

AGENDA

Meeting: NORTHERN AREA PLANNING COMMITTEE
Place: Council Chamber, Wiltshire Council Offices, Monkton Park,
Chippenham
Date: Wednesday 9 June 2010
Time: 6.00 pm

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

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

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

Membership:

Cllr Peter Colmer
Cllr Christine Crisp
Cllr Peter Davis
Cllr Bill Douglas
Cllr Peter Doyle

Cllr Alan Hill
Cllr Peter Hutton
Cllr Howard Marshall
Cllr Toby Sturgis
Cllr Anthony Trotman

Substitutes:

Cllr Chuck Berry
Cllr Paul Darby
Cllr Mollie Groom

Cllr Simon Killane
Cllr Mark Packard
Cllr Bill Roberts

PART I

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

1. **Apologies for Absence**

2. **Minutes** *(Pages 1 - 10)*

To approve and sign as a correct record the minutes of the meeting held on 19 May 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 for Members of Wiltshire Council available on request.

6. **Planning Appeals** *(Pages 11 - 12)*

An appeals update report is attached for information.

7. **Planning Applications** *(Pages 13 - 14)*

To consider and determine planning applications in the attached schedule.

1. **10/00399/FUL - Rookery Farm, Seagry, Chippenham - Erection of Two Poultry Houses - Electoral Division Kington** *(Pages 15 - 22)*

2. **10/00122/FUL - Agricultural Field, Thickwood, Colerne, Chippenham - Relocation of Field Access - Electoral Division Box & Colerne** *(Pages 23 - 30)*

- 7. **10/01123/LBC - 6 Keynell Court, Yatton Keynell, Chippenham - Internal & External Alterations - Electoral Division By Brook (Pages 31 - 34)**
- 7. **10/01545/FUL - 4 Church Row, Biddestone, Chippenham - Two Storey Side & Rear Extensions (revision to 09/02266/FUL) - Electoral Division By Brook (Pages 35 - 40)**

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

None

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 19 MAY 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Anthony Trotman (Chairman), Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas, Cllr Peter Doyle, Cllr Peter Hutton and Cllr Toby Sturgis.

Also Present:

Cllr Mollie Groom

51. Apologies for Absence

An apology for absence was received from Cllr Howard Marshall.

52. Minutes

Resolved:

To confirm and sign the minutes of the meeting held on 28 April 2010, subject to correcting the apology for absence received to read Cllr Bill Douglas.

53. Declarations of Interest

Cllr Peter Doyle declared a personal and prejudicial interest as a member of Wootton Bassett Town Council in respect of the following application, because this proposal could facilitate the delivery of Station House to the Town Council :-

Application No 07/02168/FUL – Former St Ivel Site, Station Road, Wootton Bassett – Erection of 60 One bedroom Apartments and Associated Parking and Landscaping.

Cllr Doyle stated that he would withdraw from the meeting during consideration of this application.

54. **Chairman's Announcements**

The Chairman reported that the judgement had been received regarding an appeal lodged by the Council in respect of the Planning Inspector's decision at Sandpit Lane, Calne (08/2438), as set out in the Appendix to these minutes.

55. **Public Participation**

Members of the public addressed the Committee as set out in Minute No 57 below.

56. **Planning Appeals**

The Committee received a report setting out a schedule of:-

- (i) forthcoming hearings and public inquiries scheduled to be heard between 19 May and 31 December 2010.
- (ii) planning appeal decisions decided between 14 April and 7 May 2010.

Resolved:

To note the contents of the report.

57. **Planning Applications**

1a **07/02168/FUL - Former St Ivel Site, Station Road, Wootton Bassett - Erection of 60 One Bedroom Apartments and Associated Parking and Landscaping - Electoral Division Wootton Bassett South**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

After discussion,

Resolved:

To delegate to the Area Development Manager for approval subject to a legal agreement to secure the provision of one two bedroom dwelling and one three bedroom dwelling:

For the following reason:

The proposed development is acceptable in terms of its appearance, impact upon the amenity of the area and the benefits secured for the local community. The Council considers that as Wootton Bassett

continues to expand the provision of a public building for the use of the Town Council is an important material consideration. The application proposal therefore complies with Policies C3 and BD2 of the North Wiltshire Local Plan 2011.

1b 09/01300/REM - 18-19 Dianmer Close, Hook, Lydiard Tregoz - Erection of Three 4 Bedroom Houses and Garages with Associated Drive - Electoral Division Wootton Bassett East

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

Cllr Mollie Groom, the local Member, expressed her concern regarding potential dangers to properties arising from flash flooding which she considered would be exacerbated by additional dwellings. The detailed views of the Council's Land Drainage Engineer had been received in which he concluded that although the drainage system in Dianmer Close was not a straight forward system, it provided a well considered solution to the problems of positioning a development in this difficult area.

After further discussion,

Resolved:

To approve the reserved matters, subject to the following conditions:-

1. 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.

2. (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.

3. No development shall commence on site until details of any screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. The screen walls and/or fences shall be erected in accordance with the approved details prior to the occupation of the dwelling(s) hereby permitted and shall be maintained as such at all times thereafter.

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

4. Before the development hereby permitted is first occupied all first floor bathroom, toilet and shower room windows shall be glazed with

obscure glass only and the windows shall be maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

5. No development shall commence on site until details of the materials to be used on the development 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.

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

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

7. The development hereby permitted shall not be occupied until the drainage works set out within the submitted Surface Water Assessment Report and accompanying drainage layout plan have been completed in full.

Reason: To ensure the development is provided with a satisfactory means of drainage.

8. Prior to the commencement of development a detailed scheme for the future maintenance and management of the proposed surface water storage/attenuation tank and all associated piping, as set out within the submitted Surface Water Assessment Report, shall have been submitted to and approved in writing by the Local Planning Authority. The future maintenance and management of such items shall be undertaken in complete accordance with such details approved.

Reason: To ensure the proposed drainage scheme is properly managed and maintained into the future to continue to provide effective drainage of the site.

POLICY-C3

Informatives:

1. This approval of matters reserved discharges condition 01 of outline planning permission 06/01488/OUT dated 02/08/2006, but does not by itself constitute a planning permission.

Reason for Decision

The proposed development is for the erection of three new dwellings of a scale, design and appearance that is appropriate to the context of Dianmer Close. The layout of development on this site of significant size is such that it would allow for development to avoid a detrimental impact upon the amenities of existing occupiers. Accordingly, the proposal is considered to comply with the provision of Policy C3 and H3 of the adopted North Wiltshire Local Plan 2011.

1c 10/00825/FUL & 10/00826/LBC - The Mansells, Upper Minety, Malmesbury - Extension to Existing South Elevation to Create 2-Storey Bay - Electoral Division Minety

The Committee received a presentation by the Case Officer 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 application.

The following people spoke in favour of the proposal

Mr Omar Malik, the applicant

Cllr Graham Thorne, Chairman of Minety Parish Council

After discussion,

Resolved:

To refuse listed building consent and planning permission for the following reason:-

The proposals would damage the listed building and features of special architectural and historic interest without sufficient justification.

1d 10/01021/FUL - Grove Farm, Startley, Chippenham - Extensions and Alterations to Dwelling - Electoral Division Brinkworth

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received a statement from Mr David Pearce, consultant, in support of the application.

Cllr Toby Sturgis, the local Member, considered that the application should be supported as it complied with virtually all the relevant planning policies.

The Committee was also informed that Great Somerford Parish Council raised no objections to the proposal.

After discussion,

Resolved:

To grant planning permission, subject to the following conditions:-

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

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no further extension of the dwelling beyond that being the subject of this planning permission.

Reason: In order to safeguard the amenity of the area by enabling the Local Planning Authority to consider individually whether planning permission should be granted for extensions and to comply with Policies C3 and H8 of the North Wiltshire Local Plan (2011).

Reason for decision

The proposed scale, form and materials of the proposed extension are considered to be in keeping with the host dwelling and without detriment to surrounding amenities. The proposed extension is therefore considered to comply with the provisions of Policies C3 and H8 of the adopted North Wiltshire Local Plan 2011.

58. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00pm – 7.10pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line (01225) 713035, e-mail roger.bishton@wiltshire.gov.uk

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

Member Briefing

Sandpit Lane Appeal Strike Out Judgement

Members may recall that following the decision to allow an appeal at Sandpit Lane, Calne (08/2438) the Council sought to challenge that decision in the High Court (under section 288 of the Town and Country Planning Act 1990).

Subsequently the applicants issued an application to 'dispose of the (Councils) claim – effectively to strike it out – as they believed the challenge was bound to fail.

The 'strike out' claim was heard in mid-April with a formal decision from the Judge on 12th May 2010.

The conclusion reached by the Judge was that the Inspector had not erred in law in making his decision and thus a Section 288 challenge to that decision could not succeed

Even if the Council were to win an appeal against this strike-out judgement (and be allowed to continue to the main Section 288 hearing) the judgement provides a clear indication of the reasoning which would be applied in deciding the Section 288 challenge. That is whether the Inspector's decision was so seriously flawed in law that it should not stand and should therefore be re-submitted to the Secretary of State for determination.

The judgement unequivocally sets out a High Court Judge's view that the Inspector's decision was not so seriously flawed as to merit resubmission. Counsel's advice therefore is that there is no benefit in the Council incurring further substantial costs in continuing the challenge where there is little or no chance of succeeding.

A point to note is that the judge did severely criticise the appellant for its underestimate of the time the strike out hearing would take thus having its application listed much earlier than would otherwise have been the case.

19th May 2010

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**Wiltshire Council – Area North
Planning Committee
9th June 2010**

Appeals Update Report

Forthcoming Hearings and Public Inquiries between 09/06/2010 and 31/12/2010

Application No	Location	Parish	Proposal	Appeal Type	Date
09/00912/FUL	Land Adj Calcutt Farm, Calcutt, Cricklade, Wiltshire, SN6 6JT	Cricklade	Change of Use to Include the Stationing of Caravans for 14 Residential Gypsy Pitches with Utility/Day Room Buildings and Hard Standing Ancillary to that use	Informal Hearing	13/07/2010
09/01033/S73A	Land Adjacent Framptons Farm, Sutton Bengier, Wiltshire, SN15 4RL	Sutton Bengier	Removal of Condition 1 Attached to Permission 08/02114/FUL to Allow Permanent Use as One Gypsy Pitch	Public Inquiry	27/07/2010
09/01934/FUL	Rose Field Caravan Site, Hullavington, Malmesbury, Wiltshire, SN16 0HW	Hullavington/St Paul Without	Gypsy Site for Irish Families Comprising Six Mobiles and Six Touring Caravans (Partially Retrospective) Resubmission of 09/00683/FUL	Informal Hearing	15/06/2010
09/02062/S73A	NABLES FARM, UPPER SEAGRY, CHIPPENHAM, SN15 5HB	Seagry	Retention of Existing B2 & B8 Uses, Alterations to Access and Proposed Landscaping	Informal Hearing	16/09/2010

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Planning Appeals Recieved between 07/05/2010 and 27/05/2010

Application No	Location	Parish	Proposal	DEL or COM	Officer Recommendation	Appeal Procedure
10/00485/LBC	RESTROP FARMHOUSE, RESTROP, PURTON, SWINDON, SN5 4LW	Purton	Two and a Half Storey Side Extension	DEL	Written Representations	Refusal

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Agenda Item 7

INDEX OF APPLICATIONS ON 09/06/2010

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
01	10/00399/FUL	Rookery Farm, Seagry, Chippenham, Wiltshire, SN15 5ER	Erection of Two Poultry Houses	Permission
02	10/00122/FUL	Agricultural Field, Thickwood, Colerne, Chippenham, Wiltshire	Relocation of Field Access	Permission
03	10/01123/LBC	6 Keynell Court, Yatton Keynell, Chippenham, Wiltshire, SN14 7EH	Internal & External Alterations including Installation of 3 Rooflights & Flue Pipe, in Association with Use of Roofspace as a Bedroom	Refusal
04	10/01545/FUL	4 Church Row, Biddestone, Chippenham, Wiltshire, SN14 7DR	Two Storey side & rear extensions (revision to 09/02266/FUL)	Refusal

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	9th June 2010		
Application Number	10/00399/ful		
Site Address	Rookery Farm, Seagry, Chippenham, Wiltshire SN15 5ER		
Proposal	Erection of two poultry houses		
Applicant	Mr R Bridge		
Town/Parish Council	Seagry		
Electoral Division	Kington	Unitary Member	Cllr Howard Greenman
Grid Ref	395253 180893		
Type of application	Full		
Case Officer	Emma Pickard	01249 706637	emma.pickard@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been called in to committee by Councillor Howard Greenman to assess the proposal and the relationship to adjoining properties, the environmental and highways impact and the potential issues of smell and poor access.

1. Purpose of Report

To consider the above and to recommend that planning permission is GRANTED subject to conditions.

2. Main Issues

- To assess the visual impact of development in terms of policy NE15;
- To assess the issue of noise/smell/vermin and the impact on residential amenity;
- Highway implications of the development;

3. Site Description

Rookery Farm lies to the west of Lower Seagry and on the road between Sutton Benger and Great Somerford. The poultry houses are proposed within fields directly to the west and northeast of the existing residential use of Rookery Farm, which comprises the main house, a rented cottage and a number of outbuildings. The fields are bounded by native hedgerows and each have an existing vehicular accesses.

There are residential properties directly to the north and west of the site and higher concentrations of residential properties within a short distance from the site, at Upper Seagry, Seagry, Lower Seagry and further to Startley, Great Somerford and Sutton Benger.

4. Relevant Planning History

Application Number	Proposal	Decision
NONE		

5. Proposal

The applicant proposes to site two mobile poultry houses, one on each of the fields, for free range egg production. In total, this amounts to 4500 birds on the site at any one time. The houses are mobile in that every 58 weeks the chickens are removed from the site and vehicles would drag the shelter to another part of the field. The waste is removed at this time which takes approximately 4 days, and all equipment is washed and disinfected. New chickens are then brought onto the site and the cycle restarts.

The proposed buildings would measure 8.8m(w) x 50.4m (l) x 3.4m (h) and 6.7m(w) x 37.8m (l) x 3.5m (h). The buildings are constructed using a heavy duty PVC roof (in either green or gull grey) and the side cladding is heavy duty polyboard. Electrified perimeter fencing will be erected to contain the chickens and to deter foxes.

Inside the houses approximately one third of the floor area is available to birds as a litter area. Chopped straw and/or wood shavings are used as the bedding material. Any droppings are absorbed and remains dry and compost like for the duration of the flock cycle. There is also a slatted roosting platform which takes up the remaining two-thirds of the internal area. The area below this is enclosed and collects the neat droppings for the duration of the cycle which are then removed during the turnaround between flocks.

The eggs will be taken away twice weekly to a central collection point. Two people will be employed part-time.

A shaded area on the site plan indicates the western side of field no 3800 where the poultry house will be located. At its closest, the unit on this field would be approximately 50 metres The Old School House and 75 metres from Lower Seagry Farm.

Freedom Food (RSPA) and Lion Code stocking densities for free range egg production are 2000 birds per hectare. In the applicants case there is potential for 5000 birds, however, the proposal is for 1750 birds in one field and 2750 in the other.

6. Consultations

Parish Council.

The council has serious concerns about this application relating to;

- Excessive height and size of buildings;
- Volume of traffic entering and exiting the site, in particular lorries attempting to turn right when leaving onto a sharp bend and across the junction with Five Thorn Lane;
- Distinct possibility of smells which may blow down to Lower Seagry;
- Distance from nearest property is 40m; and
- How will the applicant deal with the footpath that crosses the field.

Highways.

Do not consider that they could maintain a highway objection bearing in mind the low vehicle movements related to the proposal and possible movements related to permitted development at the site. However, they do consider that there should still be some upgrading/improvement of the access points and improvement and maintenance of the existing visibility spays.

Environmental Health.

Concerns would be of smell, flies and vermin. However, they believe this could be kept to a minimum by same day removal of chick faeces and any spent bedding from the site together with a suitable pest control schedule. They also comment that there could be a possible increase in early morning/late evening traffic noise and the early morning call of cockerels.

Footpaths Officer.

Footpath 22 crosses the southern field. If planning permission is granted it should be a condition that farming operations do not interfere with path users.

The applicant has engaged a specialist poultry consultant whose points can be summarised;

- Only dry manure and litter is produced. There will be no run-off.
- In my experience free range poultry units of this nature do not produce a smell problem.
- Flies should be kept to a minimum by keeping a dry environment inside the houses.
- There will be no ventilation fans and no stand by generator.
- There will be no cockerels.
- Stocking levels are relatively low and there will be no noise during the dark hours regardless of light patterns that allow 12 hours of light in 24 hours, even in winter.
- The houses have no light spill because of their construction.
- Dust is not an issue with this type of enterprise.
- Feed will be stored in storage bins.
- Boards are provided to seal the building to the ground which should deter vermin.
- A secure fence will isolate the public footpath from the birds ranging area.

A letter has also been received from a partner of a poultry veterinary practice who states;

- This is a small operation in modern terms.
- DEFRA as responsible for the surveillance and control of Avian Influenza which has largely died out. It can only be transmitted by very close contact with ill birds, for example by eating, and will not just move in the wind and affect people from health flocks.
- Diseases such as Salmonella, avian TB and Ecoli are rarely seen in free range chickens and he is unaware of any health issues from residents living close to free range chicken sites.
- Flies can be controlled through good management.

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

A total of 82 letters of objection were received.

Summary of key relevant points raised;

- Odour from the site with dwellings close proximity;
- Switch on of artificial lighting in winter causing noise and disturbance;
- Accesses are on dangerous bends and on a road with high levels of vehicular traffic;
- Additional traffic on roads will create a safety hazard;
- Loss of open land;
- The fields would become barren;
- Risk of disease;
- Contamination to ditches and watercourses;
- Problem of waste and vermin;
- Intrusive in the countryside; and
- Unacceptable to those using the public footpath which crosses the site.

8. Planning Considerations

In planning terms, keeping laying hens is an agricultural use and in many cases permission is not required for moveable structures such as poultry houses. However, in this instance, permission was deemed to be required for the poultry houses because of their size and design which were considered to have a degree of permanence.

Visual Impact.

Whilst the structures are large, they would be part of an agricultural enterprise of which similar examples exist within a few miles of the site. The buildings would have an 'agricultural' appearance and it is therefore considered that there would be no conflict with Policy NE15 in that the development would not adversely affect the character of the area.

Odour/noise.

There is an extensive amount of local concern about the potential for odour and noise problems from the site. It is the opinion of the Council's Environmental Health officer that this could be kept to a minimum by the imposition of conditions. The same can be said for the potential for vermin on the site. Whilst it is acknowledged that this is a potential problem with this type of enterprise, it can be kept to a minimum with good management.

Due to the distance of the site to neighbouring properties, it is considered that there should not be undue harm caused to residential amenity through noise.

Highways.

Eggs are collected twice weekly and feed is delivered every 16 days. At the end and beginning of the cycle birds are removed or brought to the site in one vehicle. In addition, there are vehicle movements at end of the cycle when the manure is removed. Construction of the shelters will also involve lorry movements when they are delivered via a flat bed lorry.

The highways officer has assessed the number and frequency of movements in relation to the proposal and to the existing agricultural use and has no objection, subject to condition.

9. Conclusion

It is considered that, in the opinion of officers and on the basis of professional advice the proposed poultry houses for the keeping of chickens for the production of free range eggs would not harm residential amenity to a degree that cannot be

10. Recommendation

Planning Permission is GRANTED for the following reason:

The proposal is considered to be acceptable in terms of visual amenity, highway safety and environmental considerations. As such, the proposal complies with policies C3 and NE15 of the North Wiltshire Local Plan 2011.

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. At no time shall there be any obstruction to the use of footpath number 2 that crosses field number 2291.

REASON: In the interests of amenity.

3. The poultry house hereby permitted within field number 3380, shall be located within the shaded area only shown on the submitted site plan, and shall at no time be located on the unshaded section to the east.

REASON: In the interest of residential amenity.

4. No development shall commence on site until a scheme for the management of chicken faecal waste, including vermin and fly infestation controls within the sites edged red on the approved plan, has been submitted to, and approved in writing by the local planning authority.

REASON: In the interest of amenity.

5. The field entrance to the east field (3800) and west field (2991) shall only be used for the vehicle movements associated with the delivery of the materials for the construction of the poultry houses, traffic associated with the construction of the poultry house, feed delivery for chickens, flock insertion and flock removal. The access points shall not be used for any other vehicle movements.

REASON: In the interests of highway safety.

6. The Rookery House entrance shall only be used for vehicle movements associated with staff movements related to the operation of the site (checking of chickens/ internal egg collection etc), clean down/ removal of waste products from the poultry houses and the movements associated with the collection and distribution of the eggs from the site. The access shall not be used for any other vehicle movements.

REASON: In the interests of highway safety.

7. The development hereby permitted shall not be first brought into use until the access, from the carriageway edge until the gates has been suitably consolidated. Plans and details shall be submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

8. No part of the development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of carriageway, measured along the centre line of the access, to points on the edge of the carriageway 43m in the north direction and 33m in the south direction. 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.

9. The development hereby permitted shall not be first brought into use until the surface of the access has been upgraded from the carriageway edge until the gates has been suitably consolidated. Plans and details shall be submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

10. No part of the development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of carriageway, measured along the centre line of the access, to points on the edge of the carriageway 43m in the west direction and 10m in the east direction to provide visibility of the junction. 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.

11. No part of the development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of carriageway, measured along the centre line of the access, to points on the edge of the carriageway to provide visibility of the junction Five Thorn Lane (approximately 40m) in the south-west direction and 43m in the north-east direction. 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.

INFORMATIVE

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

Plan References:

Location Plan dated 25/02/10 and Two Pages of Specification and Design for Poultry House dated 03/02/10

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 3.06, 4.02, 4.03, 4.04, 4.07, 4.08.



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	9th June 2010		
Application Number	10/00122/FUL		
Site Address	Agricultural Field, Thickwood, Colerne, Chippenham, Wiltshire		
Proposal	New Field Access		
Applicant	Mr T Hall		
Town/Parish Council	Colerne		
Electoral Division	Box & Colerne	Unitary Member	Sheila Parker
Grid Ref	382310 172820		
Type of application	Full Application		
Case Officer	Christine Moorfield	01249 706 686	christine.moorfield@wiltshire.gov.uk

Reason for the application being considered by Committee

The application has been called to committee by Cllr Parker so that the issue of an access to this site which is subject to TPOs may be considered by members.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Main Issues

- Use of the land
- The TPO'd trees
- Access and Road safety
- Access Construction
- Impact on visual amenity.
- Compliance with policies C3, NE4, NE14

3. Site Description

The site is outside the Colerne Conservation Area but is within the AONB. The site is grass land at the moment and there are piles of logs adjacent to the south and south eastern boundaries. The site is triangular in shape and has an area of just over 1 acre.

Along the Western boundary is a line of mature trees these are predominantly Beech with some Lime and Sycamore. The site has a TPO on it (TPO number 9). The land appears to have been used for agricultural purposes. There is a footpath which runs along the North Eastern boundary. At the northern corner of the site there is a gap in the trees and it appears that a wire fence has been removed at some point and vehicles have accessed the site.

4. Relevant Planning History

In 1969 a Tree Preservation Order was put on 76 of the trees on the site.

No recent planning applications for development on this site have been received.

However in 1981 an outline planning application for 2 houses was refused.

There is a long planning history in respect of the trees on this site and the use of the gap at the northern point of the site as a vehicular access. The status of this access has caused concern to neighbours in the past. It appears that the gap in the trees had allowed vehicles to get onto the site, however this had not involved any development and therefore previous investigations had concluded it was not expedient for the local authority to take action. The gap was closed off with a wire fence. This wire fence has been removed but there has not been any development work undertaken to create an access.

History in relation to works to the trees on this site is very patchy. In 1989 consent was granted for the removal of 7 trees and some pruning work which was approved subject to the replanting of 7 Beech trees.

In 1991 the Council's Tree Officer confirmed that the replacement trees had been planted and were generally in good health. He commented at the time that Sycamores were growing due to removal of Beech trees.

It is evident that in the early 1990s there were complaints in respect of trees being removed from the site and the driving of vehicles onto the site which had resulted in an informal access being used. However, it appears that these issues were investigated at the time and in each instance it was not considered expedient for any action to be taken by the Local Authority.

In 2004 consent was granted for works to 2 sycamores and removal of Horse Chestnut which was not covered by the TPO.

5. Proposal

This application is for a new field access only. The application does not involve the change of use of the land. The proposal does not involve the felling of any trees. No works to any of the boundaries are proposed as part of this application. The applicant has done some maintenance work to the boundaries but the erection of a means of enclosure less than a metre in height does not require planning permission.

6. Consultations

Colerne Parish Council supported the application on safety grounds

Highway Engineer has not objected to the proposal.

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

8 letters of support have been received.

Reasons for supporting the application

- The access will be safer than the one used at present.
- The applicant has improved the look of the site by maintaining it well.
- The site was previously use as a tip and the site has been generally misused over the years.

- Letters of objection have been received

12 letters of objection have been received four of the objectors wrote in twice.

Reasons for objection to the proposal are as follows

- There is no existing access into the site the gap at the north corner of the site was closed off with a wire fence as it was too dangerous to drive vehicles into and off the land. The fence has been removed.
- Trees are covered by a TPO.
- Trees have been removed from the site particularly along the eastern boundary.
- Loss of trees has been detrimental to visual amenity.
- Access onto this busy road is dangerous.
- There have been accidents in the vicinity of this site.
- The rebuilding of boundary walls seems to have necessitated the removal of trees from the site.
- Site notice on the site when it should have been adjacent to the footpath.
- There has only ever been a pedestrian access into the site.
- Previous ombudsman complaint in respect of the access and its use on this site.
- Concerns that the information submitted is not adequate to assess the impact the new access will have on the existing remaining trees.

8. Planning Considerations

Use of the land

The Council do not have any planning application history in respect of this piece of land. Information from both the applicant and interested parties indicate that the land was formally part of the Lucknam Park Estate. It appears that a gap in the trees at the northern corner of the site has enabled vehicles to drive onto the land.

The TPO'd trees

The trees are the subject of TPO no. 9. This is an old TPO made in 1969 and unfortunately the supporting information in relation to this TPO is very sketchy.

The TPO documents do not include an accurate accompanying survey plan; the description of trees on the site refers to 65 Beeches, 5 Limes, 3 Larches, 2 Ash and 1 Scots Pine. The information does indicate that the trees were predominantly on the western boundary adjacent to the road with a group of trees in the south corner.

Understandably, neighbours to this site are very concerned that the number of trees on this site has substantially reduced since 1969 when the TPO was made. In the 40 year period some trees will have been lost naturally but there is an assumption that numerous trees have been removed without the necessary consents.

The present owner purchased the site in 2008.

In the absence of a precise and accurate survey plan identifying the location and size of the trees covered by the TPO and clear and accurate information as to which trees have been removed by whom and when, it would not be practical or reasonable for the Local Authority to pursue enforcement action in this respect. Lengthy negotiations have taken place with the present owner

of the land who is well aware of the issues in relation to the number of trees that have been lost from this site. In recognition of this issue the applicant has agreed to a replanting scheme to be secured via a new Order. To require a scheme via condition would fail to meet the tests of circular 11/95. The scheme submitted indicates 13 no. new trees. Five Scots Pines are to be planted in the northern corner of the site. Four no. Lime trees and 3 Beech trees are to be planted amongst the existing line of trees. Any new trees should be of a heavy standard size to enable them to contribute to the visual amenity of this site as quickly as possible.

It appears that many of the trees that have been removed were not covered by the TPO. The TPO made no reference to sycamore trees and therefore any such trees would not have been protected.

This planting scheme is considered to be an acceptable level of replanting on the site as it will substantially add to the belt of trees which have been reduced over the last 40 years.

The type and position of the new trees have been agreed with your Tree Officers and subject to conditions requiring their planting and replacement should they die then this landscaping scheme is acceptable. It is also considered to be of paramount importance that a new TPO with the necessary site survey plan be produced which will cover all the trees including the new trees in order that officers are able to ensure the protection of this belt of trees onto the future.

Access and Road safety

The application as originally submitted, referred to a 'relocated' access. However, in recognition of the fact that neighbours contested that the existing access was unlawful the description was changed to 'New Field Access'.

The new access has been fully considered by the Highway Engineer and it is considered that the access as proposed is acceptable in terms of its location, visibility and its size. The access is 5m wide and is set back 7500m from the edge of the carriage way. It is proposed that it will have a farm gate as means of enclosure. This is a fairly modest access but it is considered appropriate for access to a field.

In response to residents' concerns about accidents in this locality, the Highway Engineer has confirmed that it is not in this location where there have been accidents and this access is not seen to present an unacceptable safety issue.

Access construction

The construction of the access has been fully considered by the Tree Officers. The site is set down slightly from the road and so there will need to be an element of 'levelling off' in order for the access to be constructed. The details submitted indicate that the construction method involves the installation of a cellweb confinement system within the root protection area of the adjacent trees. The details submitted are acceptable and the Council's Tree Officers are satisfied that subject to conditions ensuring the development is carried out in accordance with the submitted arboricultural survey report then there should not be any harm caused to the nearby trees.

Impact on visual amenity

It is not considered that this proposed access would detract from the visual amenity of the locality. The properly constructed access and means of enclosure may help to eliminate the possibility of this land being used for fly tipping. Those who support the application have commented on how well maintained the land has been since the new owner has had the land. The additional planting proposed in respect of this application will improve the visual appearance of this belt of trees which are adjacent to the road and are visually very important on approaching Thickwood. Therefore the proposal is seen to preserve and enhance both the visual quality and character of the area thereby complying with Policies C3, NE4 and NE14 of the North Wiltshire Local Plan 2011.

Other Matters

Concerns were expressed in relation to the siting of the site notice. However the notice was placed on the site as required and therefore this is considered to have been adequate. There may have been a better location close to the footpath however this does not diminish the fact that a site notice was displayed as required and no parties were prejudiced.

9. Conclusion

The poor quality of accurate information in relation to TPO9 has rendered this application difficult to process. However, it is considered important that officers take a practical and reasoned approach to this proposal. The application is for a new access to an existing field. In recognition of the concerns of adjacent residents the applicant has agreed to a substantial planting scheme. Officers are committed to ensuring that an accurate survey plans will be available to ensure that the existing and newly planted trees are protected in the future. The access is considered safe and its construction will not have a detrimental impact on the adjacent trees.

This application has been considered on its merits and all relevant historic planning issues have been considered in the determination of this application.

Concerns in respect of the possible future development of this land by interested parties are recognised but this application must be judged on its merits and is an acceptable form of development in terms of its impact on the visual amenity of the area road safety and its impact on the character and appearance of the AONB. The proposal complies with Policies NE14, C3 and NE4 of the North Wiltshire Local Plan 2011.

10. Recommendation

Planning Permission be GRANTED for the following reason:

This access is considered acceptable given the use of the land and in terms of its impact on highway safety, the trees on the site and visual amenity the proposal complies with NE15, C3, NE14 and NE4 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

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

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

2. The replacement tree(s) required by this permission are 4 Lime Trees, 3 Beech Trees and 6 Scots Pine Trees; supplied and planted as Heavy Standard; with a girth of 12 – 14 cms.

The new tree(s) shall be established by the end of the 2010-11 planting season. All plant material should comply with the minimum British Standard requirement for tree planting, these being BS3936 (Part 1 & 4), BS4428:1989 Section 7, and BS4043.

The replacement tree(s) shall be sited at or as close to the position of the felled tree(s) as is reasonably practicable.

The replacement tree shall be properly maintained for a period of 10 years. If removed or become damaged or diseased within this period shall be replaced in the next planting season with the same species. If a variation in species is required due to disease, agreement must be sort in writing from the Local Planning Authority.

REASON: To ensure that trees are replaced for the benefit of visual amenity and character which at present exists on site.

3. 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).

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.

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.

Policy: C3

4. No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the local planning authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

REASON: To enable the local planning authority to ensure the protection of trees on the site in the interests of visual amenity.

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

REASON: In the interests of highway safety.

POLICY: C3

6. The development hereby permitted shall not be first brought into use until the first five metres of the 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.

POLICY: C3

7. No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2 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 160 metres to the North and 160 metres to the South 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 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

POLICY: C3

8. The access as hereby permitted shall be constructed strictly in accordance with the details included within the arboricultural survey report submitted in support of this application. Thereafter the access shall remain as so constructed.

Reason: In order to ensure that the adjacent trees are not damaged as a result of this development.

POLICY: C3

9. Prior to the commencement of the development hereby permitted precise details of the gate and any means of enclosure on the site shall be submitted to and approved by the local planning authority. Thereafter the gate and means of enclosure shall be constructed and retained in accordance with the approved details.

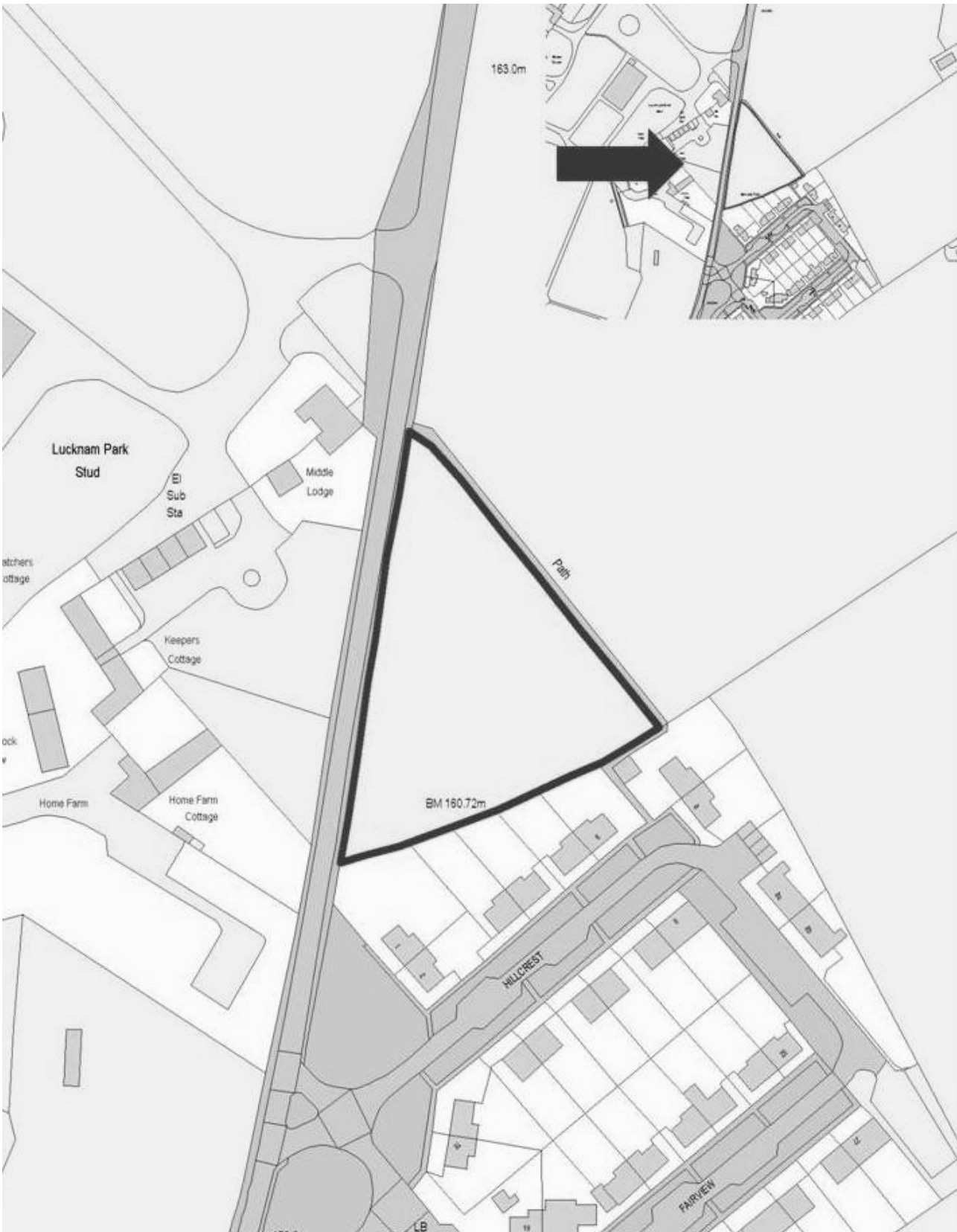
REASON: In the interests of visual amenity.

INFORMATIVE

1. 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.

Design and Access Statement, Site location plan received 14.01.10 , access layout plan received 20.01.10, replanting scheme plan received 20.5.10, Arboriculturalist's report received 25.5.10

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.19, 2.02, 4.02, 4.03, 4.04, 4.07, 5.01



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	9 th June 2010		
Application Number	10/01123/LBC		
Site Address	6 Keynell Court, Yatton Keynell, Chippenham, Wilts. SN14 7EH		
Proposal	Internal & External Alterations including Installation of 3 Rooflights & Flue Pipe, in Association with Use of Roofspace as a Bedroom		
Applicant	Mrs C Grainger, 6 Keynell Court, Yatton Keynell, Chippenham, Wilts		
Town/Parish Council	Yatton Keynell		
Electoral Division	By Brook	Unitary Member	Cllr Jane Scott
Grid Ref	386616 176607		
Type of application	Listed Building Consent		
Case Officer	Sarah Gostling	01249 706664	sarah.gostling@wiltshire.gov.uk

Reason for the application being considered by Committee

The application is being considered at Committee at the request of Councillor Jane Scott in order that the Committee can decide what effect the application will have on the listed building.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED

2. Main Issues

- The impact of the proposals upon the listed building.

3. Site Description

It is thought that Keynell Court was once the maltings to Olde Farm, although it is referred to as a barn. The building was converted into six flats in the late 1970s, when numbers of new window and door openings were installed, with scant regard for the history and character of the building. Number six is the top floor flat at the southern end of the building.

The building now derives its character in large part from its external envelope and remaining original internal structure. The long mass of the building under its uninterrupted stone tile roof is particularly striking, along with the curved southern gable. Internally the original king-post trusses remain in the attic space, which has very limited headroom, a maximum of 1.9m in the centre.

4. Relevant Planning History

Application Number	Proposal	Decision
09/01495/FUL	External alterations including three roof-lights, use of roofspace as bedroom and ensuite and installation of stove flue.	Refused
09/01496/LBC	External alterations including three roof-lights, use of roofspace as bedroom and ensuite and installation of stove flue.	Refused

5. Proposal

Consent is sought for the installation of a flue pipe for a wood-burning stove, together with the conversion of the attic space to a bedroom and ensuite, reached by a new staircase. An additional doorway would be provided from the external landing to relocate the entrance door and three roof-lights would be provided, two in the western slope and one in the east.

6. Consultations

Yatton Keynell Parish Council have no objections to the proposal

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

Three letters of support received

Summary of key relevant points raised:

- Minimal impact upon other residents.
- Much development in the village has been of larger properties, enhancement of this unit to provide further accommodation will help to redress the balance of available properties.

8. Listed Building Considerations

The significance of the listed building is derived from both its external envelope, the simple, large mass and the long, unbroken stone tiled roof together with the remaining historic internal fabric and spaces. Government policy requires that any loss of significance affecting any designated historic asset requires clear and convincing justification (PPS 5).

There is no concern with the installation of a flue pipe, which would be of modest size and would not involve the removal of historic structure.

However in order to achieve the new accommodation the staircase enclosure would be required to project further into the living room than the current entrance lobby and it would extend across part of the original window in the southern gable.

The three original trusses in the roof space, which retain either one or both of their original diagonal braces, are indicated as having the braces removed, which not only causes loss of original fabric but would also necessitate work to stabilise the structure. The structure will also require "upgrading" in order to carry the additional load proposed and no details of this have been submitted. The space thus created would have very limited headroom indeed, with a corridor only one metre wide in the centre of the building having a head height of 6 feet (1.8m) or above.

Lastly, three roof-lights are proposed. Whilst this may not seem an excessive number they would represent an incursion into the uninterrupted historic roof slopes, the last and best original feature of the listed building remaining. Additionally, if permitted, they would set a precedent for the other two units on the upper floor of the building, which could lead to nine roof-lights rather than three. It is considered essential to retain the uninterrupted historic roof slope as the most significant remaining characteristic of the building.

The comments of the local residents and Parish Council are appreciated, however these relate to planning issues which are not pertinent to the consideration of a listed building application.

It is considered that the proposals would cumulatively have a detrimental impact upon the internal spaces, historic structure, character and appearance of the building, leading to loss of significance as a heritage asset.

9. Conclusion

The achievement of some very limited additional accommodation is not considered to justify the detrimental impact upon the internal spaces, historic structure, character and appearance of the building, and the consequential loss of significance of the heritage asset.

10. Recommendation

Listed Building Consent be REFUSED for the following reason:

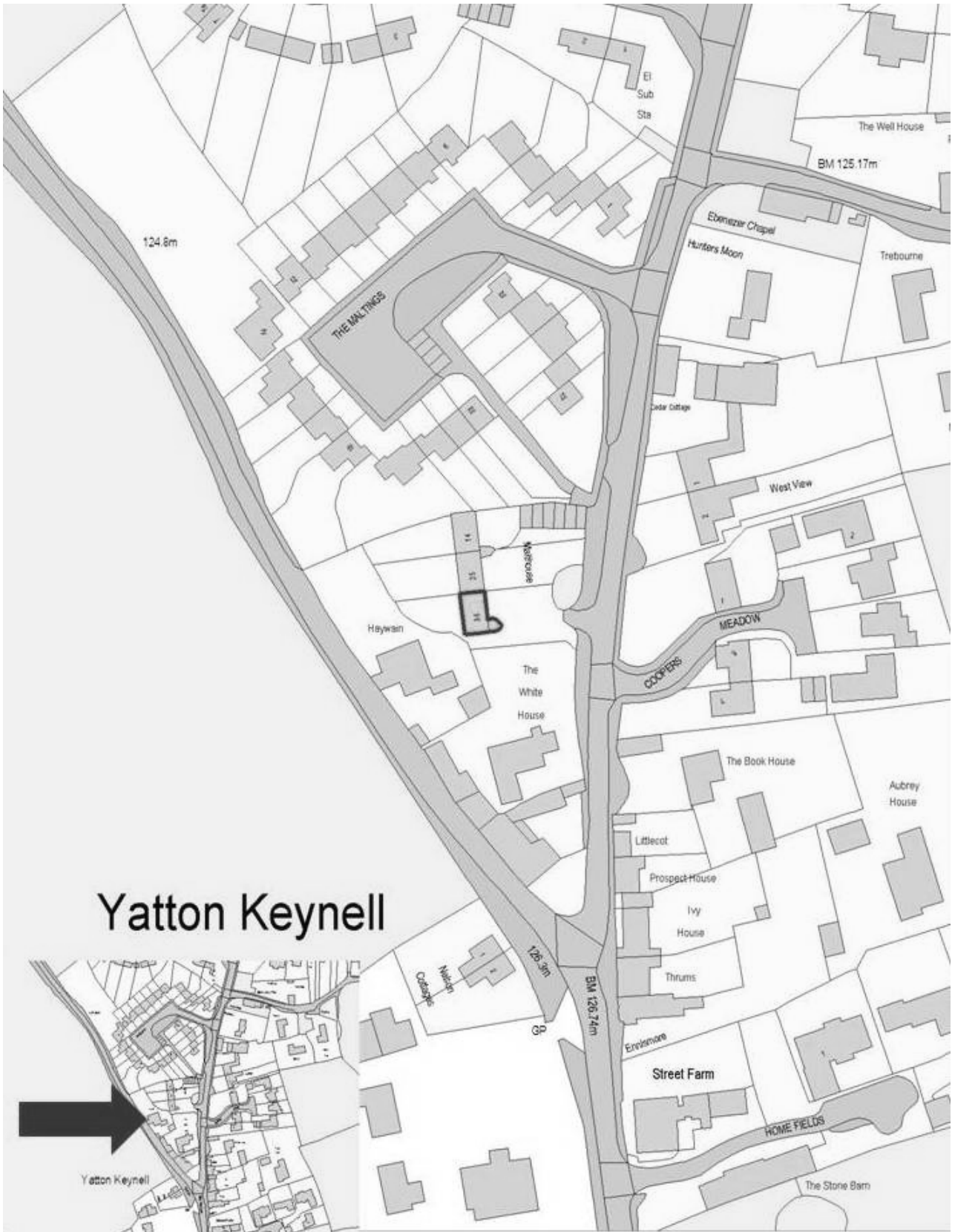
1. The works proposed, by reason of the detrimental impact upon the internal spaces, historic structure, character and appearance of the listed building would be contrary to the provisions of S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy in PPS 5.

INFORMATIVE

1. This decision relates to documents/plans submitted with the application, listed below.

Plan Ref	Dated
Site location plan	26 March 2010
1948/1	26 March 2010
1948/2A	26 March 2010
1948/3B	26 March 2010

Appendices:	None
Background Documents Used in the Preparation of this Report:	4.02, 4.04, 5.01, 6.03



Yatton Keynell

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	9 th June 2010		
Application Number	10/01545/FUL		
Site Address	4 Church Row, Biddestone, Chippenham, Wiltshire, SN14 7DR		
Proposal	Two Storey side & rear extensions (revision to 09/02266/FUL)		
Applicant	Mr D Warne		
Town/Parish Council	Biddestone		
Electoral Division	By Brook	Unitary Member	Jane Scott
Grid Ref	386153 173529		
Type of application	Full Application		
Case Officer	Kate Bates	01249 706 679	Kate.bates@wiltshire.gov.uk

Reason for the application being considered by Committee

The application has been submitted to the Committee for decision at the request of Councillor Jane Scott to assess the impact on the Conservation Area

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

2. Main Issues

The application is to extend an end terrace historic property with a two storey extension to the side (there is an existing ground floor lean to addition already to the side), and to extend to the rear at two storey level by the addition of three gabled projections.

The key points to consider area as follows:

- Implications on the DC Core Policy C3, H8 (residential extensions) in particular the size and scale of the development and its impact on the host dwelling.
- Impact on the character and appearance of the Biddestone Conservation Area (policy HE1 refers) and the Area of Outstanding Natural Beauty in which the building is sited (policy NE4).

3. Site Description

The existing property is of a modest size located at the end of a historic row of cottages sited to the east of St. Nicholas's Church (a listed building) within the Biddestone Conservation Area and also within an Area of Outstanding Natural Beauty. A stone wall is sited between the properties front gardens and a grassed verge area adjacent to Church Road as it turns into Challows Lane. A public footpath runs along the side of the site boundary and stone wall runs along the boundary. The site is visible from all aspects.

The existing building is of a single room depth with single storey lean-to additions to the side and rear providing additional accommodation at ground floor.

The other properties within the terrace have been extended at first floor level to the rear elevation. Numbers 1 and 2 Church Row have been extended by adding double gables to the rear but with a minimum projection (which does not appear to extend beyond the rear wall of a previous single storey element). Reference 89/01260/F relates to number 1 Church Row and 04/02248/FUL refers to number 2 Church Row. Number 3 Church Row has also been extended at first floor but with a single shallow roof which would not be considered appropriate today. There is a window in the first floor side elevation of number 3's extension currently facing onto the application site.

4. Relevant Planning History		
Application Number	Proposal	Decision
78/01298/FUL	Garage	Per 06/11/1978
09/02266/FUL	Two Storey Side and Rear Extensions	Withdrawn 04/02/2010

5. Proposal

The proposal is to provide two extra bedrooms to make the property a four bedroom house, with a new en suite and move the main bathroom upstairs. On the ground floor the proposal will provide an extended kitchen/ new dining room and change the hall into a study. The form of the extension is a two storey extension to the side with a small step down at ridge height from the main dwelling, and to the rear the proposal is two gabled projections which extend 1.5 metres passed the existing rear lean-to addition, with a third gable sited over the lean-to which does not project past the rear wall.

The materials proposed are bath stone ashlar natural stone walls, reclaimed clay bridgwater tile clay double roman tiles, softwood painted timber windows and doors.

6. Consultations

Biddestone Parish Council has been consulted - comments awaited.

Highways Engineer - recommend that no highway objection be raised subject to a condition requiring details of two off road parking spaces and vehicular access being submitted and approved prior to work commencing and another condition requiring the submission and approval of a scheme for discharge of surface water (including surface water from the access/driveway).

7. Publicity

The application was advertised by site notice, press advertisement and neighbour consultation.

No letters of letters of objection or support have been received.

8. Planning Considerations

Impact on the host dwelling, Conservation Area and Area of Outstanding Natural Beauty

The original application (09/02266/FUL) proposed a large wide spanned gable projection to the rear which extended past the rear wall of the single storey lean to by just over 3 metres and proposed the side two storey extension as a continuation of the existing roof line. This was considered inappropriate and the agent withdrew the application to facilitate negotiations prior to submitting this revised application. It is considered that a lesser extension, respecting the historic form of the cottage which enables its original character to be preserved could be accommodated which has been discussed with the agent. This application does not correspond with the pre-application advice given.

The existing modest end of terrace property, even with single storey additions still preserves the original form of the cottage as the first floor remained unaltered. It is now proposed to extend the ground floor (by adding less than a quarter of the existing floor space) but at first floor level the proposal will completely wrap around and swamp the original cottage with an extension of approximately 170% of the size of the existing first floor accommodation.

Policy C3 of the Local Plan requires a proposal to respect the local character and distinctiveness of the area with regard to design, size and scale. Policy H8 requires household extensions to be in keeping with the host building in terms of scale, form, materials and detailing. It is considered that the form and scale the extension would have a severe impact on the host building, the character and appearance of the Conservation Area and the terrace which it forms part of and would be visible from wider vantage points within the Conservation Area given the adjacent footpath. This does not appear to correspond to Policy HE1 which requires that proposals either enhance or preserve the character of appearance of the Conservation Area, and NE4 (Areas of Outstanding Natural Beauty) requires the development to be designed to minimise its impact on the natural beauty of the area.

The proposal is considered to be detrimental to the character and appearance of the Conservation Area and Area of Outstanding Natural Beauty in which it is sited because the form of the extension proposed fails to respect the scale and character of the original dwelling. Adding the third gable (adjacent to the neighbour number 3 Church Row), changes the overall appearance of the cottage so substantially and the form does not compliment the host building or the wider area. Maintaining the property's character is important considering the sensitive location in which it is sited.

9. Conclusion

The scale and form of the proposed extension does not harmonise with the host dwelling and would result in the loss of the character of the traditional cottage to the detriment of the wider area: the terrace of cottages and consequently would harm the character and appearance of Biddestone Conservation Area and Area of Outstanding Natural Beauty. It is considered that the cottage could accommodate some form of the extensions but not in the form of the scheme currently proposed.

10. Recommendation

Planning Permission be REFUSED for the following reason:

The scale, size and form of the development fails to respect the character of the traditional cottage and therefore does not harmonise with the host dwelling, or the surrounding buildings contrary to policies C3 and H8 of the North Wiltshire Local Plan 2011. The proposal has a severe impact on the area and fails to either enhance or preserve the character and appearance of the Biddestone Conservation Area contrary to policies NE4 and HE1 of the North Wiltshire Local Plan 2011.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20 4.03 5.01 5.02

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