

AGENDA

Meeting: Eastern Area Planning Committee

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

Date: Thursday 25 June 2015

Time: 6.00 pm

Please direct any enquiries on this Agenda to Adam Brown, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718038 or email adam.brown@wiltshire.gov.uk

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Membership:

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

Substitutes:

Cllr Terry Chivers	Cllr Jeff Osborn
Cllr Ernie Clark	Cllr James Sheppard
Cllr Anna Cuthbert	Cllr Philip Whitehead
Cllr Dennis Drewett	Cllr Christopher Williams

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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 5 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 4 June 2015.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

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

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Thursday 18**

June 2015. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 Planning Appeals

To receive details of the completed and pending appeals.

7 Planning Applications

To consider and determine the following planning applications.

7a **14/04237/OUT - Whistledown, Upavon, Pewsey SN9 6EF - Change of use from existing agricultural land, including former chicken farm, demolition of existing bungalow and outline permission for the erection of up to 45 dwellings, landscaping, access and associated works. (Pages 13 - 40)**

8 Urgent items

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

Part II

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

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 4 JUNE 2015 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler, Cllr Paul Oatway, Cllr Anna Cuthbert (Substitute) and Cllr Philip Whitehead (Substitute)

Also Present:

Cllr Jemima Milton and Cllr Jonathon Seed

29. Apologies for Absence

Apologies were received from:

Cllr Mark Connolly
Cllr Stuart Dobson

Cllr Connolly was substituted by Cllr Philip Whitehead
Cllr Dobson was substituted by Cllr Anna Cuthbert

30. Minutes of the Previous Meeting

Resolved

To approve and sign as a true and correct record the minutes of the meeting held on 2 April 2015.

31. Declarations of Interest

Cllr Philip Whitehead declared a pecuniary interest in item 7c - 15/01683/VAR – as he was the applicant. For this item Cllr Whitehead joined the public and did not participate in proceedings.

32. Chairman's Announcements

Cllr Anna Cuthbert was welcomed to the Committee as a new substitute and member of Wiltshire Council.

33. Public Participation and Councillors' Questions

The rules on public participation were noted. There were no questions submitted.

34. Planning Appeals

None.

35. Planning Applications

36. 15/02669/FUL - Land adjacent to The Former Cricket Pitch, Winterbourne Bassett, SN4 9QD

Public Participation:

Mr Ben Pearce spoke in support of the application

Mr Adrian Smith spoke in support of the application on behalf of Broad Hinton Parish Council

Miss Catherine Pullan spoke in support of the application

The Senior Planning Officer introduced the item which recommended permission be refused for the erection of dwelling in Winterbourne Bassett and associated landscaping.

Key issues were noted as including the principle of development, whether the application could be defined as infill, and the extent of the built-up area. Core Policies 1, 2, 48, 51, 57, 60, and 61 were referenced.

Members of the Committee then had the opportunity to ask technical questions of the officer. The application was clarified as being for a two bedroom dwelling. The previous Kennet Plans were confirmed as running from 1995 – 2004, and 2004 – 2011.

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

The Unitary division member, Councillor Jemima Milton, then spoke in support of the application. Sites were noted as being in existence beyond the proposed development area, and that as such the application may not be considered ribbon development. A regular bus service was noted as connecting the area to the local area.

A debate followed where the definition of infill was considered and whether it applied to this application. It was noted that to approve the decision would not be considered a breach of policy, but that the judgment was on whether or not the application was considered infill as based on the policy definition. Issues of access, visibility, and street lighting were considered.

Resolved

To approve subject to the following conditions:

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

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

- 2 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 3 All soft landscaping comprised in the approved details of landscaping (Drg No. LDC.1773.002D) 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.

- 4 The dwelling shall not be occupied until the parking spaces together with the access thereto, have been provided in accordance with the approved plans.**

REASON: In the interests of highway safety and the amenity of future occupants.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

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

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

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

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

Plan Ref: Planning Application, Supporting Statement, Ecological Appraisal Report, Archaeological Desk-Based Assessment, Location Plan 1:2500, LDC.1773_VS02, LDC.1773.001B, LDC.1773_004, LDC.1773_005, JH/PULL/PLG/01, JH/PULL/PLG/02, JH/PULL/PLG/03, JH/PULL/PLG/04, JH/PULL/PLG/05, JH/PULL/PLG/06 and JH/PULL/PLG/07.

Received: 18th March 2015

REASON:

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

- 8 The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website:

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

36.1 15/04125/FUL - Bridge House, Martinslade, Seend, SN12 6RT

Public Participation

Mrs June May spoke in support of the application

The Senior Planning Officer introduced the application which recommended that permission be refused for a first floor extension to an outbuilding. It was confirmed that planning permission had been granted in 1990 for the existing outbuilding.

Key issues were noted as including the principle of development, the design and visual impact, and the impact on heritage assets (a nearby grade II listed building and the Kennet and Avon Canal).

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed that the outbuilding had no historic features.

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

The Unitary division member, Councillor Jonathon Seed, then spoke in support of the application. Attention was drawn to a large modern building on the opposing bank of the canal which was roughly the same distance from the waterway as the outbuilding. It was noted that the outbuilding was located some distance from the grade II listed building and on the opposite side of the bridge on an existing employment site.

A debate then followed where the impact of the development on both historical assets was considered. Core Strategy 58 was discussed, whereby all developments must be sensitive to all heritage assets including waterways and canals. The quality of the building design drawings were considered, including the height, design, and characteristics.

Resolved

To refuse the application for the following reasons:

- 1. The proposed development would result in an outbuilding which would be of an inappropriate scale and design for the context of the site. The outbuilding, due to its significantly increased height and overall mass, would not appear subordinate or respect the proportion of the associated dwelling. The proportions of the proposed windows would be at odds with the local vernacular and the use of timber cladding would be out of keeping with the traditional local building materials. As such, the proposal would be contrary to both national and local planning policies, which seek to promote good design, namely section 7 'Requiring Good Design' of**

the NPPF and Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the adopted Wiltshire Council Core Strategy.

- 2. The proposed development would be detrimental to the appearance of the area and would harm the setting of the surrounding heritage assets. The outbuilding is considered to be of an inappropriate design and due to its position and overall mass, would appear overly prominent and intrusive when seen from the public realm and within the application property, to the detriment of the setting of the Grade II Listed dwelling and the adjoining Kennet & Avon Canal. As such, the proposal would be contrary to both national and local planning policies, which seek to preserve or enhance the historic environment, namely section 12 'Conserving & Enhancing the Historic Environment' of the NPPF and Core Policy 58 'Ensuring the Conservation of the Historic Environment' of the adopted Wiltshire Council Core Strategy.**

36.2 15/01683/VAR - Crookwood House, Cuckoo Corner, Urchfont, SN10 4RA

For this item Cllr Whitehead withdrew from the Committee and sat with the public.

Public Participation

Mr James Monckton spoke in objection to the application.

The Senior Planning Officer introduced the application which recommended that planning permission be granted for the variation of condition 5 of planning permission 14/07886/FUL - 'Two storey extensions to existing 3 bedroomed house' - to enable construction of an external staircase allowing access to a first floor office.

Key issues for consideration were noted as including whether the scale, design, and materials of the external staircase were acceptable. Also noted was the impact on neighbour amenity.

Members of 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 debate followed where the impact on neighbour amenity was discussed, along with a discussion over the previous development.

Resolved

To grant planning permission subject to the following conditions:

1. The materials to be used in the construction of the external surfaces of the development hereby permitted (excluding the timber cladding, and the windows in the west elevation as shown on the 'Proposed Elevations' plan, drawing number: CH003/2014, received on the 18/08/2014, which will be powder coated grey aluminium) shall match in material, colour and texture those used in the existing building, unless otherwise agreed in writing by the Local Planning Authority.

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

2. 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 extensions or the completion of the development whichever is the sooner; All hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any hedges which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

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

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

Title: Confirmation of materials for the staircase. Received: Via email dated: 17/04/2015

Drg Title: Location Plan. Received: 20/02/2015

Drg Title: Proposed Elevations (north, south and east elevations).

Drg No: CH003/2014. Received: 20/02/2015

Drg Title: Proposed Elevations (west elevation only). Drg No: CH003/2014. Received: 18/08/2014

Drg Title: Proposed Plans. Drg No: CH001/2014. Received: 20/02/2015

Drg No: Proposed Landscape Plan & Tree Protection Plan. Received: 14/10/2014.

Drg Title: Existing Elevations. Drg No: CH_003_2014_exist_elev. Received: 18/08/2014

Drg Title: Existing Layout. Drg No: CH001/2014. Received: 18/08/2014.

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

37. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.35 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

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

REPORT TO THE EASTERN AREA PLANNING COMMITTEE Report No. 1

Date of Meeting	25 June 2015
Application Number	14/04237/OUT
Site Address	Whistledown, Upavon, Pewsey SN9 6EF
Proposal	Change of use from existing agricultural land, including former chicken farm, demolition of existing bungalow and outline permission for the erection of up to 45 dwellings, landscaping, access and associated works
Applicant	Mr G & B Andrews
Town/Parish Council	UPAVON
Division	PEWSEY VALE
Grid Ref	413039 155102
Type of application	Outline
Case Officer	Jonathan James

Reason for the application being considered by Committee

The application is brought before committee as the proposal is a major development of 45 houses outside of the current Limits of Development for Upavon.

1. Purpose of Report

To consider the merits of the proposal and the recommendation that the application be delegated to the Area Development Manager for approval subject to the prior completion of a Section 106 agreement.

2. Report Summary

The main issue to consider is whether, notwithstanding the fact that the site lies outside the Limits of Development for Upavon originally defined in the Kennet Local Plan 2011 and carried forward into the Wiltshire Core Strategy, the proposal represents a sustainable form of development for which planning permission ought to be granted.

3. Site Description

The site is located adjacent to but outside of the northern edge of the Limits of Development for the village of Upavon defined in the Kennet Local Plan. The application site lies to the north of the current dwellings in the village and east of the A342 Devizes – Andover road.

The application site is fundamentally made up of two halves. To the east of the road are the agricultural buildings and bungalow of the former chicken farm. Adjoining this to the east is a further wedged-shaped piece of agricultural land sandwiched in between Whistledown Farm and the existing cemetery to the east and existing residential properties (bungalows of Fairfields) to the south. To the north of the site is open countryside and agricultural land. The

topography of the land gently slopes down (to the north) away from the village of Upavon. Along the northern boundary of the chicken farm is a mature boundary feature of trees.

The chicken farm is made up of several large chicken sheds with additional agricultural outbuildings and sheds to the south and surfaced tracks running around the buildings. To the front of the site is an existing modern bungalow (possibly post war, early 1970's era) of limited architectural value and an associated garden area.

Existing access into the site is off the A342 bounding the west of the site. Along the southern boundary of the site is an existing footpath that connects through to Upavon itself.



Site Location Plan

Approximately 360 metres to the north of the site lies the boundary of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and approximately 100 metres to the east of the site, starting on the opposite side of the cemetery is the Upavon Conservation Area.

4. Planning History

The site has been the subject of an extensive site history relating primarily to the evolution of the long established Whistledown Chicken Farm.

- *K/35348 - Construction of new access and poultry house and closure of existing access – Approved with conditions*
- *K/33109 - Retention of replacement bulk feed bin on existing concrete base – Approved with conditions*

5. The Proposal

This is an outline application, with all matters reserved except means of access and layout. Landscaping had initially been sought for approval at the outline stage, but will now be dealt as part of the reserved matters application. The proposal is for 45 dwellings, accessed from the adjacent A342 running along the western boundary of the site. Twelve bungalows are proposed to be constructed on the agricultural land to the east of the farm buildings and the remaining dwellings would be located on the site of the former chicken farm and bungalow. The proposal would involve the demolition of the existing bungalow and the existing agricultural buildings. It is proposed to create a cycle path/footway along the side of the A342 to provide a sustainable link between Upavon and Rushall (the village half a mile to the north, where the operative primary school is located). A drainage pond on the agricultural land side is also proposed. The overall density would be approximately 20 dwellings per hectare. 40% of the dwellings would comprise affordable housing.



Indicative Site Layout

The application has undergone a number of amendments since it was originally submitted, resulting in the layout depicted above. Whilst there have been some minor alterations to the layout as a whole the main change since submission is that the 12 properties located on the part of the site that is a field would all be bungalows.

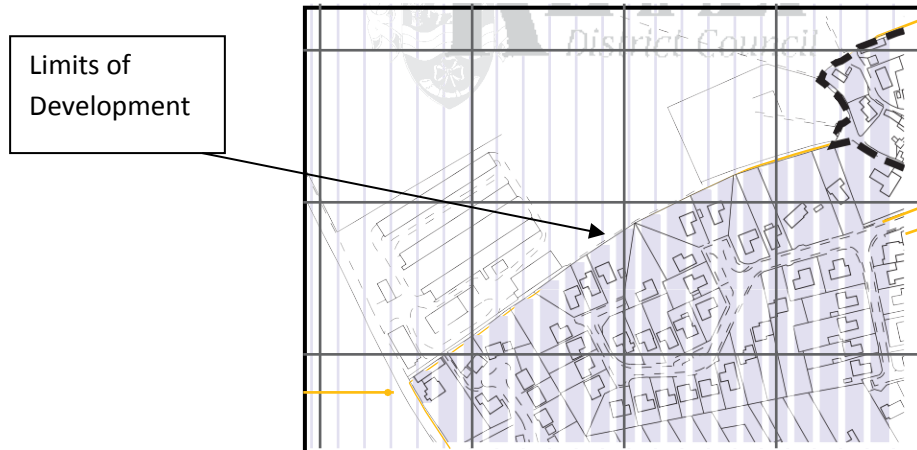
6. Planning Policy

The Wiltshire Core Strategy (2015) is the determining development plan for the area. It was formally adopted in January 2015 and has been found sound and robust by the Planning Inspectorate. The site lies just outside the Upavon Limits of Development (LOD) originally defined in the Kennet Local Plan and carried forward to the Wiltshire Core Strategy, hence in planning policy terms it lies within the countryside.

Core Policy 2 states that development outside of LOD's 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 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.



Extract from Kennet Local Plan – Shows the Limits of Development for Upavon

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

7. Consultations

Upavon Parish Council (original plans) –

Raised comments and objections which reflect the views of the 46 residents who attended the parish public meeting to discuss this matter on 4 June.

There was unanimous support for the development of the ‘brownfield site’ i.e. the former chicken farm and bungalow. However, development of the arable land to the east of the existing buildings was strongly rejected by a significant majority at the public meeting. The reasons for rejection and various comments can be summarised as follows:

1. Recognition of the Village Design Statement (VDS) of 2006;
2. Lack of justification for the quantity of properties proposed, particularly the number of affordable homes;
3. There are very few employment opportunities in the immediate locality and a lack of public transport to serve other employment areas;
4. Increased pressure on local public service amenities including: doctors’ surgery, parking, traffic, sewage, water supply, the existing poor telephone system, etc.

Upavon Parish Council (amended plans) -

In summary, the parish council (PC) are prepared to support the application with appropriate conditions.

A second public meeting was held on 11 February 2015, attended by in excess of 90 parishioners, in order to examine and discuss the amended plans. The meeting was very

constructive and enabled a much wider view of parishioners' concerns, objections and support with regard to the proposed development. By means of a summary:

- As expected, parishioners with properties in close proximity to the proposed development continue to object to its size and scope; development of the greenfield site is considered to be unacceptable, and on this issue, a not insignificant number of parishioners agree.
- There remains concern that public amenities in the village are inadequate to support such a development.
- The proposed access into the development from the A342 is a significant concern; it is unsafe and needs a re-think.
- There is a perception that the local Doctor's Surgery is barely coping at present; an increase in the population of Upavon is only likely to exacerbate the situation further.
- There is concern that the current shortfall of primary school places across the area will worsen as a result of the population increase from this proposed development.
- There is little or no employment in the immediate vicinity of Upavon. Further, there are no regular bus services to Devizes or Andover, the closest major conurbations, and both areas of significant employment.
- Upavon has an ageing population, and the proposed development may provide the opportunity to rejuvenate the community.
- There is an overwhelming view that the social affordable homes should be prioritised for local people, with Upavon residents having the highest priority for such properties.
- Upavon must be safeguarded from any further over-development.
- The landowners' offer to put in place a legally binding restrictive covenant to safeguard the current plan was generally seen as positive.

Whilst the feeling of the meeting was inconclusive, it was clear that there was considerable support for the development, as well as continued opposition. The comments from the AONB unit were published after the PC's public meeting. However, the PC's comments on their response at this stage are as follows:

- This response seems to be at odds with the earlier response published in June 2014; that earlier response did not object to the Planning Application.
- The A342 is certainly not a 'country road'; it is, in fact, an extremely busy and potentially dangerous trunk road. This is the reason why a cycle track has been included in the detail of the plan.
- The AONB unit's concerns about the cycle track to Rushall are questioned. This track will be to the benefit of the residents of both Rushall and Upavon (particularly Upavon children attending the Primary School in Rushall), and, arguably, will not be visible from the AONB for much of the year.
- It is suggested that the view from the AONB will potentially be significantly improved. The removal of the unsightly chicken farm buildings and the strategic planting of trees and hedges in the north east corner can only be an improvement on the current view.
- Additionally, roof heights on part of the proposed development have been lowered; it is the intention to build only bungalows on the greenfield (north east side) of the development.

The PC also took into account the following important initiatives:

Wiltshire Council's Core Housing Strategy. The Core Strategy details the requirement for substantial development throughout the County, including some 600 homes within the Pewsey Area. It is understood that some 60% of these homes (about 360) will be built in and around Pewsey, with the remainder (about 240) to be built in and around the area's four 'large villages': Burbage, Great Bedwyn, Shalbourne and Upavon. Assuming that a small proportion of these 240 homes will be built in and around the area's 'small villages', it is considered a fair assessment that each of the 'large villages' will have to accept the development of about 50 homes. Since 2006, we have had two homes built in Jarvis Street,

as well as five [social affordable] homes built adjacent to Avon Square. The proposed development of an additional 45 homes on the Whistledown Farm site takes us above the 50 homes, and is considered to be the maximum that should be accepted in Upavon. The Strategic Housing Land Availability Assessment (SHLAA) of the 36 SHLAA sites identified across the Pewsey Area in order to support the Core Strategy, four lie in and around Upavon. The Whistledown Farm site is a prime SHLAA site, and the remaining three are: the land adjacent to the Devizes Road and the land adjacent to the A345 Pewsey Road, both green-field sites; the area of Upavon Forge, just off Jarvis Street. In total, it is assessed that these four SHLAA sites have a potential to develop some 123 new homes.

The PC concludes that this planning application should be accepted, but only with the strict implementation of the conditions relating to the boundary treatment, surface treatment to footpaths, maintenance for cemetery wall, a reduced speed limit, a traffic calming feature, affordable homes for local people, a restrictive covenant and the removal of Upavon's other SHLAA sites.

Rushall Parish Council - The parish council recognises that no part of the proposed development lies within its boundaries. From a planning perspective Rushall does not oppose the principle of the application, nevertheless has a number of reservations. Highways safety – there should be a reduction in speed, unsafe footpath link, lack of school places, effluent disposal, and support the AONB unit's view with regards to visual impact; adequate facilities within the area.

Wiltshire Council Highways (revised response following amendments to scheme) -

It is considered that the proposal offers an acceptable form of internal footpath links and the proposed shared use path along the A342 offers a good level of pedestrian and cycle access to Rushall. It is considered that the site appears to offer an adequate level of parking (to meet minimum requirements) and subject to the visibility at the access being conditioned it is considered that an acceptable layout can be achieved.

The construction of the internal roads and the shared use path will be subject to both a S38 and S278 (respectively) agreement with the Highways Authority to ensure all roads meet design requirements in regards to layout, street lighting etc.

In response to the parish council's comments, it is confirmed that the scale of the development is such that highways would not be looking to insist upon any traffic calming measures or entrance features on the A342. The provision of a right hand turn lane or indeed a mini roundabout on an 'A' road in connection with a development of this size is not usual practice and is not something that highways would be looking to pursue.

The parish council comments in relation to the reduction of the speed limit will be passed onto the traffic team for technical consideration. However, from experience this is not a road which lends itself to a reduction of speed. There are several rules of statutory guidance which determine the appropriate speeds for a road, these include frontage of properties the classification of the road and its use in the wider network. The dimensions and geometry of the A342 at this location are such that it is not expected that a reduction in the speed limit would be accepted.

Wiltshire Council New Housing Team - The site falls outside the framework boundary for Upavon, the usual expectation would therefore be that this site could only be developed as a rural exception site e.g. only developed for 100% affordable housing. However, should this site have widespread local support and be considered suitable for housing development, it is considered that emerging WCS CP43 policy would then apply. An on-site contribution of

40% affordable housing would be required. The Housing Register statistics show households in priority need as:

- Wiltshire wide : 10781
- Pewsey : 236
- Upavon & Adjoining Villages : 15

Wiltshire Council Environmental Services (original comments) - agreement needs to be reached on financial contributions towards off-site equipped play space and formal sports/pitches; these can be resolved through a Section 106 agreement.

Revised response following the adoption of Community Infrastructure Levy (CIL) – The public open space (POS) requirement for 45 dwellings would remain as 2624.4 m², to be comprised of: Casual POS 334.8m² – provided on site; Equipped Play – 442.80m² – not provided on site – equating to a contribution of £46,125 to be spent at Lower Playing Field; Sports – 1846.8m² – not provided on site – equating to a contribution of £21,105. Please clarify the future management arrangements for the POS.

Wiltshire Council Spatial Planning Team - Please note that due to the imminent adoption of the Wiltshire Core Strategy this must now be given significant weight in decision making. Core Policy 2 requires this development to come forward via a Neighbourhood Plan or similar community led development document.

Wiltshire Council Environmental Protection Team – No objection subject to a land contamination condition.

Wiltshire Council Drainage Engineer – No objections. It is suggested that the standard foul and storm drainage conditions are applied to any approval. Further detail will be required at detailed stage; further detailing required on peak flow and volume control of surface water runoff, flood risk within development, integrity of the existing drainage system components and infrastructure; further detailing relating to long term maintenance (e.g. by whom).Has also requested that SUDS is designed into the scheme at the reserved matters stage.

Wiltshire Council Rights of Way Officer – Support subject to conditions; footpath UPAV6 will be a key link from this site to the middle of the village. There is also an existing link from the footpath to Farriers Field, just to the south of the site. Good links onto the footpath and surfacing of the footpath to an adoptable standard are essential in order to make this proposal acceptable. Discussions with the applicant's consultant have been held and it is considered that they have satisfactorily sought to meet the above requirements as follows. A revision of the master plan has been agreed – 11719.14.721, revision I. Also, heads of terms for planning obligations have now been put forward – these refer to upgrading of the surface of UPAV6 as required.

Wiltshire Council Ecology – No objection. The ecology survey has been sufficiently thorough to determine any ecological constraints to development within or adjacent to the site and the findings given in the ecology report are agreed. A recommendation has been given in the ecology report that several bat tubes should be incorporated into the structure of the new housing within the site. The recommendations for retention of boundary trees and hedges and for planting up and sensitive management of the attenuation pond given in the ecology report and carried through into the DAS and site design, are welcome and will help to provide important connectivity both throughout and around the site, for the benefit of a range of wildlife species; these enhancements should be captured through condition.

Wiltshire Council Children & Education (revised comments) - No objection.

Revised response following the adoption of CIL – the need to expand schools exists, however now that CIL is in force it is accepted that any funding will be via the CIL mechanism.

Wiltshire Council Landscape Officer - The existing landscape baseline situation, the starting point for assessing landscape and visual change effects would include the existing chicken and farm buildings set against an existing residential use backdrop. The loss and development of this area of land could be viewed as a logical infill site within future development plan phases or settlement boundary reviews, given its fairly modest size and context, located between the chicken farm site and the cemetery. It could be argued that it would be better to provide a cohesive and well linked infill site now, rather than trying to develop and link in a separate isolated small infill site in a later plan period. Alternatively it could be argued that this Greenfield area currently provides part of the existing settlement transition with countryside.

In broad terms the main landscape issues centre on whether the residential development of this site will generate harmful landscape effects or visual harm to receptors. The application is supported by a landscape and visual appraisal. This appraisal has not considered the potential inter-visibility with the AONB or mentioned any issues in relation to the setting of the AONB. However, potential views from AONB directions (north and north-east) are included within the appraisal, so likely to be representative albeit at closer distances.

This appraisal has referenced the hierarchy of available Landscape Character Assessments, and has recognised that the most significant landscape issues and enhancement priorities relate to the improvement and integration of the proposed new settlement edge at its transition with open countryside and recommends that an enhanced existing and new strong landscaped perimeter structure should be incorporated along the sites northern perimeter. It also recognises that the site layout proposals should achieve a more dispersed and permeable effect to help deliver a softer village edge transition with the open farmland north. It is suggested that this is important to help break up urban massing when viewed from further east and north east including potential elevated views from within the AONB.

Having considered the submitted viewpoints accompanying the LVIA, it is considered that the proposed development will not represent a harmful residual landscape or visual effects following implementation of suitable planting in mitigation. The proposal will remove a redundant farm complex from the landscape and replace it with a fairly modest and low density new residential use. The change will be permanent but there is opportunity within the proposal to deliver suitable structured landscaping to help deliver an appropriate edge of settlement transition with countryside. It is considered that the proposal will not result in any particular detrimental effect to the setting of the NWD AONB.

Subject to the submission and final LPA approval of an effective structural landscaping scheme to ensure a sensitive settlement edge transition with adjoining countryside, it is considered that there would not be a reason to seek to raise an 'in principle' landscape objection at this outline stage.

North Wessex Downs AONB Officer - The North Wessex Downs AONB Unit objects because of the impact it would have on the setting of this nationally protected landscape and the direct impact the proposed cycle path would have on the rural character of the AONB. The land concerned is very close (no more than around 400 metres) to the boundary of the North Wessex Downs AONB. It is therefore within the setting of the protected landscape and by definition a sensitive site.

The development as proposed would not conserve and enhance the natural beauty of the AONB and its setting. Paragraph 115 of the National Planning Policy Framework gives “great weight” to “conserving and enhancing the landscape and scenic beauty” of AONBs, which have “the highest status of protection”.

Given these factors, the site’s position very close to the boundary of the national protected landscape, and the intrusion into the AONB of the proposed cycle path, it is the view of the AONB Unit that the development should be refused. Insufficient screening, suburbanising impact of proposed access and right of way on the AONB.

Environment Agency - No objection subject to conditions.

Wessex Water - No objections, as a foul drainage strategy is yet to be agreed it is considered that the imposition of a planning condition for a foul water drainage strategy is submitted and approved as part of a reserved matters application

Wiltshire Fire & Rescue Service – No objections.

8. Publicity

The development proposal has been advertised by letter to local neighbours, the erection of site notices and through the local press. Forty-three pieces of correspondence have been received from local residents along with a petition with 34 signatures (opposing the application); there are approximately 29 letters of objection and 14 letters of support. However, it should be noted that a proportion of the correspondence objecting does actually support the re-development of the former chicken farm buildings and that principle concerns of the development of the greenfield element of the site are of major concern to local residents. The following is a summary of the comments, concerns and objections raised:

Summary of comments in letters of objection received:

- Upavon has an existing problem with the mains sewerage which on occasion overflows and contaminates the River Avon; this also affects settlements further down river who are also concerned at the potential for further housing exacerbating the problem;
- Based on the core strategy it is considered that a total of 35 dwellings is required for the area and not 45;
- Balance of social and market housing is not sympathetic to the needs of the village or to common sense;
- Proposal is too large a development for the size and resources of the village;
- Houses are approximately 25 metres from our windows which will cause direct overlooking, loss of privacy;
- No objection to the development of the chicken farm site but strongly object to dwellings going on the agricultural land;
- There is a need to feed our ever growing population so every bit of agricultural land is vital no matter how small;
- Many concerns about the proposal but mainly the building on a Greenfield site, no justification for including this land within the development site;
- The original petition against the build still stands;
- Views of the AONB from the right of way running along the boundary of the will be destroyed by the propose development;
- The right of way leads onto a street with no footpaths, leading to further problems for pedestrians;

- There is little employment within the village, there are no local jobs so all new residents would have to out commute for employment;
- The DAS is incorrect, the consultation process for this application is severely flawed, with a number of factual inaccuracies;
- An artificial pond is a strange addition for a new estate with children resident on it;
- This is an unnecessarily large development for a small village, 35 dwellings on the former chicken farm is a considerable development but to increase the dwellings onto productive agricultural land is unacceptable;
- The local school is already full and with returning troops to surrounding areas those schools will be under pressure as well;
- The doctors surgery is extremely busy, the demand for primary medical care through the additional families needing appointments will cause problems;
- Public transport to Devizes is very restricted, the number of increase in traffic movements will exacerbate highways safety along the A342;
- Upavon is a beautiful small village in a very rural area and we need to keep it rural and not spoil the fantastic historical sites;
- There is no school in Upavon and Rushall school has already had a portable cabin added to cope with the extra children, the demand for primary school places cannot be met;
- The number of additional personal in the village walking and driving to and from the shop and local amenities would be very dangerous;
- Parking and access are an issue within the area, especially gaining access to the doctors surgery;
- Concerned at the danger posed by traffic emerging onto the A342 from this site, the planned entrance is partially hidden on approach from traffic to the south and poses a danger to traffic in what is an area prone to speeding;
- Increased usage of the right of way will impact on the privacy and amenity of the existing residents;
- The new houses on the Greenfield site will impact on the tranquillity and privacy of the cemetery;
- Resurfacing the foot path in tarmac would be detrimental to biodiversity and the countryside feel of the path and increases the urbanisation of the site, surface should be finished in porous material;
- Proposed footpath would end on a blind bend;
- Concerned there is no recreational facilities provided for within the development site, existing recreation facilities are not adequate and require crossing busy roads;
- The use of close boarded fencing in this area would visually harm the area, hedges should be used instead;
- Existing boundary hedges to the North & East of the arable land are habitat for a vast number & variety of birds. With the increased human proximity of houses on this site, this habitat would be largely lost;
- The proposed footpath seems totally illogical and impractical. It runs out on the A342 trunk road before reaching any other footpaths. It would then require users (mothers walking children to Rushall school with younger siblings in pushchairs) to walk directly into oncoming traffic including frequent 40 tonne lorries. Surely this is a fatal accident waiting to happen?
- The proposed number of houses on the brownfield site more than meets the requirements laid out in the village plan;
- Density of dwellings is too high and out of keeping with the current character of the village;
- The proposal still would result in loss of the public view towards the Marlborough Downs – an area of outstanding natural beauty;

- A letter addressed to the planning authority states that the village is agreeable to bungalows on the arable site, this is simply untrue;
- All encroachments onto semi-natural farmed land reduces wildlife habitat and biodiversity, which impacts both us and our children;
- Concerned at light pollution, along the path and general area;
- There would be a detrimental impact on local wildlife; It is a regular sight to see both bats & owls regularly entering and exiting the buildings on the existing site;
- In addition, the development would remove a further habitat for the Skylark - a species that has reduced in population by 90% in less than 30 years directly due to loss of arable and farmland habitat;
- It would also certainly adversely affect the habitat of dunnock, chaffinch, greenfinch, goldfinch, sparrow, blackbird, robin, blue tits, great tits, all of which regularly nest and feed in the hedgerows adjoining the existing housing and the open field beyond.

Summary of comments in letters of support received:

- Support this planning application and this development;
- We need more houses and bungalows in Upavon;
- In favour of the application provided the homes are affordable, not association run but affordable to local people to purchase to stay in the area;
- These plans are for suitable houses which fit into the existing village;
- This is a sensitive development when considered within the whole requirement of new houses within the Pewsey area. Also, it will ensure the village continues to evolve and will hopefully provide much needed relief to the 1 in 200 families currently homeless in Wiltshire;
- This application though not ideal is well thought out and is more in keeping with the village than some of the possible plans that may be submitted;
- There needs to be some growth to keep the village alive, it is hoped that the relevant bodies will take another look at the cutting back of services to the village and if this development goes ahead re-instate some of them that are currently not viable due to reduction in use;
- Strongly in favour of the Whistledown Farm Development, having seen the decline of young people in the village due to suitable housing, family who are living at home and working in the village, and will at some stage be looking for affordable housing, there is currently very little available;
- I too will be looking for housing in the future for myself;
- This development will bring much needed new blood and income into the village, to enable village businesses to survive in this economic climate;
- Currently Upavon has an ageing population, this development will hopefully bring younger people and families into the village to secure the future of a fantastic village;
- Residents have been kept well informed and have had plenty of opportunity to make comments, suggestions or objections to the proposed development;
- On reviewing the details submitted it is considered that many of the issues raised have been included and noted within the proposed development;
- The proposed development is probably as good as it is going to get;
- Whilst in principle against building on Greenfield agricultural land in this instance it should be considered favourably, as the densities proposed could be wholly accommodated on the brown field site to the detriment of the adjacent residents and the surrounding area, and the green field remaining would remain pressured to be built on with a higher density as well;
- Not only will it allow the development of a derelict site that has remained unused for years, it will provide an important social and economic boost to the vitality of the village;

- The existing farm buildings are an eyesore and will benefit from being replaced;
- This village is successful because it can just about sustain many of the key elements that are necessary for a successful community - village shop, post office, pubs, GP surgery, church, garage, etc. This development would help guarantee that these remain viable and sustainable in the future; a benefit for everybody;
- Perfect development on the edge of the village, more people will mean more possibilities for more commercial enterprises, possibly better transport and more young people in the village;
- Looking forward to the growth to come;
- If permission is granted to develop the Greenfield section it would be preferable to restrict the properties on this section to bungalows in consideration of those neighbours.

9. Planning Considerations

9.1 Planning Policy

In the Core Strategy, Upavon is identified as a 'large village' with a 'presumption in favour of sustainable development' within the Limits of Development. The village contains a range of facilities, including a primary school, doctor's surgery, pubs, shops, recreational facilities and a village hall. The site lies outside of the Limits of Development (LoD) and hence in planning policy terms lies within the countryside. Policy seeks to restrict new build residential development to that which is essential for the needs of agriculture or other employment essential to the countryside, 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 Wiltshire Core Strategy (WCS) states that development outside of LOD's will only be permitted where it has been identified through community led planning documents including neighbourhood plans, or a subsequent development plan document (DPD) which identifies specific sites for development. In this instance there is no neighbourhood plan or DPD that identifies this specific site for development at the present moment.

However, within the Upavon Village Design Statement (2006) the chicken farm site is identified as a possible consideration for future development. Whilst not bearing any weight in policy terms, the whole of the site was included within the Strategic Housing Land Availability Assessment (SHLAA) as a potential site for development. The SHLAA identifies the site as number 408 (Whistledown) - this includes the agricultural land to the east of the chicken farm and is considered a viable, achievable site with a capacity for 50 units.

It appears, from comments received and historical documentation, that many local people are in agreement that the former chicken farm premises would benefit through redevelopment as the existing buildings and infrastructure are considered to be an eyesore. The most contentious area of the site is the agricultural land adjacent to the former chicken farm.

In terms of policy the existing bungalow is recognised as being 'previously developed land' and is therefore accepted, in terms of principle, as being suitable for redevelopment. Although agricultural buildings do not fall within the strict definition of 'previously developed land', it is clear that the existing chicken sheds, outbuildings and infrastructure on the site are an eyesore within the landscape and that the local community favours their redevelopment.

Greenfield/agricultural land however, should typically be safeguarded from such development. Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. The best and most versatile agricultural land is defined as follows: land in grades 1, 2 and 3a of the Agricultural Land Classification. This site has been identified as falling within the grade 2 classification.

However, this does not preclude the land from being developed, as paragraph 112 goes on to state that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. With regard to the overall area of lower grade (grade 2) agricultural land to be developed and the level of development proposed, it can be reasonably argued that this would not constitute a significant development of agricultural land in this instance.

Paragraph 6.45 of the WCS identifies that Core Policy 44 allows for the allocation of or granting of planning permission for small sites comprising of affordable housing only as an exception to normal policies. Further at paragraph 6.46, the WCS states that in doing so the core strategy recognises the particular difficulties in securing an adequate supply of affordable housing for local needs in rural areas. As an exception to normal policy, therefore, the Council may permit small scale residential development outside but adjoining the development limits of Local Service Centres and Large Villages. The greenfield land in this case lies immediately adjacent to the LOD of Upavon, which is defined as a Large Village. In addition, the greenfield land would be sandwiched on three sides by areas of land evolved through mans' input, that is to say, existing residential development to the south, the chicken farm (potential residential) to the west and the cemetery to the east.

At paragraph 6.47 of the WCS, it is identified that in exceptional circumstances the Council may also consider exception site development that includes cross-subsidy from open market sales on the same site. In other words, even exception sites may contain a level of market housing in order to ensure the viability of a project. It could therefore be reasoned in this instance that as the site will provide a 40% contribution towards affordable housing with cross subsidisation of the affordable housing from market housing that the scheme does meet with the requirements of policy as set out in the WCS.

It should also be borne in mind that if the chicken farm is developed now and the remaining greenfield/agricultural land is left over, this would leave a natural infill area adjacent to the Limits of Development for Upavon. As identified above, policy exists that would support the further development of this land. If this path were followed it would result in a piecemeal development of two separate sites. Such piecemeal development could result in an adverse visual impact because the two schemes have developed without sufficient regard to each other and without due regard to the quality of the setting and the landscape. It is generally accepted that such an approach should be avoided.

The scheme comes forward with many positive benefits for the community. The redevelopment of the chicken farm would remove an unsightly eyesore within the landscape; the scheme would provide 40% affordable housing (18 units), with priority given to those identified in the community; the existing right of way would be upgraded affording greater access to all (for example mothers with prams, persons in wheelchairs) to enjoy at least these limits of the surrounding countryside and a positive pedestrian/cycle way link to Rushall to the north. There would also be financial contributions towards open space and enhancements towards protected species, along with financial contributions through CIL. By accepting the current scheme, it is considered that the contributions are likely to be more viable than if the land were to be developed in a piecemeal manner.

There is a reasoned argument to be made that the scheme does meet both national and local policy requirements in terms of principle and as such should be accepted. The applicant has engaged with the parish council and community and has endeavoured to resolve, if not all, certainly many of the issues raised by local residents and the community. It is therefore considered that the application now stands to be determined on its planning merits.

9.2 Impact of the development.

Visual Impact

The application site is bounded by existing development on the southern side and is considered to be well related to the village. Furthermore, the site is bounded on two sides by existing mature trees and vegetation that with enhancements would provide good screening for the proposed development. The site is also backdropped by the existing edge of town residential properties and as such it is considered that the development would be visually well-contained. The appearance and scale of the proposed dwellings is for future consideration at the reserved matters stage, at which time appropriate controls can be put in place to ensure that the development would have no wider landscape impact. The site is in places overgrown, with the buildings starting to show signs of dilapidation and they currently serve no beneficial agricultural use. It is considered that to develop the site would not harm the character and appearance of the wider countryside.

Under the latest rounds of consultations, objections have now been received from the North Wessex Downs AONB unit because of the direct impact the proposed development would have on the setting of this nationally protected landscape and the direct impact the proposed cycle path would have on the rural character of the AONB. However, the original scheme (to which no objection was raised) did not differ significantly from that proposed now. In fact, the scheme has been further reduced in scale through the proposed incorporation of single storey bungalows only on the eastern part of the site, thus reducing the visual impact of the development within the greenfield part of the site. The AONB unit believes the proposals would fail to conserve and enhance the natural beauty of the AONB for the following reasons:

- a) Lighting impact - There is little or no lighting visible along the A342 here, and very limited lighting along the streets to the SE of the site. However, the application refers to lighting on the site. This would exacerbate the suburbanising impact of the development on the AONB and its setting and have harmful impact on the AONB's dark skies.
- b) Insufficient screening - Insufficient attention appears to have been given to the need for planting or other landscaping to reduce the development's visibility and its impact on the AONB. The proposed 10m landscaped buffer on the N edge of the site is welcome. However, the provision for increasing the screening to the SW side of the site from the A342 appears inadequate.
- c) Suburbanising impact of proposed access - The site entrance as shown is at the AONB end of the road frontage. This would extend the suburban feel of this part of the road further north.
- d) The impact of the proposed cycle path on the rural character of the North Wessex Downs. The proposed 2m-wide tarmaced cycle path would run alongside a rural road from Upavon across the gap between the site and the AONB and into the AONB itself. This would have a suburbanising impact on the rural character of the road and the landscape it passes through.

In the early rounds of consultation, the previous comments received from the AONB officer did not raise objections to the proposed development, although they did identify that the

application was lacking in detail in terms of landscaping, scale and design and proposed lighting. As identified earlier within this report, scale and design are reserved matters for future consideration.

It is acknowledged that lighting can be an issue, particularly when a site occupies a countryside location, however the application for consideration is in outline form only and this level of detail can be reasonably conditioned. A detailed lighting scheme could be conditioned to be submitted as part of a reserved matters application and can be further controlled through conditions relating to any subsequent reserved matters scheme as well. It is therefore considered that this argument does not carry sufficient weight to constitute a reason for refusal in this instance. The site at its closest point is approximately 360 metres from the AONB and with due regard to the separation distance between the site and the AONB boundary, it is considered that lighting would not necessarily cause significant harm to the scenic quality of the AONB.

Landscaping was originally identified as an issue under the original comments made by the AONB unit and this remains an issue here as well. However, the comments appear to acknowledge the planting proposed along the northern boundary and would seem to suggest that the problem lies with insufficient planting along the south-west boundary. It is considered that this boundary would not be highly visible in the first instance from the AONB and equally when looking towards the AONB, it would not constitute a primary viewing point for this protected landscape. It should be remembered that the current views into the site from the south-west corner are directly onto a number of dilapidated and ugly agricultural buildings with no landscaping at all. Therefore it is considered that the proposal would be a significant enhancement over the existing situation. Landscaping will be considered fully at the reserved matters stage, at which time there will be a requirement to submit full details (species, planting sizes and densities), at which time their suitability will be fully assessed.

It has now been suggested that the access point to the north of the southwest boundary would constitute a suburbanising effect to the detriment of the AONB. The AONB lies approximately 480 metres to the north of the proposed access point. The point of access to the proposed site has not significantly altered since the original comments were made and no concerns were raised previously. It would be therefore be unreasonable to suggest that this is an issue now. It is considered that the proposed access would not have a detrimental impact on the setting of the AONB and when taking into consideration the overall enhancements proposed, it will benefit the area. To move the access further south would result in an access that would likely be unsafe on highway safety grounds as it would bring the access point closer to the brow of the hill.

It is now also suggested by the AONB unit that the proposed cycle path to Rushall would have a suburbanising impact on the rural character of the road and the landscape it passes through. The road in question is the A342, which is a trunk road running through the Wiltshire countryside. It is difficult to conceive how a cycle path running along side of this highway would have a significant impact on the character of the AONB when neither are in the AONB along this stretch. Whilst it is appreciated that a tarmac finish with edged kerbs may not be the most appropriate character, with minor tweaking of design it ought not to have a detrimental impact on the character of the area. The removal of sharp and defined edges would allow for the path to blend in to the surrounding landscape and this method has been employed, for example, in Sustran footpaths and cycle paths across the country and in protected landscapes as well. A surfaced path, whilst not permeable, does offer a greater degree of access for persons pushing prams and wheelchairs and it is important to remember that a smooth finish allows a more socially inclusive right of way to allow access for everyone and not just those who are able bodied. This is part of the sustainable development requirements in schemes that is required.

The proposal is for 45 homes on a 2.2 hectare site, equating to a density of 20 to the hectare. This is not considered excessive and is of a similar density to that of the Farriers Field housing development to the south. The scheme would also provide 40% affordable housing, in line with the requirements of Core Policy 43. It is considered that the layout proposed would be acceptable. Scale and design would be considered at the reserved matters stage. A variety of house types and sizes are proposed throughout the site although full details have not been provided at this stage.

It is considered that as there is a lack of sufficient detail with regard to landscaping along the northern and south-western site boundaries, to satisfy the requirements of the AONB unit, it is considered that landscaping should be appropriately controlled by way of a condition. This condition would require an enhanced and more comprehensive scheme to be submitted at the reserved matters stage. This has been clarified with the agent who has accepted this.

On balance, it is considered that the latest objections raised by the AONB unit do not raise a strong enough argument in this instance to constitute a sound and robust reason for refusal.

Highway Safety

Concerns have been raised by the parish council (PC) regarding the design of the proposed access point and the speed of vehicles travelling along this road. The PC has requested that a turning lane or roundabout should be incorporated into the scheme in order to gain access to the site and to achieve a speed reduction across the highway at this location. These suggestions have been presented to both the agent and the Highways Officer.

In response to the PC comments, the Highways Officer has confirmed that the scale of the development is such that the Council would not be in a position to insist upon any traffic calming measures or entrance features on the A342. The provision of a right hand turn lane or indeed a mini roundabout on an 'A' road in connection with a development of this size is not usual practice and is not a requirement for this proposal. There are several rules of statutory guidance which determine the appropriate speeds for a road, which include the frontage of properties, the classification of the road and its use in the wider network. The dimensions and geometry of the A342 at this location are such that there would not be an expectation for a reduction in the speed limit to be accepted at this location.

It is considered that the proposal offers, in the form of internal footpath links and the proposed shared use path along the A342, a good level of pedestrian and cycle access to Rushall. The construction of the internal roads and the shared use path will be subject to both a S38 and S278 (respectively) agreements with the Highway Authority to ensure all roads meet design requirements with regards to layout, street lighting etc.

The application is in outline form, however, the site appears to offer an adequate level of parking which would meet the minimum requirements and subject to visibility splays at the access being conditioned, then a good layout could potentially be achieved.

As such, whilst the PC comments are acknowledged, the comments from the Highways Officer do not offer support for the requested highway improvements. The highway authority raises no objection to the proposed means of access, subject to the imposition of appropriate conditions. A greater level of detail and compliance with parking standards will be required at the 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.

Ecology

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.

Drainage

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. It is considered that SUDS will have to be designed into the scheme at the reserved matters stage – this has been requested by the Council's Drainage Officer.

Neighbour Amenity

Concerns have been raised by local residents at the potential impact on neighbour amenity, through overlooking and loss of privacy. The concerns and objections are acknowledged and are material in the consideration of this development proposal. However, the application is currently in outline form with scale and appearance reserved for future consideration and as such greater consideration and control over this will be possible at the reserved matters stage.

The properties that would be most affected by overlooking are those that currently back onto the former chicken farm and the agricultural field (Farriers Field and Fairfield estates). Furthermore, the topography of the land is such that it gently slopes down and away from the existing properties and as such it is unlikely that the new development would create an overbearing impact or overlook the existing properties. In addition, the separation distances between elevations is within guidelines of 20 to 21 metres. There is also mature screening along the rear boundary of a number of properties in this locality which would also reduce any potential neighbour impact. On balance, it is considered that the proposed development would not significantly impact on the privacy of the occupiers of the existing residential properties.

Concerns have also been raised at the loss of privacy from persons using the public right of way that runs along the back of their properties. This issue exists at present and has done so historically for many years. As such, this would not justify a reason for refusal on this particular ground.

Planning obligations/CIL

The scheme provides an informal open space in the form of a green area alongside the retained hedgerow and beyond. No equipped play space or formal sports pitches are proposed to be provided. However, financial contributions will be secured through a S106 legal agreement (£67230) to contribute towards the provision of recreational facilities. The proposed development would also be the subject of contributions through the Community Infrastructure Levy (CIL). Contributions that are required towards the expansion of primary infrastructure can be secured via CIL.

There would be a provision of 40% affordable housing on site and also the opportunity for further ecological enhancements to be provided at the reserved matters stage. Provision is also proposed for a shared surfaced foot and cycle path to Rushall linking Upavon and for upgrades to an existing right of way running along the south of the site.

10. Conclusion

The scheme comes forward with many positive benefits for the community. In planning policy terms the site does lie beyond the Limits of Development for Upavon, in the countryside. However, it is considered in this instance that the benefits outweigh any potential adverse impacts and that the proposed development is therefore acceptable in principle.

The site is bounded by existing development along its southern boundary, with the supporting highway to the west and a cemetery to the east, hence it is extremely well-related to the village. Furthermore, it is visually well contained and its development would have no wider landscape impact than the site's current use as a chicken farm. The site containing the farm buildings is overgrown and serves no beneficial agricultural use at the moment. It is concluded that 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 subject to a number of conditions being satisfied. 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 and CIL contributions.

RECOMMENDATION:

That planning permission be delegated to the Area Development Manager for approval subject to the prior completion of a Section 106 agreement to secure:

40% affordable housing;

Open space contributions (of £67320);

Enhancements to existing public rights of way;

Provision of a shared foot/cycle way.

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 external appearance of the development;
- (c) 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 The scheme pursuant to the reserved matters application shall include the following:

- a) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than private spaces;
- b) A design specification for the upgrading of footpath UPAV6. The specification shall be designed in discussion with the local planning authority.
- c) A comprehensive road traffic noise assessment and a scheme of acoustic insulation for the purposes of preventing the ingress of road traffic noise. The scheme of acoustic insulation shall include details of acoustic glazing and ventilation systems; and
- d) Details of slab levels and surrounding ground levels (existing and proposed).

REASON: The submission of these details will be necessary to enable the reserved matters submission to be fully assessed.

- 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 (excluding demolition) until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: Insufficient detail has been supplied as part of the application and this is necessary in order to fully assess the visual impact of the proposed development. The detail of the materials are therefore required to be agreed with the Local Planning Authority before development commences (except for demolition) in order to ensure that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 7 No part of the development hereby permitted shall be first occupied 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 part of the development hereby permitted shall be first occupied until sufficient space for the parking of vehicles, in accordance with current standards, together with a vehicular access thereto, have been provided in accordance with details that have been 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 (excluding demolition) 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 shall be carried out and all of the following steps shall be 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 on site (excluding demoltion) until a foul water drainage strategy has been submitted to and approved in writing by the local planning authority. The drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing. The scheme shall subsequently be implemented in accordance with the approved details and to a timetable agreed in writing by the local planning authority.

REASON: Insufficient detail has been supplied as part of the application and greater detail is necessary in order 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 properties. The detail of the drainage strategy is therefore required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.

11 All works shall be carried out in accordance with the recommendations set out in the Baseline Ecological Survey and Baseline Bat Survey, Upavon Chicken Farm, Upavon (Elizabeth McKay, November 2013) unless otherwise agreed in writing by the local planning authority.

REASON: In order to preserve and enhance the opportunities for protected species and in the interests of creating a sustainable form of development.

12 No external lighting shall be installed on site unless otherwise approved in writing by the local planning authority. Approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities and character of the area and to minimise unnecessary light spillage above and outside the development site and to maintain dark flight corridors within this area in the interests of biodiversity.

13 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment, including pollution prevention.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: This information was not submitted with the application and due to the close proximity of residential properties and being within the open countryside, is necessary to minimise detrimental effects on the neighbouring amenities, the

amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 14 The residential units shall achieve Level 4 of the Code for Sustainable Homes. The dwellings shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

REASON: In the interest of sustainable development and to ensure compliance with Core Policy 41 of the Wiltshire Core Strategy 2015.

- 15 No development shall commence on site (excluding demolition) 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, has been submitted to and approved in writing by the local planning authority. No surface water drainage or storm drainage will be allowed to connect to existing adjacent highway drainage systems. 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: Insufficient detail has been supplied as part of the application and greater detail is necessary in order to prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system. The detail of the surface water drainage is therefore required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.

- 16 No development shall commence on site (excluding demolition) 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: Insufficient detail has been supplied as part of the application and greater detail is necessary in the interests of sustainable development and climate change adaptation. The detail of the scheme for water efficiency is therefore required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.

- 17 No construction or demolition works shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity.

18 No burning of waste materials shall take place on the application site during the demolition and construction phases.

REASON: In the interests of residential amenity.

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

Application Form

Baseline Ecological Survey & Baseline Bat Survey - November 2013

Statement of Community Involvement - April 2014 (DPDS Ref: CP/C11719)

Landscape & Visual Appraisal - April 2014

NPPF: Flood Risk Assessment (SHF.10653.001.R.001.A)

Topographic Survey (SHF.1063.001.R.001.A)

Transport Statement - 16th April 2014

Revised Design and Access Statement Mar 2014 (rcvd 20/5/2014)

Site Plan - C11719.14.050

Location Plan C11719/11/01

Illustrative Masterplan Rev I (23/1/15) C11719.14.720

Illustrative Masterplan with Bungalow Units Rev C11719.14.950 (13/1/15)

Cycle Link Plan C11719.15.950

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

20 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].

21 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.

22 INFORMATIVE TO APPLICANT:

Safeguards should be put in place 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.environmentagency.gov.uk/business/topics/pollution/39083.aspx>.

23 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.

24 INFORMATIVE TO APPLICANT:

The final masterplan must include direct links to footpath UPAV6 from the cul-de-sacs as shown on plan C11719.14.721, revision I.

25 INFORMATIVE TO APPLICANT:

Surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice". Only clean, uncontaminated surface water should be discharged to soakaway.

26 INFORMATIVE TO APPLICANT:

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 105 litres per person per day.

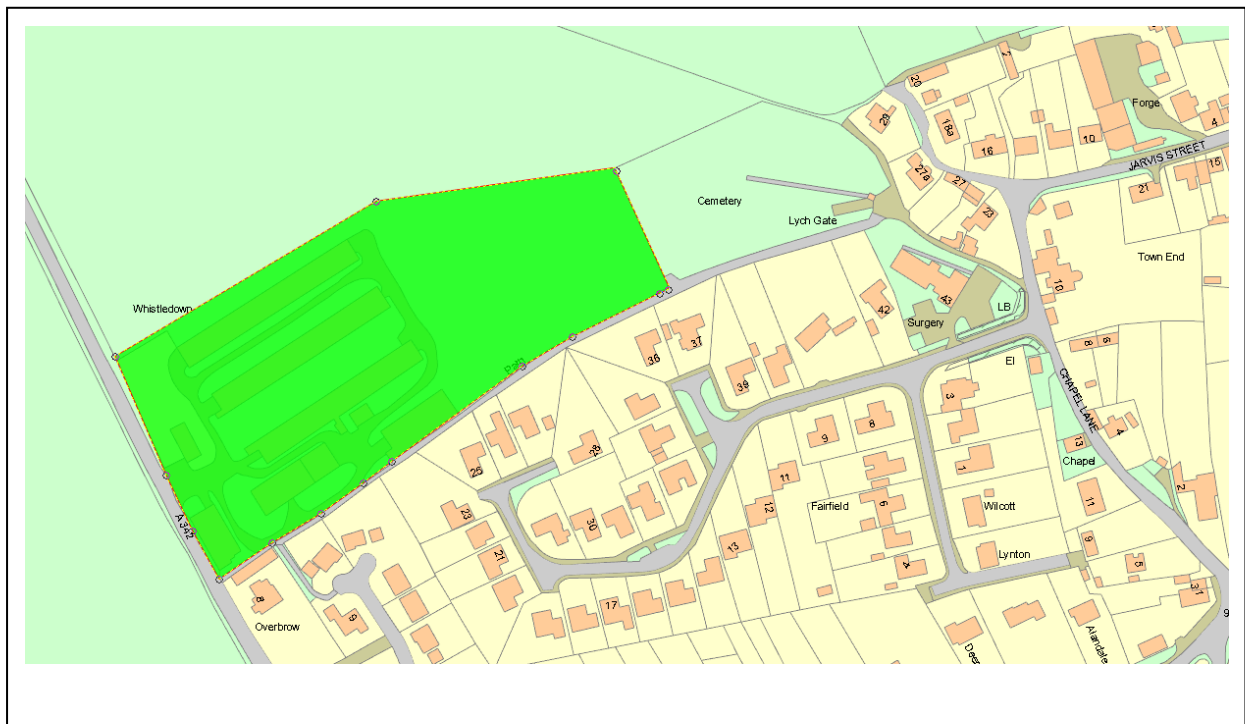
27 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructur
elevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructur/elevy)

Application Number	14/04237/OUT
Site Address	Whistledown, Upavon, Pewsey SN9 6EF
Proposal	Change of use from existing agricultural land, including former chicken farm, demolition of existing bungalow and outline permission for the erection of up to 45 dwellings, landscaping, access and associated works
Case Officer	Jonathan James

Map 1



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