

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 8 August 2012
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kieran Elliott of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718504 or email kieran.elliott@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 Desna Allen	Cllr Peter Hutton
Cllr Peter Colmer	Cllr Simon Killane
Cllr Christine Crisp	Cllr Mark Packard
Cllr Peter Davis	Cllr Toby Sturgis
Cllr Peter Doyle	Cllr Anthony Trotman (Chairman)
Cllr Alan Hill (Vice Chairman)	

Substitutes:

Cllr Chuck Berry	Cllr Howard Marshall
Cllr Bill Douglas	Cllr Bill Roberts
Cllr Mollie Groom	Cllr Judy Rooke

AGENDA

Part I

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

1 **Apologies**

To receive any apologies for absence.

2 **Minutes of the Previous Meeting (Pages 1 - 14)**

To approve and sign as a correct record the minutes of the meeting held on **18 July 2012**.

3 **Declarations of Interest**

To receive any declarations of pecuniary or non-pecuniary interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

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

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda **no later than 5pm on 01 July 2012**.

Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Appeals** *(Pages 15 - 16)*

An appeals update report is attached for information.

7 **Planning Applications** *(Pages 17 - 18)*

To consider and determine planning applications in the attached schedule.

7a **N/12/00309/FUL - Braeside Cottage, Box Hill, SN13 8ET** *(Pages 19 - 24)*

7b **N/12/01246/S73A - Warren Business Park, Knockdown, Wiltshire, GL8 8QY** *(Pages 25 - 32)*

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

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 18 JULY 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Desna Allen, Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Peter Doyle, Cllr Mollie Groom (Substitute), Cllr Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Simon Killane and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Sheila Parker and Cllr Dick Tonge

58 Apologies

Apologies were received from Cllr Mark Packard and Cllr Toby Sturgis.

Cllr Packard was substituted by Cllr Bill Douglas.

Cllr Sturgis was substituted by Cllr Mollie Groom.

59 Minutes

The minutes of the meeting held on **27 June 2012** were presented.

Resolved:

To approve as a correct record and sign the minutes.

60 Declarations of Interest

Cllr Peter Doyle declared a non-pecuniary interest in Minute 64a: 12//FUL - *Fordswood Miniature Horse Stud, Lower Kingsdown Road, Kingsdown* - by virtue of being a member of the Cotswold Conservation Board. He declared he would consider all issues with an open mind on their own merits and would participate in the debate and vote on the item.

61 Chairman's Announcements

The Chair reminded all present of the need to turn off or silence any mobile phones and other devices during the meeting.

62 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

63 **Planning Appeals**

The Committee noted the contents of the appeals update.

64 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, concerning Items **7a and 7b** as listed in the Agenda pack.

64a) **12/01252/FUL - Fordswood Miniature Horse Stud, Lower Kingsdown Road, Kingsdown**

Public Participation

Mrs Tina Johnston spoke in objection to the application.

Mr David Wilkes spoke in support of the application.

Mrs Charlotte Watkins, agent, spoke in support of the application.

Cllr Alan Clench, Box Parish Council, spoke in objection to the application.

The Planning Officer presented a report which recommended the application be delegated to the Area Development Manager for approval subject to the signing of a Section 106 agreement and conditions listed in the report and late observations.

The main issues were highlighted as the principle of erecting a permanent rural workers' dwelling in a Green Belt and Area of Outstanding Natural Beauty and subsequent impact upon amenity and landscape character. It was stated to be a significant material consideration that the principle of development regarding the functional need for the dwelling to support to business, and the financial assessment of that business, had been accepted when allowed under appeal. The Council's Agricultural Adviser had stated a workers' dwelling was an essential requirement for the equine business, which was profitable and the dwelling acceptable in scale and design.

The Committee then had the opportunity to ask technical questions of officers. Details of the drainage of the site were sought, and it was stated there had been no concerns raised, but that this could be conditioned. In response to queries regarding the Planning Inspector's comments being in relation to the initial application for temporary permission for a mobile home on site, it was stated that it is standard practice, including under the National Planning Policy Framework, to grant only temporary permission for agricultural and other rural business ventures to test viability before applying for permanent permission.

It was also clarified that though the change to mixed use for the site would

include agricultural elements, the equine business was deemed viable on its own, and thus the viability of those additional agricultural elements was not a consideration. It was also stressed that conditions would tie the occupancy of the site to ownership of the equine business

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

The Local Member, Cllr Sheila Parker, then spoke in objection to the application, highlighting concerns over highways, potential subsidence of the hillside after more development and the viability of the business.

A debate followed, where the lack of objection from Highways officers was noted, and there was further discussion regarding whether the viability tests referred to equine or agricultural activities and the consideration that should be given to the previous Planning Inspector report. The Committee also commented on the tying of the dwelling to workers in the equine business for former workers, and this was clarified as relating to permit retirees to continue living on a site they had previously worked on, and that the dwelling would still need to be purchased in conjunction with the business. The Committee further discussed the possibility of requiring a land management plan for the site to address concerns. Members also praised the Planning Officer for addressing the volume of technical questions so appropriately.

At the conclusion of debate, it was,

Resolved:

To DELEGATE to the Area Development Manager to PERMIT subject to a S106 agreement tying the land and buildings to the new dwelling for the following reason:

The proposal is considered to be justified on the grounds of essential need for an equestrian worker and is thus compliant with policies C3 and H4 of the North Wiltshire Local Plan 2011. The need outweighs the presumption against such development in the Green Belt and the dwelling has been designed to best preserve the openness of the Bath Green Belt and Cotswolds Area of Outstanding Natural Beauty so that it complies with policies C3, NE1 and NE4 of the North Wiltshire Local Plan 2011. The proposal is also considered to comply with the Emerging Core Strategy's policies 48 (Supporting Rural Life) and 51 (Landscape).

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** 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 details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading including the levels and contours to be formed, and the nature of the material, measures to provide long term stability of the sloping land and a demonstration of the relationship of the new levels to existing vegetation and surrounding landform. Development shall be carried out in complete accordance with the approved details.

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

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

REASON: In the interests of highway safety.

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

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

- 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), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area

- 7** No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall

be installed and shall be maintained in accordance with the approved details.

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

- 8 The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans

Location Plan (643:01) Plan Numbers 643-S 01; 02 & 03 Plan Numbers 643-P-01; 02; 03 & 04 Topographic Survey

Received 02/05/2012

REASON: To ensure that the development is implemented as approved.

- 9 Unless otherwise agreed in writing by the local planning authority, occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the horse breeding business occupying the land edged red on drawing no. 643:01, or a widow or widower of such a person, or any resident dependants.

REASON: The dwelling has only been permitted due to the special circumstances of the applicant

- 10 There shall be no residential curtilage formed on the development hereby permitted without the prior written approval of the local planning authority.

REASON: In the interests of protecting the landscape quality of the Green Belt and Cotswolds Area of Outstanding Natural Beauty.

- 11 Unless otherwise agreed in writing by the local planning authority, between 31 October and 31 March inclusive, the number of equines on the land and in the buildings included within the redline on the approved plans shall not exceed 44 (including foals at foot) at any time and during those periods no equines exceeding 40 inches in height shall be permitted on the land or in the buildings.

REASON: To protect the landscape quality of the land.

- 12 The development hereby permitted shall be carried out in strict accordance with the manure storage and disposal methodology as approved under 08/01210/S73A. The approved methodology shall be permanently used.

REASON: In the interests of the landscape quality of the Area of Outstanding Natural Beauty and Green Belt and residential amenity.

- 13 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 wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the site edged red.

REASON: To safeguard the character and appearance of the area.

- 14 No hedges within or on the boundary of the site edged red shall be removed without the prior written approval of the local planning authority. If, contrary to this condition, any hedge or part of a hedge is removed or destroyed, new hedging shall be planted during the first available planting season in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of the landscape quality of the Area of Outstanding Natural Beauty and Green Belt and residential amenity.

- 15 Prior to the commencement of the development hereby permitted a revised grass management plan shall be submitted to and approved in writing by the local planning authority. Once agreed the approved methodology shall be permanently used.

REASON: To protect the ecological interest of the site

- 16 WC8 (landscape management plan, including the retention of trees and their management).
- 17 No development shall take place until a scheme for the disposal of both foul and surface waste from the building and site has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so approved.

Reason: In the interests of securing satisfactory and sustainable drainage arrangements on the site.

64b) 12/01105/FUL - SW Agricultural Machinery & Plant Hire, Folly Lane, Lacock

Public Participation

Mr Simon Williams, applicant, spoke in support of the application.

Mrs Charlotte Watkins, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended refusal, highlighting the main issues as the impact upon and intrusion into the countryside, character and appearance of the application and the economic impact of the proposal. It was noted that Highways officers had withdrawn their previous objections to the application as noted in the late observations

The Committee then had the opportunity to ask technical questions of the officers, and raised the changed view of Highways.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Dick Tonge, then spoke in support of the application.

A discussion followed, where the lack of a current building on site meaning the proposal was to be regarded as a new build was discussed. It was clarified there had previously been a structure on the site. The potential benefit of the business compared to the impact of the application was debated, and officers also clarified that the business use was principally commercial rather than agricultural. Other suitable locations for the site and the impact of any business growth on the countryside was also raised.

At the conclusion of debate, it was,

Resolved:

That Planning permission be GRANTED for the following reason:

The proposal is considered to be an appropriate form of development comprising a limited expansion of employment generating uses in the countryside, without detriment to wider amenity, in accordance with the provisions of Policies C3, C4, NE15 and BD5 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

- 1. WA1**
- 2. In complete accordance with the submitted details, the business hereby permitted on this site shall operate only between the hours of 08:00hrs and 18:00hrs Monday to Saturday and at no time outside of those hours and days, unless otherwise agreed in the form of a separate planning permission in this regard.**

Reason: For the avoidance of doubt and so as to avoid and so as to ensure the business does not become a source of unreasonable disturbance to nearby residential occupiers.

- 3. WM13**

**Location Plan 1:2500
Site Plan as proposed 01
Proposed building elevations 1
Proposed building plan 2**

65 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 7.30 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services,
direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

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

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

The text in bold is additional/amended information to that circulated to Members on Tuesday 17th July 2012

Item 7a – 12/01252/FUL – Fordswood Miniature Horse Stud, Lower Kingsdown Road

The County Ecologist has commented on the Ecological Report submitted by the applicant and states that the report demonstrates that the grassland contains remnants of calcareous grassland, but much of the ecological interest has now been damaged due to inappropriate management and poaching from the recent equestrian use. From an ecological point of view it would be defend a refusal as the policy protection afforded to BAP habitats under local and national policies largely relates to their current condition, although NPPF and the emerging Core Strategy do afford some weight to the restoration value of habitats. The preferred option is to submit a revised grassland management plan which will improve the management regime.

16 letters of support have been received from local residents and purchasers and those who visit the site/

Area Development Manager states that the following condition should also be added:

“Within one month of the first use or occupation of the development hereby permitted, the mobile home on site together with its fixtures and fitting shall be completely removed from the site.

REASON: In the interests of visual amenity.”

- 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 details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading including the levels and contours to be formed, and the nature of the material, showing the relationship of the new levels to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

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

- 4 No part of the development hereby permitted shall be first brought into use until the

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
18th July 2012

access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter

REASON: In the interests of highway safety.

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

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

- 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), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area

- 7 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

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

- 8 The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans

Location Plan (643:01) Plan Numbers 643-S 01; 02 & 03 Plan Numbers 643-P-01; 02; 03 & 04 Topographic Survey

Received 02/05/2012

REASON: To ensure that the development is implemented as approved.

- 9 Unless otherwise agreed in writing by the local planning authority, occupation of the mobile home shall be limited to a person solely or mainly employed or last employed in the horse breeding business occupying the land edged red on drawing no. 643:01, or a widow or widower of such a person, or any resident dependants.

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
18th July 2012

REASON: The dwelling as only been permitted due to the special circumstances of the applicant

- 10 There shall be no residential curtilage formed on the development hereby permitted without the prior written approval of the local planning authority.

REASON: In the interests of protecting the landscape quality of the Green Belt and Cotswolds Area of Outstanding Natural Beauty.

- 11 Unless otherwise agreed in writing by the local planning authority, between 31 October and 31 March inclusive, the number of equines on the land and in the buildings included within the redline on the approved plans shall not exceed 44 (including foals at foot) at any time and during those periods no equines exceeding 40 inches in height shall be permitted on the land or in the buildings.

REASON: To protect the landscape quality of the land.

- 12 The development hereby permitted shall be carried out in strict accordance with the manure storage and disposal methodology as approved under 08/01210/S73A. The approved methodology shall be permanently used.

REASON: In the interests of the landscape quality of the Area of Outstanding Natural Beauty and Green Belt and residential amenity.

- 13 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 wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the site edged red.

REASON: To safeguard the character and appearance of the area.

- 14 No hedges within or on the boundary of the site edged red shall be removed without the prior written approval of the local planning authority. If, contrary to this condition, any hedge or part of a hedge is removed or destroyed, new hedging shall be planted during the first available planting season in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of the landscape quality of the Area of Outstanding Natural Beauty and Green Belt and residential amenity.

- 15 Prior to the commencement of the development hereby permitted a revised grass management plan shall be submitted to and approved in writing by the local planning authority. Once agreed the approved methodology shall be permanently used.

REASON: To protect the ecological interest of the site

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
18th July 2012

Item 7b - 12/01105/FUL - Folly Lane, Lacock

An email response to the Committee report in respect of the above has been received from the agent. This is summarized below, with the comments of the Planning Officer (shown in italics):

Impact on open countryside

I am surprised that you consider the proposal will have a detrimental impact on the character of the open

It is considered that the character of the countryside extends beyond that which is visually apparent and includes the land uses and general amenity that define such areas. The site is obscured to some extent by the planting along its Eastern boundary, however the site does not currently host a building of any significant volume.

I can confirm that the most number of vehicles to be stored outside in the yard area at any one time will be 20. This however is unlikely to be on a regular basis as for at least six months of the year most vehicles are let out on long term rental.

As above, the level of activity on the site is substantially above that which might be expected with that of an agricultural enterprise, which should be the benchmark against which the impact of proposals such as this should be assessed.

Impact on highway network

In your report you state that 'owing to the type and frequency of vehicle movements' the development will cause harm to the highway safety. In my view a maximum of 40 movements per week which is only on busy weeks is not excessive.

You refer to a previous appeal decision (N/02/00139/FUL). I have researched this application and contacted the Council Office to find that there is no record of an appeal. In my view I consider my clients proposal is not comparable to a car boot-sale activity.

Unfortunately there appears to have been an error and reference to an appeal on the adjacent site was inaccurate. Highways Officers have reviewed the application again and have concluded that, in fact, there is no objection to the proposals on grounds of highway safety subject to imposition of conditions requiring details of the access, provision of adequate parking and restriction of the use to agricultural machinery repair and hire only. The second reason for refusal on highway safety should be omitted.

The use class of the business

I would like to reiterate my view that the change of use involved in this application is a sui generic use rather than a B2/B8 use.

The Officer is content that the proposal is for a combination of B2 (general industrial) and B8 (storage) Uses, not Sui Generis, as the scheme should be assessed on the basis of the actual activities, rather than the holistic purpose of the business. It is commonplace to consider vehicle repair and maintenance workshops as B2 uses due to the occasional noise implications of mechanical works.

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
18th July 2012

I refer you to another example of a similar development which was approved under application reference 08/02202/S73A. This application was for a 'Change of Use of Pullet Rearing Unit to Agricultural Machinery Repairs & Sales of Agricultural Machinery. In this case the use class was not specified and in fact in the decision notice it specifically stated 'The development hereby permitted shall be used for the repair and sale of agricultural machinery and for no other purpose (including any other purpose in Class B1, B2, B8)'. I consider a similar condition could be appropriate in my client's case.

In the case of the above application, the business intended to re-use an existing agricultural building with only minor physical alterations, in order to run an agricultural machinery business. As such, this proposal was considered compliant with Policy BD5 of the adopted Local Plan, which prioritises the re-use of rural buildings and seeks to prevent the unjustified dispersal of business into the open countryside.

The condition references 'any other purpose in Class B1, B2, B8' thus making clear that the permission granted relates to these Classes, rather than not. The agent openly likens the current proposal, which is explicitly classified as a B2 and B8 use, to the aforementioned development, which also included a sales element that would be classified within Use Class B1.

Area Development Manager's comments

As referred to above the Highways Officers have amended their recommendation from one of objection to no objection, subject to conditions. However, the principle reason for refusal (that the proposal represents a new business (and building) within the open countryside that is not supported by policy) remains and the recommendation remains one of refusal:

Recommendation

Planning permission be REFUSED for the following reason:

The proposed development amounts to a new business in the open countryside that would be detrimental to the character and appearance of the area which is contrary to the provisions of Policies C3, NE15 and BD5 of the North Wiltshire Local plan 2011.

Plans:

Location plan; Site Plan as proposed; Proposed Building Elevations (Drawing no 1) and proposed building plan (Drawing No 2)

Received 13/04/2012

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**Wiltshire Council
Northern Area Planning Committee
8th August 2012
Appeals Report**

Forthcoming Hearings and Public Inquiries between 26/07/2012 and 31/01/2013

Application No	Location	Parish	Proposal	Appeal Type	Date
09/01315/CLE	OS 7400, Hicks Leaze, Chelworth, Lower Green, Cricklade	Cricklade	Use of Land for Storage and Dismantling of Cars, Vans, Lorries, Plant and Machinery for Export and Recycling; Siting of One Caravan for Residential Use	Public Inquiry	22/10/2012
11/02574/OUT	Land at Widham Farm/Widham Grove, Station Road, Purton, SN5	Purton	Outline Planning Application for up to 50 Dwellings, Access and Associated Works Following Demolition of Two Dwellings	Public Inquiry	21/08/2012
11/02602/S73A	Malford Farm, Main Road, Christian Malford, Wiltshire, SN15 4AZ	Christian Malford	Removal of Agricultural Occupancy Condition	Informal Hearing	14/08/2012
11/03790/FUL	Rose Field, Hullavington, Wilts. SN16 0HW	Hullavington/St Paul Without	Change of Use to a Caravan Site for Occupation by Six Gypsy and Traveller Families with Associated Works.	Informal Hearing	31/07/2012
12/00455/FUL	Westside Cottage, The Common, Brinkworth, SN15 5DX	Brinkworth	Two Storey Side Extension	Written Representations	14/08/2012

Planning Appeals Received between 05/07/2012 and 26/07/2012

Application No	Location	Parish	Proposal	DEL or COMM	Officer Recommendation	Appeal Type
11/03981/FUL	Wickfield Farm, Wootton Bassett, Wiltshire, SN4 8QR	Lydiard Tregoz	Conversion of Cartshed to Dwelling	DEL	Refusal	Written Representations
12/00455/FUL	Westside Cottage, The Common, Brinkworth, SN15 5DX	Brinkworth	Two Storey Side Extension	DEL	Refusal	Written Representations

Planning Appeals Decided between 05/07/2012 and 26/07/2012

Application No	Location	Parish	Proposal	DEL or COMM	Appeal Decision	Officer Recommendation	Appeal Type
12/00172/FUL	29 Purton Stoke, Swindon, Wiltshire, SN5 4JF	Purton	Replacement Garage to Include Studio Above Two Storey & Single Storey Rear Extensions & Replacement Windows (Resubmission of 11/01992/FUL)	DEL	Appeal Dismissed	Refusal	Written Representations

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Agenda Item 7

NORTHERN AREA PLANNING COMMITTEE **INDEX OF APPLICATIONS ON 08/08/2012**

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
(a)	12/00309/FUL	Braeside Cottage, Box Hill, SN13 8ET	First Floor Extension & Single Storey Side Extension	Permission
(b)	12/01246/S73A	Warren Business Park, Knockdown, Wiltshire, GL8 8QY	Installation of Solar Photovoltaic Panels and Associated Landscaping (Retrospective)	Delegated to Area Development Manager

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	8th August 2012		
Application Number	N/12/00309/FUL		
Site Address	Braeside Cottage, Box Hill, SN13 8ET		
Proposal	First Floor Extension & Single Storey Side Extension		
Applicant	Mr Hadfield		
Town/Parish Council	Box Parish Council		
Electoral Division	Corsham Without and Box Hill	Unitary Member	Cllr Dick Tonge
Grid Ref	383347 169464		
Type of application	Full		
Case Officer	Chris Marsh	01249 706657	chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee:

The application has been called in by the Unitary Member in order to consider the impact on the nearby listed building, residential amenity and the Area of Outstanding Natural Beauty.

1. Purpose of Report

To consider the above application and to recommend that the decision is delegated to the Area Development Manager for planning permission to be GRANTED, subject to conditions.

Box Parish Council object to the application on the grounds that the proposed extension is overly large and would adversely affect the Green Belt setting of the site.

The application has attracted 4 letters of objection and 8 general comments in respect of the scheme.

2. Main Issues

The main issues in considering the application are:

- Principle of development
- Impact on the character and appearance of the host dwelling and its setting in an AONB
- Impact on the residential amenity of neighbouring properties
- Impact on highway safety

3. Site Description

The property is a detached cottage set into the Southern slope of the A4 main road through Box Hill. The building comprises an original two-storey cottage fronting directly onto the pavement, with a later linear extension to the Northeast and single-storey extension to the rear that gives the building an L-shaped footprint. Although relatively substantial, the rear extension is set into the bank, which slopes sharply up away from the highway. The existing extensions serve as kitchen and living/dining room respectively.

The building is constructed from natural stone block, with a pitched slate roof and stone chimney stacks at either end of the original cottage element. Whilst the original building maintains significant character, particularly in terms of its Southwest elevation, the later extensions are of distinctly lesser quality; their slate roofs the only significant recognition of their context. The property features white uPVC windows and doors throughout. In general terms, the property does not readily engage with the main road and through its evolution has become strongly orientated toward the rear garden and Beech Road to the Southeast.

As the site is bounded on three sides by highway, parking is located to the rear of the property and accessed via Beech Road, which runs parallel to the A4 main road. Two parking spaces exist at the Southern corner of the site, which are currently surfaced in loose stone. The boundary between the site and the highway features a small triangular 'green' space, the ownership of which is currently unclear. However it is known that neither the green nor this section of Beech Road is under the control of Wiltshire Council and the application has been revised to exempt this area.

4. Relevant Planning History

There is no planning history relevant to the site.

5. Proposal

The proposed extension of the property is comprised of two principal elements, namely a straightforward ground floor linear extension at the Northwest corner and purely first-floor extension over the existing rear extension. Following negotiation, the scheme has been revised with amended plans altering the form and finish of the rear extension and reducing the site area.

The study element is to follow the existing front and rear build lines of the original cottage, fronting Box Hill, in order to provide an additional study adjoining the sitting room and the Northwest site boundary. In terms of design and materials, the extension represents a significant departure from the established vernacular of the property, with a planted flat roof over and timber boarded sides. The flat roof will keep the height of the extension down to 2.3m, retaining much of the end elevation of the original cottage, which includes a chimney stack, when viewed from further down Box Hill. This corner of the site is already relatively concealed from the neighbouring property, 'Magna', and Beech Road.

The first floor extension is to stand directly over the footprint of the existing rear element and extend a further 5m to the Southeast, with the sloping rear garden to be re-profiled to accommodate the building. Internally, the extension is to be configured as a single open plan kitchen/living space serving as the relocated access to the property from Beech Road. The Southwest side of the first floor is to be finished predominantly with powder-coated glazed panels, as are also to be installed in the same elevation of the existing element below, which is to become a separate bedroom with en suite.

The outward-facing elevations of the rear extension, along with the earlier extensions to the original cottage are to be clad in high-performance fibre cement panels, using a transitional colour scheme incorporating a mixture of grey and light yellow fibre cement panels arranged in 150mm courses.

The original submission included allocated off-street parking utilising an area of what is presently grass verge between Beech Road and the Southern site boundary. Owing to uncertainties as to the actual ownership of this land, the applicant has revised the site area by negotiation to provide parking on the two existing spaces to the Southwest of the property. It is however confirmed that the disputed land is not under the control of Wiltshire Council.

6. Consultations

Box Parish Council – objected to the original application for the following reason:

“This is an overlarge extension of the site which is in the Green Belt. The parking is shown on land which is not in the ownership of the applicant but which appears to be a highways verge and this is not acceptable. The application will be called in”.

Amended plans have now been submitted and have been made available to the Parish Council for consideration and comment.

Highways – no objection
Drainage – no objection, subject to conditions
County Ecologist – no objection

7. Publicity

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

4 letters of objection received
Summary of key relevant points raised:

- Overdevelopment of the property and site
- Inappropriate materials selected in context of Box Hill
- Extensions and landscaping will harm the Area of Outstanding Natural Beauty
- Increase in accommodation will prompt increase in traffic and on-street parking
- Potential for enlarged dwelling to be converted into flats
- Increased risk of flooding due to increased building footprint

Objections have also made reference to the uncertainty of ownership of the land to the East of the property initially proposed as parking space. The applicant has subsequently revised plans to exclude this land from the application site in the absence of a definitive answer on this matter, incorporating adequate parking within the established curtilage of the property itself.

8. Planning Considerations

The relevant planning considerations are as follows:

Principle of development

Although the site is located within the Green Belt, limited extension of established properties is acceptable under the relevant policies (NE1 and H8 of the Local Plan). The proposed scheme involves a significant expansion of the existing built footprint – approximately 60% - and, despite being set-in to the rear of the site, will markedly increase the overall massing of the building. The theme of extension and alterations of properties in this location is well established, including at Braeside Cottage itself.

Impact on the character and appearance of the host dwelling and its setting in an AONB

In terms of its visibility from the main road, it is considered that the proposed extensions will have a minimal impact. The planted roof of the new study will significantly soften the impact of this element when viewed from Beech Road, from which wide-ranging views of open countryside are presently obtained. In regard to the boarded sides, one has to consider the fall-back position that the applicant could erect a fence to a similar height in this location under permitted development rights, giving much the same appearance. In any case, the limited height and massing of this element is such that the character of the original cottage, which is of some value, is conserved.

The rear extension represents a more significant increase in the overall massing of the building and requires careful consideration as to its impact on general character and appearance. Whilst the extension adjoins part of the rear elevation of the cottage, around half of this will obscure the earlier extension, which is of distinctly lesser aesthetic merit. Rather than disrupt the original roof form, the rear extension features a short linking section, setting the end of the new flat roof back

from the cottage by approximately 1m. In terms of design and materials, the proposed extension does represent a departure from the existing property, and this is considered a ready distinction that enhances the legibility of the building and conserves its setting.

Following negotiation, the replacement of the proposed pitched roof of the rear extension with a partially planted flat roof represents a beneficial concession to the scale and conservation value of the original cottage slate roof, and will lend the extension a degree of subservience when viewed from the Northeast and from Beech Road. At present, the rear extension detracts, rather than enhances the setting of the original cottage despite its similar materials, and the departure in style will compliment the traditional form of the historic property.

Impact on the residential amenity of neighbouring properties

Owing to the relief of the site and low density of development in this location, the proposed extensions will not result in the loss of daylight or sunlight reaching neighbouring properties or otherwise adversely affect residential amenity by way of any general overbearing or overlooking. The planted boundary at the Western edge of the site will obscure views between the first floor extension and the garden of the neighbouring property, whilst the inward-orientation of the rear extension will minimise any impact on other surrounding properties.

Impact on highway safety

Vehicular access to the property remains unchanged, as will the parking arrangements under the revised plans. The existing two parking spaces to the rear of the property are to be resurfaced and maintained thereafter, providing adequate parking for a property of this size under countywide parking standards. The contested issue of the land adjacent has been put aside at this stage, given the sufficiency of parking already available.

Conclusions

The recommendation for approval is made on the grounds of scale and massing, as it is believed that the design principles and physical form of the proposed extensions are not incompatible with the existing building or its setting, which comprises a wide array of styles and materials, and will serve to enhance the site. The revised roof form addresses initial concerns regarding the scale of the extension and impact on the original cottage, which under the revised proposals is afforded greater prevalence in the context of the site. No objection is raised to the study extension to the Southwest of the original cottage, which is of a modest scale and design and will utilise an otherwise redundant patch of land. Overall, it is considered that alterations to the rear extension are rendered in such a way as to be sympathetic to the host dwelling insofar as its original character remains. Due to the relative containment of the scheme, the proposal will not have a detrimental effect upon the wider AONB and Green Belt.

9. Recommendation

That subject to no new and substantive issues being raised by the neighbours or Parish Council in respect of the amended plans, then the decision be delegated to the Area Development Manager for planning permission to be GRANTED for the following reason:

The proposed development, by reason of its siting, orientation, scale, massing, design and materials will not adversely affect the character and appearance of the host dwelling or its setting within the AONB and Green Belt. The proposal therefore accords with Policies C3, NE1, NE4, NE15 and H8 of the adopted North Wiltshire Local Plan 2011.

And 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 external fibre cement surfaces shown on the agreed drawings for the development hereby approved shall be finished in the following colours in the agreed drawings received on 10 July 2012:

Eternit 'Natura' Fibre Cement, 7080 'Amber'
Eternit 'Natura' Fibre Cement, N250 'Natural Grey'
Eternit 'Natura' Fibre Cement, N891 'Beige'
Eternit 'Natura' Fibre Cement, N251 'Anthracite'

Development shall be carried out in accordance with the approved details prior to the development being first brought into use unless otherwise agreed in writing by the Local Planning Authority.

REASON: For the avoidance of doubt and in the interests of visual amenity and the character and appearance of the area.

- 3 The development hereby permitted shall not be occupied until the first five metres of the access/parking, 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.

- 4 The development hereby permitted shall not, at any time, be subdivided into a larger number of units.

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 additional units on the site.

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

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

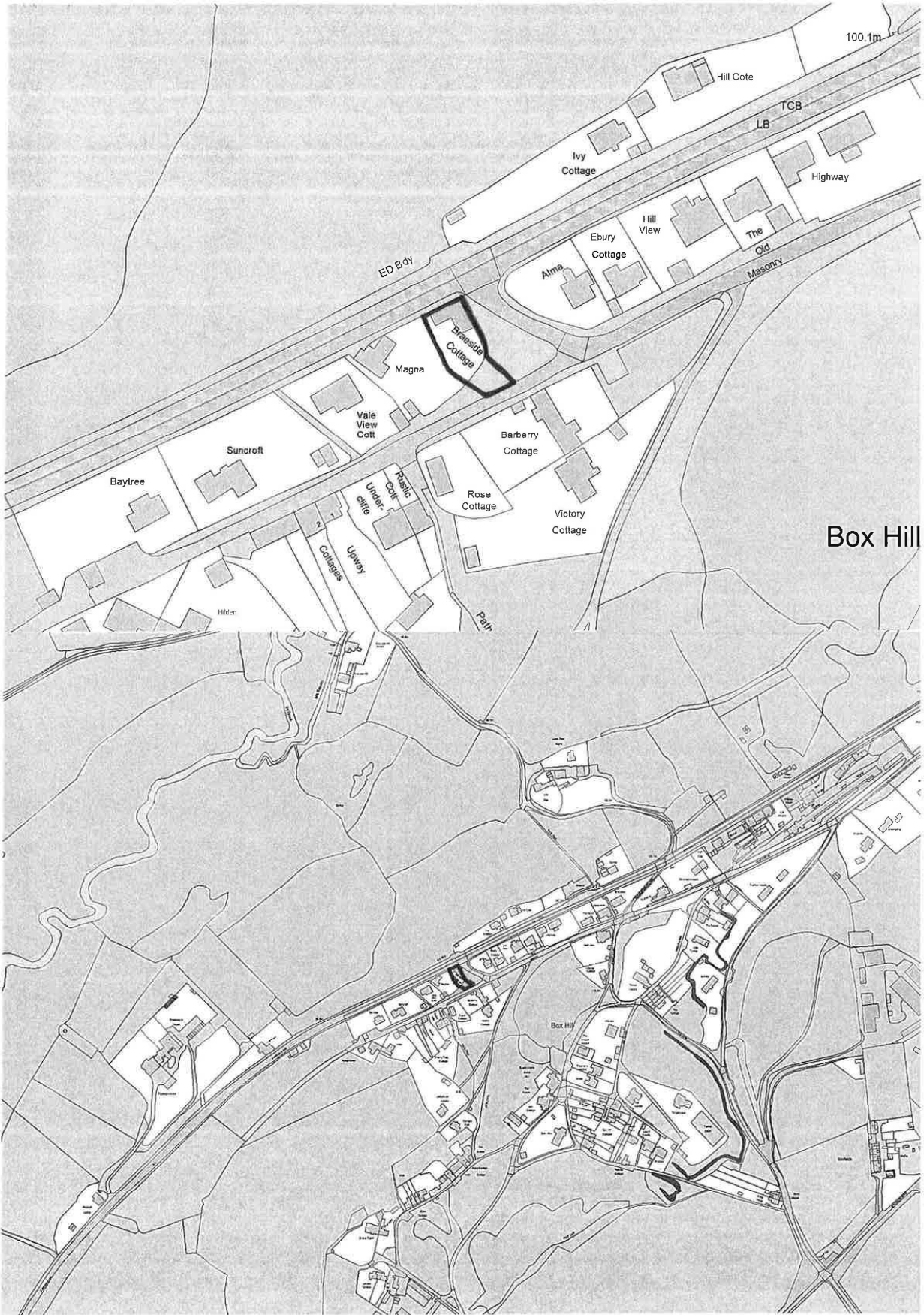
- 6 The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

493:3:002 - Plans (proposed)
Received 1 February 2012

493:3:001.C - Plan:Site:Roof (proposed)
493:3:003.B - Elevations (proposed)
493:3:004.B - Elevations (proposed)
Received 5 July 2012

Sample fibre cement cladding sheets
Received 10 July 2012

REASON: To ensure that the development is implemented as approved.



Box Hill

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.2

Date of Meeting	Wednesday 8th August 2012		
Application Number	N/12/01246/S73A		
Site Address	Warren Business Park, Knockdown, Wiltshire, GL8 8QY		
Proposal	Installation of Solar Panels and Associated Landscaping		
Applicant	Warren Business Park		
Town/Parish Council	Sherston / Sopworth		
Electoral Division	Sherston	Unitary Member	Cllr John Thomson
Grid Ref	383647 188136		
Type of application	S73A		
Case Officer	Tim Pizzey	01249706721	tim.pizzey@wiltshire.gov.uk

Reason for the application being considered by Committee

Cllr John Thomson called the application in to committee to enable the impact on neighbours to be considered.

1. Purpose of Report

To consider the above application and to recommend that the application be DELEGATED to the Area Development Manager for approval subject to the receipt of a satisfactory landscape planting plan and conditions.

At the time of writing this report no representations have been submitted by Sopworth Parish Council.

The application has generated 5 letters of objection from the public and a comment received from the CPRE broadly concurring with the recommendation of the County Landscape Architect.

2. Main Issues

The main issues in the consideration of this planning application are:

1. Principle of development
2. Impact on the landscape and AONB
3. Affect on the amenity of neighbouring properties

3. Site Description

The site is south of Warren Business Park, which is accessed off the A433. It is a level site of 0.47 hectares and located on the south side of an enclosed grassed area and a low stone wall. The solar panels are already in place and it would appear that land was formerly enclosed as a paddock.

Little Warren is a dwelling with access off the A433 and has a rear garden adjacent the business park extending southwards up to the stone boundary wall (containing a field gate) which separates

it from the application site at its eastern end. There two other residential properties at the front of the business park, Warren Farm and Barn Cottage.

To the west of the site is an agricultural building and horse walker. A small number of individual young trees have been planted towards the western end of the site. To the south of the site the land is open agricultural / pasture land. To the northwest adjacent the field boundary is a pond area fenced off and outside the application site. Further north east is T.H. White commercial premises. There is a hedgerow with two mature trees along the east boundary of the site, beyond which are open fields eastward to Home Farm. To part of the east boundary, some additional planting has recently been carried out to bolster the existing hedgerow. The southern boundary is currently open.

The site is located generally in the open countryside and within the Cotswold AONB. There is a public right of way to the south (No. 6), which runs along the southern field boundary, approximately 300metres from the southern application site boundary.

4. Relevant Planning History - there is no site history of relevance to this application.

5. Proposal

The application seeks retrospective planning permission for the installation of a solar photovoltaic array in connection with the provision of an independent carbon neutral energy source to commercial uses at Warren Business Park and domestic use with surplus energy being returned to the National Grid.

The array comprises 520 (230Watt) modules, arranged in 7 No. runs, 50m in length, orientated to face south. The array has been installed in two rows in portrait orientation, mounted on aluminium frames and approximately 600mm above ground level. The panels are set at a 30 degree angle and the top of the upper panel is approximately 2.2 metres above ground level and has been set in concrete strip foundations in the ground. The modules are a dark grey colour the application refers to them a mute grey colour that limits reflected light from their surface and the frames are in an aluminium colour/finish.

It is proposed to erect a deer proof fence to the east, south and west site boundaries, in the form of wooden post and galvanised pig netting.

A Planning Statement and Landscape & Visual Appraisal has been submitted with the application to accompany the Design and Access Statement.

6. Planning Policy

Adopted North Wiltshire Local Plan 2011 Policies: C1, C3, NE4, NE15, NE16

Emerging Wiltshire Core Strategy Pre- Submission Draft - February 2012: Policies CP1, CP42, CP51

National Planning Policy Framework

7. Consultations

Sopworth Parish Council – at the time of preparing this report, no representations have been received.

County Ecologist – understands that the area involved comprises improved grassland of little ecological interest of value to protected species and therefore has no objection in relation to ecology.

County Landscape Officer – a detailed comment is available on the file and website. In summary, the officer raises no significant landscape objection to the proposal within the AONB designation which would culminate in a recommendation for refusal, subject to the receipt of a revised plan to show additional hedgerow and tree planting for mitigation and enhancement purposes.

County Archaeologist – no objections.

8. Publicity

The application was advertised by site notice and neighbour consultation.

5 letters of objection (includes a further representation on behalf of one of the objectors) received.

Summary of key relevant points raised :

- Visual Impact / harm to the landscape
- Greenfield site
- Impact on AONB designation
- South of Warren Business park, not in close proximity to existing buildings
- Eyesore from the public bridleway / right of way
- Lack of neighbour notification
- Impact on residential / visual amenity / outlook / views
- Close proximity to boundary wall
- Little Warren in separate ownership i.e. should not be in 'blue land'
- Impact on trees
- Contrary to Policy – Local Plan Policy NE4, Core Strategy Policy 34 and NPPF.
- Panels on nearby roofs of existing buildings would have had much lesser visual impact
- Panels set in concrete
- Retrospective nature

CPRE – Concurs with recommendation submitted by Mr. Goodwin on landscaping issues. When the new plan is submitted could it ensure that the species in the new hedging and landscaping are all native. Recommends that holly is included in blocks since they make a thicker screen during winter months. Would not agree that oak and ash could form a small part of hedgerow species since they do not respond well to cutting with agricultural hedge cutters, developing thick lower stems which encourage gaps. Adding Scots pines to the screening trees would also help to shield the site during winter months. Looks forward to seeing revised plans.

9. Planning Considerations

Principle of the development

In principle, Policy NE16 (renewable energy) of the Local Plan supports renewable energy projects provided no harm would be caused to a historic area or natural landscape.

Core Policy 42 of the emerging Wiltshire Core Strategy specifically relates to standalone renewable energy installations and supports such proposals subject to a satisfactory resolution of all site specific constraints. The policy, inter alia, requires proposals to show how the impact on the landscape, particularly in AONBs and on residential amenity, has been satisfactorily addressed.

The NPPF states that in determining applications LPAs should not require applicants to demonstrate overall need for renewable or low carbon energy and to recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions. Unless other material considerations indicate otherwise, LPAs should approve applications if its impacts are (or can be) acceptable (para. 98 refers).

The main constraints in respect of this application, as outlined above, are impact on the landscape and AONB designation as well as on the residential amenity of neighbouring properties.

Impact on the landscape and AONB

Policy NE15 of the Local Plan (and similarly CP50 of the emerging Core Strategy) of the Local Plan states that the landscape in North Wiltshire and its distinctive characteristics are conserved and enhanced and that development does not adversely affect the character of an area and features that contribute to local distinctiveness. Proposals for renewable energy should not conflict with the primary purpose of designation to conserve and enhance the natural beauty of the AONB.

Policy 11 of the NPPF states that the planning system should contribute to and enhance the natural environment and local environment by protecting and enhancing the natural environment (para.109) that great weight should be given to conserving landscape and natural beauty in National Parks, the Broads and AONBs. (para.115).

The applicant has carried out a Landscape and Visual Impact Appraisal, which concludes that the proposal would not adversely affect the character or appearance of the area or features that contribute to the local distinctiveness as identified with the Landscape Character Assessment and that it integrates successfully with the surrounding built form to the site.

The Council's Landscape Architect (CLA) has been consulted on this application and does not disagree with the findings or conclusion of the applicant's LVIA. The greatest impact is to the PRoW which runs along the southern boundary of the field to the south and south east. The CLA believes that that from this direction the visual impact could be further reduced by additional planting to help screen the development from this footpath and some improvements to the character and scenic beauty of the AONB could be derived by some strategic new tree planting in existing hedgerows within the applicant's control. Also visual impacts on views from the PRoW might also be lessened by increasing the height slightly of the hedgerow running north south to the east of the site. The CLA concludes:

"I am aware that the Council is looking to support economic growth and business/employment expansion/rural diversification and is supportive of renewable energy generation wherever possible and that this policy stance is consistent with Government policy contained in the NPPF.

I do not consider that the proposals result in unacceptably harmful landscape or visual effect to the character of the wider countryside or undermine the purpose of the AONB landscape designation. My conclusion is based on the following summary considerations: The proposal does not introduce a significant new visual element into the view, against the existing farmstead / commercial use backdrop; the modest size of this solar PV Array development; the absence of urban security fencing and intrusive security lights and cameras; the temporary and reversible nature of development; its location within the wider landscape (limited visibility); Limited impact to low numbers of visual receptors; the potential for additional mitigation (Hedge & tree planting) to further reduce the Limited visual impact from the PRoW; The additional opportunity to enhance the character of the AONB through additional hedgerow tree planting".

The CLA's recommendation is subject to receipt of a revised plan showing additional hedgerow and tree planting for mitigation and enhancement purposes to be secured before permission is granted, that planting should be implemented in the first available planting season and that a standard plant replacement and aftercare condition is necessary to ensure successful establishment. It is unfortunate that concrete foundations have been used, however, they have little visual impact. A restoration condition can be imposed on a permission to ensure the land is restored to its former condition in accordance with a scheme for the de-commissioning of the site when it is no longer operational.

In the light of the above, Officers raise no objection to the proposal on landscape grounds. The applicant has submitted an additional landscape planting scheme and agreed to use natural round posts for the stock proof fencing, based on the comments / recommendations of the CLA.

Affect on the amenity of neighbouring properties

Objections have been received from the occupiers of two neighbouring properties regarding, amongst other things, the impact of the development on the residential / visual amenity.

Little Warren to the north is the nearest dwelling directly affected. It has windows overlooking its rear garden and beyond over part of the application site. The main dwelling house itself is approximately 100 metres from the boundary wall with the application site. The views south from the house and closer from the garden are affected, as the top of the solar panels which are 2.2 metres high can be seen above the lower stone wall. Some of the panels are close to the stone wall and the view is to upper part of the rear of the panels and supporting framework. The array does not extend completely to the east boundary of the site, which partly reduces the impact of the panels above the stone wall when viewed from this property. Given this and the height of the panels, it is considered that the impact is not so harmful in terms of outlook or an over bearing effect that it would warrant refusal of permission on such grounds.

Home Farm is located to the east. The farmhouse is approximately 130 metres from the site boundary and whose agricultural land it is understood extends ends to the site boundary. Although views of the side of the solar array can be gained from this property, the distance and existing hedgerow along the eastern boundary lessens the impact. There is a gap in the hedgerow which allows views into the site from the east. However, additional planting has already been undertaken in this area and, it is not considered that the impact on the occupiers of this property is so harmful to justify refusal on amenity grounds.

The impact on the landscape has been considered above.

10. Conclusion

On balance it is judged that the impact of this renewable energy installation comprising an array of ground mounted solar panels is acceptable, subject to the receipt of a satisfactory landscape planting plan and accords with adopted and emerging policies in the Local Plan and Core Strategy as well as National guidance contained in the NPPF.

11. Recommendation

The application be DELEGATED to the Area Development Manager for APPROVAL of planning permission subject to the receipt of a satisfactory landscape planting plan for the following reason:

The development is considered to be acceptable in principle and, subject to additional planting for mitigation and enhancement purposes, on balance it is considered that the proposal would not have an unacceptable impact on the landscape and natural beauty of the Area of Outstanding Beauty nor would unduly harm the amenities of neighbouring dwellings. As such the proposal would generally accord with policies C1, C3, NE4, NE15 and NE16 of the North Wiltshire Local Plan 2011.

And Subject to the following conditions:

1. The development hereby approved shall be discontinued and the land restored to its former condition on or before 25 years from the date of this permission in accordance with a scheme for the decommissioning and restoration of the development site, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include how the land will be restored back to full agricultural use upon the development no longer being in operation or upon the expiry of 25 years from the date of this planning permission, whichever is

the sooner. The decommissioning and restoration of the development site shall be carried out in complete accordance with the scheme so agreed.

REASON: Reason: In the interests of amenity and the finite operation of this type of development and to ensure that upon the development no longer being in use, the complete removal of all development allowed under this permission and the restoration of the land to its former condition.

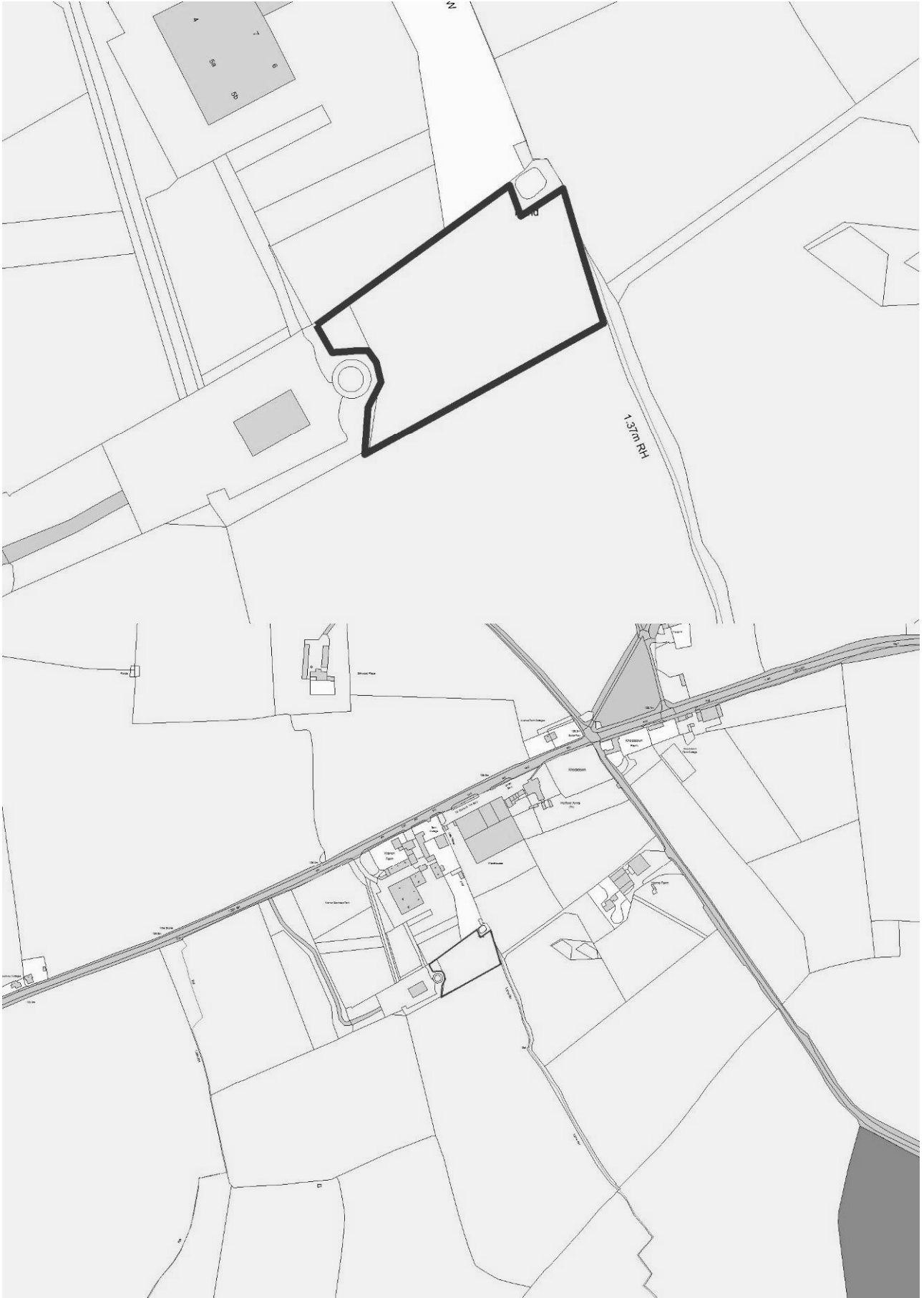
2. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting season following the date of this permission. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees 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.

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

3. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

- LDC Site Plan 1639.001, LDC Site Layout and Fence Details 1639.002, LDC 1639.003 Panel Details, received on 1st May 2012.
- LDC Landscaping Plan received on 13th July 2012.

REASON: To ensure that the development is implemented as approved.



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