

AGENDA

Meeting: Eastern Area Planning Committee
Place: Town Hall, St John's Street, Devizes, SN10 1BN
Date: Thursday 21 February 2013
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 Jerry Kunkler
Cllr Trevor Carbin	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 Simon Killane
Cllr Nigel Carter	Cllr Christopher Newbury
Cllr Bill Douglas	Cllr Jeffrey Ody
Cllr Peggy Dow	Cllr Jonathon Seed
Cllr George Jeans	Cllr Stuart Wheeler

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 - 8*)

To approve and sign as a correct record the minutes of the meeting held on **31 January 2013**.

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 Thursday 14**

February 2013. 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 9 - 10)

To consider and determine planning applications in the attached schedule.

6a **E/2012/0941/FUL: 9 Easterton Lane, Pewsey, SN9 5BP** (Pages 11 - 26)

6b **E/2012/1362/FUL: 23 Astor Crescent, Ludgershall, SP11 9RG**
(Pages 27 - 32)

6c **E/2012/1537/FUL: New House (Wilds Farm Barns), Hilcott, Pewsey, SN9 6LE** (Pages 33 - 44)

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 31 JANUARY 2013 IN THE WESSEX ROOM CORN EXCHANGE DEVIZES SN10 1HS.

Present:

Cllr Jane Burton, Cllr Trevor Carbin, Cllr Nick Fogg, Cllr Richard Gamble (Vice Chairman),
Cllr Charles Howard (Chairman), Cllr Laura Mayes, Cllr Jemima Milton and
Cllr Christopher Williams

Also Present:

Cllr Liz Bryant

1. Apologies

Apologies were received from Cllrs Jerry Kunkler.

2. Minutes of the Previous Meeting

The minutes of the meeting held on **22 November 2012** were presented for consideration.

It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

3. Declarations of Interest

There were no declarations.

4. Chairman's Announcements

The Chairman gave details of exits to be used in the event of a fire.

5. Public Participation and Councillors' Questions

There were no questions or statements submitted.

The Committee noted the rules on public participation.

6. Planning Applications

A late list of information in relation to the application below is attached to these minutes.

6.a E/2012/1357/FUL: Tyddyn Terrwyn, Mill Lane, Five Lanes, Potterne, Wiltshire, SN10 5TD

Public Participation

Mr Brian Tapp spoke in objection to the application.

Mr Stephen Sawyer spoke in objection to the application.

Mrs Jacqueline Sawyer spoke in objection to the application.

Mr David Glasson, agent, spoke in support of the application.

Cllr Tony Molland, Potterne Parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended the application be approved, subject to conditions laid out in the report papers. The key issues were stated to be the principle of the new farm buildings and proposed temporary dwelling, the visual amenity and highways issues. The officer's recommendation was also amended for Condition Two, to replace the date for the removal of any temporary dwelling, in the absence of further granted permission, from 10 January 2016 to 31 January 2016.

The Committee then had the opportunity to ask technical questions relating to the report of the officer. Details were sought on the assessments that would be required should a permanent dwelling be applied for in future, and on the need for planning permission in relation to polytunnels and other ancillary structures.

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

The Local Member, Cllr Liz Bryant, then addressed the Committee and explained that the details of the proposed scheme had raised local concerns, and that therefore she felt the decision on the application needed to be made democratically.

A debate followed, where issues relating to the activities to take place on the site, the lack of green belt status and viability of the proposed business were discussed. It was noted that Council officers had determined the proposed business to be viable, which could be reassessed for future permissions, should approval be granted.

Traffic issues were also raised, and it was stated that a nearby school had once provided traffic along the route, but that this had now closed, limiting the impact on the road, and that an informative had been drafted to encourage visitors to the site to avoid the worst affect routes nearby. The number of parking spaces was raised, and it was stated that the figure of 20 spaces for vehicles was a listing of total capacity on the site, not designated spaces.

The Committee also discussed the planning policies which applied to the application, and stressed the application was for an agricultural business on agricultural land.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED for the following reason and subject to the conditions listed below.

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the Kennet Local Plan 2011 namely: policies HC26, NR6, NR7 & PD1.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively by engaging in pre-application discussions to ensure that the proposed development takes account of the planning policies and location of the site.

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 temporary dwelling hereby permitted and any ancillary works or structures, including polytunnels, shall be removed and the land restored to its former condition on or before 31st January 2016, in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority, unless before that date planning permission has been granted for these structures to remain for a further period.**

REASON:

Planning permission has been granted on a temporary basis to establish whether the business enterprise is financially viable and capable of being sustained on a long term basis.

- 3 The occupation of the temporary dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.**

REASON:

The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential and functional need for

this establishing business.

- 4 The barn and temporary dwelling hereby permitted shall not be brought into use until the external walls have been clad in timber (which shall be allowed to weather naturally or alternatively stained dark brown) as per the submitted sample. The roofs of both buildings shall be constructed using fibre cement roof sheets in Van Dyke Brown or Marley Eternit Farmscape Anthracite fibre cement roof sheets or Briarwood Products EUROSIX Anthracite fibre cement roof sheets, unless an alternative product of similar colour is first agreed in writing by the Local Planning Authority. The building finishes shall be retained as approved thereafter.

REASON:

In the interests of visual amenity.

- 5 No development shall commence on site until a plan showing the exact position of existing trees and hedges to be retained and details of protective fencing to protect those trees and hedges in the vicinity of the proposed development has been submitted to and approved in writing by the Local Planning Authority.

The protective fencing shall be erected in accordance with the approved details and it shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. The fencing shall not be removed or breached during construction operations.

No retained tree or hedge shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 'Tree Work - Recommendations' or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any retained tree or hedge is removed, uprooted, destroyed or dies, another tree or hedge shall be planted in a place and at a size and species and planted at such time that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained tree or hedgerow or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree/ hedge" means an existing tree/ hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the date of this permission.]

REASON:

In the interests of preserving important landscape features.

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the first building or the completion of the development (whichever is the sooner); All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or

diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON:

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

- 7 No development shall commence on site until a Poultry Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Poultry Management Plan shall include details of the storage (including location of such storage) of manure, soiled bedding and other animal waste and its disposal from site (including frequency). The plan shall also include details of how pests (such as flies and rodents) will be managed. Before the development is first brought into use, the works required for storage and disposal of manure, soiled bedding and other animal waste shall be completed in accordance with the approved details. No storage of manure, soiled bedding or other animal waste shall take place outside of the storage area approved under this condition and the approved storage areas shall be kept available for these purposes thereafter. The Poultry Management Plan shall be implemented in accordance with the approved details.

REASON:

In the interests of public health and safety.

- 8 There shall be no burning of waste material or animal bedding on the site.

REASON: To protect the amenities of the area.

- 9 No development shall commence on site until details of any bunding exceeding 1 metre in height 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.

- 10 Prior to the first use of any building hereby approved, a visibility splay shall be provided with nothing to exceed the height of 900mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre-line of the access from the carriageway edge to points on the nearside carriageway edge 45 metres to the north-east and 45 metres to the south-west. This visibility splay shall thereafter be kept free from obstructions to sight.

REASON:

In the interests of highway safety.

- 11 All sewage disposal on the site shall be via a package treatment plant which shall be installed prior to the temporary dwelling being first occupied. No other form of sewage disposal (including cess pit and septic tank) shall be used.

REASON:

To ensure satisfactory provision is made for sewage disposal.

- 12 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 in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and retained as such thereafter.

REASON:

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

- 13 The cooking facilities at the development 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 the amenities of neighbouring occupiers.

- 14 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Application Form
- Design and Access Statement
- Agricultural Appraisal
- Business Plan
- Site Location Plan
- Site Location Plan and photographs
- Plans and Elevations (BARN)
- Greenhouse Photograph
- Proposed Glasshouse and Polytunnels
- Illustration of Building Heights
- Cross Section of Site
- Context Plan

all received on the 24th October 2012, except insofar as amended by the following:

- email received from the applicant's agent on 10th December 2012 in relation to timber boarding and roof finish; and
- Amended Temporary Dwelling Elevations and Plan (detailing flue and amended materials) received on the 10th December 2012; and
- Amended landscaping details as updated by email from applicant on 10th December 2012 including amended plan and change of the Pin and Sessile

Oaks for other trees from the list.

REASON:

For the avoidance of doubt and in the interests of proper planning.

15 INFORMATIVE TO APPLICANT:

The Highway Authority recommend that visitors to the site (particularly attendees of the training courses) be encouraged by pre-course notes etc. to access and egress the site by using Whistley Lane to and from the A361, and not to and from Potterne.

16 INFORMATIVE TO APPLICANT:

The applicant should note that a public footpath crosses the site and that nothing in this permission authorises the stopping up or any obstruction of any public right of way. Any gate erected across the footpath must be made to be easily openable by users or a stile provided alongside.

7. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 6.55 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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Agenda Item 6

EASTERN AREA PLANNING COMMITTEE

INDEX OF APPLICATIONS ON 01/11/2012

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
6a	E/2012/0941/FUL	9 Easterton Lane, Pewsey, SN9 5BP	Demolition of existing dwelling and outbuildings and replacement with three chalet style dwellings	Refusal
6b	E/2012/1362/FUL	23 Astor Crescent, Ludgershall, SP11 9RG	Erect a bungalow to the side of the existing development and install boundary fence between and to introduce shared access and off road parking for up to two family sized vehicles for both dwellings.	Approval
6c	E/2012/1537/FUL	New House (Wilds Farm Barns), Hilcott, Pewsey, SN9 6LE	Proposed stabling for 6 no. stalls, tack room and open store within single storey pitched roof structure.	Approval

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REPORT TO THE AREA HUB PLANNING COMMITTEE

Date of Meeting	21 st February 2013
Application Number	E/2012/0941/FUL
Site Address	9 Easterton Lane, Pewsey, Wilts SN9 5BP
Proposal	Demolition of existing dwelling and outbuildings and replacement with three chalet style dwellings
Applicant	Mr & Mrs C Wootton
Town/Parish Council	PEWSEY
Grid Ref	416753 160062
Type of application	Full Planning
Case Officer	April Waterman

Reason for the application being considered by Committee

The application is referred to committee at the request of the Division Member, Cllr J Kunkler.

1. Purpose of Report

To consider the recommendation to refuse planning permission.

2. Report Summary

The main issues in this case are the principle of residential development at this location and the detailed aspects of the proposal, including:

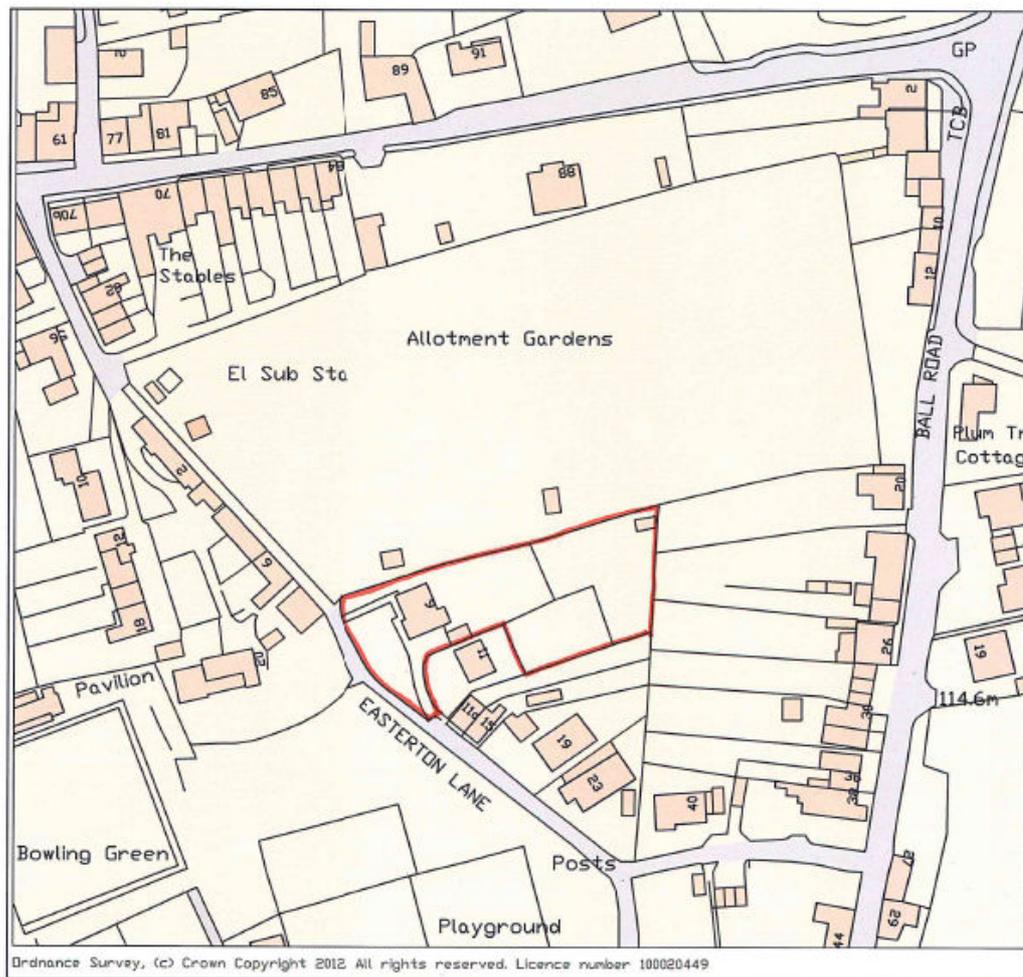
- a) Grain and density of development in the locality
- b) Character and appearance of the area
- c) Ecology
- d) Trees and landscaping
- e) Impact on the Conservation Area
- f) Impact of the North Wessex Downs Area of Outstanding Natural Beauty
- g) Archaeology
- h) Impact on residential amenity
- i) Highway, access and parking matters (including emergency vehicle access and refuse/recycling collections)

All to be evaluated with regard to the extant development plan, national policy and other material considerations.

3. Site Description

The site comprises 0.15 hectares of relatively flat residential land, currently occupied by a single bungalow, and some low-key outbuildings, within a generous amount of garden, mainly to the rear (east) of the existing dwelling. The site lies to the south and east of the centre of Pewsey, adjoining the allotments to the south of the High Street, and close to the town's park and recreation facilities. Easterton Lane is a public footpath over which residents are understood to have rights to

drive. Although this footpath links the High Street with Ball Road, only sections of the route are wide enough for a vehicle (van) to use, with a central portion of the route being too narrow for any vehicle. No 9 Easterton Lane is the last property at the northern cul-de-sac end of the vehicle-wide section leading from Ball Road.



Site Location Plan

The site stretches along roughly half of the southern edge of the allotments. The eastern edge of the site abuts the rear boundaries of the back gardens of housing on Ball Road. The southern site boundary wraps closely around the small garden of no 11 Easterton Lane (a chalet bungalow) and adjoins the side boundary of the rear garden of one of a pair of modest 2 storey cottages which front directly onto the lane. To the south west of the site are found the children's play park, recreation ground and tennis courts, and to the west the front garden of the existing bungalow on the plot is separated from other dwellings/gardens which are served only by the footpath from the south, with their vehicular access reached via the High Street end of the Lane.

To some extent hedging and a number of trees help define the western site edge onto the footpath, and other trees mark the rear (east) boundary, but the northern site edge, abutting the allotments, is hardly screened at all by vegetation, and the site is highly visible across the open space of the cultivated plots.

The site is within the Pewsey Conservation Area, and the entire settlement stands within the North Wessex Downs Area of Outstanding Natural Beauty.

4. Planning History

K/54731/F Full planning permission was refused in September 2006 for a single new three bedroomed chalet bungalow and detached garage, together with a new access and parking for no. 25 Easterton Lane, on a site halfway along the arm of Easterton Lane that currently serves no. 9. Amongst other matters, reasons for the refusal included:

Reason no. 4 – “Easterton Lane, by reason of its restricted width, poor alignment and sub-standard junction with Ball Road, is considered unsuitable to serve as a means of access to the proposed development. This is contrary to Policy PD1 of the Kennet Local Plan 2011.”

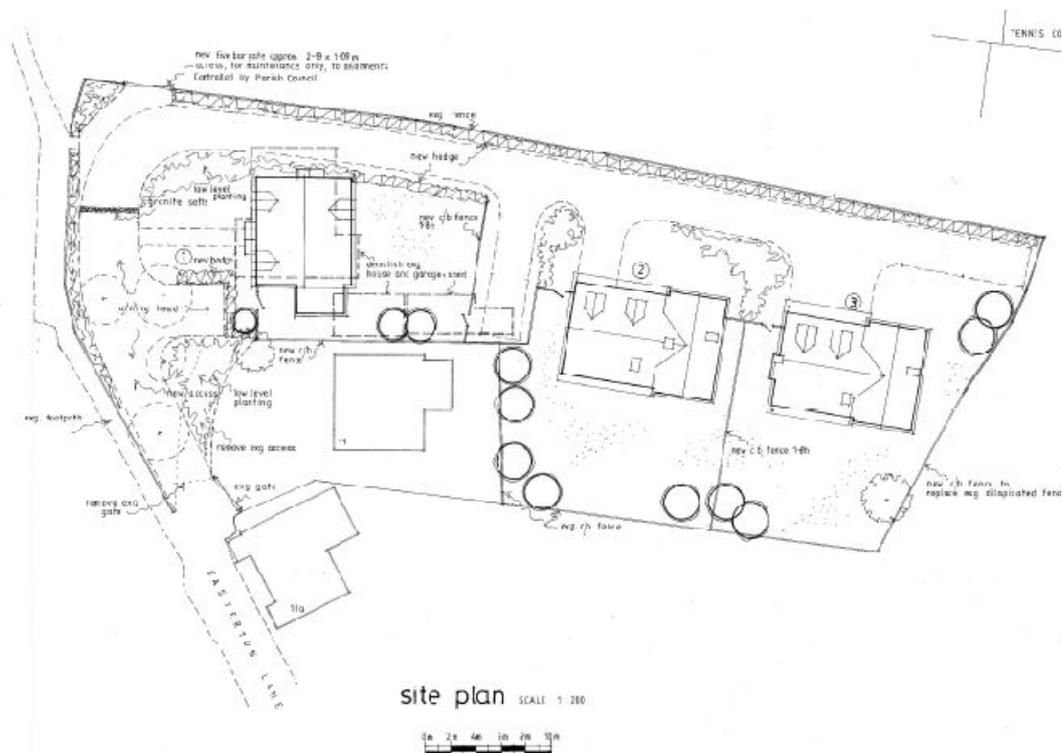
E/2012/0940/CAC Concurrent with the submission of this application for planning permission, an application for Conservation Area Consent was received, for the demolition of the existing dwelling on the site.

No pre-application advice for the current proposal was sought from the Local Planning Authority in advance of the submission of the formal application.

5. The Proposal

Full planning permission is sought for the replacement of an existing bungalow with three dwellings all of one-and-a-half storey design. Springing from the same point at the end of the “navigable” section of Easterton Lane, the scheme shows the re-alignment of the access drive to follow the western site edge, providing a turning head, before sweeping along the northern boundary of the site to serve three new dwellings. The scheme shows the off-site retention of the existing gate to the neighbouring property, no. 11 Easterton Lane, unchanged by the proposals to alter the alignment of the driveway access into the application site itself. The house on plot 1 is shown to present towards the west, with both houses on plots 2 and 3 facing north towards the allotments.

A number of trees on the site would be cleared, together with the existing bungalow, garage and sheds.



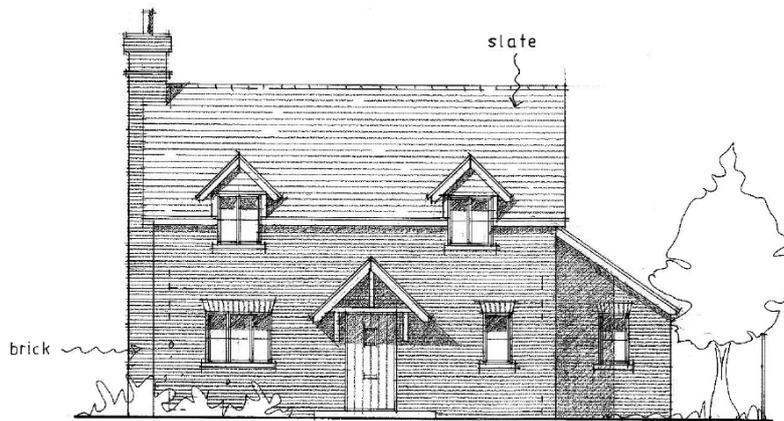
Amended block layout plan

Amended plans have been received which show changes to the parking arrangements. The internal layout of the house on plot 2 is altered to omit a utility room, and elongate the single integral garage. All other parking (to total 2 spaces per dwelling) is assumed to be on driveways, as the single detached garages originally shown to serve plots 1 and 3 are omitted. No alternative external storage is indicated for plots 1 and 3.

The amendments also indicate the letting of a 5-bar gate opening into the north-western corner of the site boundary to give access to the allotments from the southern (Ball Road) section of Easterton Lane (vehicular access to the allotments is currently achieved from the High Street end of Easterton Lane).

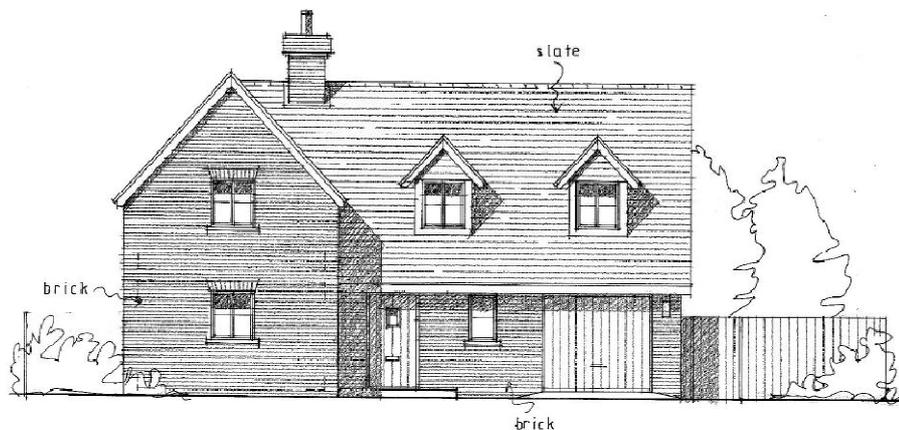
New tree planting is indicated close to the garden boundaries dividing the existing dwelling at no 11 from plot 1, and also from plot 2. Further planting is indicated on the eastern boundary, and also between the gardens of 11a and plots 2 and 3, where currently a close boarded fence defines the site. New hedging is indicated along the length of the northern boundary with the allotments, except for the north western point where the gated access is now proposed. No details (species, heights, densities etc.) of soft landscaping have been submitted.

The submitted ecological appraisal made recommendations to sow a wildflower strip along the northern site boundary, with the construction of a hibernaculum at the north west corner. These recommendations conflict with the proposals set out in the original and amended plans.



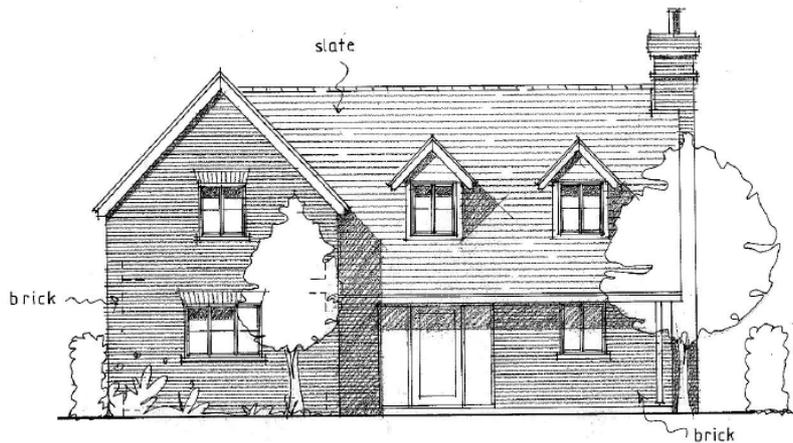
west elevation

Plot 1



north elevation

Plot 2



north elevation

Plot 3

6. Planning Policy

National Planning Policy Framework 2012

Introduction

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Historic Environment Planning Practice Guide 2010

Wiltshire and Swindon Structure Plan 2016

DP1 Delivering sustainable development

DP2 Infrastructure

DP3 Development strategy

HE7 Conservation Areas and Listed Buildings

C8 Areas of Outstanding Natural Beauty

Kennet Local Plan 2011

PD1 Development and design

Pewsey Conservation Area Statement 2007

7. Consultations

A number of consultations were undertaken on this planning proposal as a result of the content of the representations made by local residents and other members of the public – in particular in relation to access for fire appliances and refuse collection arrangements.

Pewsey Parish Council

We support this application and offer the following comments: 1. That signage be erected as advised by Wiltshire highways to show the adjacent play area and that a turning head is available at the end of the lane. 2. An entrance wide enough for a vehicle at the north west corner of the site to allow occasional use for allotment deliveries or collections. This gate would be locked and the key held at the parish office.

Wiltshire Council Highways

Initial comments: Easterton Lane is a private road acting as a public footpath. It is restricted in width and has a poor alignment. Its junction with Ball Road is very substandard in terms of visibility and alignment.

This proposal would result in increased traffic on Easterton Road with the consequent increased risk to other users, particularly pedestrians.

In view of this refusal is recommended for the following reasons:-

The traffic generated from this proposal would use a road which, by virtue of its function in the highway network, its inadequate width, alignment and substandard junctions, is considered unsuitable to accommodate the increase in traffic from this development.

The proposed development would result in an increase in vehicular traffic along a designated public footpath with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way.

Expanded comments: Easterton Lane is a private road of single vehicle width. At no point is it of sufficient width for two vehicles to pass. It forms a public footpath.

The junction of Easterton Lane with Ball Road is seriously substandard with tight radii and inadequate visibility. The restricted width of both roads makes it impossible for large vehicles to turn into Easterton Lane. There is also a right angle bend in the lane which is even less negotiable for large vehicles than the junction. In my opinion the site is not accessible by anything larger than a "transit" sized van. This supports the expressed views of the objectors. It is also clear that whilst an ambulance might be able to access with difficulty a fire appliance cannot.

The proposed turning area is adequate only for a medium size car. It is not big enough to enable a delivery van to turn so will not help with existing problems.

The parking provision within the site does not comply with current parking standards which require a minimum of 2 spaces for a 3 bed dwelling, **excluding garages**. Whilst I am prepared to accept garages in certain circumstances these must have minimum internal dimensions of 6.0m x 3.0m with a minimum door height of 2.4m. The proposed garages do not meet this requirement.

The suggestion of the Parish Council that a sign be provided is acceptable. Indeed the Parish Council could provide such a sign themselves at any time with the consent of the owner of land on which it is situated. I do not agree with the provision of a sign indicating that a turning head is available, particularly in view of the inadequacy of the proposed facility. In any case it is usual to provide a sign warning of the absence of such a facility rather than its presence.

As far as access to the allotments is concerned there are legal difficulties relating to this. Easterton Lane is a public footpath and it is an offence to drive a vehicle along it without express authority. It is unlikely that any such authority exists in respect of access to the allotments as no such access currently exists. Only the owner(s) of the land over which the lane passes can grant such authority.

Other issues are the demolition of the existing dwelling and construction of the new, bearing in mind the serious access difficulties. If permission is granted a condition should be imposed requiring the submission and approval of method statements for each of these operations prior to the commencement of any work on the site.

Further comments on amendments and submitted parking data: I am not sure what the "parking survey" is trying to demonstrate. It is clearly only a snapshot taken within the working day and, as such, it can carry little weight. It cannot be taken as an indication of the traffic levels on Easterton Lane. As the principal objection is the nature of the road I am not sure what the parking survey is supposed to address.

As far as parking for the new dwellings is concerned I am now happy with this and my previous objection on that basis is withdrawn.

I agree with you about the gate to the allotments. No legal right of way for vehicles on Easterton Lane exists in respect of the allotment land and its use by vehicles would be unlawful.

My original recommendation for refusal still remains as follows:

The traffic generated from this proposal would use a road which, by virtue of its function in the highway network, its inadequate width, alignment and substandard junctions, is considered unsuitable to accommodate the increase in traffic from this development.

The proposed development would result in an increase in vehicular traffic along a designated public footpath with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way.

Wiltshire Council Ecologist

Initial comments: The Design & Access Statement claims that a protected species survey was carried out for the site. However, the survey report submitted (*Phase 1 bat survey at 9 Easterton Lane, Pewsey, Wiltshire, by Lindsay Carrington Ecological Services Ltd.*) deals only with survey for bats and no other protected species. Nor is there any assessment of habitat suitability for other species or reasons why surveys for other species have not been carried out. It is obvious that the proposed development will involve different and greater areas of the site than the current buildings footprint, therefore the bat survey report submitted is inadequate to inform a planning decision as it does not provide sufficient information about the ecology of the whole site.

The buildings on the site have apparently been unoccupied and the surrounding grounds unmanaged for a significant period of time, during which it is likely that the habitat within the former garden area may have increased in its suitability to support reptiles (particularly slow worms), nesting birds and badgers. There also appear to be several mature trees within the site which would be removed to enable the proposed development layout. Mature trees often develop features that can support bat roosts, however no assessment has been made of the trees within the site for their suitability to support roosting bats. Given the location of the site and its proximity to the adjacent allotments and to wildlife corridors connecting into the wider landscape area, it is likely that other protected species may need to be considered.

I note that the desk study for the bat survey relied only on records from the NBN Gateway and only sought records of bats. A full data search for all protected species within 1km would have better informed the requirement of surveys to be undertaken. This data is only held at the Wiltshire & Swindon Biological Records Centre and cannot be sourced from other sites. While there are other sources of ecological data available on the internet the resolution of these data is not sufficient for planning applications. The main alternative source of data is the National Biodiversity Network (NBN). While this is appropriate for a scoping exercise it is not an acceptable substitute for a WSBRC data search in a commercial or professional report; the use of NBN data for commercial purposes is also contrary to the NBN Gateway Terms and Conditions.

Unfortunately there are also inadequacies within the report with regard to bats. The methodology does not describe sufficiently what methods were used to determine bat presence, rather, a list of possible evidence and the statement that a search was made. It is not clear if the roof void of the house was searched sufficiently to be able to state that no bats were currently roosting there. The lack of an emergence survey as part of a bat survey carried out at the optimum time of year is a serious omission unless it can be clearly explained why it is not necessary. Bats can occupy roof voids and other internal and external features of buildings without leaving signs of their presence.

I therefore request that further survey of the site is carried out, to include an assessment of the habitats within the whole site to support protected species, together with survey for those species as indicated. An emergence survey for bats should be carried out for all the buildings on the site.

I advise that this application should not be determined until this information has been submitted to the planning authority.

I also request that a construction method statement should be either submitted as part of the application or added as a condition to any permission you are minded to give. The purpose of the method statement will be to ensure that suitable precautions are implemented during the construction process, including the demolition phase, to ensure that wildlife species are not adversely impacted by the works.

Comments on submission of ecological appraisal: The additional information supplied in the updated survey report by Lindsay Carrington Ecological Services Ltd., is welcome. I have reviewed the issues that I raised in my previous email and am satisfied that sufficient survey has now been carried out in relation to the ecology of the site for me to be able to conclude that the proposals can be achieved without adverse effect on biodiversity within the site and in the immediate surrounding area.

The report states that an area of grassland will be enhanced for reptiles at the northern end of the site. I have received the updated information showing the area where reptiles will be relocated and also where the seeding will be carried out. I am happy with these locations. It is important that the area chosen for receiving reptiles will not subsequently be enclosed within a residential garden. I do not consider there are any other ecological issues to address. I therefore have no further ecological comments to make in relation to this application.

I request that a condition should accompany any permission you are minded to give, using the following (or similar) wording:

“The works will be carried out in line with the recommendations given in the report by Lindsay Carrington Ecological Services Ltd., to include site clearance with regard to reptiles and native birds, demolition of existing buildings and construction of new buildings, including associated infrastructure.”

Wiltshire Council Archaeologist

Initial comments: This site lies within the part of Pewsey that developed from at least the medieval period. It therefore has the potential to contain significant archaeological features. I consider that a field evaluation is required in this case, in order to determine the nature, scale and significance of any archaeological remains which might be present and the likely impact of the development upon them. In light of this, and in line with NPPF (2012), I would recommend that an archaeological field evaluation is carried out prior to the determination of the application. This information should reveal the impact of the proposed development on any buried archaeology, and such works should be conducted by a professional, qualified archaeologist. No decision on approval of this scheme should be made until the results of the field evaluation have been made known. If the results are positive, it may be necessary for me to recommend a further programme of archaeological works as an appropriate planning condition. The costs of the archaeological works will of course fall to the applicant.

Comments on archaeological evaluation submission: As very little of archaeological significance was revealed I consider that there is no need for any further archaeological work.

Wiltshire Council Arboricultural Officer

The Pewsey Conservation Area statement notes that the character of the immediate area (allotments and recreation ground) as being derived by its function as well as appearance and that both make an important contribution to the tranquil and rural nature of this part of the village in contrast with the bustling air of the centre. In my view the allotments are open with long views across the site with little to no tree or hedge cover in and around the site giving the feeling of space and openness, whilst the adjacent recreation land feels more enclosed and is partly characterised by significant trees and hedging. The Oak just off site and on the corner of the

allotment is seen as an important feature helping to characterise this rural setting.

Although the trees within the site, especially those to the frontage, are visible from the footpaths, open spaces and properties and make a positive contribution to sylvan character along with trees on the recreation land they are of limited quality and are not worthy of Tree Preservation Order Protection. Likewise the trees to the rear appear to be old fruit trees or suckers of them and are of limited quality.

I have concerns that the proposed scheme shows a distinct lack of tree cover on the western boundary which is likely to change the more intimate feel on the edge of the recreation ground. The few trees planted on the southern side of the properties also have the potential to cast shade and debris over the proposed gardens and from experience such trees are frequently inappropriately lopped or removed before they ever reach their full potential. Smaller scale trees seldom afford the same level of amenity and are unlikely to make a significant contribution to the wider sylvan character of the area. The garage for plot three is too close to the north and eastern boundaries and is unlikely to give adequate room for maintenance of the proposed hedging and that located within the neighbouring garden.

Wessex Water

Standard general advice on connections for water supply and waste water.

Wiltshire Fire and Rescue Service

If a fire appliance is unable to get within 45 metres of any part of the premises then we would be looking to install some form of compensatory feature that would arrest the development of a fire. In this instance the installation of a sprinkler system in each unit would be a suitable compensatory feature.

Wiltshire Council Waste Management Services

The issue of vehicle access is a major problem for our service, as you have noted and as Highways have made clear.

The major impact here is on future residents who would have to wheel their bins to the nearest public highway. We can't look at using different vehicles etc to service the area because of the highway width issue so we will not incur any expense in using new resources to access the site. The onus really is on residents to wheel containers over a significant distance to the kerbside, which is something that we want to avoid. The question then becomes one of whether the team that enforces Buildings Regulations is happy with the situation as it stands.

I think that the plans could be made more acceptable if the developer considered changing the plans to create the shortest route possible from the gardens of plots 2 and 3 to the public highway. It would require some modification to the land around all of the plots and the construction of a path, but that might make the situation easier for residents, which will make them more likely to recycle and therefore allow the council to implement its waste strategy more effectively.

Wiltshire Council Building Control

The development has the advantage of the demolition of the existing dwelling, therefore we would use an "adverse effect" approach in that does the scheme make an existing situation any worse.

Commenting on the refuse collection, the additional two houses are over the 25 metre distance that the Building Regulations give as a guide for the movement of refuse containers (to a point of collection by the refuse authority). I would not see this as an issue as the site is level and it is easy to manoeuvre the wheelie bin containers.

On a separate matter we would need to get more detail from a fire fighting point of view. Again the adverse effect rule would apply due to the existing dwelling and several solutions may be available, however I would need further detail and possibly to consult with Wiltshire Fire and Rescue before I could comment further in this regard.

8. Publicity

The application was advertised by site notice and, following an initial delay, neighbours were notified by letter.

This application, and its partner application for Conservation Area Consent for the demolition of the existing dwelling, have together prompted a large number of representations.

One letter of support for the development has been received from the recent purchaser of the address adjoining the site, no. 11 Easterton Lane. Points made include:

- The houses are well designed, fit in well, and are not too high
- No overlooking from proposed bedrooms into the back garden of no. 11
- The turning circle will improve the situation – at present vehicles try to turn in the garden of no. 11, or have to reverse all the way to Ball Road

35 letters of objection have been received from 24 contributors. Points made include:

- Additional traffic on this footpath will be dangerous and disturbing and will change the character of the area
- Easterton Lane is a popular footpath and cycle route used by many, including unaccompanied children, to reach the play park, bowling green, tennis courts, football pitch, allotments and the village shops
- The ownership of the lane should be determined as it is a criminal offence to drive a vehicle on a public footpath without specific lawful authority from the owners of the land
- The access to the play park from Easterton Lane is located at the sharp corner where visibility is very restricted
- Existing use of the lane by vehicles is very problematic because of its length, narrowness, sharp corners, lack of parking spaces and clash with pedestrian use
- Some sat-nav systems show the lane as being continuous from Ball Road to the High street, which it isn't!
- There is no sign to warn drivers entering from Ball Road that it is a footpath or a dead end, so they get stuck rather than being able to go through to the High Street as intended
- There are no turning facilities, so vehicles have to reverse out if they become stuck, or if another vehicle is met coming the other way
- The provision and signposting of a turning head will only encourage more traffic into the lane, and will be no use to any vehicle which meets another coming the other way because one vehicle will still have to reverse, there being no passing places
- Vehicles accessing the site will need to pass within inches of the front door of neighbouring property (11a) as the lane is so narrow
- Even small refuse vehicles cannot negotiate the corner halfway along the lane
- Wheelie bins and recycling boxes have to be collected and walked by Council staff to the refuse vehicle because the lane is too narrow for the refuse truck
- Wheelie bins and boxes further obstruct the lane on collections days (especially if people are out at work all day)
- Emergency vehicles won't be able get to the site (a fire engine was unable to reach no. 15 when there was a chimney fire)
- Heating oil, delivery vans etc will not be able to get to the site
- There will be far more construction traffic movements than normal for such a scheme if the development is permitted, as no materials could be brought to or removed from the site in normally-sized construction lorries – smaller vans making multiple trips will need to be used instead
- Damage has been caused to a number of front boundaries of properties along the lane by

- vehicles trying to travel or turn
- Planning permission for an additional dwelling at no. 25 Easterton Lane was refused in 2006 because the access was inadequate
- The junction of Easterton Lane and Ball Road is completely blind for drivers and pedestrians
- Ball Road leading to Easterton Lane is also only single width for some of its length
- Another vehicular access into the allotments would add more traffic and isn't needed – there is already access from the High Street
- There is nowhere for vehicles to go if an access were opened without losing the corner allotments
- An allotment holder objects to the prospect of exhaust pollution contaminating vegetables, of increased vandalism, and of being overlooked on her plot
- Residents would have made objections known to the parish council if they had been made aware that the pc meeting was going to discuss the scheme
- Contrary to the applicant's statement most of the residents were not consulted before the application was made formally
- The proposed dwellings would make this green space feel much more urban
- The allotments will feel enclosed and overlooked, rather than spacious and open
- The gardens of the adjoining dwellings 11a and 15 Easterton Lane will feel boxed in by the new dwellings
- Upper storey of plot 1 will look directly into the private garden of no. 20, on the opposite side of the lane
- The house on plot three would be so close to the eastern boundary that it could affect or be affected by the roots of a mature apple tree just off site (in an old orchard, now uncultivated to attract wildlife, forming part of the garden backing onto the site)
- Decent sized gardens such as the site has at the moment are becoming too rare
- The plot will be overcrowded with three dwellings
- The proposal would damage a mature environment, and add to the problem of degrading local ecosystems
- The development will mean the loss of trees and green infrastructure
- The open character of the Conservation Area would not be enhanced by replacing the bungalow with three chalet houses
- Objection is raised to the demolition of the existing dwelling unless another (more appropriate) development scheme is proposed, such as the modernisation of the existing bungalow

All comments received relating to applications E/12/0940/CAC and E/12/0941/FUL are available to view on the planning pages of the Council's website, and Members are encouraged to read the full content of these submissions.

Members are also encouraged to visit the location prior to the meeting, to gain an understanding of the site's character, its access and its relationship with its surroundings.

9. Planning Considerations

The principle of the development of the site for residential purposes is not in question as the land falls within the Limits of Development of Pewsey, in a sustainable location, in that employment, commercial and social infrastructure to support new housing are all clearly and closely available. The acceptability of the proposal therefore hinges on the details of the scheme, with regard to the matters set out in section 2 of this report.

Grain and density of development in the locality:

Residential development in the vicinity of the application site is, generally, of single depth plots mostly fronting onto the non-uniform mesh of highways (some streets and some footpaths) that typify this part of the settlement. As a result of this organic route pattern, curtilage sizes and shapes vary, with no standard building:garden plot ratio evident. Development along the southern

part of Easterton Lane includes older, modest cottages and more modern bungalow and chalet bungalow constructions. The allotments to the north and the recreation ground to the west of the site are very important open spaces within the conservation area, contrasting with the route-hugging and fairly closely-packed pattern of dwellings along this Lane and Ball Road. Although the scheme would create a short branch of development which would not follow an existing footpath or road route, the proposals are considered not to conflict sufficiently with the general grain and density of development in the locality to warrant a refusal of planning permission.

Character and appearance of the area:

Built forms near to the site are predominantly residential, with smaller structures (sheds) scattered across the allotments. The pavilion on the recreation ground is the only notable exception. Trees, hedges and banks line and accentuate the route pattern, and contrast with the spacious layout of recreation and allotment land-uses. The proposed development would introduce an arm of built form which would interrupt the vista from the north of the allotments southwards across and into the rear gardens of Easterton Lane and Ball Road properties, and in this respect would not necessarily maintain or enhance the spacious visual quality of the area, so could be considered to be in conflict with the general application of policy PD1 of the Kennet Local Plan 2011. However, the storey-and-a-half design of the dwellings at least tries to keep this interruption at a reasonable scale (provided the slab level of the new properties can be fixed at a suitable height). Subject to the control of the datum for the building slab heights, it is considered that the new development would not harm the open character and appearance of the area so much as to warrant the refusal of the application.

The northern boundary of the site is proposed to be marked either in new hedging (as noted on the site layout drawing), or in a strip of wildflower grassland (as set out in the recommendations for reptile mitigation measures/enhancements in the ecological appraisal). While the latter option is better for the biodiversity resource of the site and its surroundings, it should be understood that the north-facing appearance of the new dwellings would be more stark when viewed across the allotments without the screening that a new hedge could provide. Given the shallow north-south measurement of the plots 2 and 3, it is unlikely that the scheme could be further revised to accommodate both a hedge and a grassland strip along the site's northern boundary without reducing unacceptably the amount (depth) of private rear garden space left for plots 2 and 3 (only just over 10 metres is currently shown), as a shift southwards of the footprint for these proposed dwellings would then bring them too close to the side boundary of the private rear gardens of nos. 11a and 15 Easterton Lane, and to the rear boundary of the garden serving no. 22 Ball Road.

On balance it is considered that the wildflower grassland strip option should be put into effect, if planning permission were to be granted, given that the development would, in any case, result in a foreshortening of the view southwards across the allotments, where now exists a fairly blurred change from community to private "undeveloped" land. In this way the development would at least minimise its impact on biodiversity (NPPF 2012 guidance in Section 11 refers) and be in greater conformity with criterion B3 of policy PD1 of the Kennet Local Plan 2011.

Ecology:

The submitted surveys, assessment and conclusions drawn on the value of the ecological resource on the site have been accepted, and, subject to the implementation of the recommended measures to protect and encourage wildlife and habitat on the site, the proposal is considered to be acceptable in terms of its impact on the natural environment, assessed against the planning policy referenced above.

Trees and landscaping:

Details of the proposed landscaping of the site need to be confirmed, in particular in relation to the treatment of the northern site boundary, the need to boost tree cover towards the western side of the site, and the likely unpopularity with new residents of tree planting along parts of the southern boundary. These matters can be secured by pre-commencement conditions on any planning permission, requiring a re-working of the landscaping concept and detail, to be tailored to the recommendations of the ecological appraisal and report, and comments of the Council's

Arboricultural Officer.

Impact on the Conservation Area:

From the earlier townscape and landscape analysis, it follows that the effect of the proposed development, subject to caveats relating to the finished floor level or slab level for the dwellings, would not be considered to warrant the refusal of planning permission. The contribution that this part of the settlement makes to the Conservation Area designation is a product of its land use, network of circulation routes, vegetation pattern and the scale and layout of development, rather than the historic or architectural merits of the individual buildings within this character zone. Consequently, as long as the proposed buildings are of a scale, massing and palette of materials appropriate to their context, they do not need to be of outstanding architectural quality in order to generally preserve the character and appearance of the Conservation Area. The proposed designs are, therefore, considered to be acceptable.

Impact on the North Wessex Downs Area of Outstanding Natural Beauty:

The proposed development is set well within the overall limit of development of the settlement, and it is considered that the scheme would have no effect on the landscape quality of the North Wessex Downs Area of Outstanding Natural Beauty.

Archaeology:

The site's location within an area known to have been settled for more than 14 centuries correctly prompted the need for an investigation to be made of the site's below-ground heritage potential. The outcome has been positive for the applicant and the Council: the results of the investigation present no hurdle to the development, while adding to the body of public knowledge concerning Pewsey's evolution.

Impact on residential amenity

The design of the dwellings has been set to minimise the overlooking of other residences and associated private garden areas at close range. Although the rear gardens of dwellings on plots 2 and 3 are just 10 metres deep, the plans for these units show that no upper floor windows from habitable rooms are proposed on the rear elevations, so no overlooking of the closeby rear gardens of nos. 11a and 15 Easterton Lane could be enabled. In each unit only a bathroom and a passageway window is shown: the bathroom windows can be required by condition to be obscurely-glazed, with restricted opening, and passageway rooflights can be set at an internal cill height to ensure that views are only possible upwards, rather than horizontally or down onto gardens below.

Upper floor bedroom windows of the new unit on plot 1 are shown to face westwards towards no. 20 Easterton Lane. However the distance from the proposed building to the edge of the garden of the existing property on the other side of the footpath is, at around 20 metres, considered to be an acceptable distance over which the effect of overlooking is not normally felt to be an invasion of privacy.

The degree to which any demolition and construction works on an application site would disturb or inconvenience neighbouring residents is a legitimate planning concern, but not one that is usually determinative of the application itself. Undoubtedly the awkward access arrangements for this site would present difficulties for the construction process, and it is expected that the frequency of vehicle movements during any build programme would be increased from the norm because of the need to use small vehicles to transport materials to and from the site. Three new units are proposed, and it is considered that the additional vehicular traffic that would be associated with the whole demolition and redevelopment project would cause significant disturbance and inconvenience, for a sufficiently long period of time, to the existing residents in Easterton Lane, to warrant note of this in any reason for refusal on highway and access grounds.

Highway, access and parking matters (including emergency access and refuse collection):

As set out in the series of comments of the Highway Development Control Manager, the proposed development would face problems with obtaining suitable access, and would cause problems of

safety and inconvenience to other users of the highway network (drivers, cyclists and pedestrians) that do not appear to be surmountable. The narrowness and alignment of the route present no difficulties for its pedestrian users per se, but as a result of vehicles being driven along it, pedestrian safety is compromised. By adding to the number and frequency of vehicle trips along this route, in both the short and long term (construction period and subsequent occupation) this development would not accord with guidance within the National Planning Policy Framework 2012 at paragraph 35, which advises that *“developments should be located and designed where practical to ... create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians...”*. Policy PD1 criterion B(4) of the Kennet Local Plan 2011 obliges all development to address adequately *“layout, servicing, and access arrangements, and road safety”*. The proposal does not achieve this.

The submitted changes to the proposed parking provision have addressed the initial concern that the indicated garaging could not meet the required standard of two spaces for each dwelling. With the omission or elongation of the garages originally shown, this objection is overcome.

As noted above, the impact of the transport of demolition and construction materials from and to the site in this instance bears greater importance to the case than is usual for a redevelopment site, because of the physical shape and dimensions of Easterton Lane. Planning conditions could limit hours of work or determine routes to be taken for construction vehicles to reach Ball Road, but these would not overcome or adequately offset the harm that the implementation of the proposed development would do to the area. The recommended decision reflects this.

The advice of the Fire and Rescue Service, concerning the inability of fire appliances to reach the site, implies that measures can be incorporated into the design of the building to offset this problem.

It is understood that the Council uses special vehicles to collect refuse and recycling materials for properties in Easterton Lane, but that the closest that any such vehicle can get to the site is the corner point adjoining the entrance to the playground. For the dwelling proposed on plot 3 this represents a distance of about 155 metres to transport the wheelie bins and recycling boxes. This compares very unfavourably with the guideline distance set out in the Building Regulations of 25 metres. While in some residential developments the Local Planning Authority has secured, by condition, the provision of refuse and recycling storage and collection facilities and operational arrangements, in this case such provision cannot be secured as there is no opportunity for even a non-standard collection vehicle to access the site, and the application site as defined by the red line does not include any satellite areas back along Easterton Lane to serve as a refuse collection bay. This unsatisfactory level of servicing for the new development can be viewed as a consideration in planning policy terms, as PD1 B(4) of the Kennet Local Plan 2011 refers to *“servicing”* but given that there are already 5 (6 if no. 23 is included) dwellings to the north of the bend in Easterton Lane where refuse and recycling containers need to be moved more than 25 metres, it is considered that a refusal of planning permission on this point would not be tenable. The matter of achieving (or not) compliance with the relevant Approved Document under the Building Regulations cannot, of course, be influenced by the grant or refusal of planning permission: if planning permission is granted for this development, the scheme must still be assessed against the regulations set out under separate building legislation.

10. Conclusion

Notwithstanding the compliance of the proposal generally with planning policy in terms of the principle of residential development in this locality, the proposed scheme could not obtain safe and convenient access from the public highway, and would be the cause of increased danger and inconvenience to all users of the local highway network.

RECOMMENDATION

That planning permission be REFUSED for the following reasons:

1. The traffic generated from the construction and occupation of this proposal would use a route which, by virtue of its function in the highway network, its inadequate width, alignment and substandard junctions, is considered unsuitable to accommodate the increase in traffic from this development.
2. The construction and subsequent occupation of the proposed development would result in an increase in vehicular traffic along a designated public footpath with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way.
3. The proposed development conflicts with the terms and objectives of national and local planning policy, as set out in the National Planning Policy Framework 2012, with particular reference to section 4 "Promoting sustainable transport", and with the general application and considerations of Policy PD1 of the Kennet Local Plan 2011.

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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	21 st February 2013
Application Number	E/2012/1362/FUL
Site Address	23 Astor Crescent, Ludgershall SP11 9RG
Proposal	Erect a bungalow to the side of the existing development and install boundary fence between and to introduce shared access and off road parking for up to two family sized vehicles for both dwellings.
Applicant	T & S Connolly
Town/Parish Council	LUDGERSHALL
Grid Ref	426425 150527
Type of application	Full Planning
Case Officer	Mike Wilmott

Reason for the application being considered by Committee

The application has been referred to the planning committee by Councillor Williams, citing the issues of visual impact on the surrounding area and relationship to adjoining properties.

1. Purpose of Report

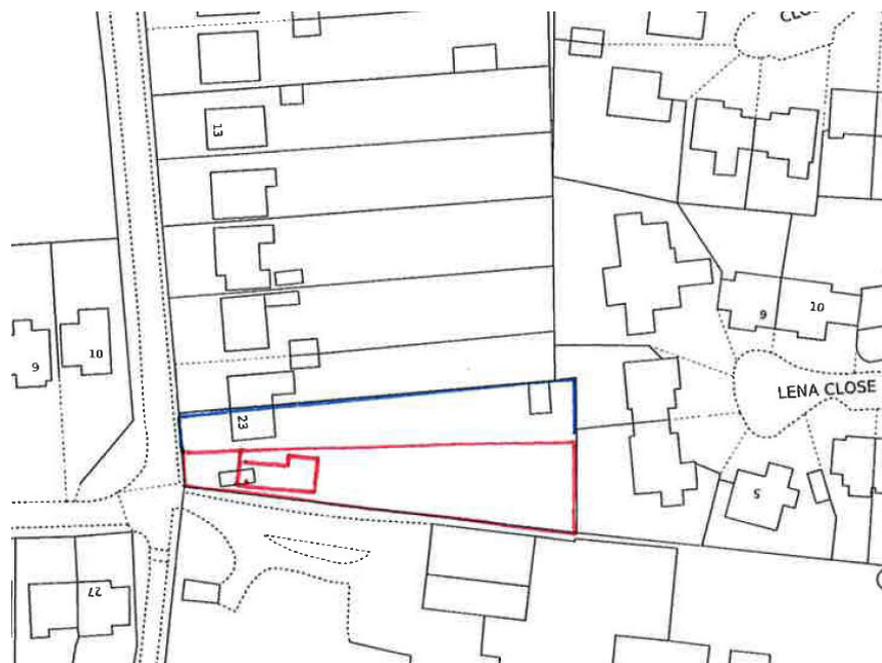
To consider the recommendation that the application should be approved.

2. Report Summary

The key issue is considered to be the impact on the character and appearance of the area.

3. Site Description

The site comprises a substantial part of the garden of a semi detached house at 23, Astor Crescent. 21/23 Astor Crescent are the only pair of semi-detached houses on this side of Astor Crescent, with bungalows along the rest of this side of the road to the north. To the south is the garden centre.



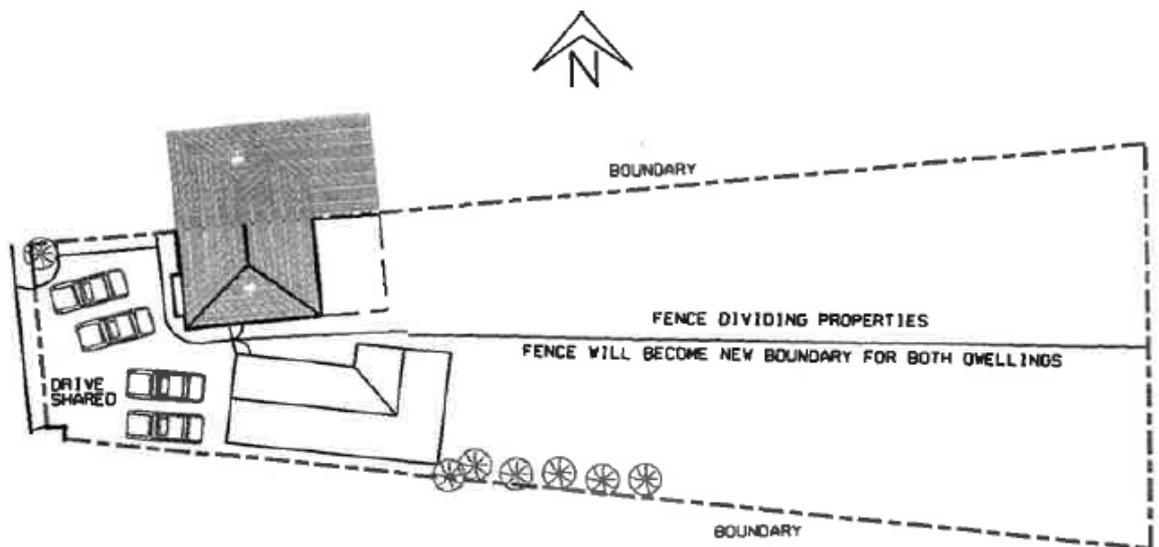
Site Location

4. Planning History

The site has previously been the subject of planning applications to develop the rear garden for backland development. An application for three houses at the rear was refused in 2010 and dismissed on appeal (E/10/0819/FUL). A subsequent application for two dwellings in the rear garden was also refused and dismissed on appeal (E/11/0678/FUL). Finally, an application for a single bungalow in the rear garden was refused in 2012 (E/2012/0345/FUL). This was not appealed.

5. The Proposal

The current proposal is for a development of a single bungalow alongside the existing house, which would effectively seal off the access from Astor Crescent to the rear garden, preventing backland development from Astor Crescent of the nature envisaged in the earlier applications. The rear garden of 23, Astor Crescent would be split between the existing house and the new bungalow. Parking would be on the area between the front of the two properties and Astor Crescent.



Siting of proposed bungalow



Front Elevation

6. Planning Policy

Kennet Local Plan – the site lies within the development limits of the settlement. Policy PD1 is relevant. The status of the site is not proposed to change in the emerging Core Strategy.

Central Government advice is provided by the National Planning Policy Framework (NPPF). This promotes sustainable development in terms of its economic, social and environmental roles.

7. Consultations

Ludgershall Town Council – objects to the application on the grounds that the bungalow is of poor design and out of character with surrounding properties; that vehicles from the parking spaces will exit onto a 90 degree bend, and that the roots of mature trees outside the curtilage of development could be lost as a result of the development. If permission is granted, permitted development rights should be removed for extensions to both this bungalow and the adjacent house.

Wiltshire Highways – the footway must continue across the access, widened to 2 metres over the entire frontage and a visibility splay provided across the entire frontage.

8. Publicity

The application was advertised with a site notice and neighbour notification. A letter of objection has been received from the Astor Crescent/Lena Close Action Group. The Group objects to the development on the grounds that any dwelling here will compromise the character and appearance of the neighbourhood.

In particular, they are concerned that the rear of the bungalow will overlay the roots of the Ash trees growing alongside the boundary with the garden centre. These trees are of local significance and should be retained. The encroachment into the root protection area of some of these trees, and the ensuing close proximity of the new dwelling to the trees will threaten their continued existence.

The Group is also concerned that the bungalow will dominate the view from the west, resulting in a loss of openness, and would be out of character between the two storey houses on either side of the garden centre entrance. Although recognising that this is more an 'infill' than 'backland' development, the Group remain concerned that it could set a precedent for future backland development in the area. The Group expresses concern at the impact of extra traffic, when taken with the garden centre site and draw attention to the dilapidated condition of the existing house.

The Group remain opposed to any development of the garden of no.23.

9. Planning Considerations

The principle of an infill plot within the development limits of Ludgershall is acceptable and in accordance with national and local planning policies. The issues that need to be addressed in this case are whether the local impacts of this particular development are acceptable.

9.1 Previous planning history – all the previous planning applications have been for development in the rear garden, behind the existing properties on this side of Astor Crescent. These have all been deemed unacceptable for various reasons, including the impact of such in-depth development on the character of the area. This application is different from these in that it is on the frontage of the site and effectively blocks any access for further development in the rear garden accessed from Astor Crescent. The normal

problems associated with backland development, such as overlooking of existing properties, therefore do not apply in this case and no objections on these grounds have been received.

9.2 Visual impact - the parish council and the local action group are both concerned about the impact of the proposal on the Ash trees that are to the side of the site, although most of them lie outside the curtilage of the property and within that of the Garden Centre.

These trees were the subject of a survey by an arboricultural consultant in 2010, as part of a submission for an earlier application. None of them were identified as being of high quality and value, but were assessed as being of fair physical condition and of moderate/low quality and value. The consultant considered the line of ash trees to be of 'local significance'. A Planning Inspector in the appeal against the 2010 decision (E/10/0819/FUL) noted their local significance and considered that they made an important contribution to the character and appearance of the area and that their reduction or removal would be to the detriment of the character or appearance of the area.

The current proposal does not show these trees being removed (not surprisingly as they mostly lie outside of the site). However, the bungalow would extend into the root protection area of the trees at the western end of the site and it is likely that the three or four Ash trees closest to the bungalow would be affected and would be likely to be removed or threatened with removal.

The issue therefore is whether the potential loss of some of these Ash trees would have an adverse impact on the character and appearance of the area such as would justify refusal of the application.

It is considered that this would not be the case. None of the threatened trees are of high quality and none would merit a tree preservation order in their own right. With the growing threat of Ash die-back disease (not known in this country when the appeal decision was made), it may be better to accept their loss and make provision now for the planting of trees of an alternative species further down the garden where they can grow and make a contribution to the character of the area in the future without affecting the amenity of nearby properties to the east or north.

In terms of the street frontage, the pair of semi detached houses at 21/23 Astor Crescent are followed by a row of detached bungalows, so a bungalow here is not out of character with the area in terms of its built form.

10. Conclusion

Previous applications on this site have been for in-depth development that has been held by planning inspectors to be out of character with the area. This proposal blocks off access to this land from Astor Crescent and provides a modest bungalow with no adverse impact on the amenity of neighbouring properties.

The main issue is the impact on the character and appearance of the area from the potential loss of some of the Ash trees to the south. It is not considered that the loss of some of these trees would have a significant adverse impact that would justify refusal in this case. Accordingly, the application is recommended for approval, with a condition removing permitted development rights to ensure that the impact of any proposed future extensions can be assessed.

RECOMMENDATION:

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

The site lies within the limits of development for Ludgershall defined in the Kennet Local Plan. The proposed development, located adjacent to an existing dwelling, would not have an adverse impact on the character and appearance of the area or the amenities of existing residents, due to its location in line with the existing pattern of development and would not form an inappropriate backland and in-depth development. The proposal is therefore in line with the policies of the Kennet Local Plan 2011.

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, where requested, 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. The screen fence shown on the approved plans shall be erected at a height of 1.8 metres prior to the first occupation of the dwelling hereby permitted.

REASON: To prevent loss of privacy to this and the adjacent neighbouring property.

4. Before the property is first occupied:

- a) the parking facilities shall be provided in accordance with the approved plans, with details of the surfacing material to be approved by the local planning authority prior to commencement and the approved material to be used;
- b) A visibility splay shall be provided across the site frontage, such that nothing shall obstruct visibility at a height in excess of 600 mm above carriageway level over a strip 2 metres wide parallel to and adjacent to the carriageway edge over the entire site frontage;
- c) the pedestrian footway shall be continued across the whole of the site frontage, in accordance with details to be submitted to and approved by the local planning authority before development is commenced.

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), no extensions to the property hereby permitted shall be

erected without the prior grant of planning permission from the local planning authority.

REASON: To ensure that any proposed extensions are considered taking into account the impact on nearby trees and the provision of adequate parking facilities.

6. Before works commence, a plan showing the location of tree protection fencing shall be submitted to and approved in writing by the local planning authority. The tree protection fencing shall be of weldmesh panels, at least 2 metres high and securely fixed. The fencing shall be maintained for the duration of the construction works and no building materials or other goods or materials shall be stored within it and no construction works shall take place within the protected area.

REASON: To protect the Ash trees that are not immediately adjacent to the site of the bungalow, in the interests of amenity.

7. No development shall commence on site until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include the planting of standard trees within the rear garden of the dwelling hereby approved.

REASON: To provide a satisfactory landscaped setting for the development that makes provision for the potential loss of any of the adjacent Ash trees.

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

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

9. This permission relates to the 1:1250 location plan and to drawing no. TC-12-09-23-1001revision B.

REASON: To define the plans granted planning permission.

REPORT TO THE AREA HUB PLANNING COMMITTEE

Date of Meeting	21 st February 2013
Application Number	E/2012/1537/FUL
Site Address	New House (Wilds Farm Barns), Hilcott, Pewsey, Wilts SN9 6LE
Proposal	Proposed stabling for 6 no. stalls, tack room and open store within single storey pitched roof structure.
Applicant	Mr & Mrs R Cook
Town/Parish Council	NORTH NEWNTON
Grid Ref	411607 158245
Type of application	Full Planning
Case Officer	Jane Sanger

Reason for the application being considered by Committee

The application has been called to planning committee at the request of the Division Member Councillor Brigadier Robert Hall.

1. Purpose of Report

To consider the recommendation that the application be approved with conditions.

2. Report Summary

The main planning issues to consider are:

- Principle of development in this location.
- Impact on the amenities and scenic qualities of the Area of Outstanding Natural Beauty.
- Impact on the character and appearance of the conservation area.
- Impact on the setting of nearby listed buildings.
- Impact on neighbour amenity.
- Impact on highway safety.

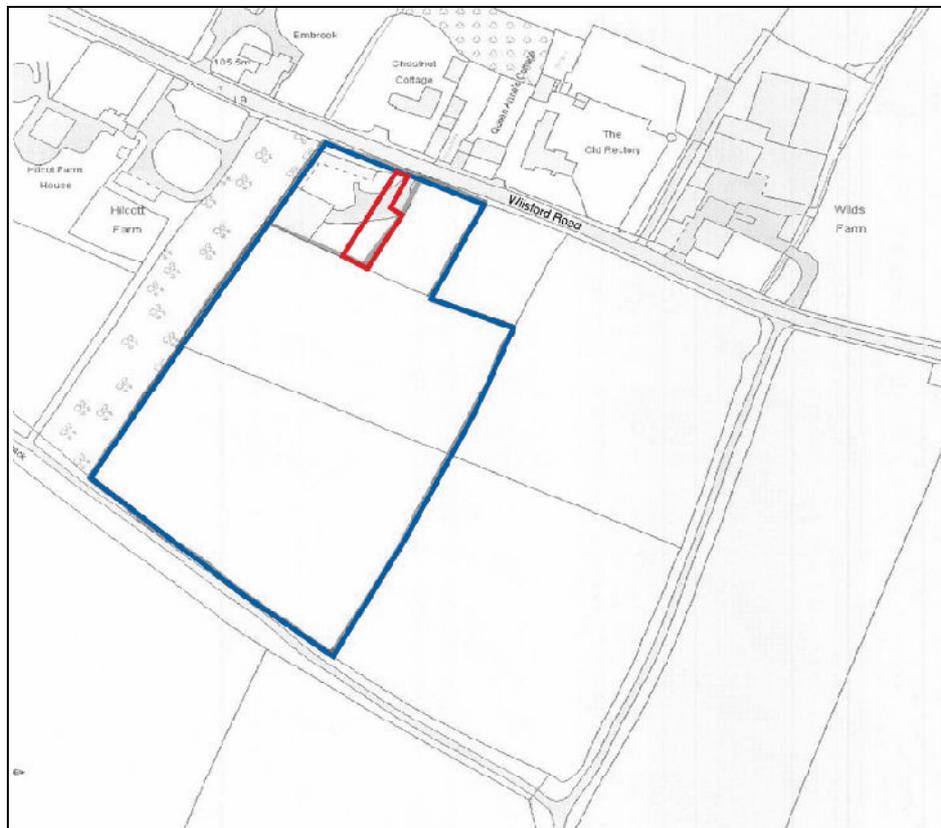
3. Site Description

This application comprises land at Wilds Farm at Hilcott, near Pewsey. The site edged in red on the submitted location plan (below) comprises paddock land covering an area of approximately 390 square metres. The site has a frontage onto Broad Street and is surrounded on all other sides by land within the applicant's ownership – edged blue. To the south and east there is agricultural land and to the west lies a series of traditional open cart-shed style barns and a modern portal framed barn which is currently used as a bus storage shelter (under temporary permission reference K/59525/F).

To the west of the land edged blue there is a strip of woodland which separates the site from Hilcott Farm. Immediately to the east of the land edged blue there is a tennis court, sited on

the opposite side of the road from The Old Rectory.

The site lies within the North Wessex Downs Area of Outstanding Natural Beauty and within the Hilcott conservation area. A number of properties to the north are listed buildings: The Old Rectory, Queen Anne's Cottage and Chestnut Cottage.



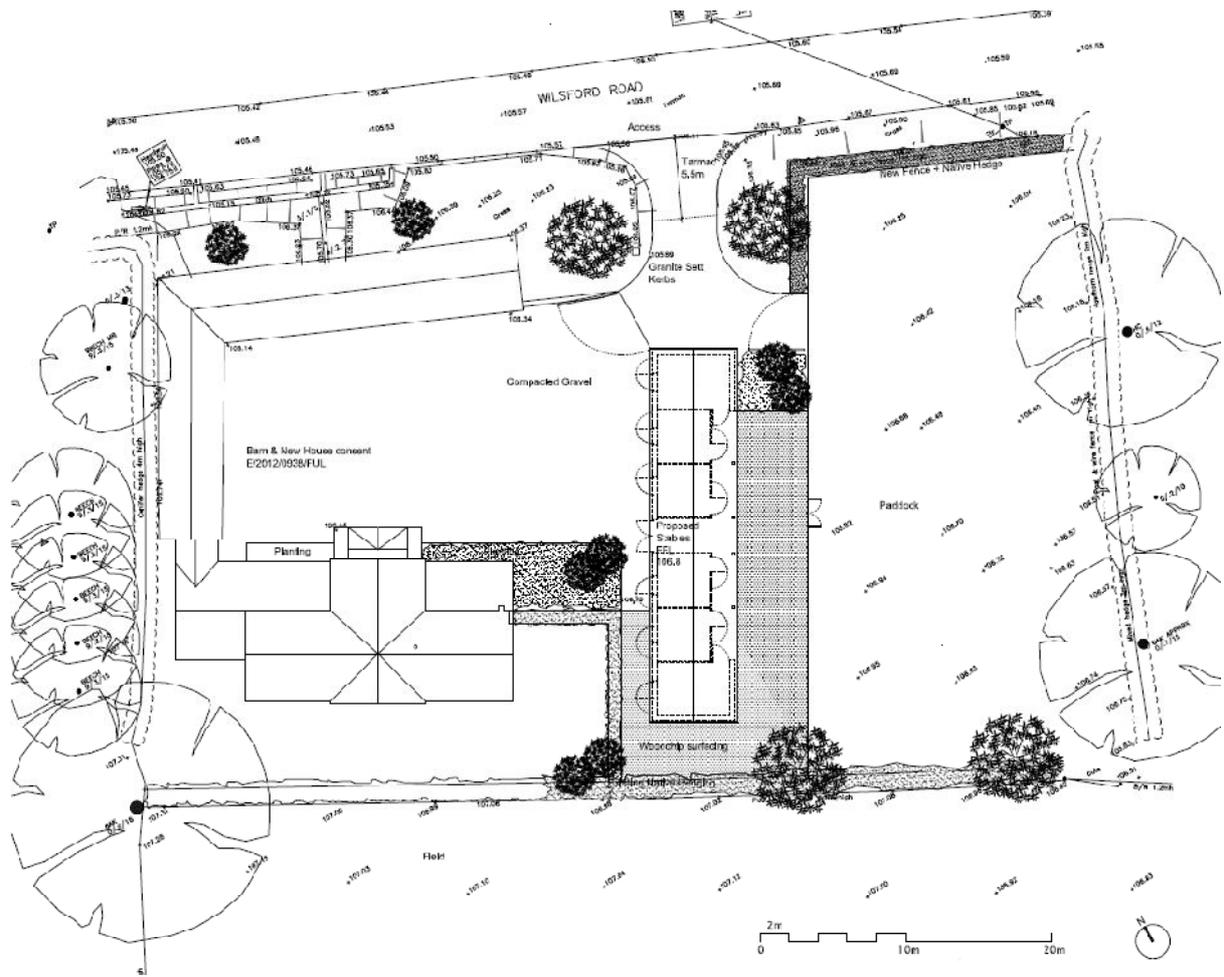
Site Location Plan

4. Planning history

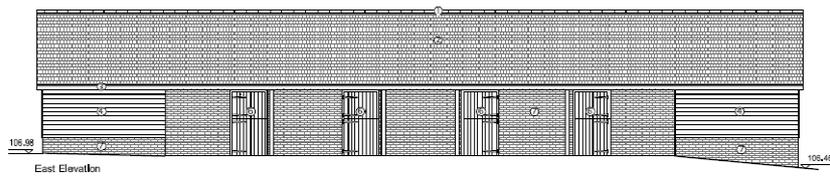
The area edged in red forms part of, and is seen in context of, the wider site identified on the Site Location Plan in blue. The dilapidated portal framed building in the western corner of the site is the subject of a temporary planning permission for use as a bus shelter under planning reference K/59525/F, expiring on 31st December 2013. This area was recently granted planning approval under reference E/2012/0938/FUL for a proposed new two storey house, to include the demolition of the portal framed building and renovation of the existing cart shed barns for garaging/ancillary accommodation. Originally this proposal included the construction of a six box stable block, but that element was omitted after local opposition. Conservation area consent for demolition of the portal framed building was granted under reference E/2012/0939/CAC.

5. The Proposal

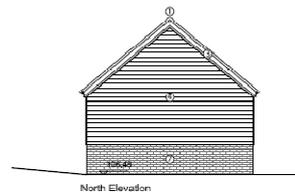
This application proposes the construction of stabling for six stalls, tack room and open store within a single storey pitched roof structure. The stables would occupy the exactly the same footprint as those omitted from E/2012/0938/FUL and it would have an identical design.



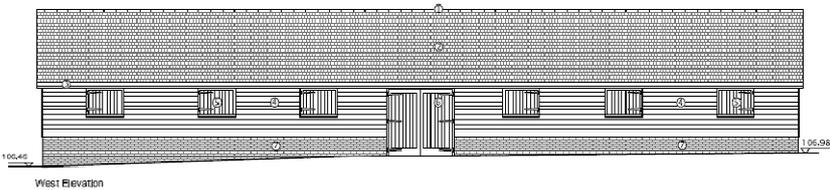
Proposed Layout



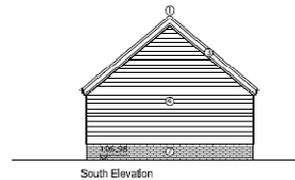
East Elevation



North Elevation

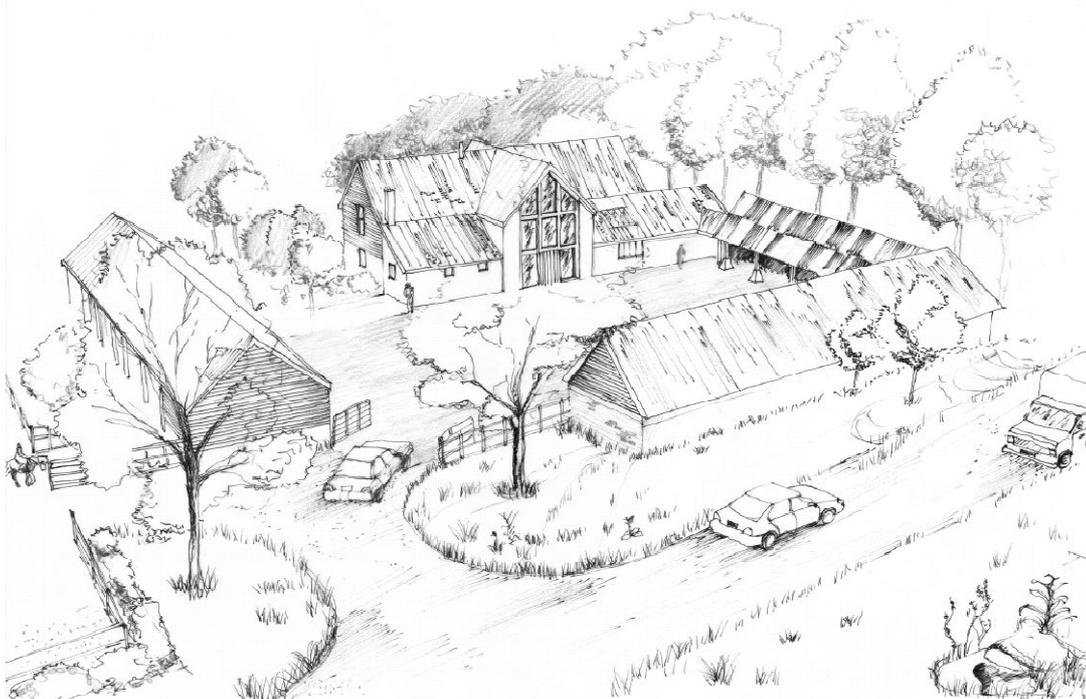


West Elevation



South Elevation

Proposed Elevations



Artist's Impression

6. Planning Policy

In respect of national planning policies, pertinent government policy would include the National Planning Policy Framework (NPPF) 2012. Relevant local plan policies would comprise policy PD1 of the Kennet Local Plan 2011 in relation to general development principles as well as policies NR6 and NR7 which have regard to sustainability and the protection of the countryside and landscape. The Hilcott Conservation Area Statement is also a material consideration.

7. Consultations

Environment Agency - No objection to the proposed development subject to the recommended conditions and informatives being included in any planning permission granted.

North Newton Parish Council – Object. The Parish Council supports the local residents and objects to the application.

Wiltshire Council Arboricultural Officer – No objections subject to tree protection and details of hedge species.

Wiltshire Council Conservation Officer – No objections:

“The proposal for the stable block was considered as part of the original application and, on the basis that the developed area is largely confined to the built footprint of the former historic farmyard, which included an eastern range in roughly this location, there is no objection in principle from a conservation viewpoint.

“In terms of form, scale, proportions and materials etc., the proposed stable building is generally reflective of construction in the area and there is no objection on this basis.

“However, no details of external lighting have been included – buildings such as the proposed stable range will often attract requirements for effective task/security lighting; care should be taken to avoid the overuse of harsh flood-lighting for long hours in this rural location – and these should be secured by condition.”

Wiltshire Council Public Protection (Environmental Health)

Initial comments

“There does not appear to be any information in the application with regards to where horse manure will be stored and how it will be disposed of, except *‘waste material will be stored away from dwellings to minimise any potential nuisance’*. I therefore request that the applicant submit for approval details of how the manure and soiled bedding will be stored and disposed of. These details should include storage location and how the manure will be disposed of, including frequency of removal.

“As Hilcott is in a Groundwater Nitrate Vulnerable Zone, the applicant must comply with the Environment Agency rules that set minimum standards for manure storage. I also recommend that the Environment Agency be consulted regarding the proposed soakaway for effluent run off as it is likely to directly contravene Environment Agency guidelines regarding contamination of the ground water.

“In addition, if approved, in the final consent there should also be a condition stating that there should be no burning of the horse manure and bedding that is produced on the site. I note that the plans do not include any external lighting to the new stables. If this is an oversight, I request that the applicant submit details of the type of light fittings and where they will be situated for consideration.”

Additional comments

“Should you be minded to approve this planning application, I would recommend the following:

Bedding and waste disposal

“It is noted that the applicant plans to store waste material from the stables in a covered trailer, but gives no indication where the trailer will be situated. I recommend that it is positioned at the south end of the stables to avoid potential for odour affecting neighbouring properties.

“I recommend that the following is conditioned in any planning permission granted:

- No burning of the horse manure and bedding that is produced on the site.
- Waste for disposal associated with the stables will be stored and disposed of as per the written plan submitted, with disposal occurring at a minimum frequency of once a month (or more frequently if required).”

Lighting

“The applicant has not provided specific information regarding the lights and how they will be positioned. I would propose that a condition, if appropriate, be considered:

- Any external lighting will meet the standards set by the Institution of Lighting Engineers Guidance (document attached) and controlled by a PIR sensor.”

8. Publicity

This application has been advertised by way of a site notice erected at the entrance to the site and through letters sent to neighbours.

At the time of writing a total of four letters of objection have been received, although two letters are from the same residents. These representations are detailed and can be viewed in full on the Council's website. However, the main concerns can be briefly summarised as follows:

- The new house and conversion of the cart-sheds was justified on the basis that the existing buildings on site were dilapidated, redundant and their replacements occupied the same footprint. The stables would not be on the footprint of any building;
- With all this redundant capacity why is the construction of new stables necessary, particularly where it would be outside the footprint of existing buildings, thereby extending the village, contributing to the consolidation to the 'sporadic loose knit area of development' and adversely affecting the neighbours;
- A large stable block is not in harmony with the village in terms of its scale and character and would impinge on the important open spaces between properties (contrary to Policy HC24);
- We are very concerned about the impact of noise, light pollution, flies and odour that the stables would create, particularly in view of the prevailing south west wind;
- The lighting proposed may be intrusive;
- If the stables were approved, to lessen their impact, we suggest reducing the number of boxes and condition any approval appropriately on commercial/livery use, light pollution, noise and the disposal of bedding/straw and manure;
- Their siting would be more appropriate behind, to the south-west of the recently approved dwelling;
- The Design & Access Statement refers to the nearest point of stabling as between 37 and 46m to the Old Rectory and Chestnut Cottage respectively. These distances are seen to support the positioning of the stables in terms of negating the neighbour nuisance issues. But this conveniently omits Queen Anne's Cottage which is less than 30m away from the proposed site;
- We question the applicant's management of the stables as they have proposed; undertakings were made, which have not been adhered to, over the operation of the bus depot on the same site, within the ownership of the same family;
- The design of the proposed stables is such that their height would be in line with the steeply pitched cart-sheds, which would result in a very prominent building in the conservation area.
- The number of stables suggests that the intention is to use it for a livery business;
- Re-siting the stables to the south of the site would overcome many of our concerns;

- As the Council's objections to the alternative site are being kept a secret it is hard to address them;
- The exit of the stables would be directly onto the road (last week an escaped horse from a field was killed); The speed limit through Hilcott is 40mph, but drivers break the speed limit regularly and the proximity and position of the stables to the road, with the potential for horses to escape could cause a hazard for both people and horses.

9. Planning Considerations

Principle of development in this location

The principle of stabling in this countryside location, whether or not associated with a new dwelling, is acceptable in policy terms subject to consideration of detailed issues such as landscape and visual impact and impact upon residential amenity (these issues are covered by policies PD1 & NR7 of the Kennet Local Plan).

Impact upon the AONB and Conservation Area

The proposed stables would be rectangular in footprint and they would reflect the general scale and form of the converted open cart sheds. The siting of the stables would create enclosure for the new courtyard created by the positioning of the permitted dwelling and converted cart sheds, reflecting what was historically a farmyard. As a result, the stables would be closely related to the other buildings on the site and they would read as part of one development and not as an isolated entity.

The stable block would be acceptable in design terms, with modest span, a roof pitch which supports clay tile and an appropriate use of traditional materials (brick, clay tile and timber cladding). Overall, the building would have an unsurprising appearance in its surroundings; stables and equestrian type uses are common characteristics of such countryside locations.

Local residents have raised concerns that the height of the stables would make them unduly prominent. However, it is not considered that the height of the building would be harmful to the conservation area or landscape/visual amenity. At 5.3m tall the stable block is not excessive in height; indeed it would be only marginally taller than the existing cartshed buildings to the west (but set further back into the site so the additional height is unlikely to be apparent). The stables may be larger than a conventional stable block, but the additional length has the advantage of creating enclosure for the yard and the roof pitch facilitates the use of clay tile. The proposed materials would be in keeping with the area and they would be superior to a timber stable block with felted roof. Overall, officers consider that the proposals would preserve the amenities and scenic qualities of the AONB and the character and appearance of the conservation area.

Concerns have been expressed that development would lie outside of the built-up area of the village and that it would consolidate existing sporadic development in the village. Whilst it is true to say that the character of existing development in the village is loose knit, the stables would be closely related to the new dwelling on the site. It is not considered, therefore, that development would be out of scale or character with the area, or harmful to the conservation area. Redevelopment of the modern portal frame building will improve the appearance of the site and the position of the stables will form an enclosed a yard, thereby re-creating a farmyard character. The site has its own set of circumstances which justify redevelopment in the form being proposed and this proposal does not create a precedent for undesirable development which extends outside of the existing built-up area of the village.

Impact on the setting of nearby listed buildings

A number of listed buildings lie on the opposite side of the road from the site: The Old Rectory, Queen Anne's Cottage and Chestnut Cottage. It is not considered that the proposal would harm the setting of these listed buildings, particularly having regard to the historic use of the site as a farmyard and the benefits to the amenity of the area from redeveloping the modern portal frame building. The Conservation Officer raises no objections to the proposals.

Impact on neighbour amenity

One of the main objections to the proposal is that a stable block of this size and in the position proposed would create odour, noise and light nuisance for residents, particularly those living across the road at Chestnut Cottage, Queen Anne's Cottage and the Old Rectory.

The submitted Design and Access Statement refers to '...the nearest point of stabling to adjoining properties is 46m and 37m to The Old Rectory and Chestnut Cottage respectively'. The applicant argues that these are considerable distances which, when combined with the proper management of the stabling, would negate any potential nuisance. Objectors point out that Queen Anne's Cottage is less than 30m away from the stables, materially closer than the distances quoted in the applicant's submission.

Notwithstanding the factual error in the applicant's submission, it is not considered that development would have an adverse impact upon residential amenity. The Council's Environmental Health Officer does not object to the proposal and is satisfied that appropriately worded conditions can be used to control the use and mitigate any impacts upon local residents.

The applicant has provided additional information relating to bedding and the management of waste disposal, and also external lighting.

It is proposed to use oil seed rape straw called 'Nedz Pro' on rubber matting which will minimise the amount of waste. This waste would be stored on site in a covered small trailer which would probably require disposing of on a monthly basis to an off-site location. This could be conditioned as such. The applicant has confirmed that with this type of bedding a wash down drain would not be required; therefore there would not be any effluent run-off to cause nitrate/pollution of the ground water raised by the Environmental Health Officer in the first set of comments. A planning condition preventing the burning of manure would be acceptable to the applicant.

The applicant has confirmed that external lighting is proposed within the open covered area to the west and a bulk head light to the courtyard/east side which would be controlled by a PIR sensor. It is recommended that the Council controls any external lighting via a suitably worded planning condition requiring the applicant to submit details for approval, to minimise the impact on residential amenity.

Concerns have been raised as to the number of boxes proposed within the stables and that this may indicate that the applicant intends to use these stables for livery purposes. The agent has been clear throughout of the applicant's intention to use these stables for personal use only, which by reason of the position of the stables closely related to the house and garaging would read as such. It is recommended that any planning permission includes a condition restricting the development to the landowner's personal use; thereby enabling any commercial use to be separately assessed.

Local residents are concerned that the applicant will breach any conditions imposed upon a grant of planning permission; they point out that the same applicant has breached conditions imposed on an earlier temporary planning consent for the bus storage use. The identity of the applicant and the likelihood of breaches occurring is not, in itself, reason to refuse planning permission as the Council has powers to enforce planning conditions. Any conditions will need to be precise and enforceable (as per Circular 11/95 advice), to assist with any future enforcement action.

Residents have raised concerns regarding the possibility of horses escaping onto the road and the consequent danger to highway safety. Whilst there is always a risk of this type of incident occurring, it is no more or less likely than with any other equestrian proposal and it is not considered that a refusal of planning permission could be justified on these grounds.

Impact on highway safety

It is not considered that there will be any harm to highway safety arising from the proposed development. The additional traffic generated by a stable block will be limited and the access has already been accepted for use by the new dwelling. It is also relevant to consider the fallback position which is that the site could continue to be used for bus storage (subject to the temporary permission being renewed at the end of the year).

Alternative proposals

Local residents have expressed a preference for the stabling to be provided in the field to the rear of the new dwelling. This option was explored by the applicants but they have chosen to revert back to the original proposal which is now before the committee. The current application must be considered on its own merits.

10. Conclusion

Stabling and equestrian use is acceptable in principle in this countryside location. The proposed stable building is of a scale and design which would be sympathetic to the site's rural location and it would be well related to, and viewed in the context of the adjacent dwelling and outbuildings. The positioning and orientation of the building would create enclosure for a new yard area which itself would reflect the historic arrangement of buildings on the site. The development as a whole would improve the appearance of the site and remove dilapidated buildings and the current bus storage use which currently detract from the amenities of the area. The character and appearance of the conservation area would be preserved (and arguably enhanced) by the proposals and it is not considered that there would be any harm to the amenities or scenic qualities of the AONB. The impact of the stabling upon the residential amenities of neighbours is capable of being mitigated by suitably worded planning conditions to control issues such as lighting, the burning of animal and stable waste and manure storage.

RECOMMENDATION

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

The Council is required to give a summary of the reasons for this decision and its conditions, and a summary of the development plan policies and proposals relevant to the decision and its conditions. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would preserve the character and appearance of the Hilcott conservation area and the settings of nearby listed buildings. The amenities and

scenic qualities of the North Wessex Downs Area of Outstanding Natural Beauty would also be preserved by the proposals and any impacts on residential amenity are capable of being controlled by the use of planning conditions. There would be no harm to any other interests of acknowledged importance and the proposals would comply with Government policy contained in the National Planning Policy Framework and policies PD1, NR6 & NR7 of the Kennet Local Plan 2011.

- 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 samples of the bricks and clay tiles to be used for the external walls and roofs, and details of the finish proposed for the timber cladding for the external walls 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) **INFORMATIVE TO APPLICANT:**
Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the Planning Office where they are to be found.

- 4) There shall be no burning of horse manure, animal bedding or other stable waste within the site, or on land edged in blue.

REASON:

In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

- 5) No development shall commence on site until a plan showing the location of the covered trailer to be used for the storage of horse manure, soiled animal bedding and other stable waste has been submitted to and approved in writing by the Local Planning Authority. All horse manure, soiled animal bedding and other stable waste shall be stored in accordance with the approved details and none shall be stored elsewhere on the site, including on the land edged blue. The horse manure, soiled animal bedding and other stable waste shall be taken off site at least once a month for disposal.

REASON:

In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

- 6) **INFORMATIVE TO APPLICANT:**
The applicant is advised to site the covered trailer to the rear of the stables, as far as possible from nearby dwellings.

- 7) The development hereby permitted shall only be used for the private stabling of horses being kept by the occupants of the dwelling permitted under planning approval E/2012/0938/FUL and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for full or DIY livery, or in connection with equestrian tuition or leisure rides.

REASON:

The application has been assessed on the basis that the proposal is for private stabling. Any commercial use may give rise to additional impacts which may require separate assessment.

- 8) 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 prevent harm to bats.

- 9) No development shall commence on site, and no equipment, machinery or materials shall be brought onto site for the purpose of development, until protective tree fencing has been erected in accordance with the details shown on drawing no. PS/02. Before it is erected the type of fencing shall be agreed in writing with the Local Planning Authority and thereafter it shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected area(s).

REASON:

To protect existing trees and hedging in the interests of landscape and visual amenity.

- 10) INFORMATIVE:

The applicant's attention is drawn to the conditions imposed on planning permission reference E/2012/0938/FUL.

- 11) The development hereby permitted shall be carried out in accordance with the following approved plans: Application Form; Design & Access Statement; AAe Environmental Consultants Bat Survey; Drawing Nos; Loc – Location Plan; PS/01 – Site Plan; PS/02 – Landscaping & Tree Protection Strategy; PS/03 – Proposed Stables, Plan & Elevations; PS/04 – Context Elevation 1; PS/05 – Context Elevations 2 & 3; PS/06 – Aerial Perspective View; PS/07 – Stables Perspective View; PS/08 – Access Road View & A4 Sheet x3 Photographs, all received on 10.12.2012. Nedz Pro Equine Bedding Information Sheet on A4 received via email sent on 10.01.2013 @11:59 from Nigel Keen.

REASON:

For the avoidance of doubt and in the interests of proper planning.

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