

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	02.03.2011		
Application Number	W/10/03336/FUL		
Site Address	Aroona Church Lane Limpley Stoke Wiltshire BA2 7WD		
Proposal	The formation of a new access at Stoke End, the relocation of the existing access to Aroona House, associated landscaping and formation of a new walled kitchen garden, the relocation of existing parking (approx 7 spaces) and associated infrastructure		
Applicant	Mr And Mrs Christopher Alexander		
Town/Parish Council	Limpley Stoke		
Electoral Division	Winsley And Westwood	Unitary Member:	Linda Conley
Grid Ref	378468 160399		
Type of application	Full Plan		
Case Officer	Mr David Cox	01225 770344 Ext 5244	

Reason for the application being considered by Committee

Councillor Conley has requested that this item be determined by Committee due to:

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Impact on the Area of Outstanding Natural Beauty
- * Environmental/highway impact

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted subject to conditions.

Neighbourhood Responses

40 letters of objection (four respondents submitted two letters each) and 3 letters of support have been received.

Parish Council Response

Both Limpley Stoke and Freshford Parish Council object to the proposal for the reasons set out on pages 3 and 4 of the report.

2. Main Issues

The main issues to consider are:

- * The principle of development
- * The impact on highway safety
- * The impact on the Area of Outstanding Natural Beauty and West Wiltshire Green Belt

- * The ecology of the area
- * The impact on neighbouring amenity

3. Site Description

Aroona is a large detached dwelling located on the valley slopes looking down towards the River Avon and the Kennet and Avon Canal. The southern part of the site is relatively flat on the Church Lane side and steeply sloping to the north east down to Crowe Hill. The application site is made up of the existing curtilages of both Aroona and in part Stoke End, which has its existing driveway running through Aroona's curtilage.

The application is located within the Western Wiltshire Green Belt and Cotswolds Area of Outstanding Natural Beauty. There are no listed buildings and the site is neither within nor within close proximity of a Conservation Area.

The site is also within an Area of High Ecological Value as designated in the District Plan proposal map.

4. Relevant Planning History

Whilst there are a number of previous planning applications on this site, none of them are relevant to this application.

5. Proposal

This planning application has been submitted due to a proposed land transaction between Aroona and Stoke End. Currently Aroona owns a relatively small square piece of land and Stoke End a large and irregular shaped piece. The proposed transfer of land would in effect divide the two ownerships in half. This proposed transfer would mean that Stoke End would lose its existing driveway from Church Lane.

Therefore this planning application proposes:

- Formation of a new access from Crowe Hill to Stoke End.
- The closing of the existing accesses to Aroona and Stoke End on Church Lane. Aroona would then use an existing access on Church Lane.
- Associated landscaping and formation of a new walled 'kitchen garden' replacing an existing tennis court.
- The relocation of Aroona's existing parking spaces which are currently immediately adjacent to the dwelling to a new area close to the Church Lane boundary.

New Crowe Hill Access:

The new access on Crowe Hill will require the removal of one tree along with approximately 40 metres of existing hedgerow. This is to allow for a recessed entrance gate and visibility splays. There would be a new gabion wall built to help retain the sloping ground behind and define the boundary of the new access. The gabion wall would measure approximately 1 metre tall and extend 14 metres on each side of the entrance gate. The gabions would be filled with local stone and are intended to have a dry stone wall appearance. A new hedge would be planted behind the gabion wall.

The new driveway from Crowe Hill would incorporate a series of bends to curve up the hillside to avoid the steepest sections of the slope. The rest of the ground would be retained as a meadow and rain water run off would be challenged into swales adjoining the drive. Where cut and fill is necessary to grade the drive into a suitable gradient, the exposed soil is intended to be re-vegetated using turf set aside from clearing the ground prior to excavations taking place. The driveway is proposed to be surfaced with gravel contained within a Geogrid (a hexagon grid). The Geogrid allows for grass to grow in the centre of the drive where there would not be contact with car tyres.

It is proposed to plant up to 26 new native species trees along with other landscaping proposals to mitigate the loss of the hedgerow on Crowe Hill.

Accesses serving Aroona:

The existing driveways serving Aroona and Stoke End on Church Lane would be restored to grass. Aroona would then use an existing entrance which is currently used to access some stables and menage and would create a new drive to be relatively parallel with Church Lane. The new drive would lead to a new parking area adjacent to the proposed kitchen garden.

16 new trees would be planted in this area to compensate for the loss of four other trees. The three trees to be felled have been identified to be diseased with honey fungus.

The two existing entrances onto Church Lane that are proposed to be blocked up will be closed using stone walling across the existing gate lines. This will mean that the existing dropped curbs leading to the existing accesses will be retained for the time being.

There will be some works required to improve the proposed access from Church Lane serving Aroona by re-aligning the stone wall to allow for suitable visibility splays.

Other Works

Following the comments of the Parish Council, the applicant has withdrawn a proposal to erect a replacement tennis court.

The other works are minor and contained within the existing curtilage of Aroona

6. Planning Policy

The following policies are considered relevant to this proposal are:

West Wiltshire District Plan First Alteration 2004

C1 - Countryside Protection

C2- Areas of Outstanding Natural Beauty

C6 - Areas of High Ecological Value

C6a - Landscape features

C31a - Design

C32 - Landscaping

C38 - Nuisance

Planning Policy Guidance 2 - Green Belts

Planning Policy Statement 7 - Sustainable Development in Rural Areas

Planning Policy Statement 9 - Biodiversity and Geological Conservation

7. Consultations

Parish councils

Limpley Stoke Parish Council - Objection.

- Harm to the openness of the Green Belt, especially by changing the character of the open countryside to a new driveway.
- The gabion wall would be unsympathetic to the local area.
- The visual impact on the landscape and scenic quality will be harmed when viewed from Winsley and Murhill.
- The tennis court will harm the openness of the Green Belt. (Nb – now deleted)
- The rural character of Crowe Hill will be harmed by the new access and driveway.

- Concern that the closure of the two accesses on Church Lane would have a negative impact on highway safety as the road is narrow and there are few passing places.
- Concerned over the harm to important species and plant life due to a short survey study being undertaken.
- 76% of Limpley Stoke residents regard the 'beautiful countryside' as one of their top 3 things they like about Limpley Stoke.

Freshford Parish Council - Objection.

- Harm to the openness of the Green Belt and the change of use from countryside to domestic curtilage. Also concerns about the loss of the existing entrances and the siting of the new entrance on a narrow part of Church Lane.

Wiltshire Council Highways Officer

No objection:

The proposed access works will result in two accesses onto Church Lane being closed, an existing access onto Church Lane being improved and a new access onto Crowe Hill being created.

Both the access being altered and the new access will be to a slightly higher standard, in terms of visibility, than the existing accesses. This provides an improvement to the safety of access to the application sites, albeit slight.

The proposed conditions including raising the dropped curbs to full height curbs at the redundant accesses.

Wiltshire Council Tree and Landscape Officer

In landscape and tree terms once this scheme is complete and when viewed from the northern side of the valley, it would have a minimal visual impact on the character of the area. For this reason, there is no objection to this application.

Wiltshire Council Ecology Officer

No objection subject to condition:

Satisfied that current application could be granted in line with local and national biodiversity policies (subject to conditions). The justification for this is set out below.

- The slope is particularly steep and the current layout is required in order for the driveway to remain functional, particularly in cold weather. More direct route layouts were considered during the design process, but these were not feasible.
- The width of the track is considerably less than originally perceived from the description in the D&A Statement - this is an acceptable and reasonable width for the proposed use.

Given the rationale provided, the options to avoid impacts have been considered. Unavoidable impacts upon the calcareous grassland do however remain, and these should be mitigated and compensated as part of the proposals.

Cotswold Conservation Board

Request that Planning Policy Statement 7 and the Councils District Plan policies relating to Area of Outstanding Natural Beauty are referred to.

8. Publicity

The application was advertised by site notice and neighbour notification.

Summary of points raised:

Forty letters of objection have been received raising the following points:

- The Crowe Hill access will be an imposing and intrusive feature on Crowe Hill harming its rural character.
- The driveway and access will harm and scar the Area of Outstanding Natural Beauty. The mitigation methods will not hide this.
- The new driveway would disturb the natural 'flow' of the landscape detracting from the underlying continuity between the pastures on either side.
- Concerned over the potential drainage problems from the development.
- Concern that the ecology merits of the site have been underestimated.
- The stone filled gabions would be out of character with the area and would not look like dry stonewalling. This is more in common with river bank or coastal defence systems not a rural area.
- A section of wall on Crowe Hill would have to be removed which is over 100 years old.
- The Crowe Hill driveway will overlook the driveway and invade the privacy of 'Wingspan'.
- Concerned that planning permission would allow for a domestication of the red outline of the site e.g. swings, washing lines etc.
- This will lead to further traffic and cause highway safety issues on Crowe Hill.
- Concerned over a feature of the proposed landscaping that will harm our views over the valley.
- Concerned that new houses would be built off the new driveway.
- Concern over the loss of the two existing driveway entrances on Church Lane which people currently use as passing bays as the road is too narrow for cars to pass safely.
- Wouldn't it be better to have a wider entrance off Church Lane than have a new access on Crowe Hill. They could then share the access.
- An ordinance survey map shows that Aroona's entrance was always in its current location. Therefore the assertion its access is going to its original location is disingenuous.
- Church Lane is served by a number of bus routes which make passing difficult.
- To approve the application would be contrary to the aims of the Localism Bill.

Three letters of support have been received making the following points:

- Welcome the opportunity to have a safer access from Crowe Hill rather than the rat run of Church Lane.
- There have been a number of near misses on Church Lane and this new driveway will improve road safety.
- The proposed access for Aroona on Church Lane would be in a safer place than it currently is as it is more visible.

9. Planning Considerations

9.1 Principle of Development:

The proposed Crowe Hill access driveway would be across an area of land that is not part of the domestic garden curtilage of the applicant and is currently part of a field in the open countryside. It is not considered that the fencing off and separation of this area from the rest of the field is objectionable in principle, particularly given the fact that it is adjacent to existing established residential development. The key issues are considered to be road safety and the visual impact on the landscape. These are dealt with below.

9.2 Impact on Highway Safety:

It is important to note that the proposals would not result in any net increase in vehicular traffic in the area as there are no new dwellings proposed. Simply put, the proposal would reduce the number of car journeys on Church Lane and transfer those from Stoke End to Crowe Hill.

The Council's Highways Officer has no objection to the Crowe Hill access as it provides sufficient visibility splays to allow for the safe entrance and exit of vehicles using this driveway. Therefore it is considered that there will be no adverse harm caused to road safety on Crowe Hill.

There is also substantial Parish and Community concern regarding the impact on road safety in Church Lane. Vehicles currently appear unofficially to use the dropped curbs and entrances to Aroona and Stoke End as 'pull ins' to allow for two cars to pass each other. The applicants have stated that they are willing to retain the dropped curbs, allowing these unofficial 'pull-ins' to remain, although this conflicts with the advice of highway officers, who would prefer to see the curbs reinstated to prevent or at least discourage encroachment onto the pavement by vehicles. The reality is that as the pavement is wider where these access ways are, it is likely that cars will continue to seek to use them regardless of whether the curbs are reinstated.

The closure of the two sub-standard accesses on Church Lane and the improvement of visibility at the third is a positive road safety gain, as it reduces the number of vehicles using accesses onto this busy lane that have inadequate visibility.

In sum, officers consider that the proposals will result in a net improvement in road safety.

9.3 Impact on the Area of Outstanding Natural Beauty and the Western Wiltshire Green Belt:

In relation to Green Belt policy, it is not considered that the proposal will adversely affect the aims and objectives of national policy to protect the openness of the greenbelt. The main impact is the access track, but as this simply snakes up the hillside, it would not have any bulk, mass or volume that would have any adverse impact on the openness of the Green Belt.

However, it is undeniable that the proposal will have an impact on the appearance of the landscape of this part of the area of outstanding natural beauty. The landscape is currently an open field, through the western edge of which the proposed Crowe Hill driveway would be built. This will change the appearance of the landscape, albeit in a limited area and in a limited way. The plans have been carefully conceived and designed to minimise the impact. The access will in general run up in accordance with the existing slope. There will be some instances where the ground level will have to be raised but any exposed soil is proposed to be filled using turf that is removed to excavate the area dug up for the track. This will mean that the rural character of the site would be reasonably maintained. The track itself is proposed to be filled with gravel which will also allow for grass to grow through meaning that the areas not being passed over by tyres would be green. The actual visual impact would be less than that of a tarmac driveway. Therefore the overall impact on the visual amenity and natural beauty of the landscape of the area of outstanding natural beauty would be minimised. It is also worth noting that the proposed access off Crowe Hill would be within close proximity to the residential section of Crowe Hill including 'Wingspan'.

At the roadside itself, the gabion walls will be slightly unusual, but because they will allow for vegetation to grow in between the joints this will soften the overall impact and overall it is considered that the location of the entrance and the use of stone filled gabion walls will not harm the rural character of Crowe Hill.

The proposals also include providing additional landscaping to mitigate against the loss of trees in the proposal. The trees to be felled are either considered to be diseased or not considered worthy of retention by the use of a Tree Preservation Order. The Council's Trees and Landscape Officer has no objection to the loss of these trees. The other works within the cartilage of Aroona have little impact outside of the property.

9.4 Impact on Ecology:

The Council's Ecology Officer has no objection to the proposal subject to conditions. These conditions include a construction environmental method statement and an ecological management plan. These conditions would ensure that the grassland is protected during the construction and that any new banks are carefully established and maintained.

9.5 Impact on neighbouring amenity:

The occupier of the neighbouring property 'Wingspan' has commented that the new Crowe Hill driveway will have a negative impact on their amenity and privacy due to the proximity of the new drive to their property. It is not considered that this can be substantiated as there would be relatively few car journeys each day and there is also a dense and mature hedgerow screen that would block the majority of views between the two driveways.

10. Conclusion:

The proposal has road safety benefits; although it will also, through the new drive from Crowe Hill, have an impact on the appearance of the landscape. This impact has been minimised through careful design and planning. Members will need to balance the road safety benefits with the mitigated landscape impact. Overall, officers consider that the proposal is, on balance, acceptable.

Recommendation: Permission

For the following reason(s):

The proposed development would have road safety benefits though the closure of two accesses with poor visibility and the improvement of a third. The proposal would not harm the openness of the green belt and although it would have an impact on the appearance of the landscape, it is considered that the design and mitigation proposed minimise this. Accordingly, it is considered that the proposal is in accordance with the relevant policies of the West Wiltshire Development Plan First alteration (C1; C3; C6; C6a; C31a; C32 and C38)

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall not be first brought into use until the first 4.8m of the accesses (onto Church Lane and Crowe Hill), measured from the edge of the carriageway, have been consolidated and surfaced (not loose stone or gravel) together with a system for the collection and discharge of surface water to prevent runoff onto the highway. The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety
- 3 Any gates shall be set back a minimum of 4.8m from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.
- 4 The gradient of the access ways shall not at any point be steeper than 1 in 12 for a distance of 4.8m metres from its junction with the public highway.

REASON: In the interests of highway safety.
- 5 The access on Church Lane shall not be brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2m back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 18.5m in both directions from the centre of the access, in accordance

with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway.

REASON: In the interests of Highway Safety.

- 6 The access on Crowe Hill shall not be brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2m back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 15m in both directions from the centre of the access, in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

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

- * indications of all existing trees and hedgerows on the land;
- * details of any to be retained, together with measures for their protection in the course of development;
- * all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- * finished levels and contours;
- * means of enclosure;
- * car park layouts;
- * other vehicle and pedestrian access and circulation areas;
- * hard surfacing materials;
- * minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- * proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- * retained historic landscape features and proposed restoration, where relevant.
- * tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 8 The development shall be carried out as specified in the approved Arboricultural Assessment.

Reason: To prevent trees on site from being damaged during construction works.

- 9 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) 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.

- 10 No development shall commence on site until a Construction Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include full details of the measures to be taken to reduce damage to the calcareous grassland during the construction period e.g. fencing, bog mats, careful siting of compounds and storage, machinery spec etc, also mitigation measures for reptiles, timing tree removal to avoid breeding bird season.

REASON: In the interests of Ecology Protection on site.

- 11 No development shall commence until an Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include full details of the cut and fill and any reseeding and establishment of banks with a suitable seed mix, control of invasive species, cutting regime to encourage botanical diversity and native tree planning.

REASON: In the interests of protecting the Ecology of the application site.

- 12 No development shall commence on site until a sample wall panels for the proposed blocking up of the existing accesses, not less than 1 metre square, have been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

- 13 This permission relates to the following plans and documents

ECOLOGICAL SURVEY received on 20.10.2010
ARBORICULTURAL ASSESSMENT received on 20.10.2010
LANDSCAPE AND VISUAL IMPACT received on 20.10.2010
DESIGN AND ACCESS STATEMENT received on 20.10.2010
REVISED ACCESS PROPOSALS received on 22.10.2010
FIGURE 1 SITE LOCATION PLAN received on 01.11.2010
FIGURE 2 EXISTING SITE PLAN received on 01.11.2010
FIGURE 3 LANDSCAPE PLANNING CONT received on 20.10.2010
FIGURE 4 LANDSCAPE CHARACTER received on 01.11.2010

Drawing 622_C_D_103 CROWE HILL ENTRANCE received on 20.11.2010

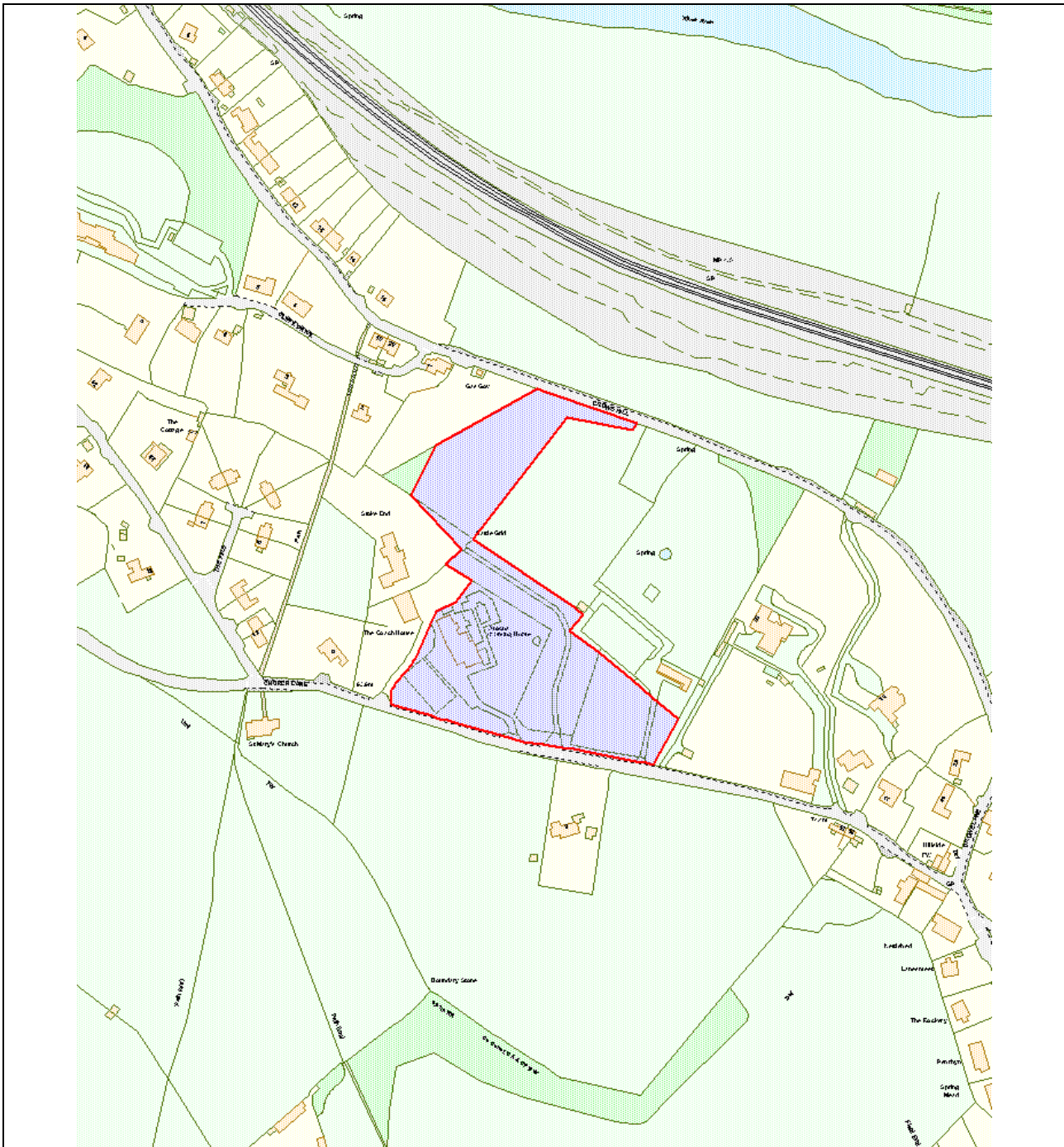
Drawing: 622_C_D_105 received on 22.10.2010

Drawing: 622_C_D_200 TREES LOST AND RETAINED received on 01.11.2010

Drawing: 622_C_D_102_02 REVISED MASTERPLAN received on 06.01.2011

Drawing: 622_C_D_107 CLOSED STOKE END ENT received on 20.01.2011

Appendices:	
Background Documents Used in the Preparation of this Report:	



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office ©
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council
Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961