

AGENDA

Meeting: Eastern Area Planning Committee
Place: Council Chamber, Wiltshire Council Offices, Browfort, Devizes
Date: Thursday 1 July 2010
Time: 6.00 pm

Please direct any enquiries on this Agenda to Anna Thurman, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718379 or email anna.thurman@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 Philip Brown	Cllr Charles Howard
Cllr Jane Burton	Cllr Chris Humphries
Cllr Peggy Dow	Cllr Laura Mayes
Cllr Nick Fogg	Cllr Christopher Williams
Cllr Richard Gamble	

Substitutes:

Cllr Nigel Carter	Cllr Jerry Kunkler
Cllr Peter Colmer	Cllr Jemima Milton
Cllr Lionel Grundy OBE	Cllr Christopher Newbury
Cllr George Jeans	Cllr Jeffrey Ody

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 - 12)*

To approve and sign as a correct record the minutes of the meeting held on 10 June 2010 (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**

Members of the public who wish to speak either in favour or against an application 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. 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.

6. **Planning Appeals** *(Pages 13 - 14)*

To receive details of the completed and pending appeals (copy herewith).

7. **Planning Applications** *(Pages 15 - 16)*

To consider and determine planning applications in the attached schedule.

- 7.a. **E/10/0452/FUL Full planning application for: Removal of existing prefabricated outbuilding. Erection of new single story extension (with related alteration) incorporating classrooms and ancillary accommodation At: Kennet Valley CE Aided Primary School, Lockeridge, SN8 4EL (Pages 17 - 32)**
- 7.b. **E/10/0485/FUL Full planning application for: Erection of thatched cottage and cartshed style garage At: Land adjacent to 6 Oak Lane, EASTERTON SN10 4PD (Pages 33 - 50)**
- 7.c. **E/10/1047/FUL Full planning application for: Demolition of existing farmhouse and erection of replacement farmhouse with new outbuilding range/garaging and farm office At: Knight Leaze Farm, URCHFONT SN10 4RA (Pages 51 - 58)**

8. **Urgent items**

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

Part II

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

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EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 10 JUNE 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, BROWFORT, DEVIZES.

Present:

Cllr Philip Brown (Chairman), Cllr Nick Fogg, Cllr Richard Gamble, Cllr Charles Howard, Cllr Chris Humphries, Cllr Laura Mayes, Cllr Christopher Williams, Cllr Peter Colmer (Reserve) and Cllr Jane Burton

50. Apologies for Absence

Apologies were received from Cllr Peggy Dow, who was represented by Cllr Peter Colmer.

51. Minutes of the Previous Meeting

The minutes of the meeting held 29 April 2010 were approved as a correct record and signed by the Chairman.

52. Declarations of Interest

E/10/0107/FUL – Cllr Philip Brown declared a personal interest in the application as he serves on Bromham Parish Council with the applicant.

E/10/0071/FUL – Cllr Gamble declared a personal interest as he had attended the Campaign to Protect Rural England (CPRE), Kennet Branch, Annual General Meeting (AGM).

Cllr Fogg declared a personal interest as he had taught the children of the applicant.

53. Chairman's Announcements

There were none.

54. Public Participation

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

55. **Planning Application - E/10/0107/FUL - Full planning application for: Retrospective change of use of land and buildings for the parking and storage of vehicles, plant and equipment pending preparation for sale or export. Improvements to road junction. At: Bromham House Farm, Devizes Road, BROMHAM SN15 2DX**

The Committee received a presentation by the Area Development Manager, which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mr David Pearce spoke in support of the application.

Following a debate of the salient points,

Resolved

Planning permission is GRANTED, subject to the conditions set out below, for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development would support legitimate diversification that would not have a harmful impact on the character and appearance of the countryside and that would result in improvements to road safety. The proposal is in accordance with policies PD1; NR6 and NR7 of the Kennet Local plan and with government guidance in PPS7 and PPS4.

- 1 Within three months of the date of this decision, there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, the details of 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 and all species, planting sizes and planting densities for new planting. The scheme shall include provision for landscaping the new section of access road to Bromham House Farm. .

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

- 2 All soft landscaping comprised in the approved details of landscaping shall be carried out by 31st March 2011, unless otherwise agreed by the Local Planning Authority. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

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

- 3 The parking and storage of vehicles, plant and equipment shall be confined to the areas labelled E and F on Drawing No. 002A received on January 25th 2010.

REASON: To protect the appearance of the area and establish the extent of the area permitted to be used for parking and storage.

- 4 Within 6 months of the date of this decision. or such longer period as may be agreed by the Local Planning Authority, the junction of the access road with the A342 shall have been altered as detailed on plan numbers LDC.1382.003/D; LDC.1382.004/C and LDC.1382.005/B received on April 20th 2010, including the construction of additional sections of footway, a new section of access road to Bromham House Farm and formation of a closed section of service road and access point thereto to serve the existing dwellings, in accordance with further details which have been submitted to and approved in writing by the Local Planning Authority prior to works commencing.

REASON: In the interests of road safety and the safety of pedestrians

- 5 The use shall be restricted to the parking and storage of vehicles, plant and equipment pending preparation for sale or export only, and for no other use, including any other use within Class B8 of the Town and Country Planning Use Classes Order (as amended).

REASON: The proposed use is acceptable as a rural diversification, but other uses for storage could give rise to additional planning issues, including highway matters, that may require evaluation at a future date.

- 6 The height of any vehicles, plant and equipment stored on the site shall not exceed 4.3 metres above ground level.

REASON: To protect the appearance of the area.

7 INFORMATIVE TO APPLICANT:

The applicant should note that works within the existing highway (the verge area of the A342) will not be permitted without the separate consent of the Highway Authority. The Highway authority will require a Section 278 Agreement to secure the works.

- 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.

(a) application form, justification statement and Drawing No. LDC.1382.002/A received on 25th January 2010;

(b) Drawing Nos LDC.1382.001/B and LDC.1382.006 received on 16th February 2010;

- (c) Drawing No. 209803/SU-01 received on 1st april 2010;
(d) Drawing Nos LDC.1382.003/E; LDC.1382.004/C and LDC.1382.005/B received on 20th April 2010

56. **Planning Application - E/10/0071/FUL Full Planning application for: Demolition of existing beef cattle buildings and replacement with new dairy complex and agriculturally tied dwelling. At: Sharcott Pennings Farm, Wilcot Road, PEWSEY**

The Committee received a presentation from the Area Development Manager Officer which set out the main issues in respect of the application and that drew attention to the relevant policies in the Waste Development Control Policies DPD.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mrs C Spickernell spoke in opposition of the application.
2. Mr H Pearson Gregory spoke in opposition of the application.
3. Mr M Brown spoke in opposition of the application.
4. Mr Fowler spoke in support of the application.
5. Mr G Davies spoke in support of the application.
6. F Hornby spoke on behalf of CPRE in opposition of the application.

Following a lengthy discussion of a number of issues,

Resolved

Subject to the applicant entering into a 'Section 106 agreement' to tie the new farmhouse, flat and existing Sharcott Pennings Farm farmhouse to the land comprising Sharcott Pennings Farm, the decision to grant planning permission is delegated to the Area Development Manager subject to the conditions set out below, for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development is in accordance with the planning policies set out in the Kennet Local Plan (policies PD1 and NR7;) the Wiltshire and Swindon Structure Plan (policies DP1; DP14; C1; C8; RE1; W2) and the Wiltshire and Swindon Waste Development Control Policies DPD (policies WDC1; WDC2; WDC3; WDC7; WDC11, WDC 12). The design and landscaping of the proposal minimises the visual impact on the area of outstanding natural beauty, conserving the character and appearance of the landscape. The associated anaerobic digester will help deal with the waste generated on the farm holding in a sustainable manner that will help generate renewable energy whilst not

generating an unacceptable increase in traffic or having any unacceptable impact on the amenity of nearby residents. The proposal will enable the development of the agricultural dairy business on the site, which is an appropriate use of land within the countryside and is part of the character of this part of the Pewsey Vale.

- 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 No development shall commence until a phasing programme for the development has been submitted to the local planning authority and approved in writing. The phasing programme shall set out the order in which each element of the development shall be carried out. It shall specify that the "rotary parlour" building, the "500 cow dairy complex buildings", the "straights store" & "storage barn", and the "open silage clamps" shall be completed prior to completion and occupation of the dwelling and flat.

REASON: To ensure the proper planning of the development in accordance with the agreed scheme, and to ensure that the dwelling and flat are not completed and occupied before the farm complex itself is completed having regard to the justification for the dwelling in the first place which is based on the functional need arising from the farm complex.

- 3 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs of both the farm buildings and the house and garage have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4 No development shall commence on site until a management plan for the operation of the dirty water lagoon has been submitted to the local planning authority and approved in writing. The plan shall address the management of this facility having regard to the flood risk assessment and to ensure that flood risk and any consequent pollution risk is satisfactorily dealt with. The development shall be carried out in accordance with the approved management plan.

REASON: To prevent pollution of the water environment.

- 5 No development shall commence on site until a scheme for the discharge of surface water from the site incorporating sustainable drainage details (including the design/capacity of any storage tanks and attenuation ponds, and including sizing/outflow calculations), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the surface water drainage has been constructed in accordance with the approved scheme.

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

6 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (k) retained historic landscape features and proposed restoration, where relevant.

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REASON:

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

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

REASON:

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

8 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

REASON:

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

- 9 Prior to commencement of any works relating to the construction of any of the new buildings or structures hereby approved, the existing farm buildings at the site shown to be demolished shall be demolished and the resulting debris cleared from the site (or stockpiled on the site for use in the construction of the new development, if appropriate).

REASON:

To ensure the proper planning of the site in accordance with the agreed scheme and to safeguard the visual amenities of the locality.

- 10 The occupation of the dwelling and flat forming part of the development shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants. The occupation of the flat shall remain at all times incidental to the dwelling.

REASON:

The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 11 The occupation of the existing dwelling known as Sharcott Pennings Farm shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON:

Sharcott Pennings Farmhouse is located immediately adjacent to the approved farmyard. Its proximity and link to the farmyard means that it would be unsuited to occupation by any persons other than an agricultural worker connected with the farmyard and wider estate, or working in agriculture or forestry in general. Its

occupation by an agricultural worker also forms part of the justification for the new agricultural worker's dwelling and flat forming part of the development.

- 12 The development shall be carried out strictly in accordance with the requirements of the habitat survey by Lindsay Carrington Ecological Services Ltd dated October 2009, this including the submission to the local planning authority for approval in writing prior to commencement of development a detailed mitigation scheme for bats, and repeat surveys for owls and reptiles immediately before and during demolition works with mitigation strategies as necessary.

REASON:

To safeguard protected wildlife species.

- 13 No part of the development hereby permitted shall be brought into use or occupied until the new access, the turning areas and the parking spaces have been completed in accordance with the details shown on the approved plans. Notwithstanding the details shown on the approved plans, the new access shall be provided with bell mouth radii of 8m either side, and not 6m as specified. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 14 The new access shall be provided with visibility splays between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 90 metres to the south-east and 120 metres to the north-west from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 15 Any gates across the new access shall be set back 8.0 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

- 16 The development hereby permitted shall not be brought into use or occupied until at least the first 8 metres of the new access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 17 Prior to the first use of the new access provision shall be made for the disposal of surface water in accordance with details that have been first submitted to and approved in writing by the local planning authority. The method of surface water disposal shall be implemented in accordance with the approved details.

REASON: To ensure that surface water is not discharged onto the highway, in the interests of highway safety.

- 18 Within 3 months of the first use of the new access by vehicular traffic (other than construction traffic) the existing access to the farmyard to the north-west of the new access shall be stopped-up and the grass verge re-instated at a height and gradient to match that of the established verges either side of this access. Thereafter, the sole means of vehicular and pedestrian access to the development shall be via the new access.

REASON: In the interests of highway safety.

- 19 Within 3 months of the first use of the new access by vehicular traffic (other than construction traffic), the existing access to the site from "Bridleway 15 Sharcott Drove" shall be closed-off within the site to prevent access by vehicles other than to Sharcott Pennings Farm farmhouse. The method of closure shall comprise a fence or bollards (or other means first agreed in writing by the local planning authority). The method of closure shall be permanently retained thereafter.

REASON:
In the interests of highway safety.

- 20 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.

Drawing nos. 090805-02A (04/10) & 2405/3 (04/10) received by the lpa 23/04/10;

Drawing nos. 011, 012, 013, 014 & 015 (12/09), & 090805-01 (although re-configured layout) (09/09) received by the lpa 14/01/10.

57. **Urgent items**

There were none.

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

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

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WILTSHIRE COUNCIL

PLANNING SERVICES GROUP

POST REPORT REPRESENTATIONS

EASTERN AREA COMMITTEE

DATE: 10th June 2010

Agenda No. Application No.	Location		No Objection	Objection	To be reported	No comment
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1. E/10/0107/FUL	Bromham House Farm, Devizes Road, Bromham	Letter and landscaping plan from agent 17/05/10 Bromham Parish Council comments Comments received from Cllr Seed 09/06/10 Letter of representation 19/05/10			x x x x	
2. E/10/0071/FUL	Sharcott Pennings Farm, Wilcot Road, Pewsey	Pewsey Parish Council comments 01/06/10 Wilcot & Huish Parish Council comments 04/06/10 Letter of representation 25/05/10 Letter of representation 27/05/10 Letter of representation 06/06/10 Letter of representation 07/06/10 Letter of representation 07/06/10 Letter of representation 08/06/10 Letter of representation 08/06/10 Letter of representation 08/06/10 Letter of representation 09/06/10 Letter of representation 09/06/10 Letter of representation 10/06/10 Letter of representation 10/06/10 Letter of representation 10/06/10			x x x x x x x x x x x x x x	

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Appeal Decision

Site visit made on 16 October 2009

by **Richard Thomas BA, Dip Arch, RIBA, IHBC**

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gov.uk

Decision date:
30 October 2009

Appeal Ref: APP/Y3940/A/09/2104129

Oaklands, 6 Oak Lane, Easterton, Devizes, SN10 4PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Paul Hannant and Ms Caroline Long against the decision of Wiltshire Council.
- The application Ref. E/09/0075/FUL, dated 14 January 2009, was refused by notice dated 12 March 2009.
- The development proposed is a "new dwelling and cart shed style garaging, demolition of stables and outbuilding, (resubmission following refusal K/59407/F)".

Decision

1. I dismiss the appeal.

Main issues

2. Whether the proposed development would preserve or enhance the character or appearance of the Easterton Conservation Area and preserve the setting of Kestrels, a Grade II* listed building.

Reasons

3. The appeal site is an area of land to one side of the driveway to the recently constructed dwelling 'Oaklands'. This house is set in a relatively spacious plot typical of the short length of Oak Lane situated between the group of thatched cottages at the foot of the hill and the relatively dense suburban character of the 20th century bungalows, together with the recently constructed house at the brow of the hill.
4. This part of the conservation area is dominated by Kestrels, a substantial Grade II* listed 18th century house. Set behind a high wall along Oak Lane, the house is prominent in views from both directions, and its dominant appearance is enhanced by the open setting provided by Oak Lane and the distance between the nearest significant buildings on the land opposite, as compared to the enclosed character created by the high boundary wall of Kestrels. While this setting includes the garage of No.10 and the stables on the lower part of the appeal site, I noted that these single story structures are relatively well hidden and do not impinge upon the setting of the listed building. As a result, this steeply sloping section of Oak Lane has a semi-rural character devoid of any structures that compete with the elegant hipped roof silhouette of Kestrels.
5. While the appeal site is relatively large in overall area, the proposed house would be constructed on the relatively small area of flat land presently occupied by the stables. It would be of a modestly scaled architectural

character, to which the Council has raised no objection. However, although the proposed house would set into the rising hillside, its ridge would be some 54.85m above survey datum. As a consequence, it would be higher than the eaves of Kestrels, situated only some 13m away on the opposite side of the road. The resulting prominence of the proposed roof and the proximity of the relatively tall gable and chimney to the listed building would destroy the latter's present open setting, creating a constricted visual pinch point that would urbanise views up and down the hill.

6. The relatively close proximity of the existing and proposed buildings would significantly diminish the semi-rural character of the road, resulting in a harmful change to the present setting of Kestrels. I note the appellants' intention to retain and strengthen the existing beech hedge, but saw that this would not be sufficient to prevent the harmful visual intrusion of the roof and gable into views of, and from, the surrounding area.
7. I therefore consider that the proposed development would fail to preserve the setting of the listed building and also the semi-rural character and appearance of this part of the Easterton Conservation Area in which it lies. This would be contrary to the guidance in Planning Policy Guidance 15 *Planning and the Historic Environment* (PPG15) and would conflict with policies PD1 and HC24 of the Kennet District Local Plan (2004).
8. While there is no objection in principle to the development of the appeal site, which lies within the built-up area of the village, the immediate surroundings of the appeal site are significantly different in character to that of the recently constructed house at the brow of the hill I referred to above. I therefore consider that the granting of planning permission for that house does not set a precedent that can be repeated without due regard being paid to the differing context of the appeal site. Having regard to these and all other matters raised, I conclude that the appeal should be dismissed.

Richard Thomas

Inspector

Wiltshire Council

East Area Planning Committee

July 1st 2010

List of Applications for Consideration

1. E/10/0452/FUL

Full planning application for: Removal of existing prefabricated outbuilding. Erection of new single storey extension (with related alterations) incorporating classrooms and ancillary accommodation

At: Kennet Valley CE Aided Primary School, Lockeridge, SN8 4EL FYFIELD & WEST OVERTON

RECOMMENDATION: Grant planning permission

2. E/10/0485/FUL

Full planning application for: Erection of thatched cottage and cartshed style garage

At: Land adjacent to 6, Oak Lane, EASTERTON, SN10 4PD

RECOMMENDATION: Grant planning permission

3. E/10/0147/FUL

Full planning application for: Demolition of existing farmhouse and erection of replacement farmhouse with new outbuilding range/garaging and farm office

At: Knights Leaze Farm, URCHFONT SN10 4RA

RECOMMENDATION: Refuse planning permission

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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	1 st July 2010
Application Number	E/10/0452/FUL
Site Address	Kennet Valley CE Aided Primary School, Lockeridge, Marlborough, Wiltshire, SN8 4EL
Proposal	Removal of existing prefabricated outbuilding. Erection of new single storey extension (with related alterations) incorporating classrooms and ancillary accommodation.
Applicant	The School Governors
Town/Parish Council	FYFIELD & WEST OVERTON
Grid Ref	414719 167795
Type of application	Full Planning
Case Officer	Andrew Guest

Reason for the application being considered by Committee

The application is before the Committee at the request of the Division Member, Cllr Jemima Milton.

Purpose of Report

To consider the recommendation that the application be approved.

Report Summary

The main issues in this case are as follows:

- The principle of amalgamating two schools on one site, including loss of outdoor recreation space;
- The impact of more intensive use of a single school site on amenity and highway safety;
- The impact on Lockeridge Conservation Area;
- The impact on residential amenity.

Site Description

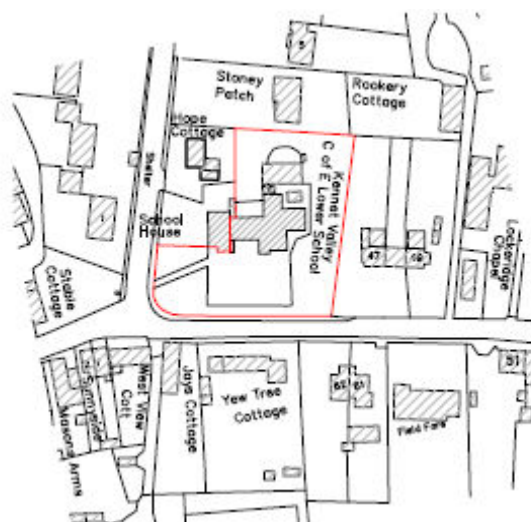
Kennet Valley CE Aided Primary School is 'split' between two sites at Lockeridge (the lower school) and East Kennet (the upper school). Each school site supports two classes (reception and years 1-2 at Lockeridge; and years 3-6 at East Kennet). Additionally there is a nursery at the Lockeridge site within a portable classroom.

The application relates to the Lockeridge site. The Lockeridge school building is located on a prominent corner site at the centre of the village. The main school building is a traditional structure originally built in 1875. Part of the building comprises School House, a residential unit now in separate ownership. The school building is set back from the public highways behind its surfaced playground and play areas. To its rear and north sides are the self-contained nursery, further small play areas and/or landscaped margins. Vehicular access to the site is at the front, with

parking shared with the playground. Separate pedestrian access is also available at the south side.

The site is surrounded by residential development – School House and Hope Cottage to the south, Stoney Patch to the west, nos. 47-49 to the north, and Jays Cottage, Yew Tree Cottage and nos. 61-62 to the east.

The school building is not listed, but it is recognised as a building of character within the Lockeridge Conservation Area Statement. Jays Cottage, nos. 47-49 and nos. 61-62 are listed buildings. All of Lockeridge and the surrounding countryside is designated as an Area of Outstanding Natural Beauty.



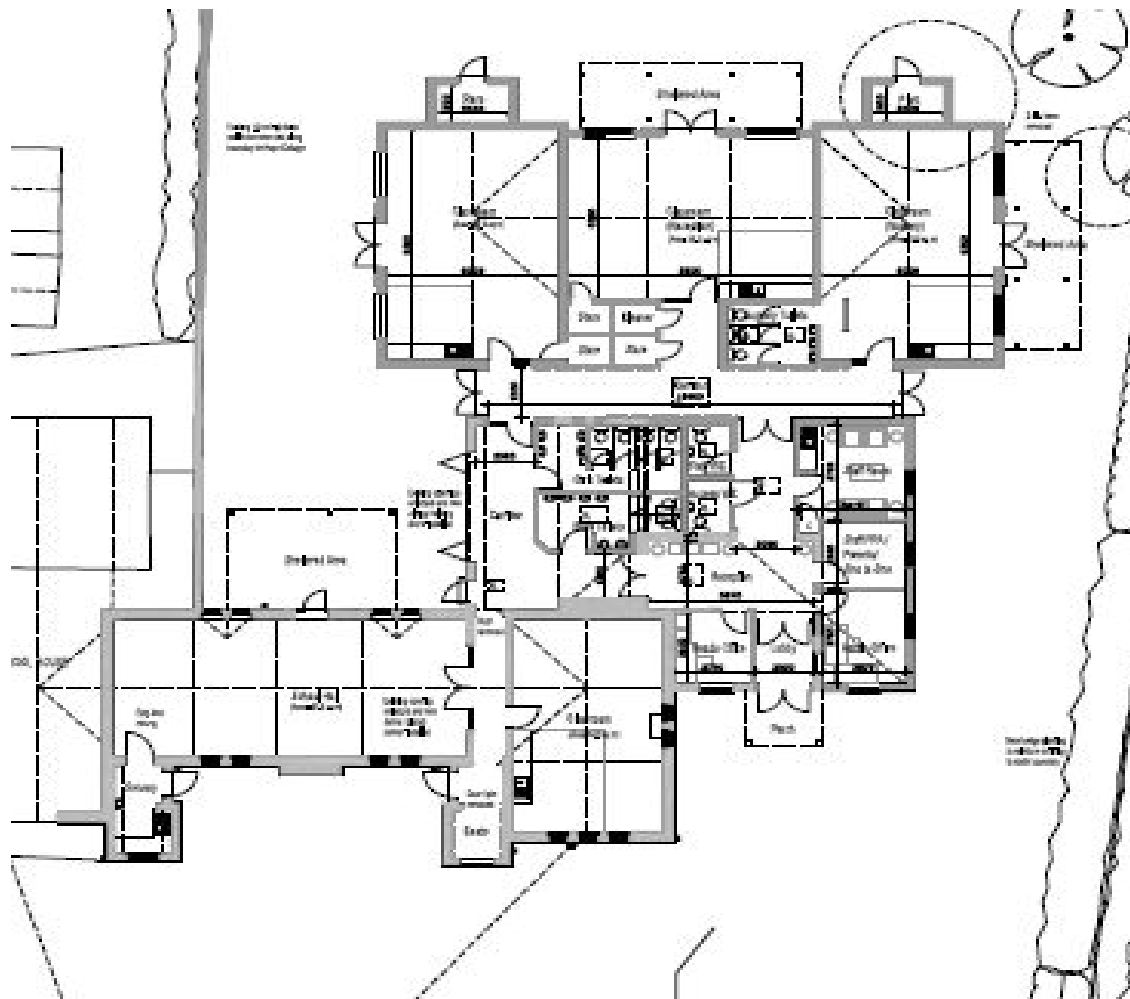
Location Plan

Proposal

The proposal is to extend the Lockeridge School. This is fundamental to the school's overarching ambition to move from two split sites to one single site. It follows that if this planning application is successful then the other school site at East Kennet will ultimately close.

The proposed extension would be to the rear and north side of the original school building. It would be single storey containing three classrooms (including the nursery), offices and reception area. The original school building would be re-configured to contain one classroom, the school hall and upgraded wash rooms, (at present the school hall is used as a classroom). The existing portable classroom for the nursery would be removed. As a consequence of the proposal the total number of classrooms at the site would, therefore, increase from presently two (plus the nursery) to four (including the nursery).

The design of the extension is conventional with pitched roofs not exceeding 5.2m in height. Projection to the rear would be 12m (excluding the stores), this leaving an approximately 8m wide margin with the rear boundary. Projection to the north side would be maximum 6.3m (excluding the 'sheltered area') leaving a minimum 6.4m margin to the side boundary.



Proposed Layout Plan – Extension to the side and rear

The applicant's agent makes the following comments:

“Following careful analysis of the school, its current activities and its future, it was decided to move from the split site to a single site based at the existing school premises at Lockeridge. Initial investigations demonstrated that there was sufficient space on the Lockeridge site to accommodate the necessary development, whereas the East Kennet site is too restricted to accommodate sufficient additional space. The plan that has evolved is therefore to build an extension to the rear of the Lockeridge school to provide two additional classrooms, a nursery and ancillary accommodation.

The advantages of a single site are significant from several viewpoints. For the children, there is the opportunity for the older ones to help the younger, and the younger children can see the positive role models of behaviour and learning within the larger school. For the teachers, teamwork is improved, there is less isolation, and more support. For the parents, this means better opportunities for contact and for those with more than one child the advantage of not having to travel to two sites. Extra curricular activities will be more effective and easier to arrange. Administration of the school will be more efficient, and the carbon footprint of the school can be reduced by a more efficient building and less transport between sites.

The scheme has therefore evolved taking into account:

- providing up-to-date accommodation and a total of three classes. (Three classrooms could reasonably accommodate up to 90 children is based on the aspiration of not more than 30 to any one class. Infant classes are not allowed by law to have more than 30 children. There is a theoretical maximum of 105 accommodated in three classrooms but such a situation is highly unlikely to arise. The current forecasts indicate that a school role of around 70 children is the likely norm. Until September 2007 Lockeridge school housed two teachers with two classes);
- creating attractive and effective internal and external spaces for learning and play;
- providing a school hall;
- designing with the neighbours in mind;
- respecting the character of the village and the conservation area;
- dealing with access and traffic management;
- providing accommodation for the Bluebell Nursery (for up to 20 children);
- having a playing field (not part of the application but under discussion)".

Planning Policy

Kennet Local Plan 2011 – PD1, ED29 and NR7
 Wiltshire Structure Plan 2016 – DP1, DP2 and C8
 PPS7 and PPS15

Consultations

Fyfield and West Oveton Parish Council: no objections but make the following comments –

It is clear that expanding the school in the way contemplated by this application will bring with it significant parking and traffic flow challenges, and this is a real concern for parts of the local community. The Parish Council considers it essential that there be produced, at as early a stage as possible, an imaginative, realistic and robust travel plan which addresses these issues and that the local community should be actively involved, alongside the school, both in formulating the plan and then in monitoring it and, if needed, adjusting it.

In terms of preserving or enhancing the character of the village, the new extension needs to do more to echo (without imitating) the Ponting elements of the original building, particularly the doors and windows and particularly on the East elevation, which is in practice the most visible. Greater use of decorative brickwork might also be used as an allusion to the Ponting features of the rest of the school and of other houses in the village.

It is noted that the application plan showing the East elevation did not clearly show the outline of the east elevation of the nursery, such that at a glance the visual impact was not entirely apparent from the plan, something which could perhaps be remedied should revised plans be produced.

We assume that the lime trees at the front, which are a well loved and prominent feature of the street-scene will remain after the development and will be fully protected during it. The Scots pines adjacent to the school site should be equally protected.

Given the increased footprint of the building and the fact that it would be nearer to the boundaries of the site, the landscaping conditions should include provisions to help safeguard the privacy of neighbours.

Steps should be taken to ensure that light spillage from any external or security lighting, and from roof lights, is minimised.

Wiltshire Council Highways Officer The school site is reasonably well signed for a small school in this sensitive village location. It will be important for parents to continue to be encouraged to park at the nearby public house and to be neighbourly when parking on roads by not blocking driveways of nearby residents. These points are best addressed through a robust revised Travel Plan for the merged site.

No objection subject to a fully revised Travel Plan for the merged site, on the lines set out in the planning application supporting information, being submitted and approved prior to first use of the new extension, with the points in the Travel Plan being implemented in the timescales agreed.

For information the existing access for vehicles while narrow is at the best position in terms of visibility. I consider it suitable to continue for low-key staff and emergency use. But in the absence of improvements to the access, I would not support its regular use by parents - for example dropping off and picking up children for the nursery. An informative should be applied on this basis.

Wiltshire Council Conversation Officer: The original schoolroom is set well back within its plot, the building being inline with the building lines of neighbouring properties, which creates a visual and physical buffer between the building and the road to two sides of the site. Past sub-division of the plot (the original school house is now in private ownership) and school-related development, has resulted in the plot being tight, essentially to the rear of the building, as thankfully no development has taken place to the front of the school.

The new extensions significantly increase the size of this village school but at the same time they replace the existing pre-fabricated building to the rear that currently provides the nursery facilities for the school, which is obviously a welcomed move and vast improvement for the site.

The key to the success of the development will be the design of the proposed extensions and it is vital that they complement the original building and its surroundings, so as to not detract from the wider historic environment, namely the character and appearance of the conservation area: this however does not necessarily require the replication of existing styles in order to achieve this. The proposals show modern extensions, with pitched roofs and simplified detailing that should not detract from the fine quality and Gothic detailing of the main building. The main entrance will be off-set, yet more clearly identified than at present, by extending the existing modern side extension to provide a centralised doorway, with steep pitched porch, referencing the Victorian host building.

It is a shame that the new buildings cannot be kept inline with the extended entrance, as the view of this, essentially from the front of the building and therefore the main view within the conservation area, as it seems to compromise the aesthetic balance of the buildings as a group. However, I understand the reasons for doing so, as this maximises the green space to the rear of the building and limits any potential impact on neighbouring properties. Off-setting the extensions also helps preserve the rear elevations of the original building and therefore there are no objections to this aspect of the proposal.

Considering the finely detailed Victorian Gothic school, significantly extending it in the same styling would, in my opinion, detract from the high quality of the building and I therefore view the simplified extensions appropriate in this instance, as they respect the host building, neither replicating nor competing with it. Preserving the character and appearance of the conservation area, by preserving its setting and respecting the important buildings within it (whether listed or not) is the Council's main duty from a Conservation perspective.

In addition to the above, a positive move of the proposals, from the point of view of the usage of the original building, is that classroom currently located in the original hall will be relocating, so the space can be returned to its original use.

It goes without saying that the quality and appropriateness of materials will be important to ensure architectural unity and replicate the quality of the original buildings. Therefore all materials should be conditioned, along with details of new windows, doors etc.

There are no objections to the proposals, as they are seen to have a neutral impact on the character and appearance of the conservation area, by preserving the setting of the historic environment and not detracting from the importance of this building of local significance.

I suggest that all materials are conditioned, along with details of windows and doors, and all new rainwater goods should match the existing.

County Archaeologist: final views awaited.

Publicity

The application has been publicised by site notice, press advert and neighbour notification.

The application has generated objections from 11 local residents summarised as follows:

- the potential number of children and staff that might eventually attend the school is far too high (that is 105 + 20 in the nursery, + staff) with a resulting harmful impact on the amenities of nearby neighbours from playground noise (on site play areas are reducing in area), traffic and parking. There should be a conditional limit on the number of pupils (no more than 75). Applicant's forecasts of pupil numbers are unrealistic having regard to additional housing developments in Marlborough, high roles of other nearby schools inc. Manton, and this school's potential to gain good OFSTED status;
- the school will be too big for the small village centre site with housing on all sides. The East Kennet site is far more suited to expansion having more space, easier access, etc.;

- there is no school playing field (existing arrangements on an informal basis only). There should be a conditional requirement for a playing field to be sourced. Use of on-site play space would be staggered in view of the higher no. of children which will lead to greater noise nuisance to neighbours;
- there is inadequate parking for both staff and parents (existing arrangements with the nearby public house are on an informal basis only, and no formal agreement for 'shared driveway' parking). Proposal is contrary to Structure Plan policy DP2 which requires adequate infrastructure to be provided, and this is not satisfied. Assumptions about nos. of vehicles are unrealistic – in any event, the assumption is that the nos. will more than double, and Lockeridge's infrastructure is inadequate to cope with this. Informal 'park and stride' scheme has not worked due to distance of pub from school;
- vehicular access to nearby properties made difficult and hazardous by parked vehicles. Parked vehicles do not 'calm' traffic passing through the village;
- any additional traffic signs would detract from appearance of village;
- there should be a conditional requirement for a 20mph zone to be created through the village;
- design of extension is unsympathetic to original building – brick course should be carried through, brick arches over windows, high quality materials essential;
- Improved landscaping will be required on boundaries of site;
- car park on site too close to lpg tank;
- no constructive consultation between school and neighbours;
- proposal would harm the setting of nearby listed buildings;
- extension to side would 'move' activity within site closer to boundaries with resulting adverse impact on neighbouring properties;
- proposal contradicts Village Design Statement.

The application has generated one letter of support summarised as follows:

- School is an integral part of life in the Kennet Valley, and a focal point for the local community. Combining the schools will add to these values and allow the educational potential to be realised.

Planning Considerations

The principle of a single site school

Policy ED29 of the Kennet Local Plan requires existing buildings used or last used for community purposes to be retained in this use wherever possible unless there is no long term need or an alternative facility of comparable community value is provided. In this case the proposal is to bring together the split facilities of two schools on to a single site with no intended reduction in the level of education provision. As education provision would remain the same (or, indeed, may be enhanced through 'sharing' presently divided services and making better use of resources) it is considered there would be, as a minimum, comparable community value from the proposal. This is in accordance with Policy ED29 as a matter of principle.

The impact of more intensive use of the Lockeridge school site

Notwithstanding the 'in principle' support for the proposal set out above, considerable objection has been raised to the single site initiative based on the detailed concern that a greater number of children on one site would inevitably lead to an increase in

activity, and this in turn may lead to an increase in disturbance and inconvenience to nearby residents from traffic and noise.

In terms of the actual rise in pupil numbers, based on the current roll there are 22 children plus 18 nursery children at the Lockeridge school site (total, 40). This current roll is well below the actual capacity of the school. At East Kennet there are presently 45 children.

The actual present maximum capacity of Lockeridge School (comprising two classrooms and the nursery) is approximately 61 school children and 20 nursery children (giving a total of 81 children)¹. This capacity could be reached without any need to extend or alter the existing school. The proposal is to increase the number of classrooms to three (an increase of one classroom only), this giving 'worst case scenario' capacities of 84 and 20 (totalling 104 children). In percentage terms this increase amounts to 28%.

In reality the Wiltshire Council forecasts indicate school rolls below these figures, the short term peak being 75 children (plus up to 20 in the nursery) in 2015. This is a maximum of 95 children, and represents a 17% increase over present maximum capacities.

These figures clearly indicate an increase in pupil numbers. However, having regard (as a material consideration) to the actual capacity of the existing classroom accommodation at Lockeridge school, it is not considered that the forecast increase in pupil numbers set out above (or, for that matter, the 'worst case scenario' situation also set out above) represents such a significant increase to justify an objection to the application based on inappropriate intensification grounds. This conclusion is reached not only with regard to the data set out above, but also with regard to the other measures proposed by the applicant which are considered on more detail below.

Concern has been expressed that the Lockeridge school site has no playing field and that arrangements to use other land are informal only. This is a management matter for the school and is not a reason to refuse planning permission. The school will maintain its playground and most of its existing open areas of play. It will also gain a school hall as a consequence of the proposals (something neither the Lockeridge nor East Kennet site presently has).

Traffic generation and parking

The application is accompanied by a Travel Statement which sets out existing and anticipated movements to the Lockeridge site. The statement also sets out existing initiatives used by the school to 'manage' methods of arrival and departure by children and staff to the school. The statement is attached in full as an appendix to this report.

In terms of staffing, as a consequence of the proposal there would be seven full time members based at the Lockeridge site, with various other flexible part time workers (teaching assistants, cleaners, etc.) coming and going throughout the day. At present two members of staff park in the school grounds, and the proposal is to increase the number of on-site available parking spaces for this purpose to seven. Other part time staff would park outside of the site, as at present (on the street or by informal arrangement in the local pub car park or shared driveways with neighbours).

¹ Based on national standards for classroom sizes.

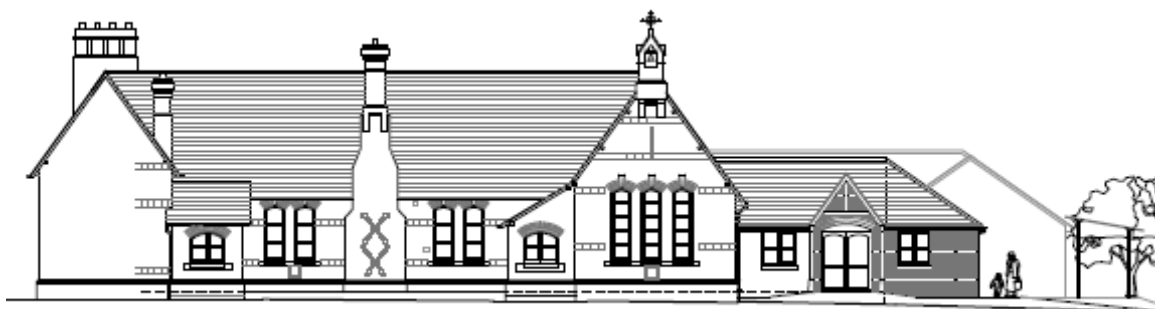
It is considered that the increase in on-site parking as proposed would adequately address the additional pressures for staff parking resulting from the amalgamation of the two schools. Parking outside of the site at present clearly causes concern to some third parties. However, the current planning application can only reasonably be expected to address the additional demands for parking now raised by the proposed extension to the school, and not to address historic problems associated with the operation of the existing school. It is considered that five additional spaces address the additional demands.

Regarding traffic associated with the dropping-off and collection of children, the Travel Statement anticipates that the number of children walking to the school will increase by 5 to 9, the number of children in cars will increase from 11 to 20, and a school bus and taxi will 'deliver' the remainder (there is presently just a taxi). This shows a rise in the number of vehicles of 10. In addition there is separate traffic generated by the nursery.

The disruption caused by the traffic dropping-off and collecting children from the school has clearly caused concern to nearby residents in the past - for example, sometimes leading to the road in front of the school being blocked or making it difficult for residents to enter or leave their properties. That said, the actual number of vehicles visiting the site remains relatively low, and this consideration taken together with the short duration of the 'disruption' (primarily at school opening and closing times) and the school's own informal initiatives to keep traffic away from the school gate, makes an objection based on additional traffic generation unsustainable.

The school's initiatives include an informal arrangement with the local pub for parents to temporarily park in the pub car park before walking with their children to and from the school gate (referred to as 'park and stride'). A further initiative is to stagger the start time of the school and nursery. These (and other) initiatives are commendable but are not necessary to make the development as a whole acceptable in planning terms. A condition is, therefore, recommended requiring an updated Travel Plan for the school to be submitted and implemented only, but not requiring formalisation of the informal initiatives (such a condition being 'unreasonable' in terms of the tests for conditions in any event).

Concern has been expressed that additional children at the school will cause noise disturbance to neighbours (particularly as a consequence of longer and/or staggered outside play times). It is not considered that the sound of children playing in a school play ground within a village centre location would cause such disturbance to warrant an objection for this reason.



Proposed east (front) elevation – extension on right hand side of drawing



Proposed north (side) elevation, showing depth of extension



Proposed west (rear) elevation - extension on left hand side of drawing

Impact of the extension on conservation area and amenity in general

The proposed extension would be sited mainly at the rear of the existing school building and so largely screened from public viewpoints. That said, the side element would be visible from the road across the open soft play area.

The entire extension has been designed in a traditional manner and to be subservient to the original school building. This approach is supported as it ensures the original school building remains the dominant part. The side element of the extension is attached to an existing side addition which already lacks some of the fine detail of the original building. This is why, at least in part, not all of the detailing of the original building has been carried through (such as the plinth and brick courses). The more simplistic detailing in the extension also ensures that it does not compete with the original school building, and this approach is supported by the conservation officer. Removal of the existing portable classroom at the rear of the site (but visible from the highway) would be an enhancement to the setting of the school and conservation area.

The extension would be sited sufficiently far from the boundaries of the site to ensure no overbearing relationship with neighbouring properties. All existing hedgerows would be retained and/or improved to further safeguard privacy.

Overall it is considered that the proposed extension would preserve the conservation area and have a satisfactory relationship with neighbouring properties.

Conclusion

The Kennet Valley CE Aided School is presently split between two sites at Lockeridge and East Kennet. The proposal is to amalgamate the schools on to a single site and so reap the educational and economic benefits of this.

To achieve the end result it is proposed to extend the Lockeridge School, and the scheme presented for this is acceptable in design terms, preserving the setting of the existing school building and the conservation area. Although there would be some intensification in the use of the school and some additional traffic generation, this would remain relatively low key and of short duration, and managed to a certain extent by the school's own local initiatives.

For these reasons there are no sustainable planning reasons for objecting to the development and the application is recommended for approval accordingly.

RECOMMENDATION

Approve with 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 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. 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.

- 3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

REASON:

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

- 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

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

REASON:

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

5 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

REASON:

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

6 No works shall commence on site until details of all new external window and door joinery and/or metal framed glazing have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON:

In the interests of preserving the character and appearance of the listed building and its

setting.

- 7 No development shall commence on site until a Green 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:

In the interests of road safety and reducing vehicular traffic to the development.

- 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.

Drawing nos. 1457-10, -11, -12, -13B & -14B received by the lpa 8 April 2010.

Appendices:

None

Background Documents Used in the Preparation of this Report:

The application file and relevant government guidance.

Kemet Valley CE Aided Primary School Lockeridge

E/10/0452/FUL

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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	1 st July 2010
Application Number	E/10/0485/FUL
Site Address	Land adjacent to 6 Oak Lane, Easterton, Devizes, Wilts SN10 4PD
Proposal	The erection of a thatched cottage and cartshed style garage
Applicant	Caroline Long & Paul Hannant
Town/Parish Council	EASTERTON
Grid Ref	401955 154959
Type of application	Full Planning
Case Officer	Rob Parker

Reason for the application being considered by Committee

This application is being brought before Committee by the Area Development Manager who considers that the site's planning history warrants the application being debated in public session, to enable a decision to be reached in a transparent manner.

1. Purpose of Report

To consider the recommendation that the application be approved.

2. Report Summary

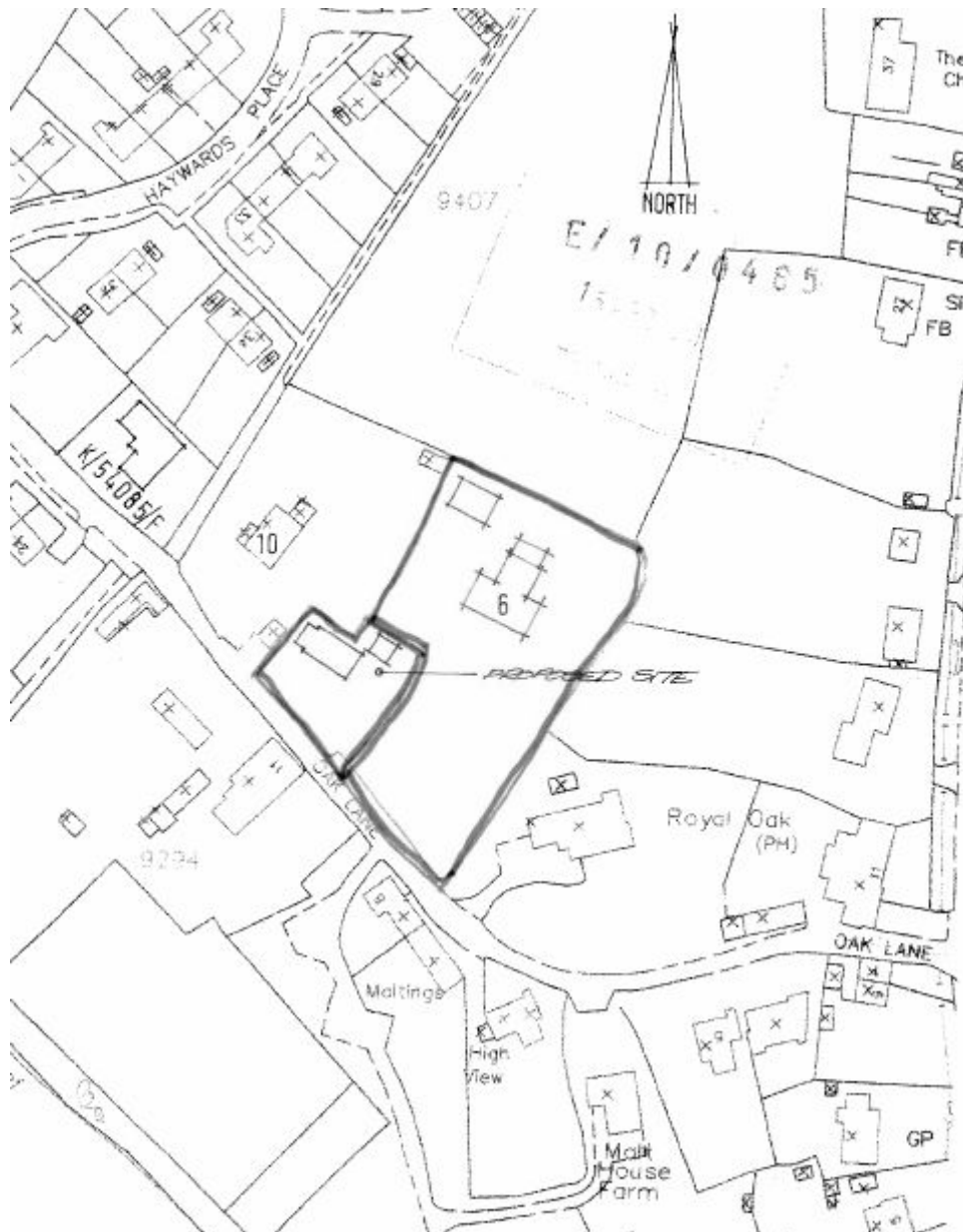
The main issues in this case are:

- whether the proposal would preserve or enhance the character or appearance of the Easterton conservation area.
- whether the proposal would preserve the setting of Kestrels, a Grade II* listed building.
- whether the proposal would have an adverse impact upon the residential amenities of the occupants of Kestrels and 10 Oak Lane.

3. Site Description

The application site is located in Oak Lane, Easterton. When travelling through the village on the B3098 High Street take the turning adjacent to the Royal Oak public house. The site lies on the right hand side approximately 150 metres further up the hill and directly opposite the property known as 'Kestrels'.

The site comprises an area of land to one side of the driveway to the recently constructed replacement dwelling 'Oaklands' (also known as 6 Oak Lane). The plot has a boundary onto Oak Lane to the front. To the north lies 10 Oak Lane and to the east 'Oaklands'. The site is currently occupied by a timber stable block and a smaller outbuilding.



4. Planning History

K/58928/F – Demolition of existing bungalow with integral garage and construction of new replacement two storey dwelling and detached garage, planning permission granted on 12th August 2008 (and permission subsequently implemented).

K/59407/F – Proposed new three bedroomed house and cart shed style garage. Demolition of stable and outbuilding and alteration to existing access, planning permission refused on 30th October 2008.

E/09/0075 – New dwelling and cart shed style garaging, demolition of stables and outbuilding, planning permission refused and subsequent appeal dismissed on 30th October 2009.

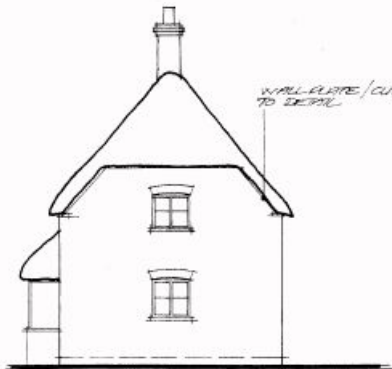
5. The Proposal

The application proposes the construction of a thatched cottage and cartshed style garage.

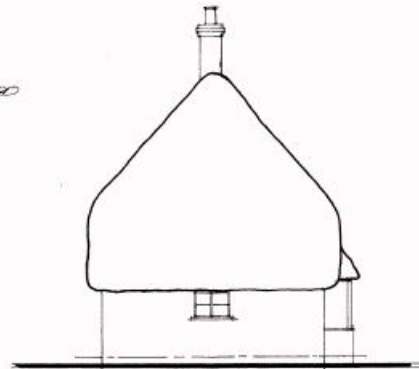


South West Elevation

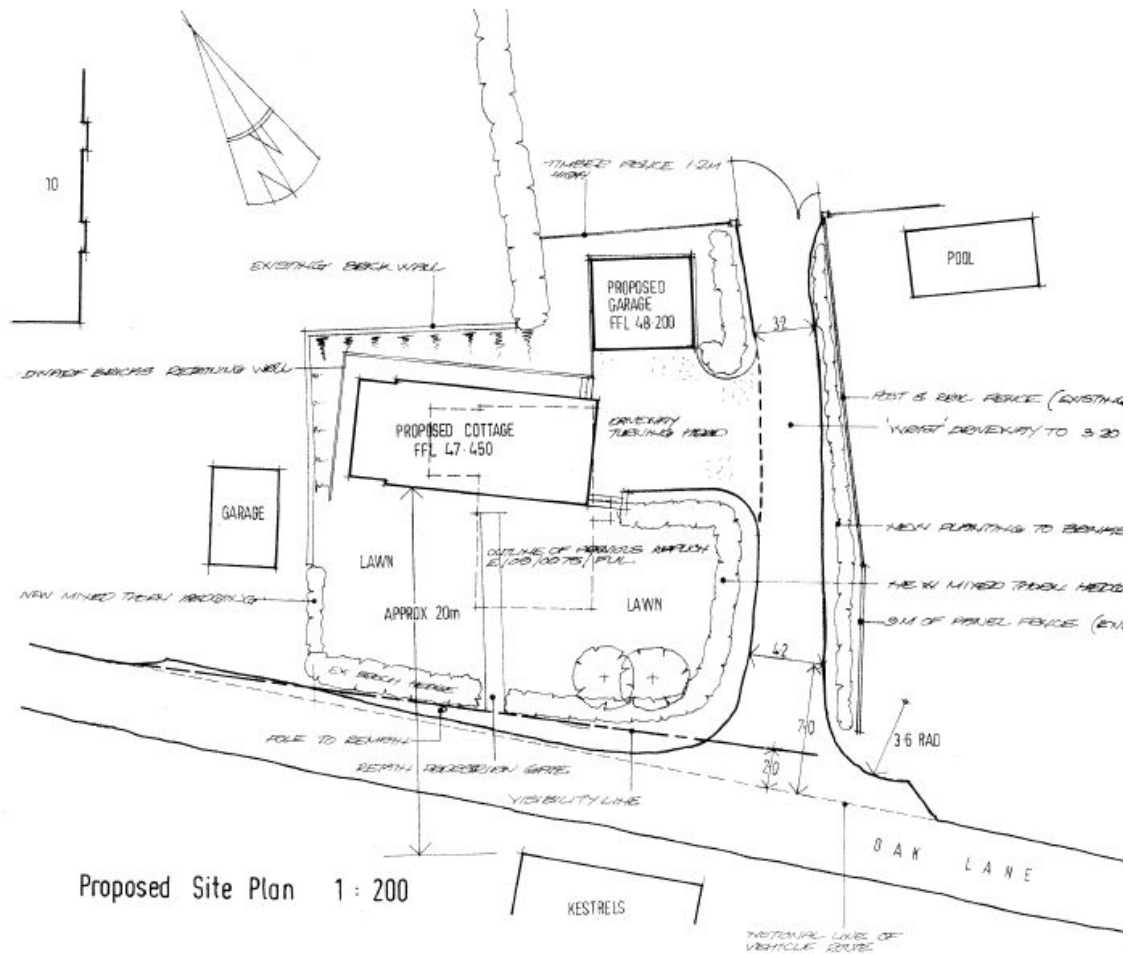
North East Elevation



South East Elevation



North West Elevation



6. Planning Policy

The site lies within the built-up area of Easterton which is identified as a village with limited facilities in Table H.5 of the Kennet Local Plan 2011. Policies HC24 and PD1 of the local plan are relevant to the consideration of this application.

The site also lies within the Easterton conservation area to which Supplementary Planning Guidance contained in the Easterton Conservation Area Statement applies.

Government policy contained in PPS1: 'Delivering Sustainable Development' and PPS5: 'Planning for the Historic Environment' is also a material consideration.

7. Consultations

Easterton Parish Council – no objections subject to:

- a) A further lowering of the base slab height to achieve a like reduction in the ridge height; and
- b) Rotation clockwise of the cottage footprint, approximately 10 degrees, pivoted on its southerly corner, to ensure that the front south-west elevation faces the garden of Kestrels rather than Kestrels' north-east facing elevation.

*** Amended plans have been submitted in response to the above. The parish council makes the following comments in response to the amended plans:

‘Although this Council decided not to object to this planning application on the basis of "planning issues" some Councillors remain concerned about the effect that the proposed dwelling will have on the immediate surroundings of the adjacent Grade II* listed property.’

Wiltshire Council Conservation Officer – No objection. The final assessment is finely balanced but the Conservation Officer is inclined to think that the revised scheme introduces sufficient mitigating measures to allow officers to conclude overall that the character and appearance of the conservation area and setting of the listed Kestrels will be preserved such that the statutory test can be considered to have been met.

Wiltshire Council Highways Officer – No objections subject to a planning condition being imposed on any planning permission to secure a visibility splay.

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

8. Publicity

The application has been publicised by site notice, press advertisement and neighbour notification.

Support

19 representations of support have been received from the owner/occupiers (or in one case the former owner/occupier) of 13 separate addresses in Easterton. Many of the representations take the form of a proforma letter which makes the following points in support of the application:

- a) The development would enhance this area of Oak Lane, the proposed dwelling being similar in style to the thatched cottages close to Kestrels.
- b) The plans show a distinct improvement on the current site, which has been derelict for a number of years.
- c) The building would not have a detrimental effect on Kestrels, or impinge on the property next door (i.e. 10 Oak Lane).
- d) It is important to have housing of this type in order to keep the village alive.

The following points are made in other representations of support:

- e) The proposed building, being set on much lower ground in a larger than average site, does not seem to impinge on the pleasant views presently enjoyed by neighbouring properties.
- f) The new proposal is certainly an enhancement and very much in keeping with the existing properties and ambience of Oak Lane.
- g) After aligning the cottage with Oak Lane and lowering the roof line it would seem to have very little impact on the neighbouring properties and indeed would be a sympathetic improvement to the site and would sit very well within its

surroundings.

- h) Because of the setting and the low slab level, the dwelling will not be seen by persons travelling up the steep hill approaching the plot. There are no windows facing 10 Oak Lane, and because of its setting will have no impact on their house (All they may be able to see is the top of the thatch). Because the slab level is very low, the foliage will block any view from Kestrel's lower window. Because the proposed building will be set back from the road, and the slab level is considerably lower than Kestrels, the respondent does not believe it will have any impact on Kestrels at all.

Objection

6 representations of objection have been received, which includes three from existing residents in Oak Lane (10 Oak Lane, Kestrels & Malthouse Cottage) and a further two from former residents of Easterton. The following issues are raised:

- a) The proposal does not satisfactorily address the previous appeal inspector's concerns.
- b) The development plot is small and uneven with a most unsuitable entrance and driveway.
- c) Oak Lane is narrow and the proposal would be detrimental to highway safety.
- d) The proposed development would contravene the Building Regulations in relation to fire safety, principally with regard to (i) the dwelling's distance from the plot boundaries and the neighbour's domestic garage; and (ii) the height of its chimney. Concern is expressed that significant changes to the scheme are likely to be required following any grant of planning permission, to ensure compliance with the Building Regulations.
- e) The proposal would change the present natural skyline and affect the remaining open view from 10 Oak Lane.
- f) The dwelling would be overbearing in nature to both Kestrels and 10 Oak Lane.
- g) The proposal would have an adverse impact upon the amenities of 10 Oak Lane; all of the first floor windows to the north would look out directly onto the south facing garden of no.10.
- h) By turning the dwelling through 90 degrees it now looks directly into the two roadside windows of Kestrels, resulting in loss of privacy.
- i) The choice of thatch for the roof would be at odds with neighbouring properties which all have 'hard' roofs constructed of stone, slate or tile. The result will be a dwelling with a greater ridge height than previously proposed and an even taller chimney.
- j) The dwelling would impinge upon the setting of Kestrels.
- k) The proposal will be harmful to the feeling of openness and rustic charm in this part of the lane. The crowding of buildings will alter the character of the area.
- l) The proposal will neither preserve nor enhance the character or appearance of

the conservation area. In fact, if anything, it will do exactly the opposite. If built, this will always appear to those passing by as a house squeezed into a small gap for financial gain, thus changing the character of what is a beautiful rural lane.

- m) The plot is far too small and situated too close to Kestrels to accommodate this proposed building without considerably affecting both Kestrels and the surrounding conservation area.
- n) The site has been deliberately neglected so that anything can be considered as an improvement.
- o) The application contains insufficient detail with regard to the retaining walls needed to address level changes at the boundary. The applicant needs to guarantee that there will be no subsidence or loss of support to the existing boundary walls.
- p) Concerns are expressed that there was insufficient publicity and neighbour notification.
- q) Construction will cause noise and disruption for local residents.

*** The objectors at 10 Oak Lane have confirmed that the amended plans (which address the two points raised by the parish council) do not address their concerns.

9. Planning Considerations

Policy Background

Easterton is identified in the Kennet Local Plan 2011 as a village with limited facilities, to which policy HC24 applies. This policy states that within such villages, new housing development will be restricted to infilling, the replacement of existing dwellings, the re-use of existing buildings or the redevelopment of existing buildings, provided that the development:

- a) is within the existing built-up part of the village;
- b) does not consolidate an existing sporadic, loose-knit area of development;
and
- c) is in harmony with the village in terms of its scale and character.

The term 'infilling' is defined in the local plan glossary as the filling of small gaps within a small group of houses. Small gaps are interpreted as sites which are not sufficiently large for more than one dwelling.

Policy HC24 is supported by Supplementary Planning Guidance contained in the Easterton Conservation Area Statement dated September 2003.

The Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. It also has a statutory duty to have special regard to the desirability of preserving the setting of neighbouring listed buildings.

Government policy is also a material consideration. PPS5 outlines government policy towards the historic environment and PPS1 gives the government's up-to-date

stance on sustainable development and design.

Appeal History

Members will note that planning permission has already been refused for a dwelling on this plot, and a subsequent appeal was dismissed. A copy of the appeal decision has been attached as a background document to this report since the appeal inspector's conclusions are an important material consideration when assessing the current proposal.

In his concluding comments the inspector stated that there was no objection in principle to the development of the appeal site, which lies within the built-up area of the village. However, he considered that the appeal scheme would fail to preserve the setting of the listed building (Kestrels) and also the semi-rural character and appearance of this part of the Easterton conservation area in which the site lies.

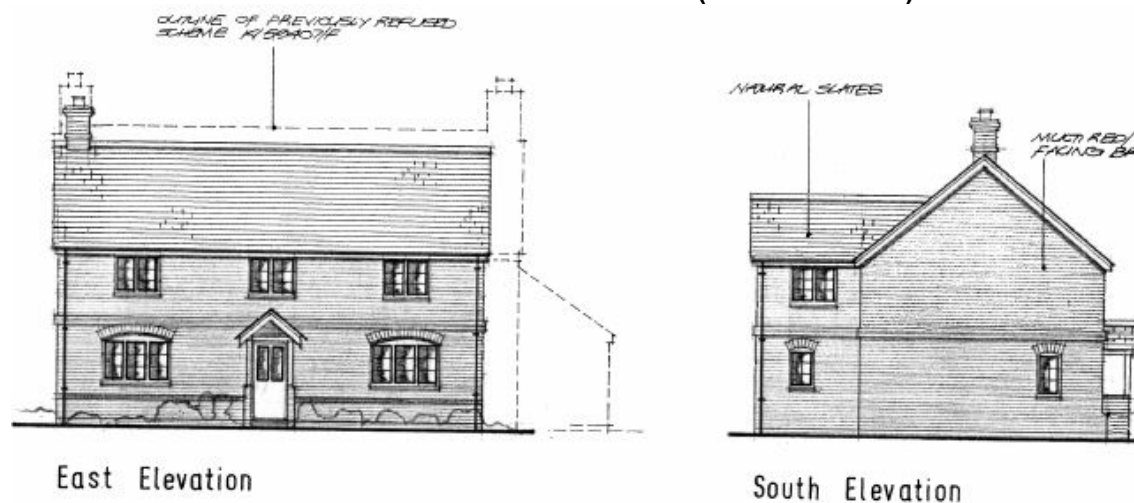
The appeal proposal was for a two storey brick and slate dwelling orientated gable-on to Oak Lane. The inspector's main criticism was the height of the dwelling and its physical relationship to Kestrels (which would have been situated only 13m away on the opposite side of the road).

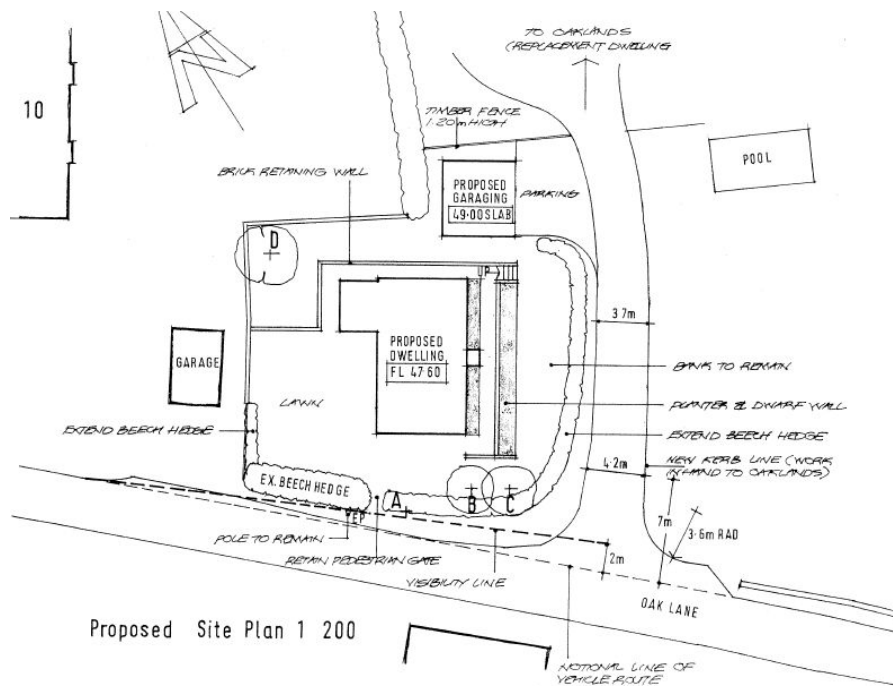
The inspector's main conclusions were as follows:

"The resulting prominence of the proposed roof and the proximity of the relatively tall gable and chimney to the listed building would destroy the latter's present open setting, creating a constricted visual pinch point that would urbanise views up and down the hill.

"The relatively close proximity of the existing and proposed buildings would significantly diminish the semi-rural character of the road, resulting in a harmful change to the present setting of Kestrels. I note the appellants' intention to retain and strengthen the existing beech hedge, but saw that this would not be sufficient to prevent the harmful visual intrusion of the roof and gable into views of, and from, the surrounding area."

SCHEME DISMISSED ON APPEAL (E/09/0075/FUL)





The Current Proposal

The applicant has responded to the inspector's comments by rotating the dwelling by 90 degrees and pushing it deeper into the site. The design of the dwelling has been amended and the scheme now features a thatched roof instead of the natural slate being proposed originally.

The impact of these changes will be to increase the distance between the proposed dwelling and Kestrels, and reduce the prominence of the development in the street scene. The re-orientation of the dwelling removes the problem of the 'pinch point' caused by the gable and chimney, and the use of thatch eaves-on to Oak Lane will create a much softer and less intrusive roof profile.

Overall, it is considered that the amendments have been sufficient to ensure that the setting of Kestrels and the character and appearance of this part of the conservation area will be preserved.

Objections Received

Objectors raise a number of specific issues to which officers can respond as follows:

a) Impact upon Residential Amenity

It is not considered that development would have an adverse impact upon the residential amenities of neighbouring occupiers. The scheme has been designed to ensure that the rearward (north-east) facing first floor windows serve the bathroom, en-suite and landing. These are capable of being obscurely glazed and it is therefore recommended that a condition be attached to any planning permission to secure this.

The forward (south-west) facing first floor windows would be approximately 19.5m from windows in Kestrels. Whilst this is slightly below the Council's own 21m

minimum standard for back-to-back spacing in new housing developments, it is not an unusual relationship in a village environment such as this. It is not considered that a refusal of planning permission could be substantiated on the grounds of loss of privacy for the neighbour.

Concerns have been expressed regarding loss of view from 10 Oak Lane. The loss of a view is not in itself a material planning consideration. However, it is worth noting that the siting of the new dwelling would still afford the occupiers of 10 Oak Lane views of Salisbury Plain to the south-east. The dwelling would also be far enough away from neighbouring properties to ensure that it does not have an overbearing impact.

b) Impact upon Highway Safety

Concerns are expressed regarding the width of Oak Lane and the implications of additional traffic for highway safety. However, the Council's Highway Officer has not raised any objections to the development on highway safety grounds. It should be noted that the previous refusal of planning permission did not include any highway related reasons for refusal.

c) Compliance with Building Regulations

Two objectors express concern that the proposed development would contravene the Building Regulations in relation to fire safety. This matter is controlled under separate legislation. Nevertheless, it is relevant to consider whether the local planning authority is likely to come under pressure to agree amendments to the scheme after planning permission is granted. The Council's Building Control Team has confirmed that the dwelling would be acceptable for the purposes of the Building Regulations, providing that the "Dorset Model" is used (this involves the provision of a 30 minute fire barrier on top of the rafters under the thatch). Amended plans have been submitted showing an increase in the height of the chimney to meet Building Regulations requirements.

d) Extent of Publicity and Neighbour Notification

The application was publicised by way of a site notice, newspaper advertisement and neighbour notifications to immediate neighbours. This exceeds the Council's statutory duty under the planning legislation. The site notice was posted in full public view on the telegraph pole adjacent to the road on the site frontage.

The applicants have pointed out that they invited as many people as possible to visit the site during the period between the parish council site visit and the parish council meeting. This explains the large number of letters of support. According to the applicants, all the letters of support were written or signed by long term residents of Easterton, all of whom know and use Oak Lane.

e) Size of Plot

Several objectors make reference to the small size of the plot and its unsuitability for development. This was one of the Council's concerns when the previous planning application (E/09/0075/FUL) was submitted and it formed part of a refusal reason, principally that the development of this modest plot would be out of keeping with the area immediately surrounding the site which is characterised by sizeable dwellings on spacious plots. The appeal inspector did not use this as grounds to dismiss the appeal; indeed, he commented that the appeal site is "relatively large in overall area" and further stated that "there is no objection in principle to the development of the appeal site". One of the objectors casts doubt as to whether the inspector was also

including Oaklands in his description of the site; however, it is normally held that the 'application site' is the land outlined in red on the site location plan. Regardless, if the inspector was suggesting that the plot was too small for development then he should have couched his decision in different terms.

f) Choice of Roof Materials

One of the objectors feels that the use of thatch for the roof would be at odds with neighbouring properties which all have 'hard' roofs constructed of stone, slate or tile. This is a difficult argument to substantiate; thatched cottages are part of the local vernacular and there are examples not far from the site in Oak Lane. Thatch does necessitate a steeper roof pitch than slate or tile, but it does produce a much softer profile. The proposed dwelling would be 0.2m taller than the dwelling dismissed at appeal, but this in itself does not make the development unacceptable. The narrow gable span of the property means that the overall slab-ridge height remains modest at 7.6m. It is also relevant to consider that the dwelling has been re-orientated and would therefore have a different appearance from the scheme which was rejected at appeal.

g) Details of Retaining Walls

Sufficient space remains within the site to construct the necessary retaining walls. It is not essential to have this information as part of the planning application. The neighbour at 10 Oak Lane is still protected by the provisions of the Party Wall etc Act 1996. The implications for neighbouring occupiers of construction near the boundary is not a material planning consideration.

RECOMMENDATION

Grant planning permission subject to the following conditions:

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

REASON:

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

- 2 Development shall be carried out in accordance with the Finished Floor Levels shown on drawing nos. PL03 Rev B, PL06 Rev A & PL09 Rev A received on 14th May 2010.

REASON:

In the interests of visual amenity.

- 3 Notwithstanding the details shown on the submitted application forms, no development shall commence on site until samples of the bricks to be used for the external walls of the dwelling and garage 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, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 4 No development shall commence on site until samples of the natural slates to be used for the roof of the garage 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, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 5 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order) with or without modification, the timber boarding to be used on the external walls for the garage shall be allowed to weather naturally and shall not be painted or stained without the prior written approval of the Local Planning Authority.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 6 No development shall commence on site until a sample panel of brickwork, not less than 1 metre square and showing the proposed bricks, bond, mortar and pointing, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 7 The bricks to be used in the construction of the dwelling hereby permitted shall be laid in Flemish type bond.

REASON: To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 8 The roof of the dwelling hereby permitted shall be thatched in long straw with a flush wrap-over ridge, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 9 The windows in the dwelling hereby permitted shall be white painted timber flush casements installed in accordance with the details shown on drawing no. PL07 received on 15th April 2010. They shall be retained as such thereafter.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 10 The door in the front (south-west) elevation of the dwelling hereby permitted shall be constructed of timber and painted. The door shall be retained as such thereafter.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 11 No development shall commence on site until temporary protective fencing has been erected for the existing beech hedge, in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority. After it has been erected, the fencing shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including stacking of soil, shall be allowed within the protected area. There shall be no excavation within the protected area.

REASON:

To enable the Local Planning Authority to ensure the retention of the existing hedge on the site in the interests of visual amenity.

- 12 The existing beech hedge on the site frontage shall be retained and shall not be removed (in whole or part) or reduced in height without the Local Planning Authority's prior written approval. (For the avoidance of doubt this condition does not preclude the routine trimming of the external faces of the hedge)

REASON:

To ensure a satisfactory landscaped setting for the development.

- 13 No development shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority a scheme of 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, planting sizes and planting densities for all new planting.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 14 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.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 15 Before the dwelling hereby permitted is first occupied the access, driveway and turning head shall be completed in accordance with the details shown on the approved plans, and these areas shall thereafter be maintained for use in connection with the development.

REASON:

In the interests of highway safety.

- 16 Before the dwelling hereby permitted is first occupied the highway visibility area shall be cleared and kept free of all obstructions to sight above 1 metre above the adjoining carriageway from a point 2.0 metres back from the edge of the carriageway measured along the centre line of the access, to a point on the nearside carriageway edge at the north-western end of the site frontage.

REASON: In the interests of highway safety.

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order) with or without modification no wall, fence, gate or other means of enclosure shall be erected or placed within the application site forward of the principal elevation of the dwelling facing the highway.

REASON: To enable the Local Planning Authority to retain control over future development within the curtilage of the dwelling in the interests of the proper planning and amenity of the area.

- 18 Before the dwelling hereby permitted is first occupied the first floor windows in the rear (north-east) elevation serving the bathroom, landing and en-suite shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

- 19 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 in the any of the elevations or roof slopes of the dwelling hereby permitted.

REASON:

In the interests of residential amenity and privacy and the character and appearance of the conservation area.

- 20 INFORMATIVE TO APPLICANT:
The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire & Rescue Service and dated the 7th May 2010.

21 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) Application Form, Design & Access Statement, 1:1250 Site Location Plan and drawing nos. PL01 Rev A, PL04, PL05, PL07 & 0801/01 Rev A received on 15th April 2010.

(b) Drawing nos. PL03 Rev B, PL06 Rev A & PL09 Rev A received on 14th May 2010.

(c) Drawing nos. PL02 Rev B & PL08 Rev A received on 11th June 2010.

Appendices:

Appeal decision for history application

Background Documents Used in the Preparation of this Report:

The application file, history file E/09/0075/FUL, Kennet Local Plan 2011, Easterton Conservation Area Statement and government guidance contained in PPS1 and PPS5.

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E/10/0147/FUL Knights Leaze Farm Urchfont



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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 3

Date of Meeting	1 st July 2010
Application Number	E/10/0147/FUL
Site Address	Knights Leaze Farm, Urchfont, Devizes, Wilts SN10 4RA
Proposal	Demolition of existing farmhouse and erection of replacement farmhouse with new outbuilding range/garaging and farm office.
Applicant	Mr & Mrs Martin Bodman
Town/Parish Council	URCHFONT
Grid Ref	403610 157582
Type of application	Full Planning
Case Officer	Rob Parker

Reason for the application being considered by Committee

This application is before the Committee at the request of the Division Member, Cllr Grundy.

1. Purpose of Report

To consider the recommendation that the application be refused.

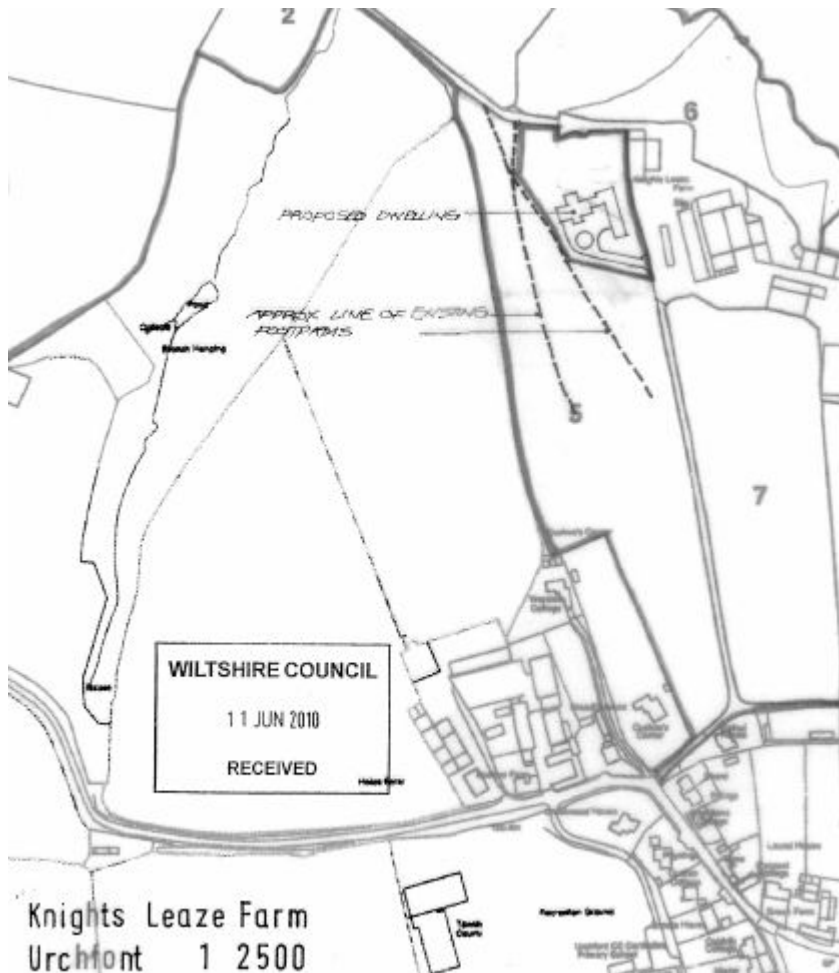
2. Report Summary

The main issues to consider are:

- a) whether the siting of the replacement dwelling would be closely related to the footprint of the original dwelling;
- b) whether the scale of the replacement dwelling would be significantly larger than the original structure; and
- c) whether the proposals would have an adverse impact upon the character and appearance of the area.

3. Site Description

This application relates to the existing farmhouse at Knights Leaze Farm which lies on the northern edge of Urchfont. Starting at the village pond, travel past The Lamb Inn and community shop on the left hand side and then bear right at The Green towards Cuckoo Corner. The road bends 90 degree left immediately before the entrance to Urchfont Primary School and the entrance to Knights Leaze Farm lies on the outside radius of this bend. Take the farm entrance and after approximately 70 metres bear left into a straight section of access drive. The existing farmhouse lies on the left hand side at the far end of this drive.



4. Planning History

K/52916/F - Erection of car port with study/playroom over, granted planning permission in October 2005.

K/45231 - Erection of extension to dwelling, granted planning permission in May 2003.

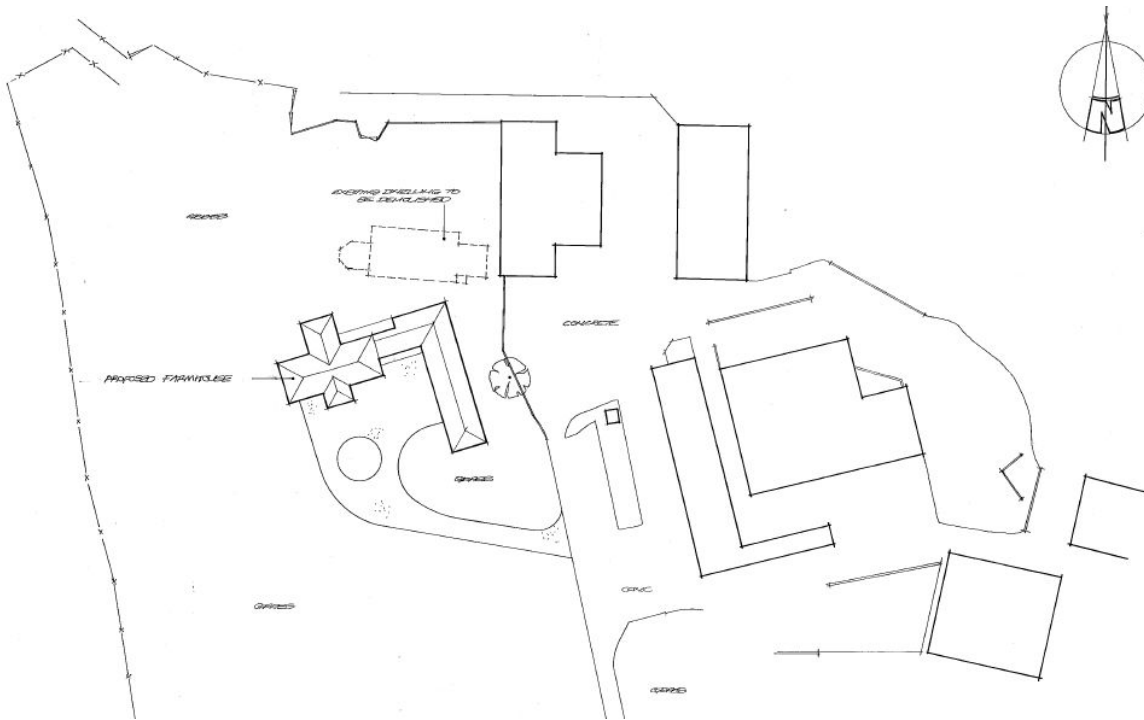
K/35113 - Erection of two storey extension, granted planning permission in December 1997.

K/20592 - Erection of extension, granted planning permission in September 1993.

The original permission for the farmhouse was granted in the early 1970's and is subject to an agricultural occupancy condition.

5. The Proposal

The proposal is to demolish the existing farmhouse and erect a replacement dwelling with an attached single storey wing containing garaging, a porch, outbuildings and a farm office.



Site Plan – existing farmhouse shown with dotted outline above the position of proposed dwelling – note the size of the attached outbuildings extending in an inverted ‘L’ shape from the new house



South Elevation 1: 100

Front elevation of proposed replacement dwelling

6. Planning Policy

Policies HC25, NR7 and PD1 of the Kennet Local Plan 2011 are relevant to the consideration of this planning application. Supplementary Planning Guidance contained in the Kennet Landscape Conservation Strategy is also a material consideration, as is government guidance contained in PPS7: *Sustainable Development in Rural Areas*.

Policy HC25 is the primary policy consideration. This policy states that in the countryside the replacement of an existing dwelling which has not been abandoned will be permitted where:

- a) The siting is closely related to the footprint of the dwelling it replaces, unless the re-siting of the dwelling would remove a road safety hazard; *and*
- b) The scale of the replacement dwelling is not significantly larger than the original structure.

The policy states that in cases where a dwelling is re-sited to remove a road safety hazard careful attention will be given to the potential impact of the proposed development on the wider

landscape.

7. Consultations

Urchfont Parish Council – no objections.

Wiltshire Council Agricultural Consultant – “The guidance set out in Annex A to PPS7 does not expressly deal with replacement agricultural dwellings. If, however, the guidance concerning the size and cost of new dwellings is applied to the proposal then it is my opinion that the proposed dwelling is certainly unusually large in relation to the previously recognised functional need at the holding and significantly beyond the means of many of most who would qualify to meet the agricultural occupancy condition.”

Wiltshire Council Landscape Consultant – objects on the grounds that the proposal would have a detrimental impact upon landscape character and visual amenity, particularly for users of the adjacent Public Rights of Way. The proposal is contrary to the SPG contained in the Kennet Landscape Conservation Strategy and policy NR7 of the Kennet Local Plan 2011.

Wiltshire Council Public Rights of Way Officer – no objection. The original proposals showed two public footpaths crossing the site; these would have required diversion following any grant of planning permission. Amended plans were submitted during the course of the application which reduce the size of the new dwelling’s curtilage; the footpaths are now unaffected by the proposals.

Wiltshire Fire & Rescue Service – A developer contribution may be required towards additional or enhanced Fire & Rescue Service infrastructure needed in response to the development proposed.

8. Publicity

The application has been advertised with a site notice and press advertisement.

9. Planning Considerations

The application site lies outside of the Limits of Development defined for Urchfont in the Kennet Local Plan 2011 and as such it lies within the countryside for the purposes of interpreting planning policy.

Policy HC25 states that replacement dwellings in the countryside are acceptable, providing that: (i) the siting is closely related to the footprint of the dwelling it replaces and (ii) the scale of the replacement dwelling is not significantly larger than the original structure.

The existing farmhouse is a standard 1970s red brick and concrete tile house. The dwelling is well related to the existing complex of farm buildings and it has a properly defined domestic curtilage. It is evident that the property has already had several extensions that have already increased its size from its original size (around 200 square metres and 4 bedrooms) to 370 square metres. Notwithstanding this, there is no objection in principle to the demolition of the house and its replacement with one of a similar size but improved design.

The proposal is to construct a replacement dwelling further south in the adjacent pony paddock. The dwelling would be positioned at an angle to the existing farmhouse and its siting would be approximately 30 metres from the centre of the existing house. This distance is considered acceptable in this location

However, what is clearly unacceptable and in clear conflict with the planning policy is the scale of the proposed replacement dwelling and its consequent impact on the landscape. The proposed replacement dwelling alone has a floorspace 70% larger than the already extended existing house, and this is before the floorspace of the attached range of outbuildings is added. These outbuildings by themselves have a floorspace larger than the original farmhouse built in

the 1970s. The bulk of the replacement dwelling is also much larger – the eaves are 25% higher than the existing building and the ridgeline 30% higher. Instead of a two storey farmhouse, the proposed replacement has a third storey in the roof and the appearance of a country house. The result will be an imposing building with an extensive range of outbuildings that will have an adverse impact on the character and appearance of the landscape.

As noted above, there is no objection to the principle of a replacement dwelling, as a suitable designed one could enhance the landscape. However, this needs to be of a maximum two storey height and of a size far closer to that of the existing dwelling

The plans originally submitted showed a sizeable domestic curtilage. This has been considerably reduced during the course of the application, as a result of negotiations with officers. The curtilage is now a more realistic size and the level of harm that could have resulted from the spread of domestic activity (and related domestic paraphernalia) has been reduced accordingly.

The existing farmhouse is the subject of an agricultural occupancy restriction. This stems from the unit's original dairy enterprise which would have given rise to a functional need for a worker to be on site at most times. The site is now used as a base for the applicant's hay and straw business, beef enterprise and a building and groundworks business. The size of the proposed new dwelling is far larger than most agricultural workers dwellings and consequently, if the new dwelling is permitted it will not be within the financial reach of most agricultural workers or retired farmers, making it difficult to justify the normal occupancy condition.

Conclusion

Overall, it is considered that the proposed dwelling would conflict with policy HC25 of the Kennet Local Plan 2011 by virtue of the fact that its scale is very significantly larger than the existing farmhouse.

Furthermore, the excessive scale of the dwelling, its formal (and rather imposing) design and siting in an existing paddock would be harmful to the character and appearance of the area, contrary to policies PD1 and NR7 of the Kennet Local Plan 2011 and Supplementary Planning Guidance contained in the Kennet Landscape Conservation Strategy.

RECOMMENDATION

Refuse planning permission for the following reason:

1. The proposed dwelling would conflict with policy HC25 of the Kennet Local Plan 2011 by virtue of the fact that its scale is significantly larger than the existing farmhouse.

Furthermore, the excessive scale of the dwelling, its formal (and rather imposing) design and siting in an existing paddock would be harmful to the character and appearance of the area, contrary to policies PD1 and NR7 of the Kennet Local Plan 2011 and Supplementary Planning Guidance contained in the Kennet Landscape Conservation Strategy.

Appendices:

None

Background Documents Used in the Preparation of this Report:

Kennet Local Plan 2011, Kennet Landscape Conservation Strategy & PPS7.

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E/10/0147/FUL Knights Leaze Farm Urchfont



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