

AGENDA

Meeting: Eastern Area Planning Committee

Place: Wessex Room - The Corn Exchange, Market Place, Devizes, SN10 1HS

Date: Thursday 20 February 2014

Time: **6.00 pm**

Please direct any enquiries on this Agenda to Jessica Croman, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718211262 or email jessica.croman@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**

2 **Minutes of the Previous Meeting** (*Pages 1 - 6*)

To approve and sign as a correct record the minutes of the meeting held on 5 December 2013 (copy herewith).

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To note 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 February 2014**. 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 **Rights of Way Items**

To receive details of the following Rights of Way report:

The Wiltshire Council Collingbourne Kingston 1B (part) & 33 and Chute 3 (part) Rights of Way Modification Order 2013

(See Agenda Supplement 1).

7 **Planning Applications**

To consider and determine the following planning applications.

7a **13/06529/OUT - Land East of High Street Burbage Wilts** (*Pages 7 - 20*)

7b **13/05630/FUL - Fiddlers Cottage, Urchfont, SN10 4RG (THIS APPLICATION HAS NOW BEEN WITHDRAWN)** (*Pages 21 - 28*)

7c **13/05650/LBC - Fiddlers Cottage Urchfont SN10 4RG (THIS APPLICATION HAS NOW BEEN WITHDRAWN)** (*Pages 29 - 32*)

8 **Planning Enforcement Update - Untidy site at Rum Jungle, Snails Lane, Devizes, Wiltshire SN10 1DB** (*Pages 33 - 36*)

9 **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 5 DECEMBER 2013 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

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

Also Present:

Cllr Jemima Milton

94. Apologies for Absence

Apologies for the meeting were received from Cllr Nick Fogg.

95. Minutes of the Previous Meeting

The Minutes of the previous meeting held 24 October 2013 were presented. It was;

Resolved:

To approve and sign the minutes of the meeting held 24 October 2013, as a true and accurate record.

96. Declarations of Interest

There were no declarations of interest.

97. Chairman's Announcements

The Chairman outlined the procedures for the meeting. There were no further announcements.

98. Public Participation and Councillors' Questions

The Chairman outlined the procedure for public participation. No questions had been submitted from the public or Councillors.

99. Planning Applications

100. 13/04007/FUL - Unit 4 The Old Dairy, Lower Fyfield

Public Participation

Mr Dennis Seeley spoke in objection to the application.

Mr Wayne Crabbe spoke in support of the application.

Mr D. Woolley, Fyfield and West Overton Parish Council, spoke in objection to the application.

Local member Cllr Jemima Milton spoke in objection to the application.

The Development Control Team Leader outlined the report which recommended the application be granted planning permission. No late items had been submitted. The Development Control Team Leader outlined the details of the site, noting that the site was currently allocated for B1 – Business, and B8 - Storage and Distribution uses.

The key planning policy considerations were noted as being: Kennet Local Plan 2011: PD1 – General development principles and ED12 – Protecting employment and tourism within villages. The Wiltshire Core Strategy Pre-Submission Document contains emerging planning policy and will eventually replace the Kennet Local Plan. It is not expected to be adopted until 2014 and therefore would not carry full weight. Members did, however, consider that some weight should be attached to its policies and in particular Core Policy 35 which would afford no protection to the employment use. The National Planning Policy Framework also has some relevance.

The Committee were then invited to ask technical questions of the application. It was confirmed that the conditions attached to the site under its previous planning permission (K/51093/F), were broadly similar to those included on the current application.

Members of the public (above) were then invited to speak on the application.

Local Member Cllr Jemima Milton spoke in objection to the application stating the impact on local residents' amenity, and stated the highways objection as a consideration for the Committee. Cllr Milton also drew attention to the current operating hours and requested that the Committee consider conditions to restrict the usage of the site.

Members then entered into debate on the application, of which the main concerns were the traffic increase, and usage of the site outside standard operating hours. Members discussed an amendment to condition 3 to further limit the opening hours of the site. The Committee encouraged a robust approach to enforcing the operating hours of the site.

Resolved:

To GRANT planning permission for the application subject to the following conditions:

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

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

2. No loudspeakers, public address system, or other amplified sound equipment shall be used on the site which would be audible outside the building.

REASON: In order to protect the amenities of nearby residential properties.

3. The use hereby permitted shall only take place between the hours of 0800 and 1800 from Mondays to Saturdays (inclusive). The use shall not take place at any other time or on Bank Holidays. Deliveries shall not be taken or despatched from the site outside the above hours.

REASON: To protect the amenities of this primarily residential area.

4. No external lighting shall be installed anywhere on the site unless otherwise agreed in writing by the local planning authority. Any approved lighting shall not be used outside normal working hours except as security lights. All lighting within the building shall be turned off within 30 minutes of the end of the working day.

REASON: To prevent undue light spillage in this remote rural area.

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

Application Form

Design and Access Statement (stamped received on 10 September 2013)

1:1250 Location Plan

1:500 Site Plan (Drawing No. 611) (stamped received: on 1 October 2013)

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

101. **13/03941/FUL - Brow Cottage, Broad Hinton,**

Public Participation

Mr Steve Wright spoke in support of the application.

Local member Cllr Jemima Milton spoke in support of the application.

The Development Control Team Leader outlined the report which recommended the application be refused planning permission. No late items had been submitted. The Development Control Team Leader outlined the details of the application, noting in particular the proposed design and materials.

The key planning policy considerations were noted as being: Kennet Local Plan 2011: PD1 – General development principles and NR7 – Protection of the landscape. The Wiltshire Core Strategy Pre- Submission Document contains emerging planning policy and will eventually replace the Kennet Local Plan. It is not expected to be adopted until 2014 and therefore would not carry full weight, however the committee were minded to consider CP51 -Landscape and CP57 – Ensuring high quality design. The National Planning Policy Framework Section 7 – Requirement for good design, and Section 11 – Conserving and enhancing the natural environment, were also considerations for the Committee.

The key areas for consideration were therefore noted as being the design of the proposed development and the impact on the AONB and local amenity.

The Committee were then invited to ask technical questions of the application, of which there were none.

Members of the public (above) were then invited to speak on the application.

Local Member Cllr Jemima Milton spoke in support of the application, stating that the development could enhance the cottage and make a real difference to the local area.

Members then entered into debate on the application, of which the main areas for discussion were the scale and design of the proposed development, and the impact on the surrounding landscape.

Resolved:

To REFUSE planning permission for the application for the following reason:

- 1. The extension, by reason of its height, scale and design, would appear as an overly dominant and incongruous addition to the host dwelling, to the detriment of its character and appearance. Furthermore, by virtue of this fact, the proposed development would also have a materially harmful impact upon the landscape character and visual qualities of the North Wessex Downs Area of Outstanding Natural Beauty. It would therefore be contrary to saved policies PD1 and NR7 of the Kennet Local Plan 2011 and**

Core Policies 51 and 57 of the Wiltshire Core Strategy Pre-Submission Document, February 2012.

102. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.00 pm)

The Officer who has produced these minutes is Samuel Bath, of Democratic Services, direct line 01225 718211, e-mail samuel.bath@wiltshire.gov.uk

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REPORT TO THE EAST AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	20 February 2014
Application Number	13/06529/OUT
Site Address	Land East of High Street Burbage Wilts
Proposal	Residential development of 45 dwellings with associated infrastructure and public open space (Outline application to consider access - Resubmission of 13/03498/OUT)
Applicant	Persimmon Homes Ltd
Town/Parish Council	BURBAGE
Ward	BURBAGE AND THE BEDWYNS
Grid Ref	423065 161047
Type of application	Full Planning
Case Officer	Peter Horton

Reason for the application being considered by Committee

The application has been called to committee at the request of the division member, Cllr. Wheeler. However, as a major development of 45 houses outside of the current limits of development for Burbage, it is likely that the application would have been reported to the committee for a decision anyway.

1. Purpose of Report

To consider the recommendation that the application be approved.

2. Report Summary

The main issue to consider is whether, notwithstanding the fact that the site lies outside the Burbage Limits of Development, the proposal represents a sustainable form of development for which planning permission ought to be granted.

3. Site Description

The application site comprises an L-shaped parcel of land of approximately 2.5h located at the southern end of High Street on its eastern side, just to the north of Seymour Pond. It is bordered to the north, east and west by residential dwellings alongside Suthmere Drive, Martingale Road, Saddlers Way and High Street. The southern boundary of the site is defined by a public footpath leading from the High Street to Saddlers Way. The site is situated within two rectangular overgrown fields which are divided by a north-south aligned hedgerow interspersed with trees. A footpath runs north-south through the site alongside the hedgerow. The south western corner of the site is occupied by a thatched cottage and its curtilage (no. 237 High Street). This part of the site lies within Burbage Conservation Area.



4. Planning History

There is no recent planning history other than a scheme identical to the current one which was withdrawn in October 2013 just 2 weeks after it was submitted (ref. 13/03498/OUT).

5. The Proposal

This is an outline application, with all matters reserved except means of access. The proposal is for 45 dwellings, accessed from High Street adjacent no. 237, except for plot 19 which would be accessed from Suthmere Drive between existing properties. An indicative planning layout illustrates how the site might be developed. The site is subdivided by an established hedgerow. This would be retained and a linear public open space created alongside it to form an ecological green corridor. To the east of the open space would be a line of detached dwellings. To the west of the open space would be a higher density mix of terraced, semi detached and detached dwellings. The dwellings at the northern end of the site would be bungalows. The overall density would be 18 dwellings to the hectare. 40% of the dwellings would be affordable. No. 237 High Street (which is within the site boundary) would be retained, although its extensive curtilage would be part developed. A 5m wide buffer strip along the eastern boundary of the site is proposed to be sold to adjoining existing properties to extend their gardens.



Indicative Planning Layout

6. Planning Policy

The site lies just outside the Burbage Limits of Development (LOD) and hence in planning policy terms lies within the countryside. It is therefore subject to local plan policy HC26 rather than to HC22. HC26 restricts new build residential development to that which is required to meet an essential agricultural need, or other employment essential to the countryside. Policy HC32 seeks to negotiate the equivalent provision of general market and affordable homes on all proposed housing sites in villages. Policy HC34 requires the provision of recreation space on large housing sites. Policy NR6 seeks to restrict development to be within LODs in the interests of protecting the countryside. Policy NR7 states that where development is acceptable outside LODs, the Council will seek to protect and enhance the character and quality of the environment.

The Wiltshire Core Strategy is at an advanced stage of preparation, and whilst it has not yet been found sound by the Inspector, is an increasingly strong material consideration. Core Policy 2 states that development outside of LODs will only be permitted where it has been identified through community led planning documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development. This

development must be adjacent or well related to the LOD. Core Policy 18 requires the provision of at least 600 homes in the Pewsey Community Area up to 2026, of which 285 still have to be identified. Core Policy 43 requires 40% affordable housing to be provided on sites of more than 5 dwellings.



Kennet Local Plan

The NPPF describes the presumption in favour of sustainable development to be the “golden thread” running through plan-making and decision taking.

7. Consultations

Burbage Parish Council: Supports the proposal, but with conditions. These are set out in full in the Parish consultation response, which can be viewed on-line. However key concerns/conditions can be summarised as follows:

- The decision on this planning application should be delayed pending the outcome of the Housing Needs Assessment Survey. More affordable housing should be provided in the scheme.
- If there is a need for housing in Burbage, this site is considered the least damaging to the character of the village.
- The applicant should proceed on the assumption that protected species are present and take appropriate measures to safeguard habitat, especially in the pond area.

- The access road must be carefully designed to minimise damage to the Conservation Area. The thatched cottage must be retained with sufficient curtilage and should be listed.
- The applicants must engage immediately and regularly with the parish's Neighbourhood Planning Steering Group.
- The proposed access road onto High Street will run over land owned by the parish council.
- The proposed housing density is too great when compared to surrounding development. The scheme should be reduced to 30 houses.
- The development will comprise typical urban housing. Local materials should be used.
- The application provides no additional facilities or job opportunities for the village. The majority of residents will car commute to work, contrary to sustainability principles.
- The single access point is on a busy section of High Street, close to a bus stop, filling station and roundabout. A second access point should be created on to Suthmere Drive.
- The estate road will become clogged by parked cars, and there will be overspill parking on to High Street. All parking must be off road in marked bays with sufficient additional spaces for visitors.
- Additional housing will exacerbate existing problems of flooding and sewage overflow.
- A children's play area must be included in the scheme.
- The submitted Transport Statement contains inaccuracies and wrong assumptions.
- The applicant should donate their half of Seymour Pond to the parish council, together with the land around it.

North Wessex Downs AONB Unit: The site is enclosed by existing development and there are limited views to and from the site to the wider countryside. Given that the site is acceptable in terms of its limited impact on the wider AONB, the AONB unit raise no comments as to the principle of the development of the site for housing.

Environment Agency: No objection subject to conditions.

Wessex Water: No objection subject to condition.

Wiltshire Highways: The entry radii should be at least 6.0m to enable easy access for refuse vehicles without over-running the footway. No objection subject to conditions.

Wiltshire Footpath Officer: Regarding footpath 2, supports its retention as a green route. Regarding footpath 5, wishes to keep it pavement free.

Wiltshire Spatial Planning Team: The site is outside the LOD, so using a rigid interpretation is contrary to policy HC26. In practice however the scheme would actually represent infilling of a green space within the context of an essentially semi-urban setting so it is doubtful that much of the damage this policy seeks to prevent would occur.

It would be desirable if the proposals were brought forward through a Neighbourhood Plan. However it would not be reasonable to insist on delivery through a Neighbourhood Plan. Furthermore, from the developer's point of view a year was wasted engaging with a Neighbourhood Plan team that was subsequently disbanded.

The proposed contribution towards affordable housing is a big benefit.

Although 285 units are allocated for the Pewsey Community Area, a large proportion of these will go to Pewsey itself. Hence 45 units could therefore be seen to be excessive for Burbage, and might appear to represent market housing rather than meeting genuine local need. Furthermore, the addition of 45 new dwellings without any corresponding employment or community facilities would adversely affect the balance of sustainability. However the scale of the proposal is only just unacceptable (40 would be preferred). Burbage has a range of facilities and the harm to self containment at 40 units might be acceptable in view of the overall benefits of the scheme.

On balance the scheme may be worthy of support.

Wiltshire County Ecologist: No objection. However the reserved matters application should include updated survey reports (the submitted reports were carried out in 2011), and should also include a site drawing that shows ecological enhancement features. Any reserved matters permission should condition the submission and approval of an ecological management plan.

Wiltshire Environmental Health: No objection subject to a contamination condition.

Wiltshire Council New Housing Team: The site may be favourably considered as an exceptions site for affordable housing. Or alternatively, development may be considered through a neighbourhood plan, where 40% of the homes should be affordable. The parish has commissioned a Rural Housing Needs Survey, which will provide more comprehensive information regarding housing need in Burbage. Currently the Council's Housing Register shows 44 households seeking housing in the village.

Wiltshire Technical Services: The development provides adequate casual play space. There is a requirement for 334sqm of equipped play space, or alternatively a commuted sum of £52,524 is required in lieu. There is also a requirement of a commuted sum of £23,850 in lieu of formal sports pitch provision.

Wiltshire School Premises Team: The development generates a need for 12 primary and 9 secondary places. Burbage primary school is full. Hence a developer contribution towards the expansion of primary infrastructure is required, being 12 places at the current cost multiplier of £12,713 each. However Pewsey Vale secondary school has considerable capacity, and hence there is no case for developer contributions at secondary level.

8. Publicity

Representations have been received from 8 local residents, 4 of which are objections. The objections can be summarised as follows:

- The site is outside of the LOD. To approve the application would set a precedent for multiple applications on land surrounding the village.
- The density of the housing on the western side of the site is inappropriately high, and gardens too small.
- The layout is more akin to an estate within a town than a village. Furthermore, the estate will become a ghetto which will not integrate well with surrounding development.
- The existing sewer/drainage system down High Street is poor.
- The access road crosses the Conservation Area boundary. It will cut across the front and side garden of an old thatched cottage, and will badly affect the character and setting of both this property and the Conservation Area.
- The road and rail infrastructure is insufficient to support the development.

- It is an unsustainable development: there is insufficient employment to support more homes.
- The development should be delayed until the Neighbourhood Plan has been produced.
- There is no evidence to show that there is a demand for additional homes in the village.
- There are otters in and around Seymour Pond.
- The development will result in irreversible habitat loss
- The scheme is too high density. There is insufficient room to accommodate parking. Vehicles will end up parking on High Street.
- The access road is too narrow and is too close to the bus stop. Access should be via Suthmere Drive.

Three representations broadly in support of the proposal have been received, together with one representation wishing for some boundary hawthorn trees to be retained.

9. Planning Considerations

9.1 Planning Policy

The site lies outside of the Limits of Development (LoD) in the Kennet Local Plan and hence in planning policy terms lies within the countryside. The relevant policy is therefore HC26, which seeks to restrict new build residential development to that which is essential for the needs of agriculture, the aim being to concentrate development within settlements and to tightly control development in the open countryside in order to preserve its open and natural character.

Core Policy 2 in the draft Wiltshire Core Strategy states that development outside of LODs will only be permitted where it has been identified through community led planning documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development.

The applicant sought to engage with the parish council in the preparation of a Neighbourhood Plan. However shortly before the May 2013 elections the key parish councillors who had formed the working group resigned from the parish council. With the timetable for the production of the Neighbourhood Plan thrown into uncertainty, the applicant has unilaterally decided to submit a planning application outside of that process. The application now stands to be determined on its planning merits.

In his procedural letter of 2nd December 2013, the Core Strategy Inspector notes that:

“the Council has not reviewed the extent of the boundaries to inform the Core Strategy; instead relying upon the pre-existing development plan documents. Some of these were adopted some years ago, for example the Kennet Local Plan (2004), and it cannot be argued with great strength that the settlement boundaries contained therein are up-to-date for the purposes of the CS plan period”.

The Inspector has therefore requested that a review of settlement boundaries be undertaken. This work is ongoing, but will not be completed until 2015. However, the point that the settlement boundaries are out of date enables the Council to consider development adjacent to them favourably if the development is sustainable and there are no other overriding objections, such as adverse landscape impact or highway objections.

9.2 Impact of the development.

In the draft Core Strategy, Burbage is identified as a 'large village' with a 'presumption in favour of sustainable development' within the limits of development. Given the knowledge that the existing Limits of Development are out of date, the principle of this level of residential development in this village at this location is considered to be sustainable. The village contains a range of facilities, including a primary school, shops, recreational facilities and a site allocated for employment opportunities.

In terms of the current application site, it is surrounded by existing development on three sides and hence is extremely well related to the village. Furthermore it is visually well contained and its development would have no wider landscape impact. The site is overgrown and serves no beneficial agricultural use. To develop the site would not harm the character and appearance of the wider countryside or harm the scenic quality of the AONB.

It is also of note that the proposal has the qualified support of the parish council.

The proposal would make a not inconsiderable contribution towards the Council's 5 year land supply figures at a time when the Core Strategy Inspector is requiring the Council to make provision for an additional 5000 homes. The scheme would also provide 40% affordable housing, in line with the requirements of Core Policy 43.

45 homes are proposed on a 2.5 hectare site, equating to a density of 18 to the hectare. This is not considered excessive. Although the application is an outline, with all matters except means of access reserved for subsequent approval, the submitted indicative planning layout indicates how a satisfactory layout could be achieved. This shows the retention of the established hedgerow which runs north-south through the site and the creation of a linear public open space alongside it to form an ecological green corridor. A variety of house types and sizes would be employed throughout the site.

The highway authority raises no objection to the proposed means of access, subject to a revised plan specifying 6.0m entry radii. This has been received. Compliance with parking standards will be required at reserved matters stage. Two public footpaths run through the site, which would be retained. These afford the site good pedestrian links to the rest of the village.

The unlisted thatched cottage at no. 237 High Street would be retained and refurbished, albeit with a reduced curtilage. Overall, the proposal would preserve and enhance the character and appearance of the conservation area.

A key element of sustainability is the desirability of reducing the need to travel and producing more balanced settlements. Certainly it would be desirable to see a more mixed use scheme. However the site is well related to the rest of the village and a refusal on sustainability grounds is not considered to be justifiable.

The Council's ecologist raises no objection to the proposal. However the reserved matters application will need to include updated survey reports (the submitted reports were carried out in 2011), and should also include a site drawing that shows ecological enhancement features. There would also be a requirement for any reserved matters permission to condition the submission and approval of an ecological management plan.

The scheme provides more than adequate casual play space in the form of a green alongside the retained hedgerow. No equipped play space or formal sports pitches are to be provided. However commuted sums can be secured via a S106 legal agreement to

contribute towards the provision of these facilities elsewhere. Likewise a contribution towards the provision of indoor sports facilities.

Burbage primary school is full. Hence contributions are required towards the expansion of primary infrastructure. This can be secured via a S106 legal agreement.

Wessex Water raise no objection to the proposal, subject to a condition requiring a foul and surface water drainage strategy to be submitted and approved in writing by the local Planning Authority and Wessex Water.

The applicant has indicated a willingness to transfer land in and around Seymour Pond to the parish council as public open space. This can be secured via a S106 legal agreement.

10. Conclusion

In planning policy terms the site lies beyond the LOD, in the countryside. However, it is in a sustainable location and the NPPF does allow for development to take place in this type of location where, as in this case, the Limits of Development may be out of date and the impacts are acceptable. It is surrounded by existing development on three sides and hence is extremely well related to the village. Furthermore it is visually well contained and its development would have no wider landscape impact. The site is overgrown and serves no beneficial agricultural use. To develop the site would not harm the character and appearance of the wider countryside or harm the scenic quality of the AONB. The site would provide 40% affordable housing and would contribute towards the Council's 5 year land supply. It is therefore recommended that outline planning permission be granted, subject to an appropriate S106 legal agreement.

RECOMMENDATION

That planning permission be granted subject to the prior completion of a Section 106 and/or other legal agreement(s) to secure:

1) 40% affordable housing;

2) Educational Contributions;

3) Open space contributions;

4) Transfer of land and associated maintenance payment around Seymour Pond to Parish Council

And subject to the following conditions:

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

REASON: To comply with the provisions of Section 92 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 of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 4 INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

- 5 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 buildings 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.

- 6 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 7 No part of the development shall be first brought into use until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 500mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 8 No dwelling on the development hereby approved shall be occupied until sufficient space for the parking of vehicles, in accordance with current standards, together with a vehicular access thereto, has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said spaces shall not be used other than for the parking of vehicles or for the purpose of access.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 9 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.

- 10 No development shall commence until a foul water drainage strategy has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To ensure that proper provision is made for sewerage of the site and

that the development does not increase the risk of sewer flooding to downstream property.

- 11 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, in accordance with the Flood Risk Assessment (PFA Consulting, Ref: P576, dated 22/08/2013), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

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

- 12 No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment.

- 13 No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

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

- 14 INFORMATIVE TO APPLICANT:
An appropriate submitted scheme to discharge the above condition will include a water usage calculator showing how the development will aim not to exceed a usage level of 105 litres per person per day.

- 15 INFORMATIVE TO APPLICANT:
There should be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions should be made to ensure that all existing drainage systems continue to operate effectively.

- 16 INFORMATIVE TO APPLICANT:
Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
- the use of plant and machinery
 - oils/chemicals and materials
 - the use and routing of heavy plant and vehicles
 - the location and form of work and storage areas and compounds
 - the control and removal of spoil and wastes.
- The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:
<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

- 17 INFORMATIVE TO APPLICANT: The reserved matters application should be accompanied by updated ecological survey reports, a site drawing showing

ecological enhancement features and an ecological management plan.

- 18 The development hereby permitted shall be carried out in accordance with the following approved plans: P.0796_04, P.0796_07C and P576/2A

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

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REPORT TO THE AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	20 February 2014
Application Number	13/05630/FUL
Site Address	Fiddlers Cottage, Urchfont, SN10 4RG
Proposal	Erection of post and rail fencing to property boundary. Formation of hardstanding parking area. Erection of a single bay cart shed/garage and log store. Erection of side extension. Addition of 6 courses of bricks including oversailing course and new chimney pot. Addition of window in gable end of house
Applicant	Gunalt Ltd
Town/Parish Council	URCHFONT
Ward	URCHFONT AND THE CANNINGS
Grid Ref	403708 157073
Type of application	Full Planning
Case Officer	Morgan Jones

Reason for the application being considered by Committee

This application is brought to committee at the request of the division member, Councillor Whitehead, on the following grounds:

- The extension will not have a significant impact on the character of the property and as it will be attached to the west side of the dwelling it will not be prominent from the highway.

1. Purpose of Report

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

2. Report Summary

The key issue for consideration is whether the proposed development would have an adverse impact on the character and appearance of the Listed Building and Conservation Area.

3. Site Description

The application site relates to a brick and thatch cottage of C18 date, located at the eastern entrance to Urchfont Manor grounds. The cottage is grade II listed in its own right and occupies a prominent roadside location at the edge of the Green, one of the most picturesque areas within the village and conservation area. The cottage also lies within the immediate setting of the grade II* listed Manor house. The cottage had been used in recent years to provide additional residential accommodation for attendees at the college, however

planning permission has recently been granted for a change of use to a single residential use, as detailed below.

The cottage is constructed of brick, with wooden casement windows and a thatched roof. There is a lean-to constructed of weatherboarding and pantiled roof which is currently only suitable for storage. A rear addition has been added in the past, to the north façade, which houses a very small kitchen, bathroom and WC. Currently it has 2 bedrooms with potential to develop the second floor loftspace.

4. Planning History

Application 13/05650/LBC – Erection of side extension. Addition of 6 courses of bricks including oversailing course and new chimney pot. Addition of window in gable end of house and various internal alterations – Pending.

The above application has been submitted side by side with this application as it seeks Listed Building Consent for the proposed works to the property. The application is also before the Planning Committee for consideration.

Application 13/01515/TCA - T1 - Beech - Works proposed are crown lifting and crown reduction on the sides closest to the house & lean to extension. T2 Ash - T3 - Beech Works proposed are crown lifting and crown reduction on the sides closest to the house & lean to extension – Granted 5th August 2013

Application E/2012/1024/FUL - Proposed Change of Use from Urchfont Manor College Residential Accommodation (C2) to Residential Use (C3) – Granted 14th September 2012

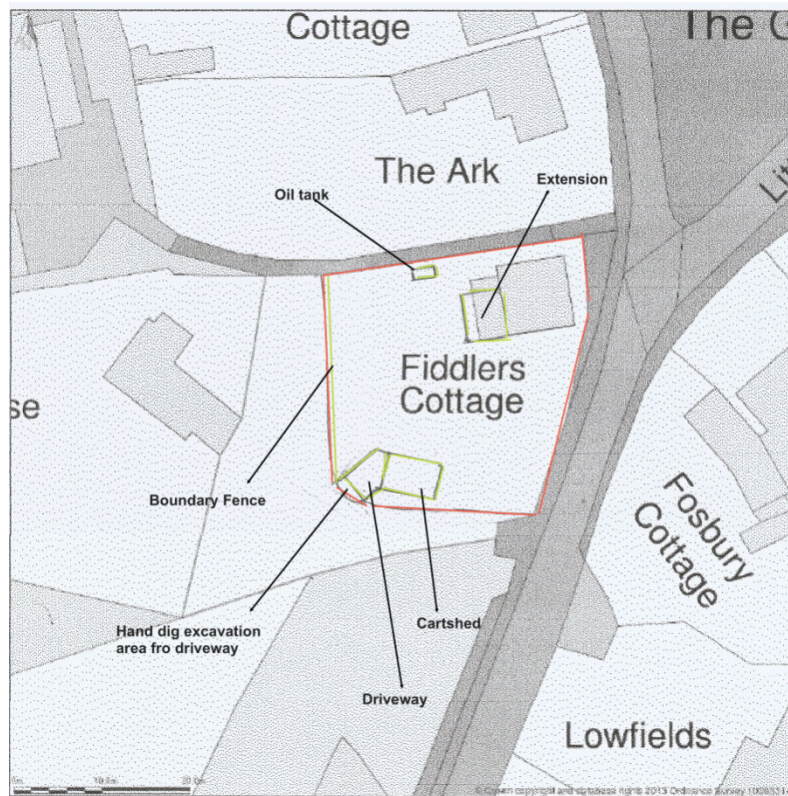
Application E/09/0556/LBC - Work to various internal doors to improve fireproofing, removal of fire escape and associated internal works – Granted 1st September 2009

5. The Proposal

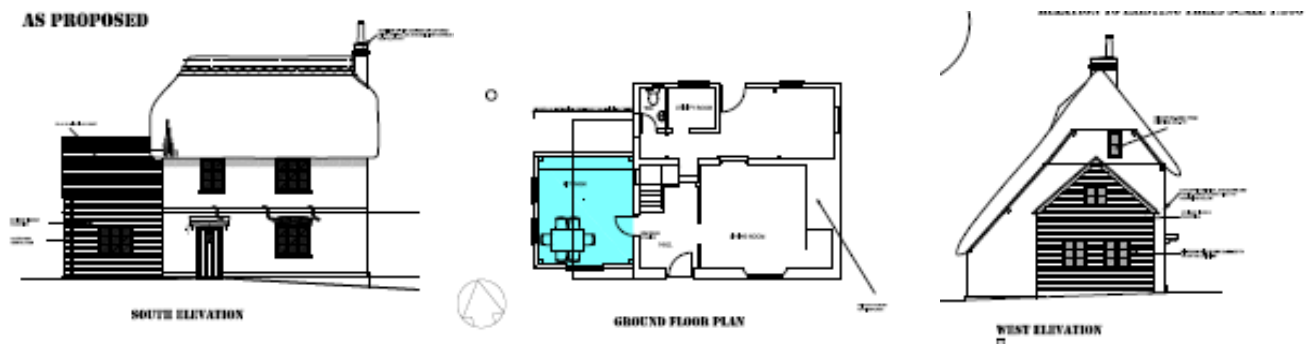
The application seeks full planning permission for the following works:

- The erection of a traditional form post and rail fence along the western boundary of property. The timber fence will be 1.2m in height and will be in-keeping with the roadside boundary fence.
- The formation of a hardstanding parking area. This will be constructed using a no-dig construction technique by the laying of geocell matting.
- The erection of a single bay cart shed/garage and log store. The structure will have a timber frame which will be rest on 6 pad foundations. The single storey structure will measure 5.5m in length by 4.5m in width and will have a pitched roof covered in clay pantiles.
- The erection of a side extension. The design and scale of the extension has been amended during the course of the application and the one currently proposed measures 4.m in width by 4.7m in length, and will be 3.3m in height to the eaves and 5.7m to the ridge. The external walls of the extension will be finished with stained timber boarding and the roof with plain clay tiles.
- The addition of 6 courses of bricks to the existing chimney and a new chimney pot.

- The addition of a first floor window in the south gable end of the dwelling.
- The siting of a domestic oil tank.



Proposed site Plan



6. Planning Policy

The National Planning Policy Framework (NPPF) with particular regard to Chapters 7: 'Requiring Good Design' and 12: 'Conserving and Enhancing the Historic Environment'.

The Kennet Local Plan 2011 (saved policies) with particular regard to policies PD1 'Development & Design'.

The Wiltshire Core Strategy submission document does not yet carry significant weight however its policies are a material consideration, in particular Core Policy 58 'Ensuring the Conservation of the Historic Environment'.

7. Consultations

Urchfont Parish Council – No objections to the original scheme.

No observations received to the revised proposal to date.

Wiltshire Council Conservation Officer – Objects to the proposed development.

Wiltshire Council Arboricultural Officer – No objection to the amended scheme.

8. Publicity

The application has been advertised by way of a site notice and consultations with the neighbours. As a result of the publicity two letters have been received objecting to the development, as originally proposed, on the following grounds:

- The scale and massing of the proposed extension appears to overwhelm the main building rather than be subservient to it. This is exacerbated by the use of different materials from the main cottage, ie pantiling and weatherboarding rather than brick and thatch;
- The changed axis of the pantiled roof of the proposed extension is overbearing;
- The glazed door to the south elevation is unsympathetic. A wooden door with glazing to the upper section would be more in keeping;
- It is not clear whether the mature trees will be protected;
- The proposed extension will overlook the neighbouring property (The Ark).

Following the submission of amended plans and a re-consultation exercise the following comments have been received:

- The fundamental issue of scale and massing and materials used remain virtually unchanged which the slightly stepped back south facade of the extension does not address.

9. Planning Considerations

9.1 Impact on Listed Building & Conservation Area

From the point of view of the historic environment a primary consideration is the duty placed on the Council under sections 16 and 66 of the Planning (Listed Building 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 NPPF outlines government policy towards the historic environment. Section 12 "Conserving and Enhancing the Historic Environment" sets out an overall aspiration for conserving heritage assets so that they can be enjoyed for their contribution to the quality of life of this and future generations. In considering applications, policy requires a balanced

view, with the harm which would be caused being weighed against the public benefits which would result from the proposals (paragraph 134 of the NPPF).

The proposed works to the dwelling itself involve the addition of a new first floor window, raising the height of the chimney and the construction of a side extension, as well as demolition of the current lean-to. The current lean-to addition, whilst of traditional form and construction for this situation is largely of relatively modern construction. Only remnants of historic fabric, including some weather boarding, remain. In view of this there is no objection in principle to its demolition. Similarly, there is no objection to the proposed window and the need to achieve a reasonable distance for the flue terminus above the thatched roof for fire safety reasons is understood. There are a number of fairly tall stacks to the buildings around the green and, taking this and the dimensions of the current structure into account, the addition of a taller pot and an extra six courses of brickwork to achieve this are considered acceptable.

The sole issue revolves around the proposed extension. This is not considered to be of an appropriate scale and design for the host building.

The owners' wish to improve and add to the accommodation available is acknowledged. However, there is the potential to provide for the requirements of everyday living (including modest kitchen and bathroom facilities) within the envelope of the existing building and there is therefore limited justification in terms of public benefit which could be considered to offset any harm caused by proposals for the replacement of this structure. As such any replacement structure would need to be of a similar modest, traditional form and materials as the lean-to proposed for demolition in order not to dominate the house itself and to limit the harm caused to the historic character and fabric of the house to an acceptable level. This would be the most appropriate way forward, and one that is absolutely typical of additions to this type of house. The current proposal, however, is to provide additional accommodation at both ground and first floor levels via a one and a half storey addition. Unfortunately the constraints set by the configuration of the roof of the main house (with its rear catslide) and the need to provide a sufficient pitch for the new roof mean that it is not possible to maintain the lean-to form for an extension serving both floors. A side extension featuring a dual pitched roof and ridge running in alignment with the roof of the main house has therefore been proposed.

Whilst an extension of this form may not necessarily be unacceptable in principle, the original proposal was for a substantial structure with a front dimension of well over half of that of the frontage of the main cottage. As a result, the extension lacked the subservience of a traditional domestic extension, appeared out of proportion with the host building and would detract significantly from its historic character. The Conservation Officer outlined that there is no adequate justification for the harm which would result to the character and special interest of the listed building and the proposal was therefore considered to be unacceptable.

In light of the above observations from the Conservation Officer the applicant amended the design and scale of the extension. The fully glazed French doors proposed on the front elevation have been replaced by a window and the width of the extension has been reduced from 4.7m to 4m. The amendments however are not significant enough to address the concerns of the Conservation Officer who maintains the view that the extension would neither preserve nor enhance the appearance and character of the listed building.

The position of the cart shed has been amended in light of observations received from the department Arboricultural Officer, as detailed below, and as a result the proposed area of hardstanding has been significantly reduced. This has alleviated the concerns of the relating to this aspect of the proposal.

In paragraph 132, the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. This guidance is reflected within Core Policy 58 of the emerging Wiltshire Core Strategy which outlines that development should protect, conserve and where possible enhance the historic environment, and should not have an unacceptable impact on the historic environment.

It is considered that the proposed development fails to accord with both national and local planning policy as there is no adequate justification for the harm which would result to the character and special interest of the listed building.

9.2 Impact on Trees

The application is supported by a Tree Survey which outlines that the mature trees within the curtilage of the property are considered to be high quality with a high visual amenity. Apart from the dying birch tree, they should be retained and protected during the construction period.

The department's Arboricultural Officer has confirmed that the proposed extension could be constructed without detriment to the trees due to the foundation design i.e. mini-plies with a lifted beam and block floor, and the birch tree could be removed to accommodate the driveway as it is of limited quality. Concerns were however raised over the amount of proposed hardstanding and the amount of excavations that would be needed to marry the proposed hardstanding with the existing drive.

In light of the above, the applicant amended the position of the car shed, reduced the area of hardstanding, and submitted further information to demonstrate that the scheme can be delivered without adversely affecting the trees. As a result the concerns of the Arboricultural Officer have been addressed.

9.3 Impact on Residential Amenity

One other minor amendment to the design of the proposed extension was the removal of the skylight within the rear roof place. This amendment has addressed the concerns raised by the residents of the adjoining property (The Ark) on the ground of overlooking. As such, due to the scale, positioning and design of the proposed extension, and all other elements of the proposal, there will be no adverse impacts on the amenity of neighbouring residents.

10. Conclusion

The proposal involves various works within the curtilage of the property and to the dwelling itself, all of which are considered acceptable apart from the proposed extension. It is considered that the scale and design of the extension in relation to the original dwelling would harm the character and setting of the listed building and diminish its significance as a designated heritage asset.

The proposal would therefore neither preserve nor enhance the character and appearance of the listed building and is therefore contrary to section 12 'Conserving and Enhancing the Historic Environment' of the NPPF, saved Policy PD1 'Development & Design' of the Kennet Local Plan, and Core Policy 58 'Ensuring the Conservation of the Historic Environment' of the Wiltshire Council Core Strategy.

RECOMMENDATION

Planning Permission is REFUSED for the following reason:

1. The proposed extension, by reason of its scale and design, lacks the subservience of a traditional domestic extension, which as a result would detract significantly from the historic character of the dwelling. There is no adequate justification for the harm which would result to the character and special interest of the listed building. The proposal would neither preserve nor enhance the character and appearance of the listed building and is therefore contrary to section 12 'Conserving and Enhancing the Historic Environment' of the NPPF, saved Policy PD1 'Development & Design' of the Kennet Local Plan, and Core Policy 58 'Ensuring the Conservation of the Historic Environment' of the Wiltshire Council Core Strategy.

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REPORT TO THE AREA PLANNING COMMITTEE

Report No. 3

Date of Meeting	20 February 2014
Application Number	13/05650/LBC
Site Address	Fiddlers Cottage Urchfont SN10 4RG
Proposal	Erection of side extension. Addition of 6 courses of bricks including oversailing course and new chimney pot. Addition of window in gable end of house and various internal alterations.
Applicant	Gunalt Ltd
Town/Parish Council	URCHFONT
Ward	URCHFONT AND THE CANNINGS
Grid Ref	403708 157073
Type of application	Listed Building Consent
Case Officer	Morgan Jones

Reason for the application being considered by Committee

This application is brought to committee at the request of the division member, Councillor Whitehead, on the following grounds:

- The extension will not have a significant impact on the character of the property and as it will be attached to the west side of the dwelling it will not be prominent from the highway.

1. Purpose of Report

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

2. Report Summary

The key issue for consideration is whether the proposed development would have an adverse impact on the character and appearance of the Listed Building and Conservation Area.

3. Site Description

As outlined within report 13/05630/FUL

4. Planning History

As outlined within report 13/05630/FUL.

5. The Proposal

The application seeks full planning permission for the following works:

- The erection of a side extension. The design and scale of the extension has been amended during the course of the application and the one currently proposed measures 4.m in width by 4.7m in length, and will be 3.3m in height to the eaves and 5.7m to the ridge. The external walls of the extension will be finished with stained timber boarding and the roof with plain clay tiles.
- The addition of 6 courses of bricks to the existing chimney and a new chimney pot.
- The addition of a first floor window in the south gable end of the dwelling.
- Various internal works which include:
 - Re-plastering of ceilings within ground floor bathroom and cloakroom areas;
 - Re-plastering of top coat lime plaster throughout;
 - Re-opening of fireplace;
 - Installation of bathrooms at first and attic floor levels;
 - Installation of central heating.

6. Planning Policy

The building is listed Grade II.

7. Consultations

As outlined within report 13/05630/FUL.

8. Publicity

The application has been advertised by way of a site & press notice and consultations with the neighbours. The observations received as a result of the publicity is as outlined within report 13/05630/FUL.

9. Planning Considerations

From the point of view of the historic environment a primary consideration is the duty placed on the Council under sections 16 and 66 of the Planning (Listed Building 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 proposed internal alterations to the listed building are considered acceptable, subject to the approval of the finer details at a later stage, along with the addition of a new first floor window and raising the height of the chimney. However, from a historic environment perspective the proposed extension is not considered to be of an appropriate scale and design for the host building, for the reasons outlined in report 13/05630/FUL.

10. Conclusion

The proposal involves various internal and external works to the listed building, all of which are considered acceptable apart from the proposed extension. It is considered that the scale and design of the extension in relation to the original dwelling would harm the character and setting of the listed building and diminish its significance as a designated heritage asset.

The proposal would therefore neither preserve nor enhance the character and appearance of the listed building and conservation area and is therefore contrary to section 12

'Conserving and Enhancing the Historic Environment' of the NPPF, saved Policy PD1 'Development & Design' of the Kennet Local Plan, and Core Policy 58 'Ensuring the Conservation of the Historic Environment' of the Wiltshire Council Core Strategy.

RECOMMENDATION

Listed Building Consent is REFUSED for the following reason:

1. The proposed extension, by reason of its scale and design, lacks the subservience of a traditional domestic extension, which as a result would detract significantly from the historic character of the dwelling. There is no adequate justification for the harm which would result to the character and special interest of the listed building. The proposal would neither preserve nor enhance the character and appearance of the listed building and is therefore contrary to government advice contained in the NPPF..

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WILTSHIRE COUNCIL

EASTERN AREA PLANNING COMMITTEE

Date: 30th January 2014

Subject: Untidy site at Rum Jungle, Snails Lane, Devizes, Wiltshire SN10 1DB

Purpose of Report

1. To inform Members of the outcome of enforcement action to remedy the poor condition of the above site.

Background

2. Members will recall that a report concerning this matter was previously brought to the Eastern Area Planning Committee on 22nd August 2013. At that meeting, Members authorised direct action to secure compliance with a Section 215 'untidy site' notice which had been served in respect of the poor condition of the site.
3. Temporary permission had originally been given in August 1991 for stationing a mobile home on the site. However permission expired upon the death of the occupier in 2010.
4. In view of the dilapidated nature of the mobile home and the untidy condition of the site in general, your officers initially sought to persuade the owners (who did not live in the UK) to improve the appearance of the site voluntarily. However when negotiations broke down, an untidy site notice under Section 215 of the Town and Country Planning Act 1990 (as amended), was issued in January 2013:



5. The notice required the following works to be carried out within two months of its taking effect:
- (a) Permanently remove from the Land the mobile caravan, the brick base foundation and all resulting demolition materials.
 - (b) Permanently remove from the Land the small wooden side extension including the tiled steps and all resulting demolition materials.
 - (c) Permanently remove from the Land all garden paraphernalia including all plastic/ceramic plant pots, all polystyrene trays, chairs, plastic buckets, garden spade, plastic bags, 1x steel frame, 1 wooden table, shopping basket, 1 brick built BBQ.
 - (d) Permanently remove from the Land 1x garden shed and all contents therein and all resulting materials.
 - (e) Permanently remove from the Land 1 x small wooden structure adjacent to the public footpath.

6. Following authorisation of direct action, contractors acting on behalf of the Council took the steps required to comply with the notice over a period of three days at the end of 2013:



7. The Council will seek to recover its expenses as a result of the carrying out of the works by registering the cost of the works against the Land as a land charge, recoverable at the point of sale.

Recommendation

A: That Members note the report

Report Author:

Stephen Hawkins, Team Leader (Enforcement).

Date of report: 10th January 2014.

Background Papers

The following unpublished documents have been relied on in the preparation of this report:

None.
