

AGENDA

Meeting: Eastern Area Planning Committee

Place: Wessex Room, Corn Exchange, Devizes, SN10 1HS

Date: Thursday 20 June 2013

Time: 6.00 pm

Please direct any enquiries on this Agenda to Samuel Bath, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718211 or email samuel.bath@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 Mark Connolly (Vice-Chair)
Cllr Stewart Dobson
Cllr Peter Evans
Cllr Nick Fogg

Cllr Richard Gamble
Cllr Charles Howard (Chairman)
Cllr Jerry Kunkler
Cllr Paul Oatway

Substitutes:

Cllr Liz Bryant
Cllr Terry Chivers
Cllr Ernie Clark
Cllr Dennis Drewett

Cllr Jeff Osborn
Cllr James Sheppard
Cllr Philip Whitehead
Cllr Christopher Williams

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 **30 May 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 from the Chairman.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

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

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda **no later than 5pm on Thursday 13 June 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**

To consider and determine the following planning applications.

- 6a **E/2013/0261/FUL - Glebe House, Milton Lilbourne, Pewsey, Wilts, SN9 5LQ** (*Pages 9 - 20*)
- 6b **13/00054/FUL - Homesteads, Rivar Road, Shalbourne, Marlborough, SN8 3QE** (*Pages 21 - 28*)
- 6c **13/00067/LBC - Homesteads, Rivar Road, Shalbourne, Marlborough, SN8 3QE** (*Pages 29 - 32*)
- 6d **E/2011/1231/FUL - 4 - 6 Andover Road Ludgershall Andover SP11 9LZ** (*Pages 33 - 42*)
- 6e **E/2012/1459/FUL - The Wickets, Dragon Lane, Manningford Bruce, Pewsey SN9 6JE** (*Pages 43 - 52*)

7 **Urgent items**

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

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EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 30 MAY 2013 IN THE WESSEX ROOM, CORN EXCHANGE, DEVIZES, SN10 1HS.

Present:

Cllr Mark Connolly (Vice-Chair), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg, Cllr Richard Gamble, Cllr Charles Howard (Chairman), Cllr Jerry Kunkler and Cllr Paul Oatway

Also Present:

Cllr Jonathon Seed, Cllr Philip Whitehead and Cllr James Sheppard

36. Apologies for Absence

An apology for absence was received from Councillor Mark Connolly.

37. Minutes of the Previous Meeting

The minutes of the meeting held on 25 April 2013 were presented for consideration. It was,

Resolved:

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

38. Declarations of Interest

There were no declarations.

39. Chairman's Announcements

- 1) The Membership of the Committee following the Council meeting on 14 May 2013 was noted, as listed on the front of the agenda, with the addition of Councillor Jeff Osborn as a substitute.
- 2) With the agreement of the Committee it was announced that item 6c on the agenda, E/2013/0372/S73 - *Little Thornham Farm Bungalow, Trowbridge Road, Seend* - would be moved forward to the first item on the agenda.

40. Public Participation and Councillors' Questions

The rules on public procedure were noted.

There were questions or statements submitted.

41. **Planning Applications**

The Committee determined the following applications:

42. **E/2013/0372/S73: Little Thornham Farm Bungalow, Trowbridge Road, Seend, Melksham, Wiltshire, SN12 6PQ**

Public Participation

Mr Haines spoke in support of the application.

Mr Cosker, agent, spoke in support of the application.

The Area Development Manager introduced a report which recommended permission be refused for the agricultural occupancy restriction on the property to be removed.

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

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

The Local Member, Councillor Jonathon Seed, then spoke in support of the application.

A debate followed, where the efforts to market the property with the agricultural occupancy restriction was assessed. It was noted there was no dispute that there was no longer any requirement for the adjoining land to be serviced by the occupants of the bungalow. The key issue was whether the applicant had shown that the agricultural occupancy condition no longer served a useful purpose. As the property had been offered at a discount less than recommended by law it was felt that to remove the restriction could set a precedent for other similar properties in the open countryside.

It was,

Resolved:

To REFUSE the application for removal of the planning condition no. 2 from the planning permission referenced P2372, for the following reason:

Insufficient evidence has been provided to demonstrate that the existing need for dwellings for agricultural workers in the locality no longer warrants reserving the bungalow for that purpose. In particular, the marketing of the bungalow has not included an appropriate discount on the purchase price to reflect the restriction of its occupancy to an

agricultural or forestry worker. The removal of the condition would result in the creation of a dwelling in the open countryside in conflict with the terms and objectives of the policies in the development plan, namely NR6 and HC26 of the Kennet Local Plan, and of the advice contained within the National Planning Policy Framework 2012.

43. **E/2012/1502/FUL: 57 Bell Inn High Street, Great Cheverell, Devizes SN10 5TH**

Public Participation

Mr Mowbray, a representative of Jasmine Trustee's Ltd spoke in objection to the application.

Mr Ian Christie spoke in objection to the application.

Mr Peter Andrew spoke in objection to the application.

Mr Alfred Moule spoke in support of the application.

Mr Darren Thomas spoke in support of the application.

Mr Cosker, agent, spoke in support of the application.

The Area Development Manager introduced the report which recommended approval. The key issues were stated to include the impact on the character and appearance of the conservation area and neighbouring amenity and the setting of the adjacent listed building.

The Committee then had the opportunity to ask technical questions of the officer. Details were sought about the visibility from the access and location of highways splays. It was confirmed the hedge lining the site would be trimmed back to facilitate visibility and the splays, but would not be removed.

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

The Local Member, Councillor Richard Gamble, then spoke in objection to the application.

A discussion followed, where relevant national and local planning policies were raised, discussing the impact on the historic core of the village and character of the area, and the level of impact on the area, in particular the adjacent pub, from the proposed design was assessed.

Following the debate a motion was proposed and seconded for the application to be refused. This was defeated by vote.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED for the following reasons, and subject to the conditions set out below, together with delegated authority to the planning officer to put on a condition ensuring the green roof was maintained:

The proposal is an acceptable form of infill development in accordance with policies PD1 and HC22 of the Kennet Local Plan that will preserve the character and appearance of the conservation area and will not cause any demonstrable harm to interests of acknowledged importance.

Conditions

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

REASON:

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

2. No development shall commence on site until details and samples of the materials to be used for the external surfaces, including the retaining walls, steps and hardsurfacing for the car parking have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON:

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

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

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) finished levels and contours;

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

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

development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON:

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting or amending that Order with or without modification), no extensions to the dwelling shall be erected without the prior grant of planning permission by the local planning authority.

REASON:

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

6. Before the dwelling is first occupied:

i) The access shall be constructed and laid out as detailed on the submitted plans.

ii) Visibility shall be provided as detailed on plan 1408/Plan 1 SITE PLAN LOWER GROUND LEVEL with nothing to exceed the height of 900 metre above carriageway level, or to be lower than 1800mm above carriageway level, between the carriageway edge, and a line drawn from a point 2.0 metres back along the centre-line of the access from the carriageway edge, to a point on the nearside carriageway edge 25 metres to the east, with the exception that the telegraph pole may remain within this splay. This splay shall thereafter be retained free of obstruction, as set out above.

iii) The gradient of the access over the first 4.5 metres shall not exceed 1 in 15.

iv) The surfacing of the first 4.5 metres of the access in a shall be completed in a well-bound consolidated material (the material to be as agreed in condition 2 above).

REASON:

In the interests of road safety.

7. No development shall commence on site until a landscape management plan, including maintenance schedules for the 'green wall' and roof has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON:

To ensure the proper management of the landscaped areas in the interests of visual amenity.

8. No development shall commence on site until details of the boundary treatment for the site have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented in accordance with the approved details prior to the occupation of the dwelling hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON:

To prevent overlooking & loss of privacy to neighbouring property.

9. Construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: To protect the amenity of residents of nearby properties.

10. Before any work hereby authorised begins, details shall be submitted to and approved in writing of the steps to be taken to secure the safety and stability of the adjacent property at Church Cottage. Such steps shall be implemented in accordance with the agreed details.

REASON:

To ensure that the new development does not have an adverse impact on a building that makes a positive contribution to the character and appearance of the conservation area.

11. The development hereby permitted shall be carried out in accordance with the following approved plans: Design 1 Revision A and Design 2 Revision A received on 7th February 2013; Details on Proposed Green Roof and Living Wall received on 7th February 2013; Arboricultural Report dated November 2012; Design and Access Statement; 1:1250 location plan dated 28th November 2012.

REASON:

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

44. E/2013/0152/LBC: Baydon Manor, Marridge Hill, Ramsbury, Wiltshire, SN8 2HG

Public Participation:

Mrs Vanessa Tanfield, agent, spoke in support of the application.

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

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

The Area Development Manager introduced a report which recommended refusal. The key issue was stated to be the impact of the proposal on the listed building.

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

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

A discussion followed, where the lack of detail in the proposal on how the structure would be dismantled and stored appropriately was noted, together with the absence of public benefit to outweigh the removal of a heritage asset.

After debate, it was,

Resolved:

To REFUSE listed building consent for the following reasons:

- 1) The proposal would result in the loss of a designated heritage asset, for which no adequate justification has been provided. As such, the proposal is contrary to Government policy contained in Section 12 of the National Planning Policy Framework, including paragraphs 130, 132 and 133.**
- 2) The proposal would result in the loss of a significant element within the setting of the Baydon Manor, a designated heritage asset. As such, the proposals are contrary to Government policy contained in Section 12 of the National Planning Policy Framework, including paragraphs 132 and 133.**

45. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.55 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718211504, e-mail kieran.elliott@wiltshire.gov.uk

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

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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	20 th June 2013
Application Number	E/2013/0261/FUL
Site Address	Glebe House, Milton Lilbourne, Pewsey, Wilts, SN9 5LQ
Proposal	Construction of new dwelling in part of the garden of Glebe House
Applicant	Mrs, Miss and Mr Sparks
Town/Parish Council	MILTON LILBOURNE
Grid Ref	
Type of application	Full Planning
Case Officer	Rachel Yeomans

Reason for the application being considered by Committee

This application has been called to Committee at the request of Councillor Jerry Kunkler.

1. Purpose of Report

To consider the recommendation that the application be refused planning permission.

2. Report Summary

The key issues in determining this application are considered to be;

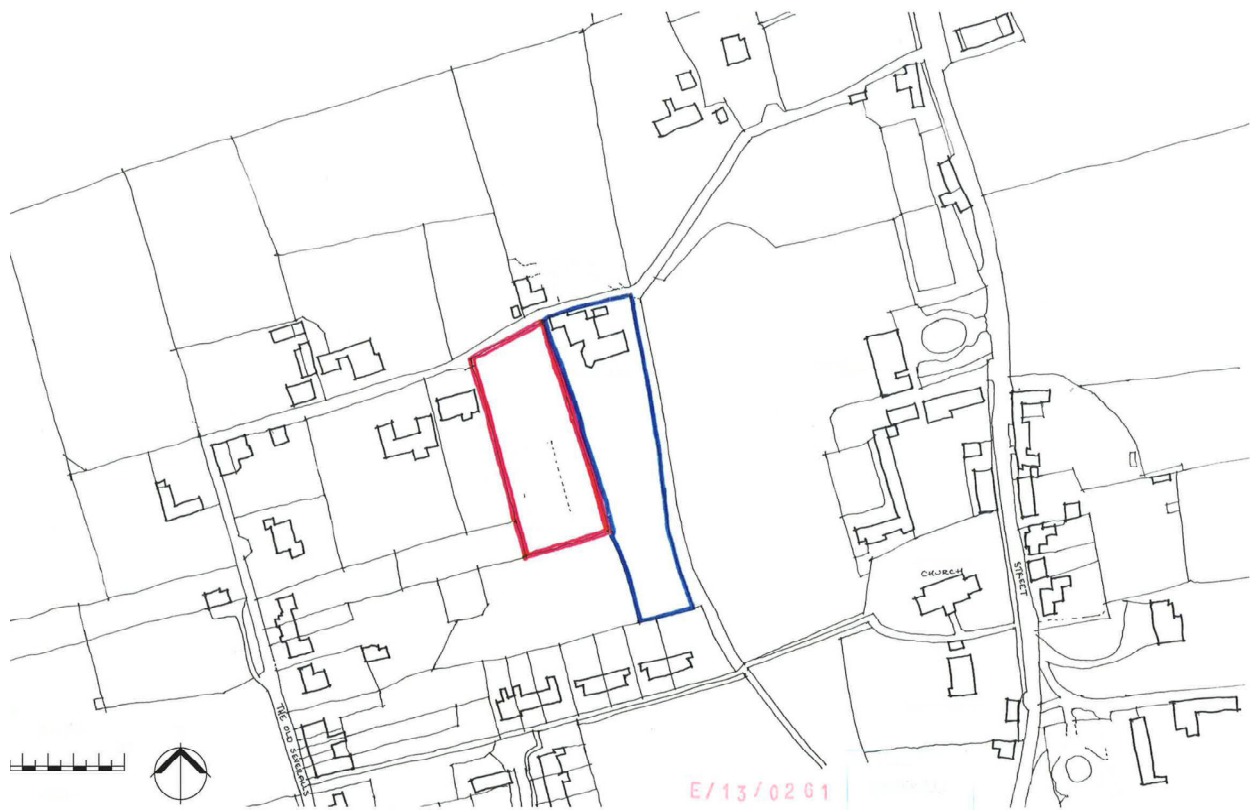
- The principle of the proposed development with particular regard to whether the site can be considered 'infill' and whether the proposed dwelling would be within scale and harmony with the village.
- Whether the proposal would have an appropriate means of access and specifically whether the proposal would be detrimental to highway safety.
- Design and impact on the visual amenities of the area, including impact upon trees and the North Wessex Downs Area of Outstanding Natural Beauty.
- Whether the proposal would preserve residential amenity.

3. Site Description

From the village of Pewsey, proceed along the B3087 in the direction of Burbage. After about 2.5km, you will enter the village of Milton Lilbourne and take the right hand turning into The Street. The right hand turning into Old Severalls can be found beyond the two right hand turnings into no through roads. Proceed along the lane around a left bend and a sharp right hand bend. Glebe House is on left side of this bend and the application site can be found beyond Glebe House. Members may also wish to familiarise themselves with the alternative means of access, by continuing along this lane to a 90 degree bend, which eventually leads to a metalled road which is a

continuation of 'Old Severalls' leading to Havering Lane. By following this loop, upon reaching the T junction of Havering Lane with The Street, turn left up The Street to proceed back out of the village.

The application site lies within a block of development which reads as an additional parcel of development adjoining the linear settlement of Milton Lilbourne. This block is typified by perimeter development along which there are varying individual house types and designs, including detached bungalows, larger houses and attached properties leading to semi-detached properties further to the southwest. To the outer side of this block (that is, on the opposite side of the lane to the application site, dwellings are few and sporadic and the land is characterised by paddocks bounded by hedging and timber post and rail/ wire fencing. The application site itself currently forms a gap in development between Glebe House and dwellings beyond. The land is well vegetated and benefits from a number of significant trees to the frontage. The land gently slopes down to the south.



Site Location Plan

4. Relevant Planning History

Please note this list is not exhaustive but pulls out relevant decisions for dwellings along the stretch of lane in question.

Planning reference	Year	Site address/ description	Outcome
E/2012/1274/FUL	2012	Construction of new dwelling in part of the garden of Glebe House	Application withdrawn following expression of officer concerns regarding highway safety
K/14576	1989	Orchard House, additional office and residential accommodation	Refused including on basis of unclassified and poorly surfaced track and byway leading to and adjacent the site is inadequate and unsuitable to satisfactorily serve any additional dwelling
K/14117	1989	The Severalls, dwelling	Refused at application stage, appeal dismissed, on basis which included unsuitability of access (see planning officer comments)
K/85/0613	1985	The Severalls, dwelling	Refused including on basis of unclassified and poorly surfaced track and byway leading to and adjacent the site is inadequate and unsuitable to satisfactorily serve any additional dwelling
K/82/0040	1982	The Severalls, 2 x 4 bed houses and garages	Refused including for reason set out above
K/79/1075	1975	The Severalls –	Refused including

		relates to original permission fro Orchard House	for reason set out above. Allowed on appeal but later effectively overridden by appeal decision K/14117
K/78/0431	1978	The Severalls, dwelling	Refused including for reason set out above
K/77/0503	1977	The Severalls, dwelling	Refused including for reason set out above
K/77/0327	1977	The Severalls, dwelling	Refused including for reason set out above
K/75/0735	1975	The Severalls, dwelling	Refused including for reason set out above

5. The Proposal

The application proposes the construction of a large, 3 bedroom, single detached two storey dwelling, set behind the trees, with a single storey attached garage to the western side, nearest the neighbouring bungalow to the east. The proposal would involve the loss of some reasonably sized shrubs and trees within the garden area but provides for the retention of the large tree belt along the frontage. The proposal would involve some re-landscaping of parking and garden areas including the removal of the tennis court and its reinstatement as garden.

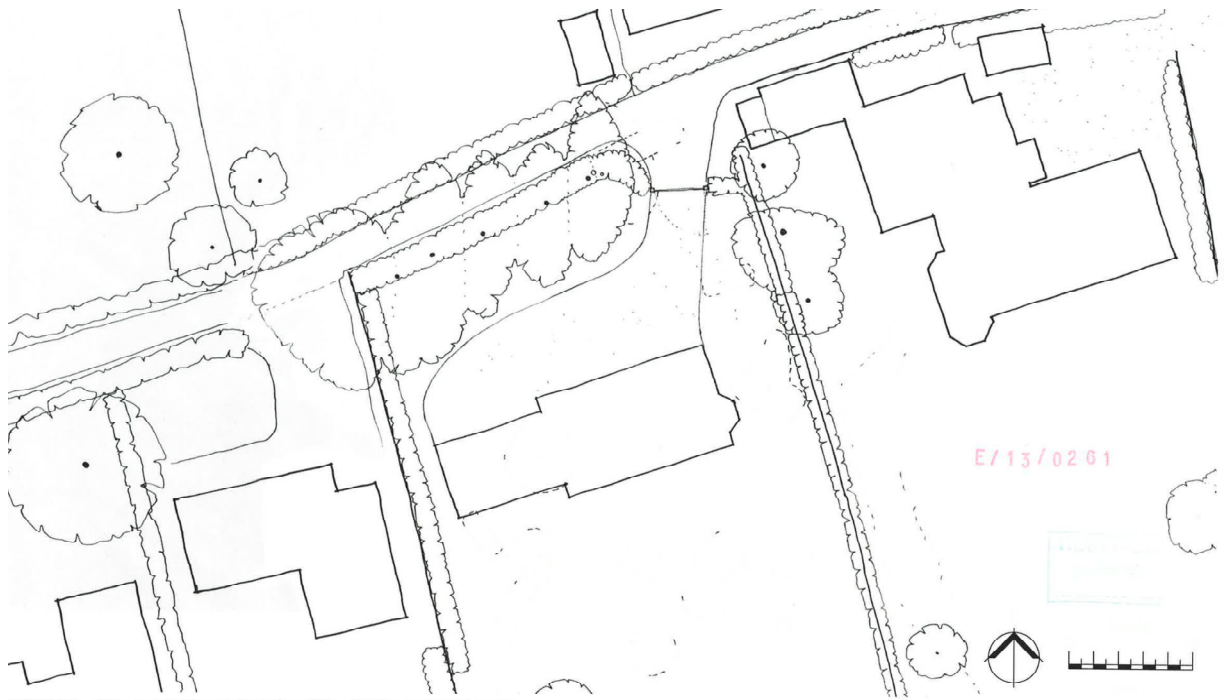


Proposed Front (north) Elevation



E/13/0201

Proposed Streetscene



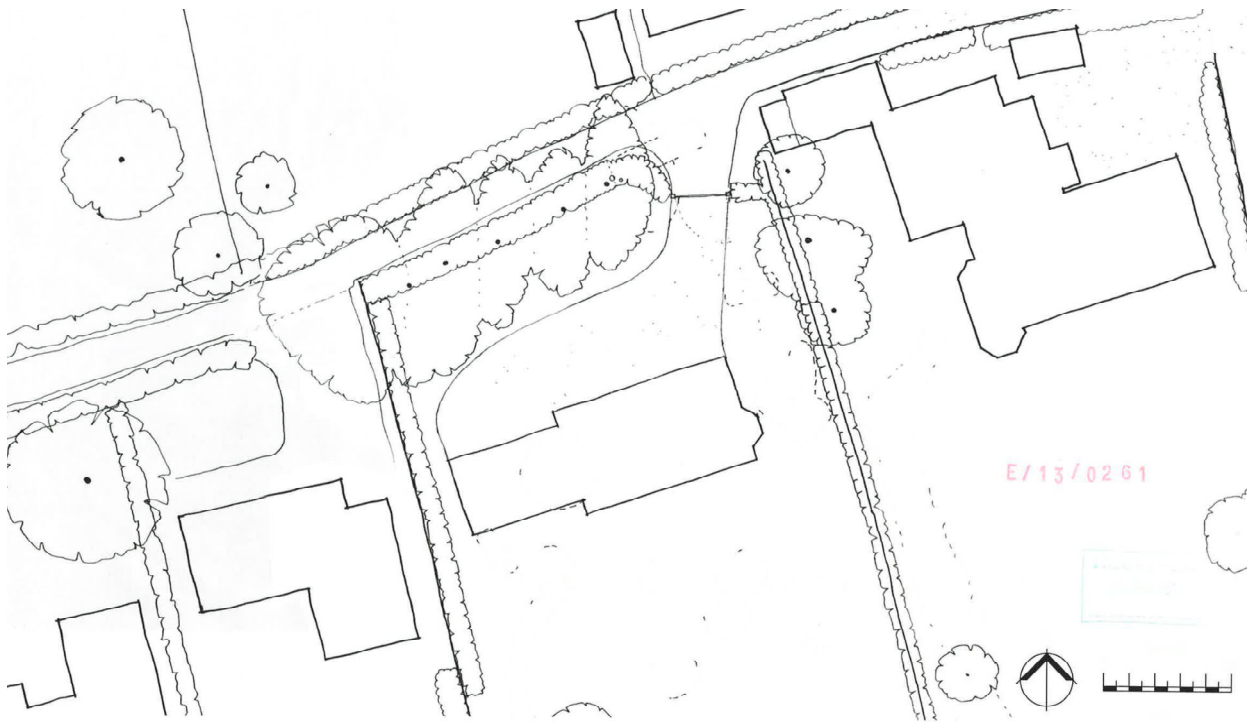
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Proposed Front (north) Elevation



E/13/0201

Proposed Streetscene



E/13/0201

Proposed Site Plan showing Glebe House at the right and the site in the centre

6. Planning Policy

The site lies within the North Wessex Downs Area of Outstanding Natural Beauty but outside the Milton Lilbourne Conservation Area. In this location, the National Planning Policy Framework is relevant, with particular regard to Chapter 6: Delivering a Wide Choice of High Quality Homes; Chapter 7: Requiring Good Quality Design and Chapter 11: Conserving and Enhancing the Natural Environment. The Kennet Local Plan 2011 remains applicable insofar as the following policies are considered consistent with the NPPF namely; policy HC24 (Villages with limited facilities), PD1 (Development and Design).

Draft Wiltshire Core Strategy Policies have not yet been through Examination in Public and are therefore not being afforded any significant weight at this stage, though do indicate the direction the Council wishes to take. Notwithstanding this, it is not considered that these proposed policies differ significantly in content so as would warrant a different recommendation.

7. Consultations

Arboricultural Officer – No objection to the proposed scheme, but would suggest a minor tweak to the tree surgery schedule in respect of the important tree feature on the northern boundary and in particular the proposals relating to trees 20a, 20b and 20c adjacent to the access drive. Concerns that if tree b and c are removed it will leave tree a exposed and liable to possible wind damage, which in turn has the potential to reduce the quality of this important tree feature/screen.

Tree a and b are of a similar size with a the more dominant of the two trees. Both have tight forks within their main branch frameworks typical of the species. Tree b is growing out away from tree a towards the light with low branches over the drive and adjacent access road. Tree c is a small stunted specimen of limited quality/significance.

Proposed modification:

Tree a - light lifting/selective branch pruning undertaken to clear adjacent access road

Tree b – crown lift and shorten limbs back to suitable growth points to provide site access and clear adjacent track. All works undertaken to maintain a balanced shape for the species. Treat trees a & b as having a conjoined crown.

Tree c – remove (no change from the original)

[Officer note: this issue could be dealt with by means of a condition if the issue remains unresolved prior to committee and in the event Members are minded to grant planning permission]

Parish Council -

Please be advised that we have no objections to this planning application, project fits well into site and although there will be an increase in traffic in the lane this is minimal for this type of dwelling.

Wiltshire Highways Officer – recommends that this application be refused on highway grounds for the reason given below:-

1. Old Severalls Lane is inadequate and unsuitable by reason of its; narrow widths, verges in some sections unsuitable for pedestrians to take refuge upon, sections of poor forward visibility, lack of pedestrian facilities, lack of any turning head for

service and delivery vehicles to turn within, and its junction with The Street which is narrow with poor radii and is therefore inadequate to allow two vehicles to pass in the junction, to safely and conveniently cater for the additional vehicle and pedestrian movements which would be generated by the proposed dwelling. The proposed dwelling would consequently be detrimental to highway safety and contrary to policy PD1, Criteria B 4) of the adopted Kennet Local Plan 2011 and Policy 61 of the emerging Wiltshire Core Strategy.

Further details about this assessment and the flaws in the submitted Transport Statement are set out within Section 9 below.

8. Publicity

The application has been publicised by way of a site notice installed at the site and neighbour consultations. No neighbour representations have been received.

9. Planning Considerations

9.1 The principle of the proposed dwelling

Policy HC24 of the adopted Kennet Local Plan 2011 permits the principle of 'infilling' within the built up area of the village subject to certain criteria. As to whether the area in question lies within the built up area has been a matter for debate over previous years. Officers conclude that there is logic in considering this location is within the built up area of the village. The site is closely related to the village, meets the definition of being an infill site, located between other dwellings, and the pattern of development clearly follows the southern / eastern side of the land where the application site is located. The proposed dwelling would fit comfortably within the streetscene and it is not considered that the site would consolidate an existing sporadic, loose knit area of development. However, whilst the proposal would not conflict with these aspects of Policy HC24, there is also a requirement that the proposal complies with other policies of the Plan, including Policy PD1. This will be discussed within the sections below.

9.2 The impact of the dwelling upon the amenities of the area, including design, impact upon trees and the AONB and impact upon residential amenity

The proposed dwelling is of a high quality design, fitting for the vernacular of Milton Lilbourne and is of suitable proportions for the location, such that its appearance would not harm the character of the area or the objectives of the North Wessex Downs Area of Outstanding Natural Beauty. Sufficient landscaping and trees would be preserved to integrate the proposed development with this edge of village location. The proposal would have no windows to side elevations at first floor level, and the single storey garage would be located nearest the neighbouring bungalow. Having regard to the distances from neighbouring properties and the height, position and bulk of the building and positioning of fenestration, it is not considered that the proposal would result in any significant harm to the amenities of neighbouring occupiers.

9.3 Highway safety

The key concern regarding this application is the proposed access to the site. The applicants have submitted a Transport Statement, and Highway Officers have

considered its contents. However, they remain critical of its conclusions. They object most strongly to the principle of a new dwelling in this location and do not consider that the resulting harm could be overcome through the requirement for access improvements. The recommended reason for refusal is contained in the consultees section 7 above. The paragraphs below outline the concerns in more detail and why highway officers consider the Transport Statement is inaccurate.

The recommended highway refusal reason can be broken down into six different elements which make the access route unsuitable to safely and conveniently cater for the additional vehicular and pedestrian movements which would result from the development:-

1. Narrow width
2. Lack of verges in some sections
3. Poor forward visibility
4. Lack of pedestrian facilities
5. Lack of turning head.
6. Junction narrow and with poor radii

This advice is consistent with a pre-application response provided in August 2012. The lane is narrow and does not provide sufficient width for 2 vehicles to pass. The driveways provide the only useable vehicle passing opportunities which is unsatisfactory as they are private areas and in any case a number of the driveways are quite constricted and therefore still create difficulties for a vehicle using them to pass another vehicle.

At the junction with the Street the lane has a narrow section of 76 metres in length between The Street and the first driveway that provides a reasonable passing opportunity. Therefore although a vehicle on the Street can wait on the mainline carriageway while a vehicle exits the lane, this does not take account the situation where a vehicle enters the lane when another vehicle is approaching on the lane from further back. In this situation either the entering vehicle must reverse back out into the mainline carriageway or the exiting vehicle must reverse back to wait in the private driveway a considerable distance of up to 76m. Both situations are not convenient and could be unsafe particularly if there are pedestrians near.

The lane has no turning head and therefore service and delivery vehicles will have difficulty in turning and will often have to turn on private land (driveways). Delivery and service vehicles will often need to reverse considerable distances along a narrow lane in proximity to pedestrians and cyclists (see 3.7 of your statement). A further dwelling would exacerbate this unsatisfactory situation.

The lane is narrow and the verges are sometimes non-existent or in other parts are banked such that often the verges are not convenient for a pedestrian to take refuge upon from a passing vehicle. A new dwelling would increase pedestrian use of the lane as well as increasing the number of vehicles. The street lights are widely spaced and

will not provide lighting to current standards in the hours of darkness. As discussed above sometimes there will be reversing vehicles on the lane which exacerbates hazardous conditions for pedestrians and cyclists. It is considered the lane is inadequate for these reasons to provide access for an additional dwelling. The prevailing low speeds referred to in the Statement are not considered to overcome these limitations.

Parts of the lane have inadequate forward visibility due to the poor horizontal alignment with visibility obstructions on the inside of the bend. A further dwelling will increase the number of pedestrian and vehicle movements at this point increasing highway safety detriment compared with the current situation.

Consequently, the application does not comply with criteria B 4) in Policy PD1 of the adopted Kennet Local Plan which requires proposals to adequately address 'layout, servicing and access arrangements and road safety'.

For clarity, public transport has not been raised as an issue in the highway objection.

Comments on the Applicants' Transport Statement

A dwelling of this size at a village location can be shown by evidence from the TRICS (Trip Rate Information Computer System) national database to generate 8 – 10 trips per day where a trip is a one way vehicular movement. It must therefore be concluded that the proposal would result in an increase in vehicular movements.

There are 8 existing dwellings and it can consequently be estimated that the proposal would increase vehicular movements along the lane by around 12%, which cannot be considered insubstantial.

These are all points of fact which highway officers are confident can be defended.

Turning to the submitted SK Traffic Statement, the Highway Authority was only consulted on one of the 6 applications referred to in 2.3, but in any case it would not normally be the case for the Highway Authority to raise highway objections to extensions and property replacements or to animal housing on narrow lanes etc as none of these are likely to generate significant traffic increases, and in any case to do so is unnecessarily restrictive on a householders ability to make sensible adjustments to their property to reflect changing needs and aspirations. The Statement takes the total area of extensions granted permission and equates them to an average dwelling size which is simplistic, as in reality an extension to an existing dwelling is unlikely to generate as many movements as a stand-alone dwelling of comparable floor area to the extension under consideration.

This is not the case when considering a new dwelling, where, as set out above, the additional vehicular movements can be directly attributed to the development.

The Transport Statement suggests that a precedent has already been set for permitting new dwellings in this location, however the application quoted lies in a different location and is in a position from which the metalled, wider road can be readily access and thus occupants can proceed out of the village via this route, south onto Havering Lane. It is not therefore accepted that traffic to and from site K/57951 (land adjacent 1 Vale View) would be likely to use the route past Glebe House given the safety and convenience issues on this section. Using this route on a regular basis would also mean negotiating the sharp and narrow right-angle bend at the end of this section of Old Severalls lane which is in fact very inconvenient for drivers to use. This is confirmed in the Transport Statement at 3.5 where it states: "Vehicular traffic wanting to travel between The Street and Havering Lane does not normally route via Old Severalls Lane. This is due to a physical restriction to the west of the development site. Old Severalls Lane has a 90 degree bend in the carriageway, coupled with a narrowed section of carriageway past a residential property." The Transport Statement is therefore contradictory in this regard and the site quoted is not considered any precedent for permitting a new dwelling at the application site.

The Transport Statement refers to the lack of recorded traffic accidents in the area. However, the concern is that the additional vehicular movements caused by the proposed dwelling along such a long stretch of narrow, windy lane, which is also a public right of way, may result in future accidents. The current situation is not therefore especially relevant but it is the additional impact the proposed dwelling would have on the future situation.

The trip generation in the Transport Statement focuses on peak hour trips which presents a minimalist picture. Where there are safety and convenience concerns as raised in the highway objection, the overall level of trips generated by the development should be the focus. The correct approach is to consider the increase generated by the development in overall movements, which is 12% or 8-10 trips as above.

Discussion of Planning History

It can be seen from the planning history that the local planning authority has consistently raised concerns about the suitability of this stretch of lane to cater for vehicular movements resulting from any new dwelling proposed and has refused numerous applications on this basis. It is of note that although the Inspector allowed the appeal which related to 'Orchard House' in 1980 (reference K/79/1075), which in any case, is a different, arguably better scenario as the site lies closer to the metalled road and beyond the 90 degree bend where the alternative means of access may be more viable, a later appeal Inspector effectively overrode this position (K/14117).

Interestingly, the local planning authority had relaxed its approach to this later application to the 1 Vale View site on highway grounds following the appeal decision K/79/1075, however notwithstanding that K/14117 was not refused on highway grounds,

the Inspector felt so strongly that he re-introduced the issue at appeal stage and dismissed the appeal on this basis.

The relevant appeal excerpt is paragraphs 8 and 9 which state;

‘Although the Council has raised no objection and the highway authority had approved the proposed access, it is clear that their consideration was influenced by the fact Orchard House had been allowed on appeal in spite of highway objections....

From my site inspection it is clear that traffic along the north-south length of The Old Severalls does use the unsurfaced and very narrow access to the north. Indeed you pointed out that the occupier of Hill View had placed a stout metal post on the corner to protect his house from traffic using this northern access. I am not persuaded by your argument that service traffic would be unaffected by this proposal, that 1 house would generate only 6 movements a day and that traffic speeds are so low as to present no danger. It is clearly impossible for traffic to pass on much of Old Severalls, its surface is in a poor state in spite of remedial work carried out by the parish council and it would be wrong in my view to permit any development which would increase traffic on it.’

10. Summary

In conclusion, officers remain of the view that this site is unsuitable for a new dwelling as the proposed means of access is unsatisfactory to cater for the additional vehicular movements and the proposal is considered contrary to policy requirements as set out above. The Government’s encouragement of sustainably located housing within the National Planning Policy Framework is acknowledged, but the very modest contribution this dwelling would make towards housing supply is not sufficient to override the highway concerns. Consequently, refusal of planning permission is recommended.

RECOMMENDATION

Refuse for the following reason;

- 1 Old Severalls Lane is inadequate and unsuitable by reason of its; narrow widths, verges in some sections unsuitable for pedestrians to take refuge upon, sections of poor forward visibility, lack of pedestrian facilities, lack of any turning head for service and delivery vehicles to turn within, and its junction with The Street which is narrow with poor radii and is therefore inadequate to allow two vehicles to pass in the junction, to safely and conveniently cater for the additional vehicle and pedestrian movements which would be generated by the proposed dwelling. The proposed dwelling would consequently be detrimental to highway safety and contrary to policy PD1, B (4) of the adopted Kennet Local Plan 2011 and Policy 61 of the emerging Wiltshire Core Strategy.

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	20 th June 2013
Application Number	13/00054/FUL
Site Address	Homesteads, Rivar Road, Shalbourne, Marlborough, SN8 3QE
Proposal	Single storey extension and garage conversion
Applicants	Mr Philip Newton
Town/Parish Council	SHALBOURNE
Grid Ref	431554 162559
Type of application	Full Planning
Case Officer	Ruaridh O'Donoghue

Reason for the application being considered by Committee:

This application is brought to committee at the request of Divisional Member, Cllr Wheeler.

1. Purpose of Report

To consider the recommendation that the application be refused planning permission.

2. Report Summary

The key issues for consideration are:

- a) Whether the proposal would preserve the character and setting of the listed building;
- b) Whether the proposal would preserve or enhance the character or appearance of the Shalbourne Conservation Area.

Given the nature of the site and the relationship the property has with neighbouring dwellings it is not considered that there are any other planning issues that need to be addressed in this report. Members should note that a garage conversion forms part of the application. Officers have no objections to this element of the proposal and therefore the report will concentrate on the proposed extension.

3. Site Description

Below is a location map with photographs that show the context of the site.



South East Elevation



South West Elevation



South East Elevation



Original Dwellinghouse



Existing Garage



Existing Garage from Road

The Homestead is a grade II listed building situated on Rivar Road in the southern part of the village of Shalbourne. It is located within the built-up area in the Shalbourne Conservation Area. The site and its surroundings are also located within the North Wessex Downs Area of Outstanding Natural Beauty.

The listing description states: “Cottage. C17. Timber framed, rendered externally and thatched roof. Single-storey and attic. Two bays with gable stacks, gable to road, and extended by further bay to left. Timber door, leaded glazing to timber windows. Roof half hipped to right, hipped over left extension and swept over 1 dormer. Interior has timber framed partitions. Chamfered spine beam. Fire lintel with small ogee stops”.

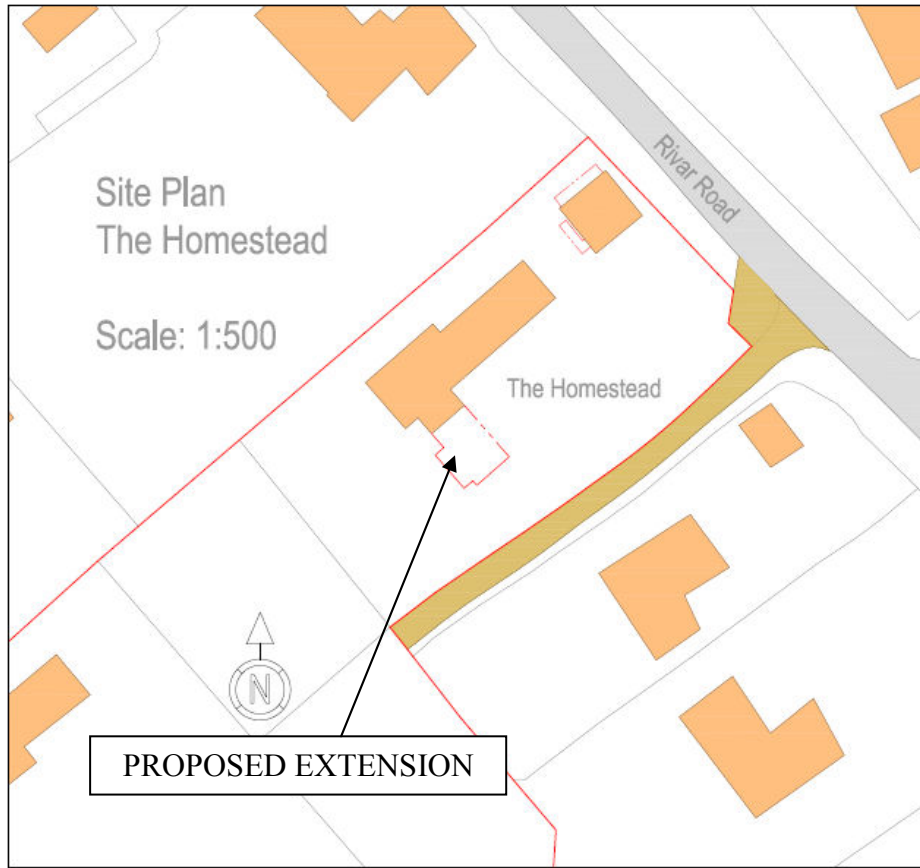
Approximately 12 years ago, the cottage was extended to its south-west end.

4. Planning History

K/36845/L	Extension to cottage	Approved
K/36846/F	Extension to cottage	Approved
K/36884/F	Replacement garage	Approved
E/2012/1471/LBC	Single storey extension and garage conversion	WITHDRAWN
E/2012/1469/FUL	Single storey extension and garage conversion	WITHDRAWN

5. The Proposal

The application proposes the erection of a single storey extension and the conversion of the existing garage. Plans of the development are show below.



ations



Existing South West Elevation
(facing away from road)

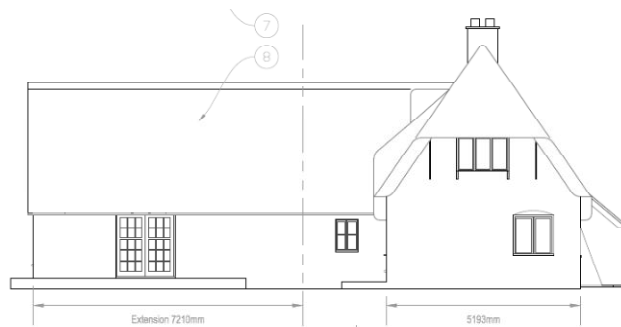


Proposed South West Elevation
(facing away from road)

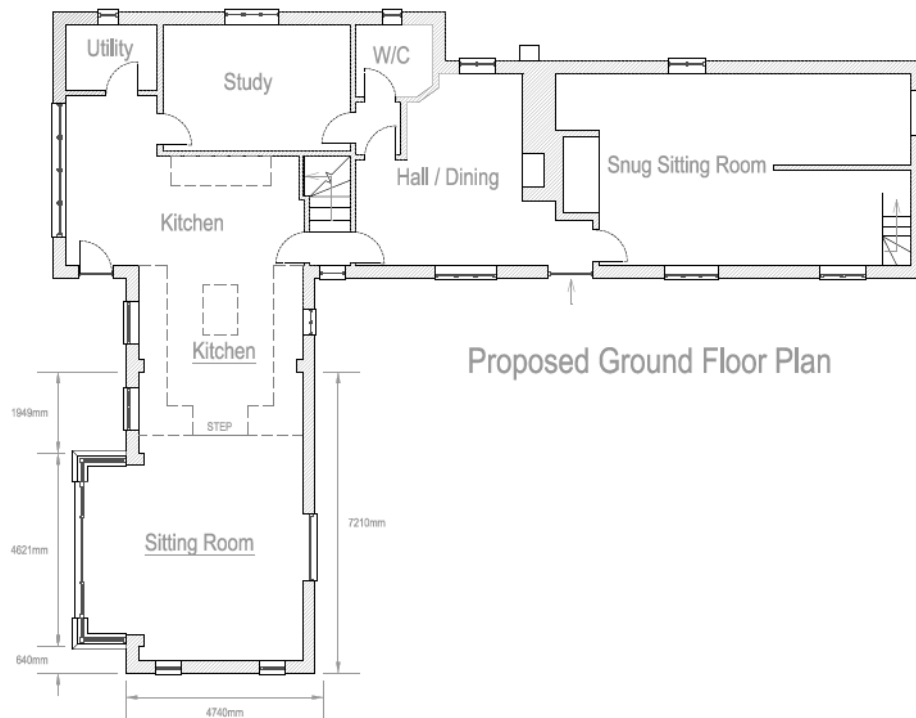
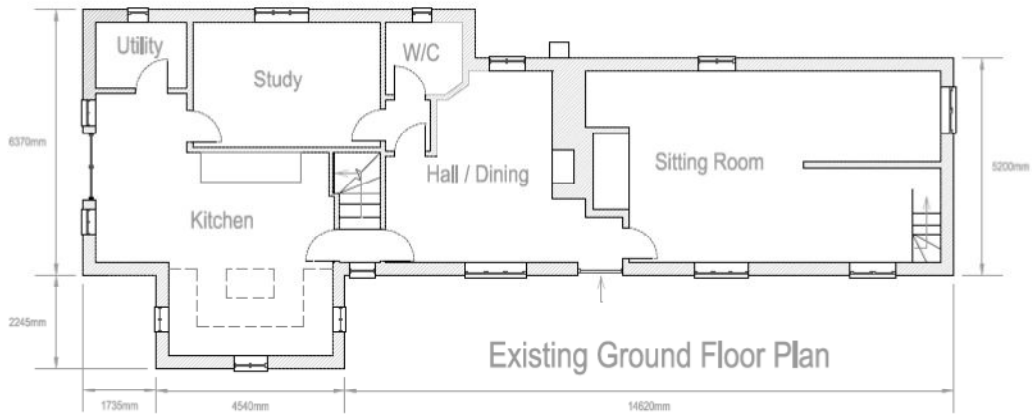
levations



Existing North East Elevation
(facing towards road)



Proposed North East Elevation
(facing towards road)



6. Planning Policy

Kennet Local Plan 2011 – Policy PD1 (general development principles).

The statutory duty placed on the Council under The Planning (Listed Buildings and Conservation Areas) Act to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The duty placed on the Council under S72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Relevant policies within the National Planning Policy Framework and guidance contained within the saved Planning Policy Statement 5 Practice Guide.

The Shalbourne Conservation Area Statement provides additional guidance.

7. Consultations

Wiltshire Council Conservation Officer – objects to the proposed extension (comments are from the previous scheme E/2012/1469/FUL & E/2012/1471/LBC which was for exactly the same development).

“The conservation considerations are the impact on the listed building and its setting and the impact on the character and appearance of the conservation area. The extension will be located on a modern addition to the historic cottage and therefore there are no issues relating to the alteration of historic fabric. However, the issues are the scale and positioning of the extension and the impact that further extension has on the special interest of the listed building. Although the extension is a continuation of the existing gabled front wing to the modern extension, this extension is significant and brings the wing out to form a L shaped plan to the house. This is at odds with the linear nature of the historic building and the modern extension attached to it. The increase in extension also diminishes the significance of the historic, thatched cottage, which is detrimental to its special interest.

“Whilst a small increase in scale of the existing modern garage building does not seem objectionable, that proposed is awkwardly designed (for example, with a concealed flat roof section) and I cannot be convinced that this is appropriate (particularly where the garage is in close visual context with the listed building and also where it is visible from outside the site). However, the overall change may be seen as a relatively minimal alteration to the building, where materials and general form are not significantly different from the existing situation.”

Shalbourne Parish Council

The Shalbourne Parish Council has no objections to these proposals, but, as this is a listed building, we would ask that, as far as is possible, suitable material is used for the work, to blend in with the existing property.

8. Publicity

The application has been advertised by way of a site notice and consultations with the neighbours. One letter of support has been received from the owner/occupiers of Shalbourne Cottage. They ask that Tudor Tiles be used on all tiled roofs.

9. Planning Considerations

9.1 Garage conversion

As part of the application it is proposed to convert the existing garage into ancillary living accommodation. This was also proposed under the previous two applications that were withdrawn for the same development (E/2012/1469/FUL & E/2012/1471/LBC). However, officers never raised an objection to this element of the scheme and therefore it does not need to be discussed in detail in this report.

9.2 Impact upon the listed building - Extension

The local planning authority has a duty placed upon it to protect the character and setting of the listed building and any features of architectural or historical interest that it may possess.

In this case, the extension will be attached to the modern addition to the historic cottage and therefore there is no issue with the proposal impacting upon any historic fabric. As such, the only consideration is the impact upon the character and setting of Homesteads and in particular the scale of the extension, its positioning on the building and cumulative impact

with previous extensions.

Paragraph 178 of PPS5: Planning for the Historic Environment Practice Guide states that the main considerations for additions and alterations to heritage assets are:

“...proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate.”

The Shalbourne Conservation Area Statement reflects the above advice, stating that *“All extensions should be in scale and character with the building to which they are added and should not dominate”*.

It is clear from the above that scale is a particularly important aspect to consider and that any new proposal to extend a listed building should not as a result of its size dominate the original asset or its setting. Paragraph 120 of the same guidance goes on to state that: *“when assessing any application for development within the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change...”*. In this case, the special interest of the building lies within the original, historic thatched cottage and therefore it is important that the significance of this building is not diminished by further large extensions to the building. The current proposal is considered to be of such a scale – in terms of its 7.2m length, 5.6m height and 1½ storey massing - that it would dominate the original building to the detriment of its character and setting. The cumulative impact with previous extensions is particularly harmful. This goes directly against government guidance and Conservation Area Statement advice.

Further to the above issue, the proposed extension will deviate from the established plan form of the original dwellinghouse. Government guidance contained within the PPS5 Practical Guide states in Paragraph 182 that: *“the plan form of a building is frequently one of its most important characteristics”*. The deviation from this would harm the special interest of the listed building by confusing and obscuring its historic plan form and creating an addition that would be at odds with the original dwelling. Indeed, it is one of the few surviving properties in Shalbourne that has maintained its linear form with a gable end that fronts onto the road.

The NPPF makes a distinction between proposals which cause ‘substantial harm’ to a designated heritage asset and those which lead to ‘less than substantial harm’. The former category is reserved for situations such as the complete demolition of a listed building whereas the latter is more applicable in cases such as this. It does not automatically mean that less than substantial harm is more acceptable, it simply means that a different test is applied. Paragraph 134 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”*.

The current proposal would not give rise to any public benefits. For example, the extension is not required to secure the long term viability of the building as it already functions as a dwelling and has a perfectly workable internal layout. Accordingly, the harm cannot be justified in policy terms.

9.3 Impact upon conservation area - Extension

The existing listed building is an important element of the conservation area and contributes towards its character and appearance and significance as a heritage asset. Extension of the cottage in the manner being proposed would harm the character and setting of the listed building and lessen its contribution to the conservation area. As such it would fail to preserve or enhance the character or appearance of the conservation area which is the statutory test to be applied in this case.

10. Conclusion

The scale of the proposed extension in relation to the original dwelling and the deviation away from the established plan form would harm the character and setting of the listed building and diminish its significance as a designated heritage asset. The extension would also fail to preserve the character or appearance of the conservation area. As such, the proposal is contrary to government policy contained within Section 12 of the NPPF and policy PD1 of the adopted Kennet Local Plan 2011.

RECOMMENDATION

That planning permission be REFUSED for the following reason:

The scale of the proposed extension in relation to the original dwelling and the deviation away from the established plan form would harm the character and setting of the listed building and diminish its significance as a designated heritage asset. The extension would also fail to preserve the character or appearance of the conservation area. As such, the proposal is contrary to government policy contained within Section 12 of the NPPF, guidance contained in the PPS5 Practice Guide, policy PD1 of the adopted Kennet Local Plan 2011 and supplementary planning guidance contained in the Shalbourne Conservation Area Statement.

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 3

Date of Meeting	20 th June 2013
Application Number	13/00067/LBC
Site Address	Homesteads, Rivar Road, Shalbourne, Marlborough, SN8 3QE
Proposal	Single storey extension
Applicants	Mr Philip Newton
Town/Parish Council	SHALBOURNE
Grid Ref	431554 162559
Type of application	Listed Building Consent
Case Officer	Ruaridh O'Donoghue

Background

This is the counterpart application to 13/00054/FUL which appears earlier on this agenda. The application seeks listed building consent for a single storey extension.

Reason for the application being considered by Committee:

This application is brought to committee at the request of Divisional Member, Cllr Wheeler.

1. Purpose of Report

To consider the recommendation that the application be refused listed building consent.

2. Report Summary

It is considered that the key issues for consideration are:

- Whether the proposed extension would either preserve the character and setting of the listed building.

3. Site Description

As previously reported under 13/00054/FUL

4. Planning History

As previously reported under 13/00054/FUL

5. The Proposal

The application proposes the erection of a single storey extension. Plans of the development are included in the earlier report on the planning application.

6. Planning Policy

The duty placed on the Council under The Listed Buildings Act to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Relevant policies within Section 12 of the National Planning Policy Framework and guidance contained within the saved Planning Policy Statement 5 Practice Guide.

7. Consultations

Wiltshire Council Conservation Officer – objects to proposed extension (comments reproduced in the report for 13/00054/FUL).

Shalbourne Parish Council

The Shalbourne Parish Council has no objections to these proposals, but, as this is a listed building, we would ask that, as far as is possible, suitable material is used for the work, to blend in with the existing property.

8. Publicity

One letter of support has been received from the owner/occupiers of Shalbourne Cottage.

9. Planning Considerations

The listed building considerations are identical to those set out in the report for the accompanying planning application. The assessment is reproduced below:

The local planning authority has a duty placed upon it to protect the character and setting of the listed building and any features of architectural or historical interest that it may possess.

In this case, the extension will be attached to the modern addition to the historic cottage and therefore there is no issue with the proposal impacting upon any historic fabric. As such, the only consideration is the impact upon the character and setting of Homesteads and in particular the scale of the extension, its positioning on the building and cumulative impact with previous extensions.

Paragraph 178 of PPS5: Planning for the Historic Environment Practice Guide states that the main considerations for additions and alterations to heritage assets are:

“...proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate.”

It is clear from the above that scale is a particularly important aspect to consider and that any new proposal to extend a listed building should not as a result of its size dominate the original asset or its setting. Paragraph 120 of the same guidance goes on to state that: *“when assessing any application for development within the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change...”*. In this case, the special interest of the building lies within the original, historic thatched cottage and therefore it is important that the significance of this building is not diminished by further extensions to the building. The current proposal is considered to be of such a scale – in

terms of its 7.2m length, 5.6m height and 1½ storey massing - that it would dominate the original building to the detriment of its character and setting. The cumulative impact with previous extensions is particularly harmful. This goes directly against government guidance.

Further to the above issue, the proposed extension will deviate from the established plan form of the original dwellinghouse. Government guidance contained within the PPS5 Practical Guide states in Paragraph 182 that: *“the plan form of a building is frequently one of its most important characteristics”*. The deviation from this would harm the special interest of the listed building by confusing and obscuring its historic plan form and creating an addition that would be at odds with the original dwelling. Indeed, it is one of the few surviving properties in Shalbourne that has maintained its linear form with a gable end that fronts onto the road.

The NPPF makes a distinction between proposals which cause ‘substantial harm’ to a designated heritage asset and those which lead to ‘less than substantial harm’. The former category is reserved for situations such as the complete demolition of a listed building whereas the latter is more applicable in cases such as this. It does not automatically mean that less than substantial harm is more acceptable, it simply means that a different test is applied. Paragraph 134 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”*.

The current proposal would not give rise to any public benefits. For example, the extension is not required to secure the long term viability of the building as it already functions as a dwelling and has a perfectly workable internal layout. Accordingly, the harm cannot be justified in policy terms.

10. Conclusion

The scale of the extension in relation to the original dwelling and the deviation away from the established plan form would harm the character and setting of the listed building and diminish its significance as a designated heritage asset. As such, the proposal is contrary to government policy contained within Section 12 of the NPPF and guidance contained in the PPS5 Practice Guide.

RECOMMENDATION

That listed building consent be REFUSED for the following reason:

The scale of the extension in relation to the original dwelling and the deviation away from the established plan form would harm the character and setting of the listed building and diminish its significance as a designated heritage asset. As such, the proposal is contrary to government policy contained within Section 12 of the NPPF and guidance contained in the PPS5 Practice Guide.

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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	20 th June 2013
Application Number	E/2011/1231/FUL
Site Address	4 - 6 Andover Road Ludgershall Andover SP11 9LZ
Proposal	Demolition of single storey commercial unit. Erection of 4 no. two bedroom and 2 no. one bedroom apartments.
Applicant	Bradfield Properties
Town/Parish Council	LUDGERSHALL
Grid Ref	426532 150751
Type of application	Full Planning
Case Officer	April Waterman

Reason for the application being considered by Committee

This application is presented to committee at the request of the Division member, Cllr Chris Williams.

1. Purpose of Report

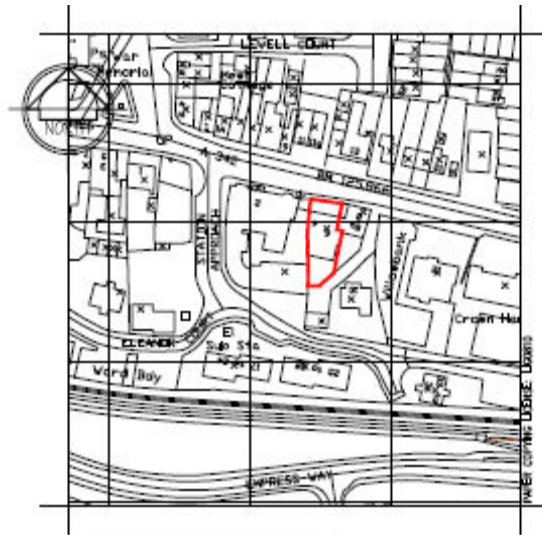
To consider the recommendation to approve an application for full planning permission for the replacement of a vacant single storey commercial building with a new three storey building (containing 6 apartments) together with eight off-street parking spaces.

2. Report Summary

The main considerations for this proposal are its impact on the character and appearance of this part of the settlement, which comprises the south eastern corner of the designated Conservation Area; its effect on the amenities of nearby residential properties, and the provision of parking facilities to serve the new dwellings.

3. Site Description

The site comprises 0.03 hectares of land within the commercial hub of the settlement, close to the central junction of the High Street, Andover Road and Tidworth Road. The land is currently occupied by a single storey building last used as a bric-a-brac shop, which is now in a state of semi-dereliction, having been vacant for some years. The structure fills the road frontage, and is set back from the pavement edge by about 6 metres, with a concrete forecourt. At the rear of the building the land level rises towards that of higher ground to the south outside the site, which gives onto Eleanor Court (modern housing development).



**LOCATION PLAN
1:1250**

The site is flanked on the east by a modest two storey Victorian cottage of flint with brick dressings, under a slate roof, fronting the footway. Behind this (to its south) stands a modern bungalow, on higher ground, reached by a driveway leading from Andover Road past the east side of the flint cottage. To the west of the site the two and three storey former Prince of Wales Hotel (now converted into apartments) is separated from it by a gated driveway access. This Edwardian building is of red brick, with generous limestone dressings, some render panels and a plain clay tile roof. Its storey proportions are much larger than those of the cottage, and it makes a prominent architectural statement at the corner of Andover Road and Eleanor Court.

Although markedly different in style and scale, both the cottage and the Prince of Wales flats are noted in the 2007 Ludgershall Conservation Character Appraisal and Management Proposals document as being significant unlisted buildings that contribute positively to the character of the area.

4. Planning History

- K/44989 Erection of 4 No. 2 bedroom and 2 No.1 bedroom flats. Demolition of existing building. Refused 26.03.2003 for two reasons: design, and impact on neighbours' amenity.

- K/45392 The demolition of existing single storey building, erection of new building incorporating three 2 bedroom flats, two 1 bedroom flats and ground floor retail/office use. Approved 03.07.2003. Development not built within the 5 year life of the planning permission.

- K/57092/F Change of use of ground floor commercial premises to 2 No. bedroom flat. Approved 13.09.2007 Development not implemented within the 3 year life of the planning permission.

5. The Proposal

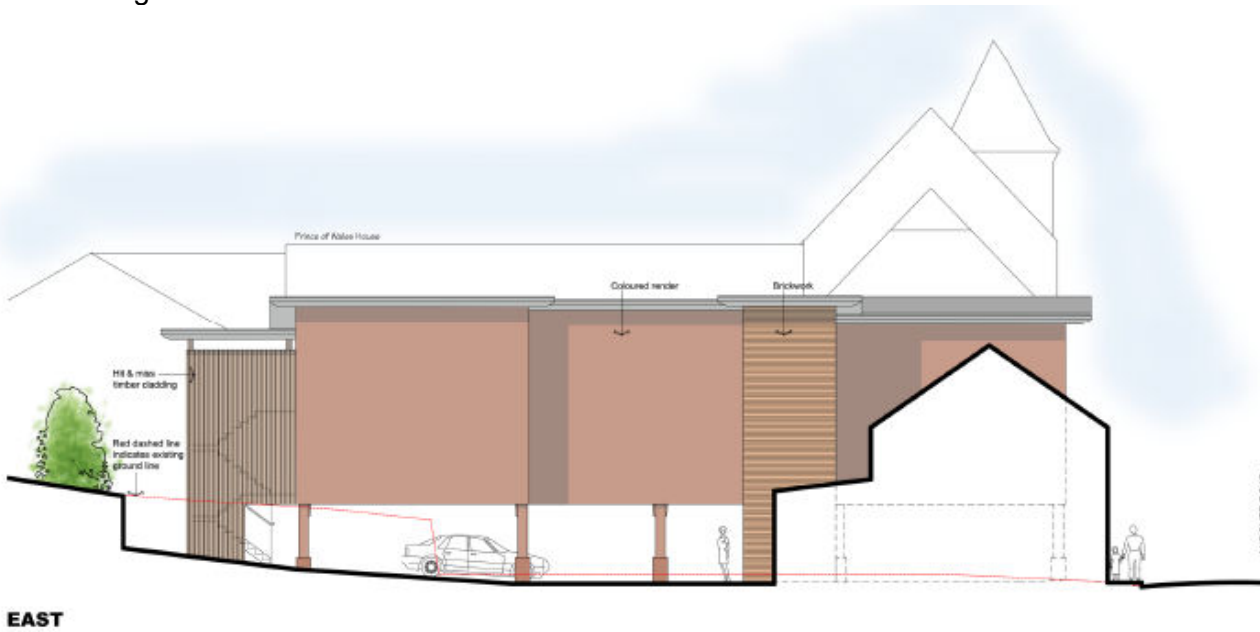
Full planning permission is sought for the erection of a block of 6 flats, accommodated within a modern building with two solid storeys over an essentially unwallled ground floor parking and storage area (8 car parking spaces, 6 bike parking spaces and waste and recycling bin storage). The proposal would generally match the frontage building line of the cottage and Prince of Wales flats, and its inverted shallow-pitched roof would bridge the levels of the ridges of these two

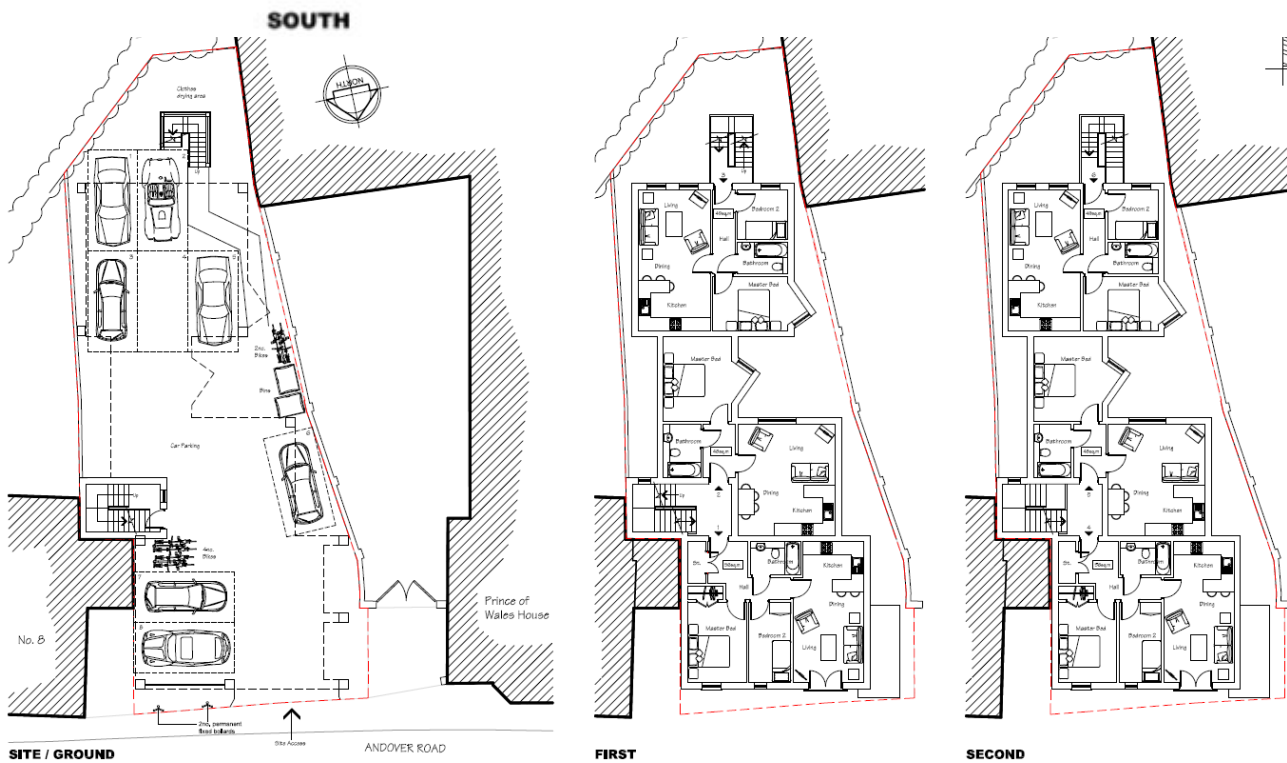
neighbouring structures. The materials indicated on the elevation drawings include brick, timber panelling and render for the walls.

The design of the scheme has been amended progressively since its first submission, and iterative amendments have been made to address the issues of parking provision, appearance, impact on neighbouring residences and concerns over the standards of amenity to be provided to occupiers of the development itself.



NB An elevational correction is awaited, to show the stairwell projection on the east (left hand) side of the building.





The earlier plans on this application showed a building design replicating that permitted in 2003 (except for ground floor layout). This scheme had no parking facilities either on-site, or by agreement provided off-site. Since the determination of the most recent application (2007, also with no parking provision), the Council's policy on the need for parking spaces for new development has been changed, such that the development should not proceed without some provision for vehicles. The amended design fits 8 parking spaces underneath the body of the building, together with cycle lock points, bin storage and an external clothes drying area, none of which were identified on the preceding scheme.

The present design also provides operable windows in the walls of all habitable rooms: in the previous scheme one flat had only rooflights for all rooms.

6. Planning Policy

National Planning Policy Framework 2012
 Historic Environment Planning Practice Guide 2010

Kennet Local Plan 2011; - PD1 Development and design; HC5 Net housing density
 ED29 Retention of social and community uses

Local Transport Plan Car Parking Strategy (adopted March 2012)

7. Consultations

Wiltshire Council Highways Officer:

Amended Plans

There is a small parking shortfall, but the proposed level of parking provision is now better than what has been accepted for this site in the past. Given this, and also the town centre location with good access to Ludgershall services and facilities, there are no highway objections.

Wiltshire Council Public Protection Officer:

According to my historical mapping, there is an old garage marked as being on or adjacent to the site. I have no more information, for example if fuel were stored and sold at the site and if other underground tanks are present. As such, a contaminated land condition should be inserted to ensure that if there is a likely risk, it will be addressed prior to development commencing.

Ludgershall Town Council

Amended Plans

OBJECT to this application on the following grounds: -

- 1) Vehicular egress from parking spaces could lead to vehicles reversing with restricted vision onto the A.342 as insufficient room to manoeuvre from all the designated parking spaces. Parking spaces number 1 & 2 shown on the plans are unusable as numbers 3, 4 & 5 would have to move to allow vehicles to access them.
- 2) The design of the building is not in keeping with the area with historical buildings either side, therefore contrary to PD1 of Kennet Local Plan.
- 3) As the site location is within the conservation area of Ludgershall the new building is also contrary to policy HH5 & HH6 of Kennet Local Plan.
- 4) It should be noted that Ludgershall Car park is privately owned by the Town Council and should not be used for developers gain.

8. Publicity

The application was publicised by a press advertisement on first submission, and by site notice and neighbour notification on both first submission and on receipt of the amended plans. The comments received include:

- The height which would appear to be three storey and would therefore be likely to overlook property to the south.
- The land may become unstable due to the steep rise in the ground level. This would render premises to the south at risk of subsidence.
- There is a hedge of trees on the boundary with the bungalow to the south of the site which provides privacy from the flats below and the proposed development site. We have concerns about root damage to these as the plans appear to propose work being undertaken right up to this boundary.
- It is a gross overdevelopment of the site.
- The site has underground fuel tanks (it was once a petrol filling station and repairs garage)
- Light to the only window for the living room of no. 8 Andover Road (adjacent to the east) will be severely restricted.
- Flying freehold and party wall issues with no. 8 need to be addressed.
- More modest building is needed
- The building is not in keeping with the historic nature of surrounding buildings
- There is insufficient bin storage provision
- The parking does not appear adequate to allow for ease of access without blocking another car.

9. Planning Considerations

9.1 Principle

This site is considered in policy terms to be appropriate for residential development, as it is located within the Limits of Development of Ludgershall, on a brownfield site that has previously been granted permission for redevelopment for this number and type of units. The loss of employment/commercial activity on the plot, in this central location, is regrettable, but the resultant mix of housing and commercial uses in the area would still comprise a viable and vital centre for the town.

9.2 Detailed Scheme

The negotiations that have produced the amended scheme for the redevelopment of this site have been primarily driven by the need to have off-street parking for the new residents, and to accommodate this provision in a design that complements its context. Although not matching the Council's adopted parking standards perfectly, the negotiated scheme is now supported by the Highways Officer. The block of six apartments (four 2-bed and two 1-bed units) would require 10 parking spaces normally: a shortfall of 2 spaces has been accepted in order to progress the development. As the submitted transport statement points out, the site is well served for social, retail and employment services within walking distance, and has good public transport links to other larger service centres, such as Andover. A last alteration to the proposed plans includes the bollards suggested by the Highways Officer to ensure that vehicle parking does not impeded pedestrians using the footway fronting the site.

Throughout the negotiations the applicant has maintained that in order to bring a redevelopment forward on this site, a threshold of 6 units must be met to make the project viable. The previous design showed two 2-bed apartments on each of the ground and first floors, with the pitched roof space accommodating two 1-bed units with less than satisfactory living conditions, particularly in terms of aspect. The amended scheme achieves the same number of units, of more comfortable arrangement, and with off-street ground floor parking facilities, all within a built envelope that differs little from that previously permitted. Crucially, the amended design does this without raising the overall height of the proposal above the originally-proposed ridgeline.

It is considered that the scale, proportions and detailing of the proposed building, particularly its front (north) elevation would bridge the step change in levels and in wall/fenestration rhythm between the imposing Prince of Wales House to its west, and the modest cottage (no. 8) to its east, linking their very different architectural styles with a new 21st century building that would continue both the grain of development and the variety of appearance of built forms within the street scene. Subject to confirmation (by recommended condition) of the precise colour and finish, the palette of brick, render and timber proposed as walling materials is felt to be acceptable as a modern reflection of the brick, stone and flint materials nearby (it is suggested that the render panels should be finished in a light colour to follow the limestone dressings of the Prince of Wales apartments, and the timber panels should be left to weather to grey, picking up the colour of flint walling).

9.3 Conservation Area

The northern part of the site and its neighbouring buildings lie just within the south eastern corner of the Conservation Area. The Ludgershall Conservation Area Character Appraisal and Management Proposals 2007 document includes the following advice in relation to the design of new buildings in the Conservation Area:

“New development in the Conservation Area should aspire to a quality of design and execution, related to its context, so that it may be valued in the future. This in itself does not imply nor preclude working in traditional or new ways, but will normally involve respecting values established through assessment of the significance of the area. The aim of design guidance therefore is to encourage new development that complements the established grain or settlement pattern, while representing the time in which it is built and the culture it accommodates. When considering

proposals for new development, the local planning authority's principal concern will be the appropriateness of the overall mass or volume of the building, its scale (the expression of size indicated by the windows, doors, floor/ceiling heights, and other identifiable units), and its relationship to its context – whether it sits comfortably on its site. A new building should be in harmony with, or complementary to, its neighbours. The footprint of new buildings should respect the existing building pattern or grain. The use of materials generally matching in appearance or complementary to those that are historically dominant in the area is important, as is ensuring that materials, detailing and finishes are all of high quality. Within these criteria, new development should aim to achieve creative design solutions, whether contemporary or traditional in style.”

The scheme in its amended form follows this advice, and that provided in the National Planning Policy Framework 2012 and the Historic Environment Planning Practice Guide 2010.

9.4 Impact on amenity and other issues

In comparison with the previously approved residential scheme, the proposal would not differ significantly from the impact on neighbouring residential amenity, in terms of its scale and amount of overlooking. Care has been taken to ensure that opening windows in habitable rooms are now provided for the new residents but that these would not enable a view into the private spaces (internal or external) of nearby property to a greater degree than previously approved.

Concerns over the disturbance of contaminants within the site, resulting from its historical uses, and the stability of the land, buildings and garden features of adjoining land can be addressed by the recommended conditions and under separate legislation under the Building Acts.

10. Conclusion

In its amended form, the proposal comprises a form of sustainable development on a brownfield site that currently makes no positive contribution to the character and appearance of this part of the Conservation Area. The design accommodates an amount of residential space that would produce a viable project, that would provide an acceptable number and type of parking spaces, that would have an acceptable impact on neighbouring residences, and that would be of a quality of design that would complement the heritage context in which it is set.

RECOMMENDATION

That planning permission should be granted for the development, for the following reasons, and subject to the conditions set out below:

The development would bring back into viable use a derelict site in the town centre and would add to the range of residential dwellings in the settlement, whilst preserving the character and appearance of the conservation area.

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

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

2. Notwithstanding any indications on the approved documents, no development shall commence on site until details of the colour and finish of the bricks, timber panels, render, window frames and surrounds, roofing material, fascias, Juliette balcony glazing and support, ground floor structural columns, rainwater goods, fencing, retaining walls, bollards and any external lighting to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3. No part of the development hereby permitted shall be first occupied until the access, cycle parking points, car parking spaces, bollard installation and bin storage areas have been completed in accordance with the details shown on the approved plans. The installations and areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and to ensure the provision of adequate refuse and recycling facilities for the development.

4. Prior to first occupation of the building hereby permitted the highway footway over the frontage of the site shall have been planed off by 25mm and resurfaced in tarmacadam to the specification 25mm thickness AC6 dense surface 100/150 to accord with specification EN13108-2

REASON: In the interests of highway safety

POLICY: PD1 of the Kennet Local Plan 2011

5. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

POLICY: PD1 of the Kennet Local Plan 2011

6. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application form received at Wiltshire Council on 08 September 2011;
Drawing referenced 1582-02 A received at Wiltshire Council on 20 March 2013, and
Drawing referenced 1582-03 B received at Wiltshire Council on XX June 2013.

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

POLICY: PD1 of the Kennet Local Plan 2011 and advice contained in the National Planning Policy Framework 2012 and Historic Environment Planning Practice Guide 2010

7. INFORMATIVE: The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

8. The attention of the applicant is drawn to the advice and requirements of the Wiltshire Fire and Rescue Service, as set out in their letter to the Local Planning Authority, of 21 November 2011, referenced KDC00001/SR, which is available to view on the planning page for this application on the Council's website.

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REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 5

Date of Meeting	20 th June 2103
Application Number	E/2012/1459/FUL
Site Address	The Wickets, Dragon Lane, Manningford Bruce, Pewsey SN9 6JE
Proposal	New Vehicular Access
Applicant	Mr John Palmer
Town/Parish Council	MANNINGFORD
Grid Ref	413691 159176
Type of application	Full Planning
Case Officer	Victoria Cains

Reason for the application being considered by Committee

The application has been brought back to committee to update Members on the outcome of their previous resolution to defer and delegate the planning application back to officers to negotiate a new location for the access.

1. Purpose of Report

To consider the recommendation that the application be approved subject to conditions.

2. Report Summary

This application has already been considered once by Members at the Planning Committee meeting on the 25th April 2013. At this committee, Members resolved to defer and delegate to request officers to negotiate an amended location further north for the proposed access.

Officers have gone back to the applicant with the member's request, but the applicant has confirmed that he does not wish to alter the proposed position of the new access and has therefore requested that the application be determined as originally submitted. The detailed reasons for this are set out in Section 9 of the report below.

The main issue therefore to consider is whether the application as it stands is acceptable.

3. Site Description

The application site lies within the village of Manningford Bruce, at Dragon Lane and within the wider landscape designation of the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The site can be located by taking a left hand turning towards the village (signposted) when heading in an easterly direction on the A345 towards Pewsey. Dragon Lane can be found approximately 1.2 km (0.7 miles) on the left hand side of the road.

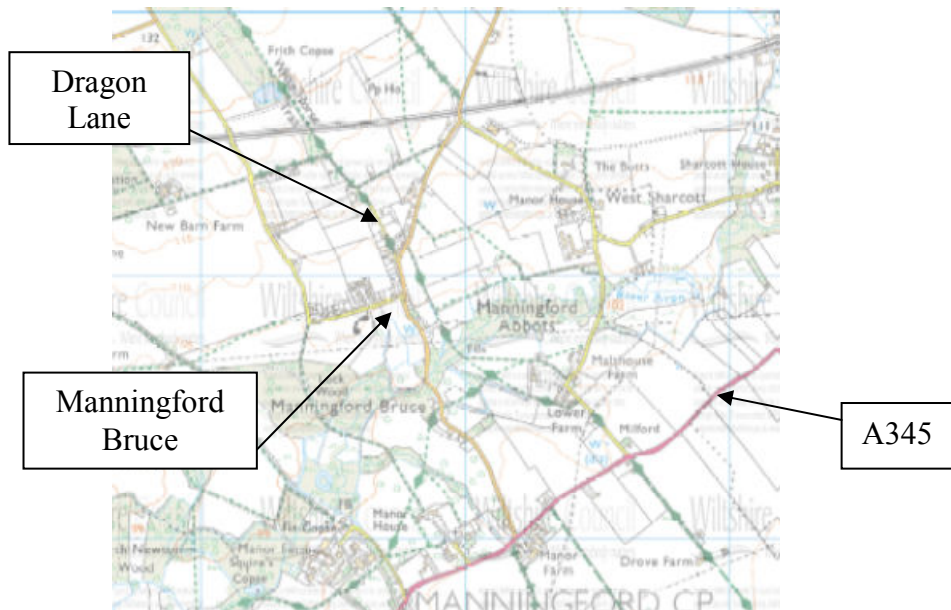


Plate 1: Location Plan (not to scale)

The application proposes a new access into the field adjacent the property known as The Wickets. The field does not form part of the residential curtilage of The Wickets and is a separate parcel of land that appears to have last been in some form of agricultural use (although this was presumably some time ago).



Plate 2: Plan showing application site

4. Planning History

There have been 3 historic applications for residential development within the field (K/79/0786 for 7 dwellings was refused; K/85/0311 for a single dwelling was refused and K/32271 was also refused and dismissed at appeal). There is no planning history relating to a vehicular access and the previous refusal reasons related to the principle of development, visual impact within the AONB and the increase in traffic movements associated with the increase in dwelling numbers.

5. The Proposal

This application proposes to create a vehicular access into the field for the purposes of maintaining the land. The agent for the applicant has stated that “*currently the main access is restricted from the wider property due to planted hedging and flowerbeds and its location (NW extremity of the plot). An additional access is required that would not replace the current driveway, but increase the ability to access the whole of the property*”. The scheme proposes the access only and does not seek any further development within the field – e.g. a track or hardstanding.

The scheme has been amended during its consideration through a reduction in its size (the opening being reduced from 10 to 8 metres in length and its depth being reduced from 7.5 to 5 metres) and the inclusion of a soakaway sump.

The access would be formed by excavating an area of bank to create the hardsurfaced access. A new mixed native hedge will replace the existing hedge that is to be lost and a soakaway is proposed to deal with the matter of increased surface water run-off.

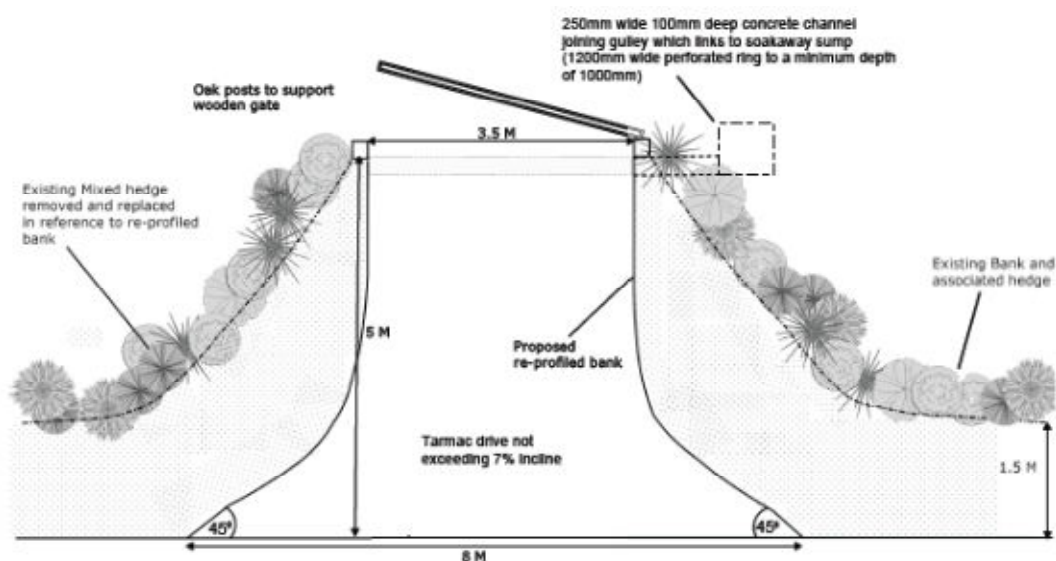


Plate 3: Proposed access details (not to scale)



Plate 4: Photograph of Dragon Lane (application site is on right hand side of picture)



Plate 5: Photograph of application site (access to Fairfields, the neighbour opposite, can be seen on the left hand side of the photograph). The access is proposed almost opposite the northern entrance to Fairfields (top end of photograph)

6. Planning Policy

The development plan for the area comprises the Kennet Local Plan 2011. The key local plan policy is PD1 “Development and Design”. The National Planning Policy Framework (NPPF) is also relevant.

In due course the Wiltshire Core Strategy will replace the Kennet Local Plan as the statutory local plan for the East Wiltshire area. The Wiltshire Core Strategy Pre-Submission Document went out to public consultation in February 2012 and the Wiltshire Core Strategy was presented for examination in July 2012. However, it is not expected to be adopted until late 2013. Because the document is not in an advanced stage of preparation, it does not yet carry significant weight when making planning decisions.

7. Consultations

Wiltshire Council Highways: No objection subject to conditions regarding visibility, the gradient and surfacing of the access, the position of gates and the method of surface water disposal. The highways officer was specifically reconsulted on the matter of encroachment onto the neighbours land opposite and the following comment was received *“A long vehicle such as say a range rover with a horsebox would probably need to slightly encroach upon the opposite side of the lane. But more normal vehicles eg private cars , or a tractor not towing anything would not find it essential to do so. On balance, given the limited likelihood of any encroachment, I would not wish to amend my previous observations”*.

Wiltshire Council Land Drainage Engineer: No objection.

Manningford Bruce Parish Council: Objects.

“The proposal envisages the provision of a completely new entrance, which will require the removal of hedging and low banking and development of a sloping tarmac driveway leading to a wooden gate. The house itself is situated at the northern end of an estate of

approximately one acre, mainly lawned with some landscaping. The Design Brief accompanying the application states that the objective is to provide vehicular access to land currently separate from existing access arrangements. The site is situated within the North Wessex Downs Area of Outstanding Natural Beauty and is outside the village defined limit of development. Dragon Lane is a narrow single track road approximately 2 metres in width for the most part.

“During the course of the visit to the site, it was noted that the existing entrance constructed during the building of this relatively new property approximately 3 years ago, provides unrestricted access to the remainder of the property. The applicant's claim that part of the estate is a separate entity from the remainder requiring separate vehicular access arrangements could therefore not be supported. This proposed development would also have a detrimental visual impact on the neighbourhood and tend to aggravate movement within Dragon Lane. Neighbouring properties have expressed their opposition to this development. For reasons given above, Manningford Parish Council objects to the application.”

8. Publicity

Letters from 2 neighbouring properties have been received. The comments received are summarised as:

- As the lane is narrow and the bank high the entrance needs to be very wide. Our entrance opposite [Fairfield] is a full 13 metres wide and theirs will need to be wider still given the height of the bank. The rather sketchy drawing shows an entrance that seems to be narrower than ours, which will not be enough to allow proper access without swinging vehicles onto our driveway.
- The current drawings are too vague given the restricted space and permission should not be granted until more detailed drawings, to scale, are done, and the issue of turning circle and access can be properly addressed.
- The second issue is that this application is for a new vehicular access point from Dragon Lane. This surely encourages more traffic along the lane. The lane is only 2 metres wide at this point and is even narrower further down. Should we really be adding extra vehicular access here? I would like to see firm assurances that this new entrance will not increase the traffic on the lane, and that the access to the field will not be for extra activity but will supplant existing activity.
- How are they going to complete the work without driving earthmoving equipment onto our [Fairfield – opposite] driveway? The lane is only 2 metres wide at this point and they need to move a considerable amount of earth one way or another.
- There is the issue of drainage and water runoff. Dragon Lane has no drainage ditches and existing runoff washes down the lane and into the centre of the village, which only has small drainage runoff pipes along the road (supporting photos to follow by post). The works will punch a large hole in the earth bank on the east side of the lane, so promoting extra runoff from the large field behind. Surely the bank needs to be kept in order to contain the runoff.
- There is an alternative. They could use the land inside the boundary to provide access to the large field area from the existing entrance. A paved or gravel section could run parallel to the boundary to the field from the existing entrance. This would preserve the bank and reduce runoff, and would not require work to be done on the lane itself. It would not even take any more land to build than the current proposal, as the new entrance would need to be very large and intrude well into the field as per point 1. The existing wide entrance could then be used to provide vehicular access. Using the existing entrance would also reduce the amount of traffic turn-ins on the lane.

- As this site has been adequately managed for the last 3 years without vehicle access, one can only be very worried and speculate as to what future plans there are for this site if planning is granted.
- The design statement says the access will be tarmac. Visually this is not in keeping with other accesses in the immediate area which are either gravel or compacted soil and grass. Dragon Lane has a downward gradient, which in wet weather causes a stream of water all the way to the end. It carries silt and debris and flows naturally down the side where the site is. If tarmac is used there is a possibility that ground water from the site would add to the quantity of the flow especially as the site is 1.5m above the lane. The use of gravel would act as a natural soakaway for the surface water.
- Also of concern is the fact that this is the second pending planning application within a short area of the lane (see E/2012/1119/FUL). They are on the same side, both are for vehicle access and both require the removal of hedgerow. If planning is subsequently granted, the character of this ancient lane will be changed significantly.
- We note the drainage proposals on the amended plans but the success and efficiency of these is unproven until put into use. This will be of little comfort to those whose homes may subsequently be affected should they not work. The solution is not to have the access at all.
- The change in measurement of access width and length in no way mitigates the visual impact on the lane.

9. Planning Considerations

At the Regulatory Committee on the 25th April 2013, Members resolved to delegate the application back to officers to approve subject to the receipt of amended plans securing the relocation of the access further along Dragon Lane towards the Wickets, opposite the allotments. This would reduce the impact upon occupiers of Fairfields.

However, the agent has contacted the case officer and stated that the applicant requests a decision be made on the application as originally proposed. A short statement behind this decision has been provided:

"We welcome member efforts to improve the application (as proposed at 25th April Planning Committee) but note that the design of the access proposed has already been developed in close liaison with Wiltshire County Council's officers to ensure acceptability in highways, design/appearance and drainage terms. Furthermore, any access effect on Fairfields has not been raised as a concern by Wiltshire County Council's highways officers during the application's progression through two separate stages of consultation.

The applicant is however happy to provide the assurance that no plant or vehicles using the access, either during construction or whilst in operation, will impinge or interfere with the current access arrangements at Fairfields. Dragon Lane is no wider further to the north and just as access vehicles would not traverse the opposite bank of the lane here, we see no reason why such vehicles would go beyond the lane limits onto land at Fairfields when entering/leaving the access proposed.

In summary, the applicant's preferred location for the access is that currently identified at the approximate midpoint of frontage onto Dragon Lane. We therefore invite members to make a decision on the application as it is proposed and on its individual merits.

I can also confirm that any vehicle using the access will be no larger than a typical 4x4".

Members therefore need to determine whether the application is acceptable or not as it was originally submitted and whether the relocation of the access to the north is necessary to make the scheme acceptable.

It is your officer's view that whilst the relocation of the access further north may have been considered desirable and would have removed the concerns of the neighbour at Fairfields opposite regarding the use of his driveway, it is not an essential amendment required to make this application acceptable. The highways officer is satisfied that the vehicle type the applicant wishes to use can satisfactorily use the access without being prejudicial to highway safety and without needing to use any land within the ownership of the neighbour. It was advised that only a long vehicle such as say a range rover with a horsebox may need to slightly encroach upon the opposite side of the lane but more normal vehicles eg private cars or a tractor not towing anything would not find it essential to do so. As the scheme is acceptable in highway safety terms, the matter of needing to use land within the neighbours ownership is a private matter and not a planning matter. The applicant is aware of this physical restriction on the type of vehicles which can use the access he proposes and is satisfied with this as only a 4x4 type vehicle is to be utilised. Your officers are therefore of the view that the scheme is acceptable in terms of highway safety and it is not considered reasonable or justified to refuse the scheme because the applicant is unwilling to relocate the access further to the north.

As reported previously and considered by Members, the scheme is also considered acceptable in terms of visual impact, neighbour amenity impact and increased surface water run-off.

10. Conclusion

In conclusion, it is your officers' opinion that the new access is acceptable visually within the context of other vehicular accesses and it will not give rise to any highway safety implications nor any increase in surface water run-off. The scheme is therefore considered acceptable and a grant of planning permission is recommended.

RECOMMENDATION

That planning permission be GRANTED for the following reason and subject to the following list of conditions:

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 not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework, policy PD1 of the Kennet Local Plan 2011 and policy C8 of the Wiltshire & Swindon Structure Plan 2016.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the environmental conditions of the area.

- 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 a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
- a) location and current canopy spread of all existing trees and hedgerows on the land;
 - b) full details of any to be retained, together with measures for their protection in the course of development; and
 - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities.

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

- 3 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 new access 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.

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

- 4 The access hereby permitted shall not be brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the nearside edge of the carriageway 25 metres to the north-west and 25 metres to the south-east from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 5 The gradient of the access hereby permitted shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

- 6 The development hereby permitted shall not be first brought into use until the first 4.5 metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 7 The gates shall be erected in accordance with the details shown on approved plan number NA/JP/cp08 (received on the 25th February 2013). The gates shall be set back 5 metres from the edge of the carriageway and shall open inwards only, in perpetuity.

REASON: In the interests of highway safety.

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

Plan ref: Location plan, Date received: 26th November 2012;

Plan ref: NA/JP/cp06, Date received: 4th February 2013; and

Plan ref: NA/JP/cp08, Date received: 25th February 2013.

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

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