th March 2012
Application Number	E/2011/1701/FUL
Site Address	Kytes Cottage, 10 High Street, Market Lavington, Wiltshire SN10 4AF
Proposal	Erection of 1 no. new dwelling.
Applicant	Mr J Patterson
Town/Parish Council	MARKET LAVINGTON
Grid Ref	401590 154183
Type of application	Full Planning
Case Officer	Ruaridh O'Donoghue

Reason for the application being considered by Committee:

This application is brought to committee at the request of Division Member, Cllr Gamble.

1. Purpose of Report

To consider the recommendation that the application be granted planning permission.

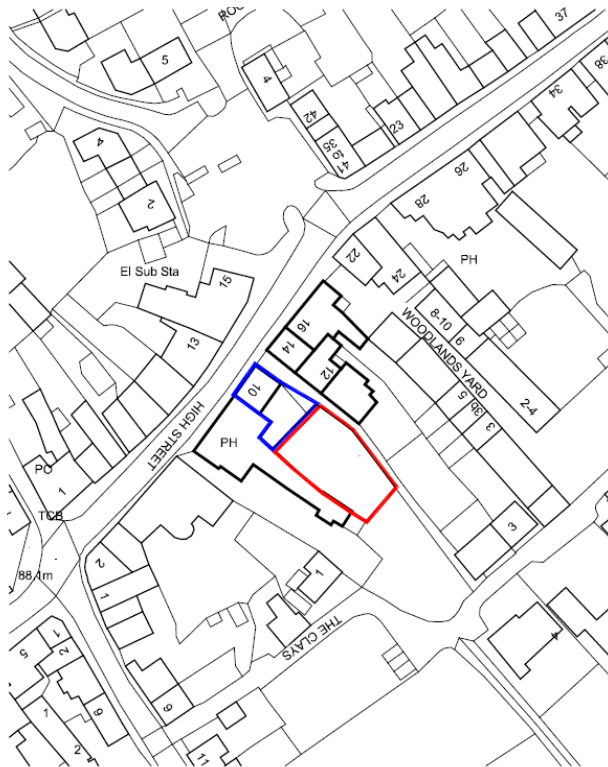
2. Report Summary

The key issues for consideration are:

- Whether development is acceptable in principle;
- Whether the scale and design of the new dwelling is considered acceptable;
- Whether the proposal would preserve or enhance the character and appearance of the conservation area;
- Whether the proposal would preserve the setting of the listed building;
- Whether the scheme would have an adverse impact on neighbour amenity; and
- Whether the scheme would prejudice highway safety.

3. Site Description

The site lies behind the building frontage on the south side of Market Lavington High Street, almost directly opposite the Co-operative store. Below is a location map with photographs that show the context of the site.



Access way from the High Street



Site entrance



View from rear of development site



The development site



Land to rear of development site



Public footpath to side of site

The site constitutes the larger part of the rear garden area of No.10 High Street (Kytes Cottage), a listed timber framed house dating from circa the C17. A narrow access between this and buildings to the north is used for informal vehicular access coming off the High Street. The access continues as a through-route to the back lane (The Clays) via a public footpath. Buildings to either side of No.10, on the High Street frontage are listed, as are those opposite and those extending along the north-eastern side of the footpath (to the immediate north-east of the site). The whole site lies within the Market Lavington conservation area.

6. Planning Policy

Kennet Local Plan 2011 - The site lies within the centre of Market Lavington where new residential proposals are assessed against policy PD1 (general development principles) of the local plan.

Relevant central government planning policy is set out in Planning Policy Statement 1: 'Delivering Sustainable Development', Planning Policy Statement 3: 'Housing', Planning Policy Statement 5: 'Planning for the Historic Environment' and Planning Policy Guidance 13: 'Transport'.

The Market Lavington Conservation Area Statement (July 2002) is also a material planning consideration.

7. Consultations

Wiltshire Council Conservation Officer

The conservation officer has provided detailed comments on the application which can be viewed on the planning file in the offices or online. In summary, she has expressed concerns regarding the principle of development in that it is backland development which is out of keeping with the pattern of historic development. The proposals would harm the character and setting of the adjacent listed building (Kytes Cottage) and there is a lack of any justification to suggest that the proposals are required in order to meet a conservation deficit in respect of the listed building. There is no indication of any public benefit which would result from the development and which might be weighed against the harm which would result from the scheme.

Wiltshire Council Highways Engineer

The highways engineer has no objection to the proposed dwelling subject to the provision of the vehicle parking and turning areas as detailed on the submitted plans, with the areas so provided being thereafter maintained and kept available for the parking and turning of vehicles. The proposed gates should be conditioned to open inwards, away from the public footpath.

The highway engineer makes the following comments in support of his position:

"The access has satisfactory visibility at 2m set back to the west. To the east the visibility is more restricted at 2m set back but becomes acceptable when a vehicle has emerged a little further. The situation is a village environment with parked vehicles generally slowing traffic speeds along the High Street. Number 10 does not currently have a laid out vehicle turning space: I suspect that vehicles turn on the grass although on occasions such as wet weather periods vehicles probably reverse from the access into the High Street which would be quite hazardous. The proposed development therefore creates some highway benefit by providing a turning facility for both existing and proposed dwellings. While the access carries the route of a public footpath I would not wish to justify a highway objection on the grounds of the traffic from one more dwelling conflicting with pedestrian movements."

Market Lavington Parish Council

The parish council has objected to the application on the grounds that:

- (i) the access to the site is substandard and very narrow with poor sight lines at the junction with the High Street that is effectively reduced to a single lane because of on-street parking;
- (ii) the access is shared with a well used public footpath which serves as a significant thoroughfare from the 'Clays' area and Lavington Hill;
- (iii) being a narrow access there is a potential for problems with construction deliveries with anything larger than a van;

- (iv) the style of the proposed dwelling would be out of keeping with the surrounding area with buildings on this side of the High Street having long narrow gardens;
- (v) the height of the building is too great when compared with the adjacent buildings and it is also too close to them;
- (vi) allowing this application would set a damaging precedent for many other properties.

Wiltshire Fire & Rescue Service

No objection – standard advice and guidance provided.

8. Publicity

The application has been publicised by way of a site notice, press advertisement and neighbour notification letters. No representations have been received.

9. Planning Considerations

9.1 Principle of the Development

The application site lies within the Limits of Development of Market Lavington where the principle of new housing is considered acceptable, provided that it accords with other policies in the development plan, notably policy PD1 which seeks to ensure high standards of design and developments that are in keeping with the character of the surrounding area.

9.2 Design & Impact upon Conservation Area

The proposed development will not extend significantly beyond the rear building line of the adjoining plots and although the new dwelling would be detached from the original building on the plot (No.10), it would not appear alien or out of character with the area. The dwelling would relate well to the adjacent footpath from where it will be viewed in the context of the existing outbuildings of the former Kings Arms Public House which have recently been approved for conversion to residential use. The dwelling would not be prominent when viewed from the High Street.

The application proposes the erection of a new two storey, 3 bed dwelling occupying a footprint of approximately 67m². The dwelling would have a ridge height of 7.15m and it would be constructed out of facing bricks and single roman clay tiles for the roof. Windows and doors are to be timber framed with re-constituted stone sills.

The dwelling would be of modest height and footprint. The design of the dwelling in terms of its materials and details is uncontroversial and although the proposed dwelling is not specifically reflective of more locally distinctive vernacular styles, it is not considered that the design would be harmful to the conservation area.

In terms of scale the dwelling would related well to the existing buildings to the north-east, its roof ridge being 0.12m lower than the neighbouring buildings. The dwelling would be 2 metres taller than the adjacent outbuildings belonging to the former Kings Arms Public House and the buildings would be spaced by approximately 1.9 metres. Whilst this relationship is not ideal, it is not considered that there would be sufficient harm to justify a refusal of planning permission.

9.3 Impact upon listed building

The proposed dwelling will be situated approximately 13 metres away from Kytes Cottage which is considered to be a satisfactory separation distance with the listed building. The application proposes to retain some curtilage for the listed building for the purposes of private amenity space.

The historic boundary wall along the public footpath is to be rebuilt as part of the proposals and this will be a positive enhancement to the conservation area and the listed building's setting. Overall, it is not considered that the new dwelling would cause any harm to the character or setting of the listed building.

9.4 Impact upon neighbour amenity

There will be no adverse impact upon the amenity of adjoining occupiers in terms of loss of light as the proposed dwelling would be a sufficient distance away from existing windows and property boundaries.

Windows proposed at first floor level on the south west elevation will look out onto the roofslopes of existing buildings and consequently they will not cause any overlooking issues (the windows will serve bathrooms in any event).

The windows at first floor level in the north east elevation will look out towards Tsang's House which is a Chinese restaurant and fish & chip shop. There would be some views from the master bedroom towards the rear of Tsang's House, but these would not be significant enough to justify refusing the application.

It is relevant to consider that no objections have been received from any of the owners/occupiers of the properties that adjoin the site.

9.5 Impact upon highway safety

The proposal would not have an adverse impact upon highway safety. The extra traffic associated with the addition of one new house would not be grounds for refusing the application as there will not be a significant increased conflict with pedestrian movements along the public footpath. The application provides for two off-street parking spaces for existing and proposed dwellings and there is adequate space for turning within the site to enable vehicles to exit in forward gear. The Highway Authority has raised no objections to the proposal and has even stated that the provision of a proper hard surfaced parking area would provide some highway benefit.

10. Conclusion

On balance, it is not considered that there would be any material harm to the conservation area, the setting of adjacent listed buildings, neighbour amenity or highway safety. Consequently, a grant of planning permission is recommended.

RECOMMENDATION

That planning permission be GRANTED for the following reason and subject to the conditions set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1 as well as Central Government policy contained within Planning Policy Statement 1: 'Delivering Sustainable Development', Planning Policy Statement 3: 'Housing', Planning Policy Statement 5: 'Planning for the Historic Environment' and Planning Policy Guidance 13: 'Transport'.

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

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

- 2 No development shall commence on site until details of the materials to be used for the external walls and roofs (including samples) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To secure harmonious architectural treatment.

- 3 No development shall commence on site until details of all eaves, verges, windows (including details of heads, sills and reveals), doors, rainwater goods, chimneys and porch canopies to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure harmonious architectural treatment.

- 4 No development shall commence on site until details of the bricks, brick bond and coping to be used for the rebuilt boundary wall adjacent to the public footpath have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to first occupation of the new dwelling.

REASON: To secure harmonious architectural treatment.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted above ground floor ceiling level in the north-east elevation of the dwelling hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 6 Before any part of the development hereby permitted is first occupied the access, turning area and parking spaces shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained for these purposes.

REASON: In the interests of highway safety.

7 No development shall commence on site until:

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

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

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

8 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref: 11014/P001, 11014/P002, 11014/P003, 11014/P100, 11014/P010, 11014/P011, 11014/P015

Received: 15th December 2011

Appendices: None

Background Documents Used in the Preparation of this Report: None

EASTERN AREA PLANNING COMMITTEE

Date of Meeting	15 th March 2012
Application Number	E/2011/1715/FUL
Site Address	Land to the rear of 21 to 42 Wood Park, Wood Park, Ludgershall, Wiltshire SP11 9NS
Proposal	Construction of 7 new dwellings, with associated gardens and sheds, and 22 car parking spaces.
Applicant	Sarsen Housing Association
Town/Parish Council	LUDGERSHALL
Grid Ref	427494 150788
Type of application	Full Planning
Case Officer	Karen Guest

Reason for the application being considered by Committee

This application is being brought to Committee at the request of the Division Member, Cllr Williams.

1. Purpose of Report

To consider the recommendation that planning permission is granted.

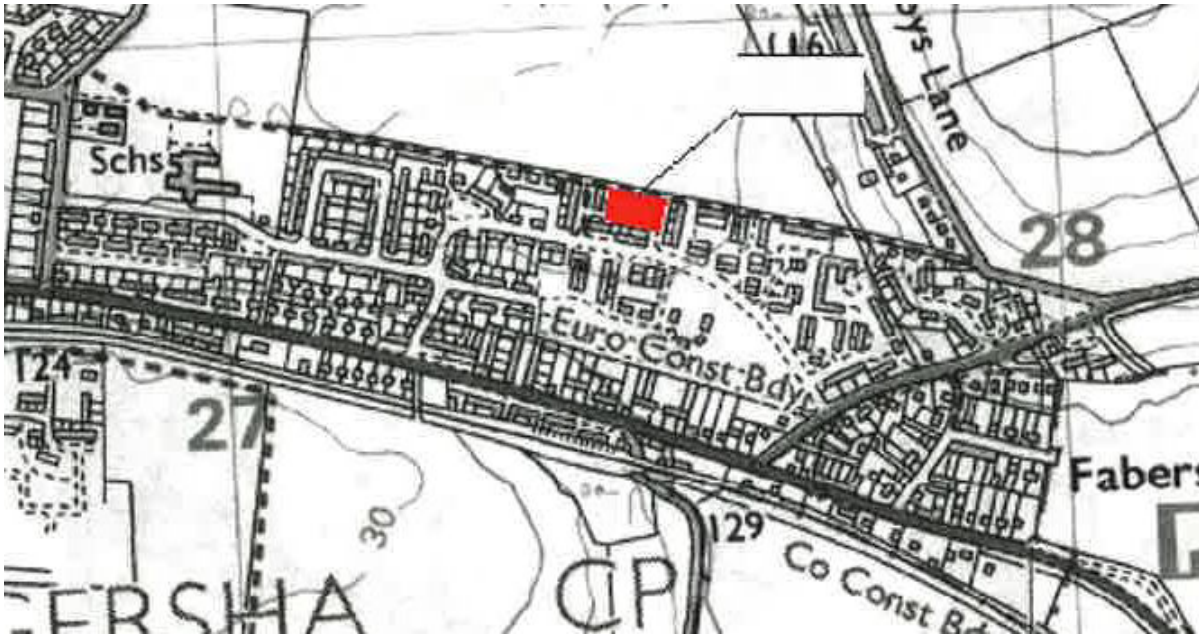
2. Report Summary

The main issues in this case are:

- a) Principle of development.
- b) Impact in highway and pedestrian safety.
- c) Impact on neighbour amenity.
- d) Impact on character and appearance of area.
- e) Impact on footpath.

3. Site Description

The application relates to an informal area of amenity space and communal parking within a cul-de-sac on the Linden Close residential estate on the outskirts of Ludgershall. When heading out of Ludgershall in the Andover direction on the A342, it is necessary to take the turning on the left into Biddesden Lane, which is signposted for Chute. The first turning on the left leads into the estate. The application site can be found by then taking the fourth turning on the right. The communal car parking area and amenity space can be seen straight ahead. Residential properties lie to the east, south and west and their rear gardens face towards the application site. Public footpath number 3 lies immediately to the north, beyond which lies open countryside.



Location Plan

4. Planning History

There is no relevant planning history.

5. The Proposal

The application proposes the construction of a terrace of 7 affordable houses fronting onto the public footpath, with gardens to the rear. A total of 22 car parking spaces are proposed in connection with the development.

The applicant has submitted a statement in respect of alternative open space provision. This confirms that Aster Homes is undertaking improvements and remodelling works to provide a safe dog-free area measuring approximately 20 metres by 75 metres to the south of properties fronting Linden Close and within 150 metres of the application site. The area would be surrounded by railings and dog-proof gates. The area would continue to be managed by Aster’s Asset Management Team who would undertake regular mowing through the growing season. It has been confirmed that it is not the intention to install play equipment within the fenced area as this would reduce the space available for playing ball games and may encourage anti-social behaviour.



Proposed Elevations



Proposed Site Layout

6. Planning Policy

Policies PD1, HC35 and TR17 of the Kennet Local Plan 2011 are relevant to the consideration of this application, as is Supplementary Planning Guidance contained in 'Community Benefits from Planning'. Government policy contained in PPS1: 'Delivering Sustainable Development' and PPS 3: 'Housing' is also a material consideration.

7. Consultations

Ludgershall Town Council – no objection, but makes the following observations:

- Additional street lighting is requested.
- Traffic calming should be introduced locally.
- The existing amenity area adjacent to Bell Street allotments should be enhanced.

WC Highways - no objection subject to planning conditions to cover the following:-

- The provision of the vehicle parking and turning areas as detailed on the submitted plans, with the areas so provided being thereafter maintained and kept available for the parking and turning of vehicles.
- The entire carriageway width and footways of Wood Park being planed and resurfaced in tarmacadam over the frontage of the site and to the side of the site (alongside Plot 1) in accordance with details to be first submitted to and approved by the local planning authority prior to first occupation.
- The street lighting of Wood Park being upgraded to current standards over the frontage of the site and to the side of the site (alongside plot 1) in accordance with details that have been first submitted to and approved by the local planning authority prior to first occupation.

WC Rights of Way Warden - has expressed concerns that Footpath 3 will be used for rear access and that garden gates will obstruct the path.

WC Amenity and Fleet – is seeking £20,839 towards improvements to the existing play facilities within the parish of Ludgershall.

8. Publicity

The application has been publicised by site notice and neighbour letters.

Six representations have been received from local residents, who raise the following key concerns:

- The proposed development would result in the loss of an important area of amenity space, which is well-used by children in the area for the playing of ball sports. It is the only play area on this side of the road and at this end of Ludgershall.
- A new play area is proposed but this could well be over-subscribed.
- The area where Sarsen Housing Association is suggesting that children play instead is across a dangerous road and has 'No Ball Games' signs up. The adjacent allotments may suffer as a result of children playing next to them.
- It is understood that there is a covenant on this piece of land stipulating that it should remain as a play area for children.
- The children's safety in reaching the play area must be taken into account.
- Children will be at risk of injury from construction vehicles.
- The increase in vehicle movements as a result of the proposed development would exacerbate existing traffic problems and make it difficult for large/emergency vehicles to get through.
- The analysis of the existing parking situation, as set out in the design and access statement, does not reflect the true picture. Parking is already a problem in the area and this will only get worse.
- The proposed dwellings would be oppressive for the occupiers of nearby properties.
- The infrastructure is not in place to support the proposed development.
- It is unclear where construction vehicles would park.
- Dust and debris from the works will pollute the area and there will be noise pollution as a result of the use of heavy machinery.
- It is understood that a planning application was refused for development on the parcel of land in question.
- The road surface and street lighting is sub-standard.
- There would appear to be a breach of contract as when the estate was transferred to Sarsen, there was a caveat that all existing recreation areas must be retained.

9. Planning Considerations

a) Principle of development - planning policy considerations

The site lies within the built-up part of Ludgershall, where in accordance with PPS 3: 'Housing', residential development is acceptable in principle.

Policy TR17 of the Kennet Local Plan 2011 identifies recreation sites which are protected. Although informally used as recreation space, the grassed part of the application site is not protected by this policy, which means that it would be difficult to substantiate a refusal of planning permission on the grounds that the facility would be lost. The applicant has confirmed that it is proposing to undertake improvements and remodelling works to provide a safe dog-free recreation area within 150 metres of the application site. This would help offset the loss of the existing grassed area but could not be insisted upon as Policy HC35 only requires a suitable alternative recreation site when the recreation space that would be lost is protected.

Notwithstanding the above, as the proposed development comprises between 5 and 19 dwellings, Policy HC35 of the Kennet Local Plan 2011 requires the provision of land for children's recreation on the basis of 0.72 hectares per 1000 people. The Council's supplementary planning guidance document 'Community Benefits from Planning' advises on how to calculate the precise area of land required. As the proposed development would involve a small number of dwellings, it is considered that a commuted sum payment would be preferable to on-site provision. Alternatively, the improvements and maintenance of the area of open space close to the application site would also meet the requirements of this policy. A condition can be imposed requiring the applicant to make provision for children's recreation via one of these means.

b) Impact in highway and pedestrian safety

Concerns have been expressed about the level of parking provision and the risk of traffic congestion. The proposed dwellings would each have 2 parking spaces, which would be in line with the current minimum residential parking standards. The parking surveys that have been carried out and referred to in the submitted parking statement are thorough and include two evening surveys of parking on the estate at around 8pm. At the evening surveys there were respectively 1 and 3 vehicles parked on the site, which would mean up to 3 vehicles would be displaced as a result of the proposed development. The development would provide for 8 parking spaces for existing residents, in addition to the 2 spaces being proposed per new dwelling. This is considered to be more than adequate to cover the current parking need.

The highway authority has commented that whilst some on-street parking is occurring, this is by choice as the survey suggests that some driveway spaces are not occupied. It has also commented that although 7 houses do not have off-street parking, the provision of 8 spaces for existing residents is appropriate to cover this given the results of the surveys.

The concerns raised about construction traffic are not considered to be warranted as this is a temporary situation and the site should be capable of being accessed safely. Furthermore, construction traffic would be more prevalent during the day when less on-street parking occurs. The small scale of the proposed development is such that the access situation for emergency vehicles should be no worse than at present. For this reason, there should also be no greater risk to pedestrian safety than at the present time.

Concerns have also been raised that the existing roads, footpaths and street lighting are sub-standard. The highway authority has acknowledged this and considers that the upgrading of the Wood Park carriageway and the existing street lighting should be required by way of condition.

c) Impact on neighbour amenity

Concerns have been expressed that the proposed dwellings would be oppressive; however, as they would be in excess of 20 metres away from the nearest properties, it is not considered that they would have a detrimental impact on neighbour amenity. It is also noted that the separation distances would exceed those recommended in the supplementary planning guidance document 'Community Benefits from Planning' i.e. 21 metres window-to-window.

d) Impact on character and appearance of area

The scale, form, layout design and materials would be in keeping with the surrounding built form and consequently, it is not considered that the proposed development would harm the character and appearance of the surrounding area.

e) Impact on footpath

The Council's Rights of Way Officer has raised concerns that Footpath 3, which runs to the front of the proposed dwellings would potentially be obstructed by garden gates. The applicant's agent has confirmed that there would be no gates opening onto the public footpath. As a precaution, it is recommended that an informative is added advising that there should be no obstruction of the footpath.

10. Conclusion

In summary, it is considered that the loss of the existing informal recreation area would be justified and the proposed development would be in keeping with surrounding development, would not have a detrimental impact on highway or pedestrian safety, would not have a detrimental impact on neighbour amenity and would not obstruct the public footpath.

RECOMMENDATION:

That planning permission be GRANTED for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to policies PD1, TR17 and HC35 in the Kennet Local Plan 2011, central government policy contained in PPS 1: 'Delivering Sustainable Development' and PPS 3: 'Housing' and supplementary planning guidance contained in 'Community Benefits from Planning'.

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the surrounding properties in Wood Park.

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

- 3 The dwellings hereby permitted shall not be first occupied until the parking and turning areas have been provided in accordance with the approved plans. These areas shall thereafter be maintained and kept available for the parking and turning of vehicles in connection with the development.

REASON: In the interests of highway safety.

- 4 All hard landscaping shall be carried out in accordance with the approved details (as specified on the plans and application form) prior to the first occupation of the dwellings hereby permitted.

REASON: To ensure a satisfactory landscape setting for the development.

- 5 No development shall commence on site until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) measures to control the emission of dust and dirt during construction;
 - e) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - f) hours of construction, including deliveries

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method 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, during the construction phase.

- 6 The dwellings hereby permitted shall not be first occupied until the street lighting in Wood Park to the front and side of the site (alongside Plot 1) have been upgraded to current standards in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

- 7 The dwellings hereby permitted shall not be first occupied until the entire carriageway width and footpaths in Wood Park immediately to the front and side of the site (alongside Plot 1) have been planed and resurfaced in tarmacadam, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

- 8 No development shall commence on site until a scheme for the provision of children's recreation space has been submitted to and approved in writing by the local planning authority. The children's recreation space shall be provided in accordance with the approved scheme prior to the first occupation of any part of the development, in accordance with Policy HC35 of the Kennet Local Plan 2011 and supplementary planning guidance contained in the Council's publication 'Community Benefits from Planning'.

REASON: To ensure the satisfactory provision of children's recreation space in connection with the development.

- 9 **INFORMATIVE TO APPLICANT:**
The applicant is advised that the scheme referred to in condition 8 above could comprise the payment of the appropriate commuted sum in lieu of on-site recreation provision or the improvement, remodelling and maintenance of the area of open space to the south of the properties fronting Linden Close.
- 10 **INFORMATIVE TO APPLICANT:**
Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site.
- 11 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.
- Application form, design and access statement, statement in respect of proposed open space enhancements, parking statement and drawing numbers 3324/012 Rev A (1:1250 location plan), 595/5688/1 (topographical survey drawing), 3324/010 Revs B & C (1:200 block plan), 3324/011 Rev C (1:100 elevations and floor plans) and 3324/013 (1:25 floor plan and elevations) stamped received on 19 December 2011.

Appendices:	None
Background Documents Used in the Preparation of this Report:	None

EASTERN AREA PLANNING COMMITTEE

Date of Meeting	15 th March 2012
Application Number	E/2011/1751/FUL
Site Address	Waters Edge, Mildenhall, Marlborough, Wiltshire SN8 2LY
Proposal	Partial demolition and rebuilding, including ground and first floor extensions of an existing bungalow, together with the addition of a garden shed (resubmission of E/2011/1173/FUL)..
Applicant	Mr & Mrs J Tilby
Town/Parish Council	MILDENHALL
Grid Ref	421503 169658
Type of application	Full Planning
Case Officer	Peter Horton

Reason for the application being considered by Committee

The application has been called to committee by the Division Member, Cllr. Mrs Milton.

1. Purpose of Report

To consider the recommendation that the application be approved subject to conditions.

2. Report Summary

The main issues to consider are whether the proposed design is an acceptable way of extending the property, whether the proposed design would harm the character and appearance of Mildenhall Conservation Area and whether the proposal would be detrimental to the amenity of the adjoining property "Cotswold".

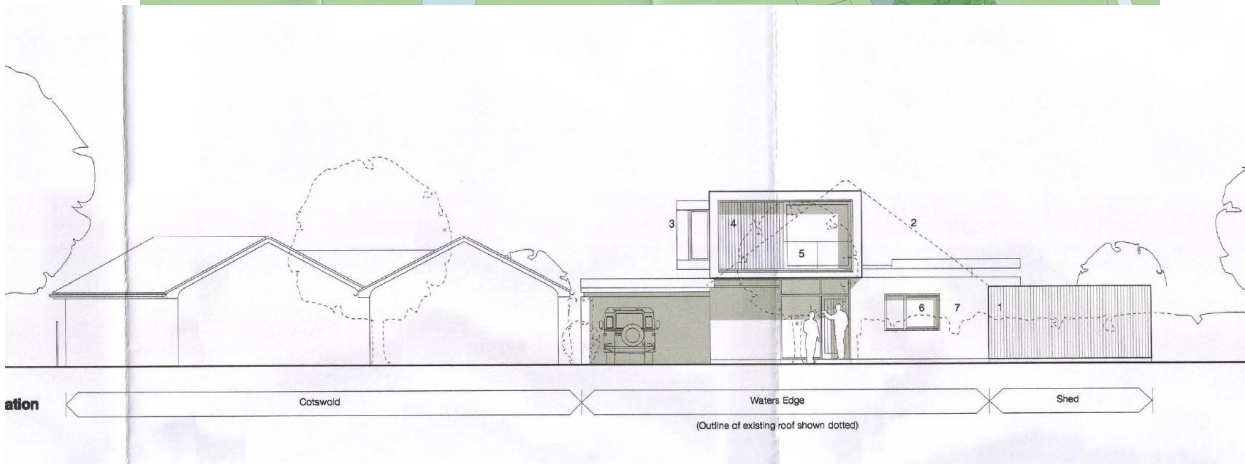
3. Site Description

Waters Edge is an undistinguished 1950s bungalow constructed of reconstituted stone blocks and concrete tiles. It lies some 130m down the lane known as Werg, which runs due south of the main Marlborough to Ramsbury road towards the eastern edge of Mildenhall. The site adjoins the river Kennet and a good view of the site is obtained from the Werg river bridge. The site lies in Mildenhall Conservation Area.

The site adjoins "Cotswold", another undistinguished bungalow of the same era. Beyond Cotswold lies a derelict property known as Werg Gardens, where planning permission was granted in 2010 (ref. E/09/1220/FUL) for a replacement chalet bungalow.

5. The Proposal

The proposal is to extend the existing bungalow at ground floor level in two locations and to add a 19.6m long flat roofed first floor extension over the whole length of the bungalow, including an overhanging cantilevered section at the front. The height of the new first floor extension would be 5.75m, just below the current ridge of the bungalow but higher than the 4.3m ridge height of Cotswold.



Proposed front elevation, with 'Cotswold' to left



Proposed side elevation facing 'Cotswold'

The principal materials of the re-modelled and extended property would be self coloured render and cedar cladding, with aluminium windows and one lead-clad bay window.

In addition, a small shed is proposed for the front of the site, also to be constructed in a combination of cedar cladding and self-coloured render.

6. Planning Policy

Kennet Local Plan policy PD1 covers matters of design and neighbour amenity. Central government planning policy in PPS1 covers design and PPS5 covers conservation areas and the historic environment.

7. Consultations

Parish Council: Inconclusive on the merits of the design: half objecting to it being out of keeping and half either not objecting or supporting. However there were concerns about the proposed first floor extension having a detrimental impact on the amenity of Cotswold.

Environment Agency: No objection, but recommends the addition of an informative requiring the use of SuDs (sustainable drainage systems).

Highway Authority: No objection subject to conditions.

Conservation Officer: The proposal would introduce a new style of architecture into a sensitive rural conservation area. The proposal does not reflect the character and appearance of the conservation area. The proposal completely differs from the character of the village, bearing no relationship with its surroundings. A modernist-style dwelling would be more successful in either an urban environment or in a stand alone plot.

8. Publicity

Two letters of support have been received.

An objection has been received from the occupier of the adjoining property, Cotswold. Her concerns can be summarised as follows: (a) The design is out of character with its surroundings; (b) This unsuitable design will be very prominent; (c) The proposed building is huge in comparison with the existing and will overpower Cotswold; (d) The overhang at the front goes beyond the building line; (e) The lead cladding on the upper floors will reflect the sun into both Cotswold and the surrounding countryside; and (f) The southern wall is right on the boundary line.

9. Planning Considerations

The existing bungalow is of no architectural merit and makes little contribution to the character and appearance of the conservation area. It is in need of renovation and the current owners require additional space.

A conventional design approach would involve increasing the footprint of the property and/or adding a bulky first floor with dormers, exacerbating its negative visual impact. This would lead to an ungainly building which would detract from the character of the area.

The current proposal represents a radical and contemporary design approach for which there is no precedent in the village. However, this is not of itself a justification to refuse the application. It is considered that the design is pleasing to the eye and as the cedar cladding weathers it will blend into the surrounding landscape. The submitted landscape analysis demonstrates that the

property does not break the skyline from major viewpoints and the submitted photomontages indicate that the proposal will make a greater architectural contribution to Werg than the current or adjoining bungalows.

PPS1 paragraph 38 states that “local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles”. The proposed design is considered to be an innovative solution to the dilemma of how to satisfactorily extend the current bungalow and officers feel able to support it. It is considered to satisfy the requirement of local plan policy PD1 for a high standard of design to be promoted.



Before



After

‘Before’ and ‘After’ views of the property taken from Werg bridge

Officers agree with the applicant’s argument that “rejection of this contemporary design solution in favour of one that reflects the existing bungalow, its neighbour and the prevailing 20th century architectural style in Mildenhall, merely serves to perpetuate the very ‘blandness’ that the planning authority wishes to avoid”.

The proposed first floor extension is located 4.2m off the boundary with Cotswold and is situated due north of it, so will not impact on the amenity of that property. It would not extend beyond the rear building line of Cotswold and the proposed first floor bay window would overlook the roofs of Cotswold rather than its garden. Both properties are already built up to their common boundary and the proposed additional ground floor extension along this boundary will not materially impact Cotswold. At 5.75m high, the height of the proposal is not excessive and will not overpower or overshadow Cotswold.

10. Conclusion

The proposed innovative design solution to extending and transforming what is an architecturally extremely undistinguished bungalow represents good design which will enhance the character and appearance of Mildenhall Conservation Area. There would be no material harm to the amenities of the adjoining property Cotswold.

RECOMMENDATION

That planning permission be GRANTED for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to Kennet Local Plan 2011 policy PD1 and to central government planning policy set out in PPS1 and PPS5.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 materials to be used on the external faces of the development hereby approved shall be strictly in accordance with the details specified on plan 1107/02_108 unless otherwise agreed in writing with the local planning authority.

REASON: To define the extent of the permission.

- 3 All planting comprised in the submitted landscaping scheme hereby approved shall be carried out in the first planting season following the occupation of the extensions or the completion of the development, whichever is the sooner; any trees or plants which, within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development which lies in the North Wessex Downs AONB.

- 4 Before the development hereby permitted is brought into use the existing northern access shall have been closed with grass verge being reinstated across the access position.

REASON: In the interests of highway safety and visual amenity.

- 5 Before the development hereby permitted is brought into use the highway visibility area shall be cleared and kept free of all obstructions to sight above 900mm above the adjoining carriageway from a point 2.0 metres from the edge of the carriageway measured along the centre line of the revised southern access point, to a point on the edge of the carriageway 33 metres to the north from the centre of the access.

REASON: In the interests of highway safety.

6 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

7 INFORMATIVE TO APPLICANTS:

It is recommended that the applicants investigate and specify appropriate Sustainable Drainage Systems (SuDs) for surface water disposal from this site, in order to reduce the rate of run-off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water, and include: a) Interception and reuse b) Porous paving/surfaces c) Infiltration techniques d) Detention/attenuation e) Wetlands. A copy of the Environment Agency's leaflet on Sustainable Drainage Systems is available from them on request.

8 INFORMATIVE TO APPLICANTS:

Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which can be found at: <http://www.environment-agency.gov.uk/business/topics/oil/>

9 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref. 1107/02_101, 1107/02_103, 1107/02_104, 1107/02_105, 1107/02_106, 1107/02_107 and 1107/02_108 received 29/12/11.

Appendices: None

Background Documents Used in the Preparation of this Report: None

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