

AGENDA

Meeting: Eastern Area Planning Committee

Place: Corn Exchange, Devizes, SN10 1HS

Date: Thursday 1 November 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 Jane Burton	Cllr Chris Humphries
Cllr Peggy Dow	Cllr Laura Mayes
Cllr Nick Fogg	Cllr Jemima Milton
Cllr Richard Gamble (Vice Chairman)	Cllr Christopher Williams
Cllr Charles Howard (Chairman)	

Substitutes:

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

AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

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

To approve and sign as a correct record the minutes of the meeting held on **11 October 2012**.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation 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 Wednesday 24 October 2012**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

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

To consider and determine planning applications in the attached schedule.

6a **E/2012/0361/OUT: Land at Zouch Manor, Tidworth (Pages 17 - 34)**

6b **E/2012/0786/FUL: Burbage Wharf, Burbage, Marlborough, SN8 3BJ (Pages 35 - 42)**

7 **Urgent items**

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

Part II

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

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EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 11 OCTOBER 2012 IN THE DEVIZES TOWN HALL, ST JOHN'S STREET, DEVIZES SN10 1BN.

Present:

Cllr Jane Burton, Cllr Peggy Dow, Cllr Nick Fogg, Cllr Richard Gamble (Vice Chairman),
Cllr Charles Howard (Chairman), Cllr Chris Humphries, Cllr Jonathon Seed and
Cllr Christopher Williams

Also Present:

Cllr Brigadier Robert Hall and Cllr Toby Sturgis

55. Apologies for Absence

Apologies were received from Cllrs Laura Mayes and Jemima Milton.

Cllr Milton was substituted by Cllr Jonathon Seed.

56. Minutes of the Previous Meeting

The minutes of the meeting held on **09 August 2012** were presented and it
was,

Resolved:

To APPROVE as a correct record and sign the minutes.

57. Declarations of Interest

There were no declarations.

58. Chairman's Announcements

The Chairman drew the public's attention to the feedback forms that had been
provided for the meeting.

59. Public Participation and Councillors' Questions

The rules on public procedure were noted.

60. Planning Applications

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes.

60.a E/2011/1572/LBC: Baydon Manor, Marridge Hill, Ramsbury, Wiltshire, SN8 2HG

Public Participation

Mr Paul Stibbard, applicant, spoke in support of the application.

Mr Michael Fowler, agent, spoke in support of the application.

Mr John Baumber, Council for British Archaeology, spoke in objection to the application.

The Conservation Officer introduced a report which recommended refusal. The main issue was stated to be whether the proposed demolition of the listed building was justified. The building was confirmed to be in a poor state of repair.

The Committee then had the opportunity to ask technical questions of the officers. Details were sought about why the building had been listed, and of the date of construction. It was explained that an exact date had not been agreed regarding the Winter garden's construction, but that it dated to late 19th or early 20th Century.

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

The Local Member, Cllr Chris Humphries, then spoke in support of the application.

A discussion followed, where the state of disrepair and cost of restoration was raised, and the level of protection for listed buildings required in policy was debated.

At the conclusion of debate, it was,

Resolved:

That listed building consent be REFUSED for the following reasons:

- 1) The proposal would result in the loss of a designated heritage asset, for which no adequate justification has been provided. As such, the proposal is contrary to Government policy contained in Section 12 of the National Planning Policy Framework.**
- 2) The proposal would result in the loss of a significant element within the setting of the Baydon Manor, a designated heritage asset. As such, the proposals are contrary to Government policy contained in Section 12 of the National Planning Policy Framework.**

60.b E/2012/0854/LBC: 7 The Green, Aldbourne, Marlborough, SN8 2BW

Public Participation

Mrs Juliette Martin spoke in objection to the application.

Mr Paul Oakley, agent, spoke in support of the application.

Mr Andy Ashley spoke in support of the application.

Mr Rupert Bound spoke in support of the application.

The Conservation Officer introduced a report which recommended refusal. The main issue was stated to be the impact of the proposal on the listed building, and the extent of the visibility of the panels was highlighted.

The Committee then had the opportunity to ask technical questions of the officers.

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

The Local Member, Cllr Chris Humphries, then spoke in support of the application.

A discussion followed, where the impact of the photovoltaic panels and any alternatives was raised, and the need to balance support for the public benefit of sustainable energy against the impact upon the listed building was debated.

At the conclusion of debate, it was,

Resolved:

That listed building consent be REFUSED for the following reason:

- 1) The retention of 15 photovoltaic panels on the roof of the rear wing of the primary listed building, by virtue of their design and appearance, would introduce incongruous features to the building's roof. As a result, the proposal would have a harmful impact on the significance of the designated heritage asset and its setting. No evidence has been provided to illustrate other less intrusive options that should have been considered or to indicate that the alterations are necessary to achieve a public benefit which would offset the harm caused. The proposal therefore conflicts with policies contained in the National Planning Policy Framework.**

60.c E/2012/1047/OUT: Dairy House, Puckshipton, Beechingstoke, Pewsey, SN9 6HG

Public Participation

Mr Mark Noble, applicant, spoke in support of the application.

Mr Vic Wheeler, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended refusal. Attention was drawn to the information that Beechingstoke Parish Council had met and supported the application unanimously. The main issues included the principle of development in the rural location, affordable housing, the sustainability of the proposal and the impact on the local ecology.

The Committee then had the opportunity to ask technical questions of the officers.

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

The Local Member, Cllr Brigadier Robert Hall, then spoke in support of the application.

A discussion followed, where the need for housing was raised, along with the possibility of ensuring affordable housing without the presence of a housing association. Whether the site met the definition of a rural exception site was debated, and whether the re-use of vacant buildings for residential purposes was acceptable.

After debate, it was,

Resolved:

That the application be DELEGATED to the Area Development Manager to APPROVE subject to a legal agreement to secure affordable housing, for the following reason:

- 1) The development would result in the re-use of a redundant building which would lead to an enhancement to the immediate setting and the amenities of the Area of Outstanding Natural Beauty. It would also provide valuable affordable housing for local people. These benefits outweigh any harm arising from the site's isolated location in open countryside.**

60.d E/2012/0923/FUL: Bridewell Street (A4), Marlborough, Wiltshire

Public Participation

Mrs Elisabeth Rolph spoke in objection to the application.

Mr Peter Morgan spoke in objection to the application.

Mr John Ford spoke in objection to the application.

The Planning Officer introduced a report which recommended approval. The impact on the listed building was highlighted along with the impact on highway safety. It was noted that archaeological organizations had stressed the wall material included materials which predated the construction of the attached school.

The Chair emphasized for all present that the Planning Committee did not have the power to grant or refuse permission to the proposed pedestrian crossing itself, which would be undertaken through the Highways Authority following consultation, although the application before the Committee was designed to facilitate that planned crossing as described in the report title.

The Committee then had the opportunity to ask technical questions of the officers. It was confirmed in response to queries that one of the walls listed for partial demolition was listed.

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

The Local Member, Cllr Nick Fogg, then spoke in objection to the application.

A debate followed, where it was debated whether the principle of the pedestrian crossing was relevant, and the impact and need for the proposal was discussed in relation to highways issues, the history of the wall and general location. It was clarified in response to queries that in the event of permission be granted, a condition would be in place to prevent any development until separate permission for the pedestrian crossing had been approved.

At the conclusion of debate, it was,

Resolved:

That Planning Permission be REFUSED for the following reasons:

- 1) The alterations to the listed wall required to facilitate the installation of a puffin crossing would result in the loss of historic fabric and harm to the character and setting of the listed building and the character and appearance of the conservation area. As such, the proposals are contrary to policy PD1 of the Kennet Local Plan 2011 and government policy contained in Section 12 of the National Planning Policy Framework.**
- 2) Any public benefits in terms of improved pedestrian safety resulting from the installation of a puffin crossing would not outweigh the harm caused to the designated heritage asset by the proposed alterations to the listed boundary wall. As such, the proposals are contrary to government policy contained in paragraph 134 of the National Planning Policy Framework.**

60.e E/2012/1121/LBC: Bridewell Street (A4), Marlborough, Wiltshire

The Planning Officer introduced the report which recommended approval.

The issues having been thoroughly debated during the previous application, the Committee determined to proceed immediately to the debate and vote.

It was,

Resolved:

That Listed Building Consent be REFUSED for the following reasons:

- 1) The alterations to the listed wall required to facilitate the installation of a puffin crossing would result in the loss of historic fabric and harm to the character and setting of the listed building. As such, the proposals are contrary to government policy contained in Section 12 of the National Planning Policy Framework.**
- 2) Any public benefits in terms of improved pedestrian safety resulting from the installation of a puffin crossing would not outweigh the harm caused to the designated heritage asset by the proposed alterations to the listed boundary wall. As such, the proposals are contrary to government policy contained in paragraph 134 of the National Planning Policy Framework.**

60.f E/2012/0987/FUL: 1 South Street and The Old Forge, Aldbourne, Wiltshire, SN8 2DW

Public Participation

Mr Nick Josephy spoke in objection to the application.

Mr David Ash spoke in objection to the application.

Mr Terry Gilligan spoke in support of the application.

Mr Marc Hart, applicant, spoke in support of the application.

The Planning Officer introduced a report which recommended approval. The main issues to consider included the principle of the change of use of the property, the impact upon neighbouring residential amenity and the conservation area, as well as highways issues and the acceptability of the proposed outbuilding.

The Committee then had the opportunity to ask technical questions of the officers.

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

The Local Member, Cllr Chris Humphries, then spoke in support of the application.

A discussion followed, where the historical use of the site and the overlooking of windows was raised, along with the context of the site in the surrounding area and corresponding impact upon amenity.

After debate, it was,

Resolved:

That planning permission be GRANTED for the following reason:

- 1) The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1.

Subject to the following conditions:

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

REASON:

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

2. The use hereby permitted shall only take place between the hours of 0900 and 1800 from Mondays to Sundays (inclusive).. The use shall not take place at any other time.

REASON:

To protect the amenities of the neighbouring residential properties.

3. The cooking facilities within the tea rooms hereby permitted shall be restricted to a domestic-size cooker and extracting hood. No other form of cooker, ventilation or extraction equipment shall be installed on the premises without a fresh grant of planning permission.

REASON:

In the interests of residential amenity.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted above ground floor level in the extension hereby permitted.

REASON:

In the interests of the privacy of the neighbouring properties.

5. 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.

20 -12 Sheet 1 Revision B, Date Received: 1st August 2012;

20 -12 Sheet 2 Revision B, Date Received: 1st August 2012;

20 -12 Sheet 3 Revision C, Date Received: 1st August 2012;

20 -12 Sheet 4 Revision B, Date Received: 1st August 2012;

20 -12 Sheet 5 Revision D and accompanying email from the applicant, Date Received: 25th September 2012;
20 -12 Sheet 6 Revision B, Date Received: 1st August 2012.

60.g E/2012/0986/LBC: 1 South Street and The Old Forge, Aldbourne, Wiltshire, SN8 2DW

The Planning Officer introduced a report which recommended approval.

The issues having been thoroughly debated during the previous application, the Committee determined to proceed immediately to the debate and vote.

It was,

Resolved:

That listed building consent is GRANTED for the following reason:

- 1) The proposed works will not be detrimental to the character of the building.**

Subject to the following conditions:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON:

To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the approved drawings, details of the following shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works:

- (a) Internal elevations and details of works to the building to provide access from the existing first floor to the new extension;**
- (b) Details and samples of the clay tiles and render (including a sample render panel to be constructed on site) to be used on the extension;**
- (c) Full joinery details for all windows and doors (including internal doors). Elevations shall be at a scale of not less than 1:10 and frame sections and glazing bars etc at not less than 1:2;**
- (d) Details of the recessed 'blind' window; and**
- (e) Details of all new vents and flues connected to the kitchen and toilet facilities.**

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

REASON:

To secure harmonious architectural treatment and to safeguard the character and appearance of this building of special architectural and historic interest.

3. The rainwater goods to be installed on the extension hereby granted consent shall be constructed of cast metal and painted black.

REASON:

To safeguard the character and appearance of this building of special architectural and historic interest.

4. 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.

20 -12 Sheet 1 Revision B, Date Received: 1st August 2012;
20 -12 Sheet 2 Revision B, Date Received: 1st August 2012;
20 -12 Sheet 3 Revision C, Date Received: 1st August 2012;
20 -12 Sheet 4 Revision B, Date Received: 1st August 2012;
20 -12 Sheet 5 Revision D and accompanying email from the applicant, Date Received: 25th September 2012;
20 -12 Sheet 6 Revision B, Date Received: 1st August 2012.

61. **Urgent items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.45 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

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RAMSBURY & AXFORD PARISH COUNCIL

Clerk to the Council: Sue Arnold, c/o Parish Council Office, Memorial Hall, High Street, Ramsbury
SN8 2PB

Tel no. 01672 520045 (answerphone)

E mail parishcouncil@ramsbury.org

To Eastern Area Planning Committee

Re application E/2011/1572/LBC total demolition of Winter Garden at
Baydon Manor Ramsbury

I received a late request to speak at the meeting tonight but unfortunately no-one from the Parish Council can appear at this notice. I would like to submit the following statement:

Ramsbury & Axford Parish Council support this application. The Winter Garden is very damaged and poses a risk in windy weather. Its position in a private garden means that it is not readily open to public view and it seems that there is little to be gained by insisting that the present owner engages in a very expensive restoration.

Sheila Glass
Chairman Ramsbury & Axford Parish Council

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WILTSHIRE COUNCIL

POST REPORT REPRESENTATIONS

PLANNING SERVICES GROUP

DATE: 11th October 2012

EASTERN AREA COMMITTEE

Agenda No. Application No.	Location		To be commented
6a E/2011/1152/LBC	Baydon Manor, Marridge Hill, Ramsbury, Wilts, SN8 2HG	Letter from Applicant – Mr Stibbard 09.10.12	X
6b E/2012/0854/LBC	7 The Green, Aldbourne, SN8 2BW	Letter of Representation – Peter Lawler 09.10.12	X
		Letter of Representation – Cllr Howard 10.10.12	X
		Letter from Agent – Paul Oakley 10.10.12	X
		Letter and Appendices from Agent – Paul Oakley 10.10.12	X
6c E/2012/1047/OUT	Dairy House, Puckshipton, Beechingstoke, Pewsey, SN9 6HG	Beechingstoke Parish Council Comments – 27.09.12	X
		Letter of Representation – Skybury Rare Breeds 25.09.12	X
		Letter of Representation – W J Giddings 25.09.12	X

6d E/2012/0923/FUL	Bridewell Street (A4), Marlborough, Wilts	Marlborough Town Council Comments – 01.10.12	X
6e E/2012/1121/LBC	Bridewell Street (A4), Marlborough, Wilts	Marlborough Town Council Comments – 01.10.12 WAHNS & CBA comments – 09.10.12	X X

EASTERN AREA PLANNING COMMITTEE

INDEX OF APPLICATIONS ON 01/11/2012

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
6a	E/2012/0361/OUT	Land at Zouch Manor, Tidworth	Residential development (up to 100 dwellings) including infrastructure, ancillary facilities, open space and landscaping. Demolition of existing buildings on site. Construction of new vehicular accesses from A338, Zouch Farm Road and Nepal Road.	Permission
6b	E/2012/0786/FUL	Burbage Wharf, Burbage, Marlborough SN8 3BJ	The demolition of 6 redundant buildings; the erection of 5 houses accessed off a tarmac driveway; the provision of a new garage for Wharf House; the internal rearrangement of existing cottages (retaining 3 residential units in a different layout); works associated with the above.	Refusal

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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting:	1 st November 2012	
Application Number:	E/2012/0361/OUT	
Site Address:	Land at Zouch Manor, Tidworth	
Proposal:	Residential development (up to 100 dwellings) including infrastructure, ancillary facilities, open space and landscaping. Demolition of existing buildings on site. Construction of new vehicular accesses from A338, Zouch Farm Road and Nepaul Road	
Applicant/Agent:	Robert Hitchins Limited	
Parish:	Tidworth	
Grid Reference:	Easting: 423340	Northing: 149186
Type of Application:	Major	
Conservation Area:	Cons Area: No	LB Grade: N/A
Case Officer:	Charlie Bruce-White	Contact Number: 01722 434682

Reason for the application being considered by Committee:

Cllr Mark Connolly has called in the application due to the scale of development, relationship with adjoining properties and highway impact.

1. Purpose of report

To consider the above application and to recommend to Members that planning permission be APPROVED subject to conditions and the completion of a s.106 legal agreement.

2. Report summary

The main issues in the consideration on this application are as follows:

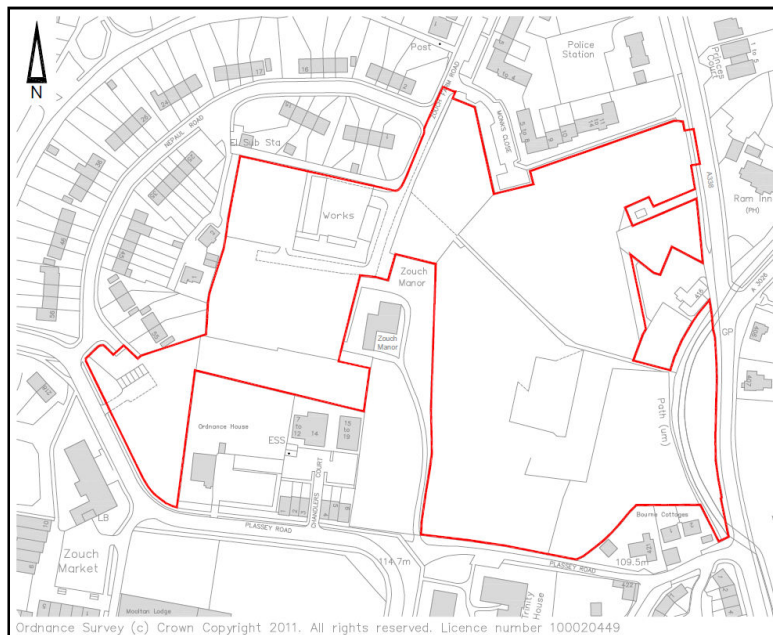
1. The principle of development;
2. Character and appearance of the area;
3. Amenities of adjoining and nearby property;
4. Highways considerations;
5. Affordable housing;
6. Recreational open space, education and community infrastructure;
7. Ecology;
8. Flood risk and drainage;
9. Land contamination and water quality;
10. Archaeology.

The application has generated support from Tidworth Town Council, 10 letters of objection and 1 letter of support from the public.

3. Site Description

The application relates to approximately 3.8 ha of land situated reasonably centrally within Tidworth, and is inside the Limits of Development as defined within the Local Plan. The land currently comprises vacant green space that is privately owned, having the general appearance of pasture, with the exception of a parcel of former light industrial buildings, including derelict traditional farm buildings, and a row of disused garages to the west of the site. The site contains a number of individual trees and groups of trees that are protected by Tree Preservation Orders (TPOs). The site has frontages notably onto the A338, Plassey Road, and Nepaul Road, where it is bounded by the main road through the town and existing residential development. A parcel of land, including Zouch Manor and several other residential properties, project into the site almost dividing the site into two areas east and west (see plan below). Two public footpaths run through

the site, one running parallel to the A338 and the other intersecting the site east to west. The River Bourne passes through the easternmost end of the site, with the land adjacent being situated within Flood Zones 2 and 3. The site rises continuously from this point to the west, so that most of the site is within Flood Zone 1.



4. Relevant Planning History

None relevant.

5. Proposal

Outline consent is sought for up to 100 dwellings, including infrastructure, ancillary facilities, open space and landscaping. It is also proposed to construct new vehicular accesses onto the A338, Zouch Farm Road and Nepaul Road. The existing buildings on site would be demolished.

The scale, appearance and layout of the buildings, as well as the landscaping of the site, are 'reserved' and these details will therefore be agreed through a subsequent reserved matters application. The application therefore seeks consent for the principle of up to 100 dwellings and the details of its access.



6. Planning Policy

- Local Plan: policies PD1 (development & design), HC1 (strategic housing provision), HC5 (net housing density), HC7 (housing layout), HC28 (affordable housing target), HC29 (definition of affordable housing), HC30 (affordable housing on large sites), HC31 (integration of affordable housing), HC34 (recreation provision on large sites), HC37 (demand for education), HC42 (additional social and community needs), AT1 (transport appraisal process), AT9 (motor vehicle parking standards), AT10 (developer contributions), NR4 (nature conservation outside designated sites), HH1 (protection of archaeological remains).
- Supplementary Planning Guidance: *Community Benefits from Planning*
- Wiltshire Local Transport Plan: Car Parking Strategy
- Emerging policy: Draft Wiltshire Core Strategy core policies 1, 2, 3, 26, 41, 43, 45, 50, 52, 56, 57, 58, 60, 61, 62, 64, 67.
- National Planning Policy Framework (NPPF)

7. Consultations

Tidworth Town Council	Support but comment that dwellings opposite Monks Close should be no higher than 2 story, and trust that existing public facilities/utilities will not be overburdened.
Highways Officer	No objection subject to amended plans; conditions regarding site accesses, the public right of way and a travel plan; and a s.106 legal agreement to secure off-site highway and public transport improvements.
Conservation Officer	No objection subject to conditions securing the implementation of a programme of recording for the remaining historic buildings in the former Zouch Farm complex, to the upgrading of the hedge boundary to the rear of Thatchwell Cottage, and to further consideration being given to the layout to the north-west of Thatchwell Cottage.
Tree Officer	No objection subject to conditions securing protection measures for retained trees and further details of new landscaping.
Archaeologist	No objection subject to condition securing an archaeological watching brief during construction.
Public Protection	No objection subject to condition securing land contamination remedial works.
Environmental Health	No objection.
Environment Agency	No objection subject to conditions securing details of finished floor levels, surface water drainage, construction environmental management plan, water efficiency measures and land contamination remediation.
Drainage Engineer	No objection subject to condition to secure detailed design and calculations for drainage at later design stage.
Wessex Water	No objection subject to conditions securing details of foul and surface water drainage.

Veolia Water	No objection subject to condition securing details of unadoptable foul drains.
Ecologist	No objection subject to conditions / s.106 agreement securing a construction method statement, an ecological management plan, and a financial contribution towards the Wessex Stone Curlew Project.
Natural England	No objection subject to s.106 agreement securing a financial contribution towards the Wessex Stone Curlew Project. Make several recommendations for biodiversity enhancement opportunities within the development.
Housing Officer	No objection subject to 25% affordable housing provision.
Education Officer	No objection subject to s.106 agreement securing a financial contribution towards additional school places at Zouch Primary and Wellington Academy.
Open Space Officer	No objection subject to s.106 agreement securing on-site recreation facilities and off-site financial contribution towards sports pitches.

8. Publicity

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

10 letters of objection/concern were received. Summary of reasons include:

- Density of development too high.
- Loss of important open area would be detrimental to settlement character and amenity.
- Loss of privacy to adjacent neighbouring property.
- Loss of light to adjacent neighbouring property.
- Increased noise and disturbance to adjacent neighbouring property.
- Insufficient parking, which could exacerbate on-street parking problems for existing nearby residents. Parking for the development should be provided in accordance with the Wiltshire Car Parking Strategy.
- The tertiary access onto Nepal Road could be detrimental to existing occupants who use this area to park, unless alternative arrangements are made.
- Increase in traffic on the local highway.
- The creation of the footpath/alleyway leading onto Nepal Road could cause anti-social behaviour.
- Access needs to be maintained for the private road to the rear of 1-7 Nepal Road.
- The rear access to Zouch Manor should be retained for emergency vehicles.
- Adequate surface water drainage needs to be provided to reduce the risk of flooding.
- The final details should ensure that appropriate landscaping, design and building heights are secured, to integrate the development with the surrounding area, particularly historic buildings on Plassey Road.
- The former farm buildings which are of historic interest should be retained in any development of the site.
- Affordable housing is not appropriately integrated with market housing.
- 40-50% affordable housing should be provided rather than 25%.
- Development poses a threat to the remaining trees on the site which are now protected.
- Loss of wildlife habitat and plant flora.
- Impact upon bats that may be roosting within the cob barn.
- Development poses a risk of spreading Japanese knotweed.
- Increased pressure on existing services and utilities.
- Residential development is unnecessary given other house building in Tidworth.
- Hours of construction should be controlled.

- Access to existing adjacent property should be maintained during construction.

1 letter of support was received. Summary of reasons include:

- Additional housing in the town is welcomed.

The RSPB commented that the final scheme should incorporate nest boxes into the development.

9. Planning Considerations

9.1 The principle of development

Local Plan policy HC1 seeks to concentrate development within the main settlements of the plan area, which includes Tidworth, and the proposal is consistent with national policy (the NPPF) and emerging local policy (the draft Wiltshire Core Strategy) which seek to focus significant development in locations which are sustainable.

9.2 Character and appearance of the area

Local Plan policy PD1 is relevant, in that it sets the criteria for achieving high standards of design, and the main aspects relevant to the character and appearance of the area are considered in summary below.

Density and layout

Local Plan policy HC5 states that the net density of residential development on large sites should be at least 30 dwellings per hectare. Although currently adopted local policy, the Government requirement to build to such prescribed minimum densities has now been removed from national policy, with the NPPF stating that local authorities may set out their own approach to housing density to reflect local circumstances. Nevertheless, both the NPPF and the draft Wiltshire Core Strategy encourage the efficient and effective use of land, with the latter seeking to balance this against the characteristics of the site and the local context (Core Policy 57).

The density of the proposed development at 100 dwellings would be approximately 26 dwellings per hectare, which is less than that required by the Local Plan. However, this is not necessarily unacceptable given the advice contained within the NPPF and the developing policies of the draft Core Strategy. The site predominantly comprises a large open green space, and therefore the retention of elements of this space is considered appropriate. The submitted Indicative Masterplan illustrates such an approach, allocating a reasonably large part of the eastern end of the site, adjacent and parallel to the A338, as undeveloped open space. Another area of open space would be provided to the front of Zouch Manor, to help retain views of this prominent landmark building. In addition, the masterplan illustrates several smaller areas of open space spread throughout the built up parts of the development, which provide for the retention of existing trees. The Council's Tree Officer raises no objection to the principle of development, subject to adequate protection measures for existing trees during construction, and the submission of a detailed landscaping plan to include additional new planting.

Site frontage from A338



The masterplan also illustrates a varied approach to density throughout the site, in response to the context of surrounding development. The lowest density of housing development is

provided adjacent to Plassey Road, where it would relate to the lower density and more informal layout of existing development within this historic part of the settlement, as well as the larger areas of open space adjacent to the A338 and to the front of Zouch Manor. Higher density would be provided to the west of the site, where it would relate to the higher density and more formal layout of development that exists on Nepal Road. In the view of Officers, such a design concept and approach to density is considered to be acceptable, since it would make effective use of the land whilst responding to the characteristics of the site and its local context.

The layout illustrated would involve a diversion to parts of the public footpath that runs east to west through the site. However, the Highways Officer raises no objection to this in principle, although any such diversion would need to be agreed separately through an official Diversion Order, and a condition is recommended to prevent any obstruction to the public footpath until such an Order is approved. It is noted that the footpath diversion as illustrated would create a moderately more onerous route than existing, although pedestrian connectivity through the site would be increased overall by virtue of additional new footways, providing convenient access to surrounding facilities for both existing and future residents.



Building design, scale and height

The application contains relatively limited information on these matters, principally because they are reserved for a subsequent application. However, indicative details state that the dwellings would vary from 2 to 3 stories in height, with the dwellings within the lower density area to the east of the site limited to 2 and 2.5 stories. The details also clarify that the higher density area would also predominantly be 2 stories and 2.5 stories, with 3 stories only being occasional. Officers agree with this approach, although note that the location of the 3 stories dwellings would need to be carefully considered at the detailed design stage to ensure successful integration of the development with the surrounding area.

Affect upon setting of adjacent listed buildings and loss of undesignated traditional farm buildings

The Council's Conservation Officer concludes that the development is unlikely to affect the setting of significant heritage assets, subject to the appropriate treatment of the development where it abuts the boundary of the listed Thatchwell Cottage. On the proposed indicative

layout, the Conservation Officer recommends appropriate planting and minor amendments to the orientation and location of the nearest proposed dwelling. This is a matter which is considered can be adequately secured at the reserved matters stage, and an informative shall be included within the decision notice to ensure any future developer/applicant is aware of this requirement.

View of Thatchwell Cottage from within site



Cob barn to be demolished



With regards to the loss of the existing farm buildings, which include historic farm buildings constructed of cob, brick and timber, the Conservation Officer comments that the fragmentary state of the remaining buildings and their current condition significantly limit their interest and their capacity for incorporation into any potential scheme. As a result no objection is raised to their proposed demolition, subject to a condition being imposed to secure a historical survey and recording of the buildings.

9.3 Amenities of adjoining and nearby property

The development would abut existing residential development on several sides. However, it is considered that, on the whole, the indicative layout shows a reasonable relationship between proposed and existing dwellings, subject to the final agreement of details such as the heights of buildings, internal layouts including positioning of windows, and appropriate landscaping to the site boundaries. Such details would be agreed through a subsequent reserved matters application, where the local planning authority would have the control to ensure, for instance, that the height of new dwellings is not excessive where they are closest to existing residential development.

There are a few exceptions to the indicative layout, however, where Officers would like to see a greater degree of separation between proposed development and existing dwellings. For instance, the proximity of the proposed terrace of three dwellings to the south of 11-14 Monks Close; the proposed terrace of five dwellings and associated parking area to the east of 1 Chestnut, Nepal Road; and the proposed detached dwelling to the north of 15-19 Chandlers Court. However, it is considered that there is adequate scope and space within the site to adjust the siting of these elements within a reserved matters application, and on this basis it is considered that the submitted outline application is acceptable.

11-14 Monk Close

1 Chestnut



9.4 Highways considerations

Amended plans have been submitted to overcome initial concerns of the Highways Officer. Notably this included the provision of an additional 4 off-street car parking spaces to be allocated to those existing residents of Nepal Road where the tertiary access to the proposed development would remove existing on-street parking. Other amendments related to more technical matters, such as widening and resurfacing particular sections of the site access and carriageway. On the basis of the amended plans the Highways Officer has no objection to the proposed development in highway safety terms.

Proposed tertiary access onto Nepal Road



The Highways Officer has also detailed various off-site highway improvements and other measures to mitigate the potential impacts of the proposed development. Notably this includes financial contributions towards upgrading the Pennings Road zebra crossing and public transport within the locality.

9.5 Affordable housing

Local Plan policy H30 states that the local planning authority will seek to negotiate about a 30% 'subsidised' affordable housing contribution and a 20% low cost market housing contribution on appropriate unforeseen housing sites subject to evidence of local housing need supporting this level of provision and individual site characteristics.

The applicant has submitted a viability appraisal, which sets out all financial data in connection with implementing the planning consent, including land and construction costs, infrastructure, s.106 contributions, other associated costs and anticipated sales income. The appraisal suggests that an affordable housing contribution of 25% is possible without the addition of subsidy, and the data provided has been checked and verified by Officers. The NPPF requires that Councils take account of scheme viability in seeking planning contributions. It is therefore recommended that an affordable housing contribution of 25% is accepted based upon the tenure type and dwelling mix detailed within the appraisal document. The Housing Officer advises that this acceptance be subject to a requirement that:-

- The affordable dwellings meet the necessary design and quality and all other necessary standards required by a Registered Provider.
- Any subsequent amendment or planning application which results in a variation of the currently proposed dwelling type and/or tenure type mix would require the submission of a further viability appraisal which may be subject to further negotiation.

The above measures can be secured within a s.106 agreement.

9.6 Recreational open space, education and community infrastructure

The applicant has agreed to enter into a s.106 legal agreement to provide the necessary on and off-site recreational facilities and other infrastructure requirements generated by the proposed development. Notably this includes provision towards 28 primary and 20 secondary school places and a new community centre.

9.7 Ecology

The Council's Ecologist comments that the site is currently of limited ecological value, particularly since an area of mature trees was cleared prior to submitting the application. However, remaining features of recognised value include:

- Buildings to the north of the site which support small bat roosts; it is proposed that mitigation features would be included in the detailed scheme and the Council Ecologist is satisfied that this could be satisfactorily addressed at the reserved matters stage or through an Ecological Management Plan (EMP) condition;
- The site is known to support a number of bird species; it is proposed to erect a number of bird boxes for these species, which could be secured through an EMP;
- The River Bourne (which flows into the River Avon Special Area of Conservation) is also present in the eastern edge of the site; this feature would be retained within the sizeable green area of the site, and therefore construction impacts could be avoided subject to the provision of a Construction Environmental Method Statement.

The Council Ecologist also notes that broad recommendations are made within the submitted ecological assessment to improve the ecological value of retained areas of green space, and details of these could be agreed and secured through an EMP, which would be expected to also include measures to maintain and enhance the River Bourne corridor area.

River Bourne corridor



The site is also within 1km of the Salisbury Plain Special Protection Area (SPA) and could impact upon this designated area through increased recreational impacts; the Heads of Terms for the s.106 include a payment to deal with these impacts in accordance with the Council's mitigation strategy and the Council Ecologist confirms that the development would have no likely significant effects upon the SPA subject to securing this payment through the s.106 agreement. Natural England confirm no objection and concur that the development would not be likely to have a significant effect on the Salisbury Plain SPA subject to the appropriate s.106 contribution

9.8 Flood risk and drainage

The applicant has submitted a Flood Risk Assessment & Drainage Strategy, and the Environment Agency comment that they are pleased to see that the masterplan illustrates that all proposed built development is sited outside of the future Flood Zone 3, and that the lowest finished floor level of any dwelling is proposed to be 770mm above the future 1 in 100 year flood level. The Environment Agency also comment that they are pleased to see the extensive use of soakaways across the site, and that the proposed surface water management scheme meets the requirements of the NPPF with regards to coping with a 100 year event plus 30% uplift for climate change. The Council's Drainage & Flooding Engineer also confirms no objection.

With regards to water supply and foul drainage, Wessex Water and Veolia Water raise no objection subject to conditions relating to the detailed agreement of connection points and necessary upgrading works to a Wessex Water pumping station.

9.9 Land contamination and water quality

The Council's Public Protection Officer considers the site to be at low risk of being contaminated, but given the scale of development recommends a precautionary approach and that approval is granted subject to a condition requiring further details of remedial works as indicated by the applicant's submitted Geotechnical Design Report.

The Environment Agency note that the site falls within a groundwater Source Protection Zone 1 (SPZ1). This is a zone of protection surrounding a nearby drinking water borehole, which is vulnerable to pollution, and therefore requires careful protection from contamination. The Environment Agency have reviewed the submitted Geotechnical Design Report and note the conclusion of the controlled waters risk assessment section that states there is low risk to groundwater and surface water. The Environment Agency therefore raise no objection subject

to a condition requiring a Construction Environmental Management Plan, incorporating pollution prevention measures.

9.10 Archaeology

The Council Archaeologist comments that the site has recently received an archaeological evaluation and the findings of the resulting report confirmed that there are significant archaeological remains, mostly associated with the post-medieval and possible late medieval manor houses and their estates. Further mitigation is therefore required in the form of targeted archaeological excavation with probable post-excavation assessment and an archaeological watching brief in certain areas. The main objective of this is to preserve the past site history in record form, including a possible visual reconstruction of the incarnation(s) of the site. There is scope for a full post-excavation assessment and the potential for publication, to include a visual interpretation. It is therefore important to secure a planning condition which ensures delivery of the above.

10. Conclusion

The residential development would be acceptable in principle, falling within the boundaries of a main settlement, and the proposed density of development would make effective use of the land whilst being able to respond to the key characteristics of the site and surrounding area. Subject to conditions, the proposed means of access to the site would be acceptable in highway safety terms and the development would not have a significant effect upon the highway network. The indicative layout demonstrates a generally acceptable townscape and relationship with neighbouring dwellings subject to the further approval of detailed matters relating to scale, design and landscaping. Subject to conditions there would be no significant adverse impacts in terms of ecology, the environment, archaeology or public health. An appropriate level of affordable housing would be provided on site, having regard to viability considerations, and appropriate provision has been secured towards off-site recreational open space and other necessary community infrastructure improvements.

11. Recommendation

That subject to the applicant entering into a s.106 legal agreement to secure:

- **The provision of 25% affordable housing on site;**
- **The provision of on-site recreational space;**
- **Financial contributions towards primary & secondary education, a new community centre, highway infrastructure improvements and public transport, sports pitches, waste & recycling bins for the development, and the Wessex Stone Curlew Project.**

Planning Permission be GRANTED for the following reason:

The residential development would be acceptable in principle, falling within the boundaries of a main settlement, and the proposed density of development would make effective use of the land whilst being able to respond to the key characteristics of the site and surrounding area. Subject to conditions, the proposed means of access to the site would be acceptable in highway safety terms and the development would not have a significant effect upon the highway network. The indicative layout demonstrates a generally acceptable townscape and relationship with neighbouring dwellings subject to the further approval of detailed matters relating to scale, design and landscaping. Subject to conditions there would be no significant adverse impacts in terms of ecology, the environment, archaeology or public health. An appropriate level of affordable housing would be provided on site, having regard to viability considerations, and appropriate provision has been secured towards off-site recreational open space and other necessary community infrastructure improvements. The proposal would therefore accord with the aims and objectives of the development plan and other Government guidance, having particular regard to saved policies

PD1, HC1, HC5, HC7, HC28, HC19, HC30, HC31, HC34, HC37, HC42, AT1, AT9, AT10, NR4, HH1 of the Kennet Local Plan and the NPPF.

And subject to the following conditions:

- 1) Approval of the details of the Scale and Appearance of the buildings, Layout and Landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory Purchase Act 2004.

- 2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the Scale and Appearance of the buildings, Layout and Landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory Purchase Act 2004.

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

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory Purchase Act 2004.

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

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory Purchase Act 2004.

- 5) The access details of the development shall only be undertaken in accordance with the following approved plans:

Plan Ref. H406/3 Rev B received on 28.06.12

Plan Ref. H406/4 Rev E received on 28.06.12

Plan Ref. H406/5 Rev A received on 03.04.12

REASON: For the avoidance of doubt.

- 6) The landscaping approved as part of the reserved matters shall be carried out in the first planting and seeding season following the occupation of the dwellings 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.

Policy: PD1

- 7) No development shall commence on site until the trees on the site to be retained have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): 'Trees in relation to design, demolition and construction – Recommendations'. Before the fence is erected its type and position shall be approved by the Local Planning Authority in writing 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 area(s) unless otherwise agreed in writing by the Local Planning Authority.

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

Policy: PD1

- 8) No development shall commence within the Root Protection Area of any retained trees (as shown within drawing number 28.38.01, Tree King Consulting – December 2011) until details of the existing and proposed service routes (including drainage, sewerage, water, gas, electricity and telecommunications) and details of any other proposed construction works within the Root Protection Area have been submitted to and approved by the Local Planning Authority together with a method statement demonstrating how the trees will not be adversely affected by the proposed works. All works within the Root Protection Areas shall be carried out in accordance with the agreed details.

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

Policy: PD1

- 9) No works shall be carried out which will obstruct the route of North Tidworth footpath no.2 until an official Footpath Diversion Order has been obtained.

REASON: To ensure that the legal route of North Tidworth footpath is not obstructed, and adequate provision is made for its diversion if necessary.

Policy: PD1, HC7

- 10) No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

Policy: PD1

- 11) The details approved pursuant to Condition 2 shall ensure that the layout of the road from the approved tertiary access (Nepaul Road) is of a type, width and layout that will accommodate a minimum of four on-street parking spaces.

REASON: In the interests of highway safety and to replace the spaces lost at the end of the existing highway by its extension into the site.

Policy: PD1

- 12) Within 3 weeks of the commencement of the development the Advance Direction Sign at the site entrance from Pennings Road shall have been relocated using the same or similar new traffic sign posts to a new position as detailed on drawing H406/3 Rev B dated February 2012.

REASON: In the interests of highways safety.

Policy: PD1

- 13) The primary access point onto the A338 shall be formed and made ready for use prior to the other site access points, and shall be used as the primary access for construction traffic and contractors' vehicles.

REASON: In the interests of highways safety and residential amenity.

Policy: PD1

- 14) Construction traffic and contractors' vehicles shall not access or egress the site via Zouch Farm Road, unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of highways safety and residential amenity.

Policy: PD1

- 15) No development shall commence on site until full details of the land contamination remedial works (as indicated by the Wilson Associates Geotechnical Design Report reference 3399/2) have been submitted to the Local Planning Authority and approved in writing. The remedial works shall be implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the residential use of the site.

Policy: PD1

- 16) No development shall commence on site until details of the finished floor levels of the dwellings, to be set no lower than 110m above Ordnance Datum in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by Phoenix Design

Partnership Limited (March 2012), have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

Policy: NPPF (Chapter 10)

- 17) No development shall commence on site until a detailed surface water drainage scheme for the site, based upon the principles contained within the Flood Risk Assessment and Drainage Strategy prepared by Phoenix Design Partnership Limited (March 2012), demonstrating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details shall also include specification of how the scheme shall be managed and maintained in perpetuity after completion.

REASON: To prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.

Policy: NPPF (Chapter 10)

- 18) No development shall commence on site until a detailed foul drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details on the layout and build standard of individual drains and their connection points, and a 'scheme of works' for the works associated with the 'RAM' pumping station, including details of a construction programme and timetable for implementation. The foul drainage scheme shall be constructed in accordance with the approved details and timetable for implementation.

REASON: To ensure that proper provision is made for sewerage of the site and that in the interests of public health and to protect the environment the development does not increase the risk of sewer flooding to downstream property.

Policy: PD1

- 19) No development shall commence on site until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment.

Policy: PD1

- 20) No development shall commence on site until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that a minimum of Code for Sustainable Homes level 3 is achieved for all new dwellings in respect of water efficiency measures. The scheme shall be implemented in accordance with the agreed details before the first occupation of the development.

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

Policy: PD1

21) No development shall commence on site until an Ecological Management Plan for the site has been submitted to and agreed in writing by the Local Planning Authority. The Plan shall include a timetable for implementation and the following biodiversity enhancement measures: areas to be planted with species-rich grassland and native woody planting; provisions for nesting birds, bats and invertebrates; and management of the River Bourne corridor to secure enhancement of habitats for riparian and other corridor species. The approved Plan shall be carried out in accordance with the agreed details.

REASON: In the interests of biodiversity.

Policy: NR4, NPPF (Chapter 11)

22) No development shall commence on site until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

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

Policy: HH1

23) No development shall commence on site until an appropriate programme of building recording (including architectural/historical analysis) has been carried out in respect of those buildings at the former Zouch Farm complex identified as being of historic interest within the submitted Heritage Statement (CgMs, March 2012). This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

REASON: To secure the proper recording of heritage assets.

Policy: PD1, NPPF (Chapter 12)

24) No demolition or construction works shall take place outside the hours of 0730 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays & Banks Holidays.

REASON: In the interests of neighbouring amenity.

Policy: PD1

INFORMATIVES:-

Condition 2 – Layout and impact upon setting of Thatchwell Cottage

Although the enhancement of the existing hedge to Bourne (Thatchwell) Cottage is welcomed (as illustrated within the MHP Landscape Plan) it is considered that, for the final scheme to be acceptable in terms of the setting of this listed building, amendments will be required to the orientation and location of the nearest proposed dwelling (as illustrated within the Indicative Masterplan). For further advice please contact the Council's Conservation Officer (Helen Garside, tel: 01380 734878).

Condition 2 – Layout and impact upon amenities of existing neighbouring properties

Should the housing layout of the final scheme be generally based upon the Indicative Masterplan, it is considered that for the scheme to be acceptable a greater degree of physical separation will be necessary between the following proposed and existing buildings: the proposed terrace of three dwellings to the south of 11-14 Monks Close; the proposed terrace of five dwellings and associated parking area to the east of 1 Chestnut, Nepal Road; and the proposed detached dwelling to the north of 15-19 Chandlers Court.

Condition 16 - Surface water drainage

The Environment Agency expect to see the following details when discharging the surface water drainage condition:

- A clearly labelled drainage layout plan showing the pipe networks and (where appropriate) any attenuation ponds, soakaways, drainage storage tanks etc. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes;
- A manhole schedule;
- Model runs to demonstrate that the critical storm duration is being used;
- Confirmation of the agreed discharge rate (where appropriate), with any flow control devices indicated on the plan with the rate of discharge stated;
- Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event including climate change allowance; • If there is any surcharge and flooding from the system up to the design event, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained on the site and must not reach unsafe depths on site;
- A 30% allowance for climate change should be incorporated into the scheme in accordance with PPS25;
- Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- Specification of how the scheme will be maintained and managed after completion.

Existing surface water drainage systems

There must be no interruption to the existing surface water drainage systems of the surrounding land as a result of operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively throughout all phases of construction, and that riverbank (riparian) owners upstream and downstream of the site are not adversely affected.

Water Resources Act 1991 and the Land Drainage Byelaws

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed permanent or temporary works or structures in, under, over or within 8 metres of the top of the bank of the River Bourne, designated a 'main river' at this location. The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact Daniel Griffin on 01258 483351.

We are reliant on the accuracy and completeness of the FRA in undertaking our review, and can take no responsibility for incorrect/inadequate data or interpretation made by the authors. Our response does not constitute approval of those details or calculations nor do they constitute our consent or approval that may be required under any other statutory provision, byelaw, order or regulation. The responsibility for the FRA and proposal details and calculations remains with the developer or his agents. Flood risk cannot be eliminated and is expected to increase over time as a

result of climate change and our response does not absolve the developer of his responsibility to ensure a safe development.

Condition 18 - Pollution prevention during construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compound
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

Condition 19 - Water efficiency measures

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Any submitted scheme should include detailed information (capacities, consumption rates etc) on proposed water saving measures. Please do not include manufacturer's specifications. Applicants are advised to refer to the following for further guidance:

<http://www.environment-agency.gov.uk/homeandleisure/drought/138319.aspx>
<http://www.savewatersavemoney.co.uk/>

Public right of way

The developer should be informed that the rights of public footpath users must be safeguarded and that temporary closure of the public footpaths crossing of the site is likely to be required during construction.

Parking standards

The submitted Transport Assessment refers to the Council's superseded maximum parking standards at section 5.8. The applicants should be informed that the current minimum residential parking standards will be applied to any reserved matters application for detailed layout including the requirement for visitor parking at the rate of at least 1 space per 5 dwellings.

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	1 st November 2012
Application Number	E/2012/0786/FUL
Site Address	Burbage Wharf, Burbage, Marlborough SN8 3BJ
Proposal	The demolition of 6 redundant buildings; the erection of 5 houses accessed off a tarmac driveway; the provision of a new garage for Wharf House; the internal rearrangement of existing cottages (retaining 3 residential units in a different layout); works associated with the above.
Applicant	Mr Ian Booth
Town/Parish Council	BURBAGE
Grid Ref	422378 163517
Type of application	Full Planning
Case Officer	Rachel Yeomans

Reason for the application being considered by Committee

This application has been called to committee at the request of the Division Member, Councillor Wheeler following support of the application by the parish council.

1. Purpose of Report

To consider the officer recommendation that the proposal be refused planning permission.

2. Report Summary

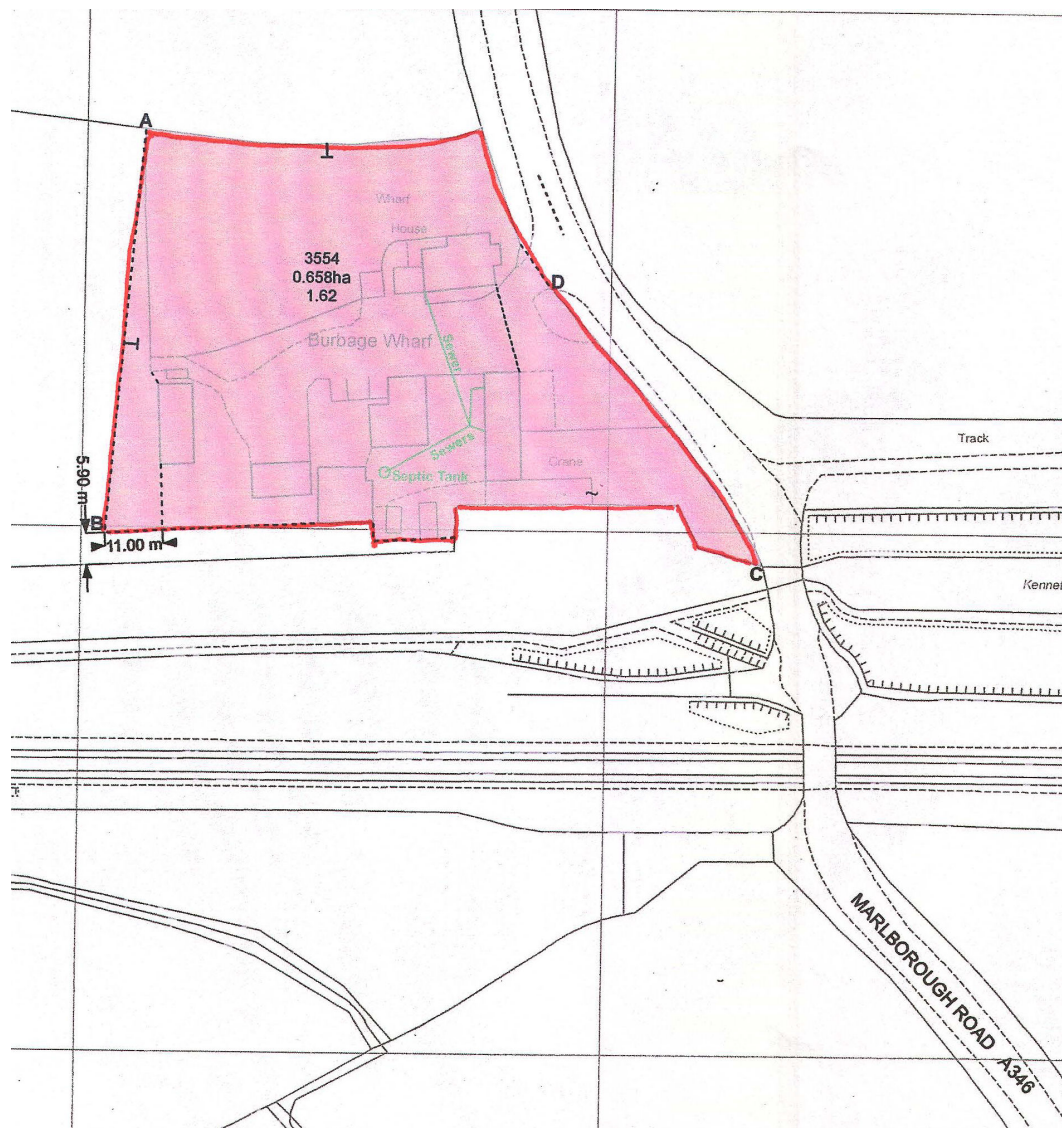
The key issues for consideration are:

- The principle of residential development in this location;
- Whether the proposals will preserve the setting of listed buildings and other non-designated heritage assets;
- Impact on visual amenity, the AONB landscape, trees and the Kennet and Avon canal;
- Highway safety;
- Impact on residential amenity;
- The lack of affordable housing;
- Impact on protect species and their habitats;
- Recreation space.

3. Site Description

The application site lies adjacent to the Kennet & Avon Canal approximately 2 miles north of the village of Burbage, with access from the A346. It is currently occupied by a terrace of three cottages, a Grade II listed crane and a detached Grade II listed Wharf Master's House along with a range of outbuildings in various states of repair, mainly situated to the south / west of the site. There are large areas of hardstanding, grassed areas and trees and shrubs particularly to the western boundary with open countryside beyond and to the south, which partially screen the outbuildings from the canal.

The site can be accessed by proceeding south from the A4 London Road in Marlborough onto the A346 towards Burbage. Proceed for approximately 4 miles, through the village of Cadley. The site can be found just before the canal bridge on the right hand side.



Site Location Plan

4. Planning History

There is no planning history relevant to the consideration of this application. However, it is important to note that pre-application advice was sought by the current applicant prior to his purchase of the site. At that time, he was advised by officers that the proposal was contrary to planning policy and did not represent sustainable development by virtue of the site's remote countryside location. Additional concerns were also raised regarding a number of issues including the impact of the proposal upon heritage assets (including the listed buildings on site) and highway safety.

5. The Proposal

The application proposes the rearrangement of the terrace of three to provide three dwellings, the demolition of all the commercial buildings with the exception of one shed and the erection of five large detached dwellings.



6. Planning Policy

The following planning policies are relevant to this proposal:

The National Planning Policy Framework, with particular reference to:

- Chapter 6: Delivering a wide choice of high quality homes
- Chapter 7: Requiring good design
- Chapter 11: Conserving and enhancing the natural environment
- Chapter 12: Conserving and enhancing the historic environment

The requirement for sustainable development is the 'golden thread' running throughout the NPPF.

Policy DP1 of the adopted Wiltshire and Swindon Structure Plan 2016.

Policies HC26, HC32, HC35, NR6 and NR7 of the adopted Kennet Local Plan 2011.

The emerging Wiltshire Core Strategy is a material consideration, having now been deposited with the Planning Inspectorate, but as this has not yet been through Examination in Public, it cannot currently be afforded significant weight. Within the document, Core Policies 1, 2, 43, 45, 57, 58 and 60 are relevant.

7. Consultations

Burbage Parish Council – Support the application as it would represent a massive improvement to this dilapidated site. The PC recognise that the site lies outside of the Development Envelope but consider that this is an exceptional case. It already has the footprint of existing building and is therefore a brownfield site. Development would be within the boundaries of the site and no new land would be required. The PC consider Burbage Wharf should be considered a hamlet, similar to Durley etc and permission be granted. [Note from planning case officer: new development of this scale would not be acceptable in principle in hamlets either.]

Wiltshire Council Highways – Object to the proposal on sustainability grounds and the fact the site does not provide safe and convenient access for pedestrians.

Wiltshire Council Ecologist - Would have concerns if the proposals affect the loft space in the existing terrace. [From the plans, it does not appear that this is the case so this could be covered by a planning condition in the event that planning permission is forthcoming.]

Wiltshire Council Conservation Officer – Provides lengthy discussion in terms of the merits of the existing site and expresses significant concerns about the design concept which would appear as a cul-de-sac of modern executive homes which pay no regard to the historic legacy of the site and would completely dominate listed buildings and other heritage assets, completely altering the character of the site to its detriment. See full comments for details.

AONB Officer – Objects to the application. The proposal has no planning policy support being in the open countryside of the protected landscape of the AONB. The NPPF confirms great weight should be given to the AONB status, which gives the highest level of landscape protection. The proposed development would change the character and qualities of this historic canal side site so that it appears as a housing development with little connection to its former use. The proposal will fail to preserve or enhance the character and qualities of the AONB contrary to the requirements of the CRoW Act 2000.

Canal and Rivers Trust – consulted late and provide initial comments relating to concerns over the visual impact on the Kennet and Avon Canal. This is not just the impact on historic canal side buildings but also the canal itself. Dwellings are proposed to turn their back on the canal, which is particularly poor and likely to result in domestic paraphernalia and features fronting onto the canal. CRT must consider the need for facilities adjacent the canal and whether the redevelopment of the wharf would result in the loss of further opportunities. The impact on canal related structures which may be damaged or affected by the proposal also needs to be considered.

Wiltshire Council New Housing Team - Notes that the site does not appear to relate to any existing settlement, so cannot comment upon its suitability for any form of residential development. However, if the site were considered to be suitable then Policy HC32 – Affordable Housing Contributions in Rural Areas (Kennet Local Plan 2011 – Saved) would currently apply. HC32 requires the equivalent provision of affordable to market housing, subject to evidence of local housing need. Looking at Wiltshire Housing Register data alone, seven households with a local connection to the area are seeking affordable accommodation. It may also be appropriate to undertake a housing needs survey in order to provide a more detailed picture of demand. Based upon the proposal for five new dwellings, two of these should therefore be affordable and designed to a standard which would meet the requirements of a Registered Provider.

[The above policy will be superseded by those of the emerging Wiltshire Core Strategy at a later date. Under the Core Strategy the requirement would be for a 40% contribution of affordable housing; this would also amount to two dwellings.]

8. Publicity

This application has been advertised by way of a site notice, an advertisement in the local press and via letter to the parish council.

One letter of support has been received from a Marlborough resident expressing concern over the run down appearance of the site. The supporter hopes the Council can work with the proposal to make it happen and does not believe anyone would want the site to remain as it is.

9. Planning Considerations

The application proposes the rearrangement of the terrace of three to provide three dwellings, the demolition of all the commercial buildings with the exception of one shed and the erection of five

large detached dwellings. The scheme is the same as that submitted at pre-application stage when the applicants were advised that the proposal would be contrary to planning policy. Officers highlighted a number of fundamental concerns regarding the site's unsustainable location, highway safety and the impact on the natural and historic environment. The applicant subsequently continued with purchase of the site and lobbied the parish council to obtain their support in advance of a planning application being submitted. The current proposal is the same as that considered at pre-application stage, with no account having been taken of comments provided by officers aimed at improving the scheme's response to its historic environment (officers advised that any scheme should be designed based upon a proper understanding of the importance of the site and its evolution).

Principle

The site lies in the open countryside in policy terms where new housing is permitted only in exceptional circumstances identified in planning policy including, for example, to provide holiday accommodation through conversion of existing buildings or accommodation for the essential needs of agriculture. None of these circumstances apply here. Planning policy is designed to protect the countryside and prevent unsustainable development in locations where dwellings would be remote from services, employment opportunities and transport links, resulting in over-reliance on the private car. The development is considered harmful to the character of the canalside and countryside location and harmful to the quality of the North Wessex Downs AONB, where it would be seen as a modern development of executive homes remote from any settlements. The development would pay no regard for the site's industrial and historic heritage and it would dominate listed buildings and other heritage assets.

The Parish Council considers that there are other material considerations which should be taken into account. In particular, they are concerned about the appearance of the site and take the view that the proposal would be an appropriate brownfield development. This view is not supported by the Council's planning policies or its officers. The existing commercial buildings are fairly utilitarian in appearance, and they are located towards the rear of the site. Although some views are afforded from the canal and bridge, the buildings are relatively low key; they benefit from some screening vegetation and generally provide a character which is reflective of the historic use of the site and the industrial heritage of the canal, where such an appearance may be expected. The expanses of concrete are grassing over and whilst the site may offer some scope for improvement (perhaps involving the removal of some buildings and general tidying up), this need not and should not take the form of that proposed.

Layout, Design and Scale of dwellings, Impact on setting of the listed buildings and other heritage assets

The proposed dwellings have been designed in an attempt to reflect historic canalside buildings and local estate properties. However, neither the layout nor the form of the dwellings has been informed by an accurate understanding of the heritage and importance of this site and its existing structures. This has resulted in large, executive-style detached homes which would not historically have been found in this location, arranged in an uncharacteristic modern 'cul de sac' layout. The layout involves houses backing onto the canal which officers consider inappropriate; this view is supported by the Canal and Rivers Trust.

The 3 storey building together with larger 2 storey buildings which extend to c. 9-9.5 metres in height would appear very tall and it is not clear what the historic basis for this is. Some of these dwellings are poorly designed – in particular, the proportions of plot 2 appear too large, with substantial expanses of roof and poor wall-to-window ratios which result in a bulky and bland appearance. The decorative appearance of other dwellings may reflect some features of estate cottages in the locality; however many of these would be more humble in scale and are unlikely to have been found in this location or in the arrangement being proposed.

In the absence of a proper justification, the scale of these buildings would appear incongruous and the numbers of units and their arrangement would completely dominate the character of the site as a whole. Consequently, the proposals are considered harmful to the character and appearance of

this site, detrimental to the setting of the listed buildings and other designated heritage assets which would be viewed in the context of the new development.

The proposals do provide sufficient space for private amenity space (gardens) and car parking.

Visual amenity, impact on the character and quality of the AONB and the Kennet & Avon Canal

The proposed development would be visible from the bridge and road which occupies an elevated position and it would also be visually prominent from the canal towpath. The proposed dwellings, for the reasons given above, are considered harmful to the character of the site, which is heritage-rich and makes a positive contribution to the AONB and the Kennet and Avon Canal. Their dominance by the five, large scale detached dwellings would not be in keeping and would fail to preserve or enhance the AONB and K&A Canal, and would be detrimental to the visual amenities of the area in general. Furthermore, it appears that the proposed dwellings may impinge on the root systems of substantial trees located to the north and west boundaries of the site.

Affordable Housing & Recreation Provision

Policy HC32 & Policy HC35 of the adopted Kennet Local Plan 2011, supported by Supplementary Planning Guidance – ‘Community Benefits from Planning’, require provision to be made on sites of this size for affordable dwellings (50%) and recreation space at a rate of 0.72 h.a. / 1000 people (or a commuted sum in lieu of such on-site recreation provision). The application does not make provision for either and is therefore considered contrary to local plan policy.

Highways

The Highway Authority object to the proposal on sustainability grounds and on the basis that the site does not provide safe and convenient access for pedestrians. The applicant’s planning statement draws out comments from the NPPF such as ‘development in one village may support services in a village nearby’; however, the current proposal for five dwellings is unlikely to provide much support for services in Burbage and any limited benefit it may have would be outweighed by the site’s unsustainable location. The site is remote from the village of Burbage and has poor links to it, particularly for pedestrians, and this would give rise to safety issues.

10. Conclusion

The application is contrary to policies contained within the adopted Kennet Local Plan 2011, the NPPF and the emerging Wiltshire Core Strategy. It also raises a significant number of issues of concern as outlined above. There is no compelling justification for permitting such a significant departure which goes against so many development requirements. Furthermore, Members should note that if they are minded to grant planning permission, this may set an undesirable precedent for other similar remote residential developments.

RECOMMENDATION

That planning permission be REFUSED for the following reasons:

1. The proposed development occupies a countryside location which is remote from services and employment opportunities, and with poor facilities for pedestrians to safely and conveniently access the site, would be unsustainable in that it would increase the need to travel, especially by private car. This would be contrary to policies HC26 and PD1 of the adopted Kennet Local Plan 2011, policy DP1 of the Wiltshire and Swindon Structure Plan 2016 and Chapters 6 and 7 of the National Planning Policy Framework.
2. The A346 Class I road, from which the proposed development would take access, is busy, winding without pedestrian facilities, only subject to the national speed limit, and is therefore inadequate and inappropriate to provide safe and convenient pedestrian access to and from the site. This is contrary to policy PD1 of the adopted Kennet Local Plan 2011 and Chapters 6 & 8 of the National Planning Policy Framework.
3. The scale, layout and design of the proposed development would fail to preserve or enhance the setting of heritage assets, the character or quality of the North Wessex Downs

Area of Outstanding Natural Beauty and the setting and appearance of the Kennet and Avon Canal. Consequently, the proposal is contrary to policies PD1, NR6 and NR7 of the adopted Kennet Local Plan 2011 and Chapters 7, 11 and 12 of the National Planning Policy Framework.

4. The proposal fails to make adequate provision for affordable homes in this area of housing need. The proposal is therefore contrary to policy HC32 of the adopted Kennet Local Plan 2011 and Chapters 6 & 8 of the National Planning Policy Framework.
5. The proposal fails to make adequate provision for children's recreation. This is contrary to policy HC35 of the adopted Kennet Local Plan 2011 and Chapter 8 of the National Planning Policy Framework.

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