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| Date of Meeting | 31st January 2019 |
| Application Number | 18/06977/FUL |
| Site Address | Land at Uphill, Friars lane, Urchfont SN10 4SA |
| Proposal | Erection of 8 Dwellings Together with Associated Works. |
| Applicant | Mr & Mrs Ellis, Multon and Bailey |
| Town/Parish Council | URCHFONT |
| Electoral Division | Urchfont and The Cannings – Councillor Phillip Whitehead |
| Grid Ref | 404435 157359 |
| Type of application | Full Planning |
| Case Officer | Morgan Jones |

Reason for the application being considered by Committee

In accordance with the Council's 'Scheme of Delegation Specific to Planning', this application is brought to committee at the request of Councillor Phillip Whitehead on the grounds of visual impact and access / highway safety.

1. Purpose of Report

To assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to grant planning permission subject to conditions and a legal agreement.

2. Report Summary

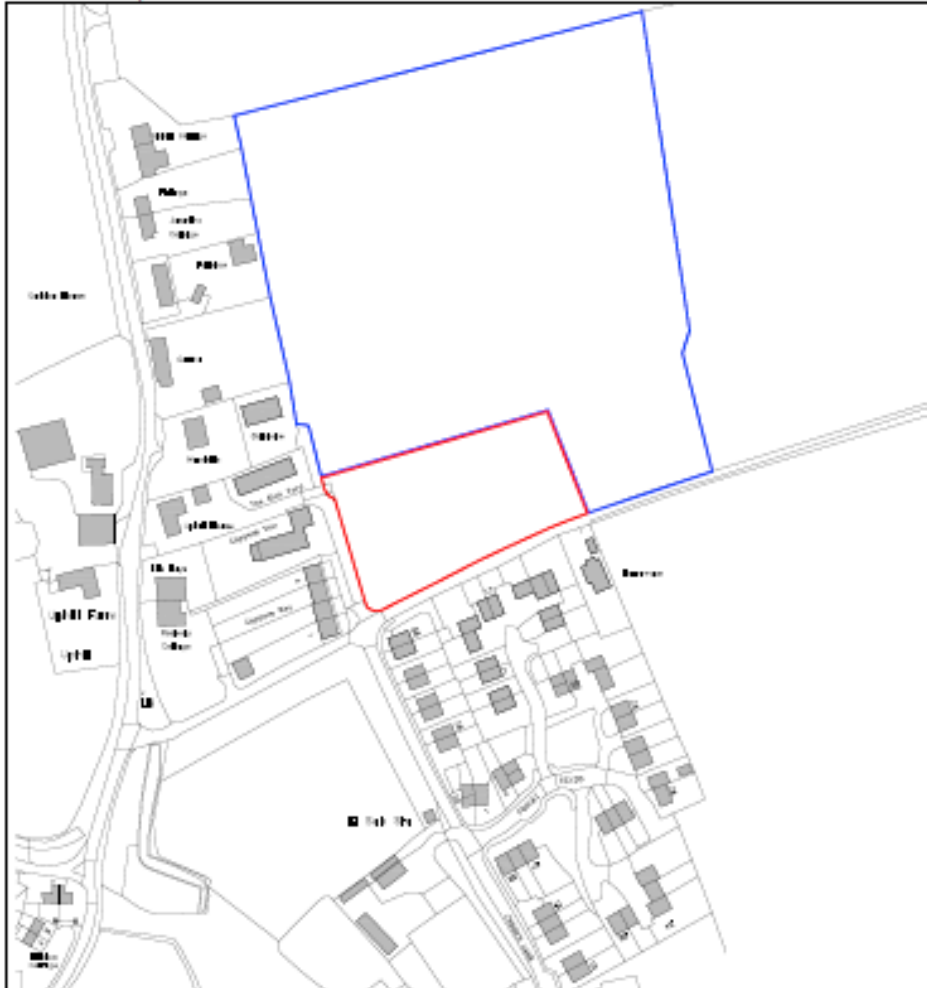
The key issues for consideration are:

- Principle of development;
- Layout, design and density;
- Landscaping & visual impact;
- Impact on residential amenity;
- Impact on highway & pedestrian safety;
- Impact on ecology;
- Impact on heritage assets
- Flood risk, surface water & drainage;
- Planning obligations.

3. Site Description

The application site comprises 1.17 acres / 0.4735 hectares of agricultural land on the north-east periphery of Urchfont. The southern boundary of the site adjoins Friars Lane, which leads onto Public Right of Way ref. URCH18 to the north-east of the site, beyond which further south lie residential properties within the Foxley Fields cul-de-sac. The western

boundary is also adjacent to residential properties and the northern and eastern boundaries open out onto the remainder of the land within the applicant's ownership. The western and southern boundaries are defined by a hedgerow and / or timber fencing and a vehicular access is located within the south-west corner of the field which is accessed via the track.



Site Location Plan

4. The Proposal

The application as originally submitted sought full planning permission for the construction of nine dwellings served by a single point of access at the south-west corner of the site onto Friars Lane. The application was amended via the submission of amended plans on the 17th December 2018 and now seeks permission for the construction of eight dwellings. The residential units include:-

- One 3.bed bungalow;
- One 3.bed detached house
- Two 3.bed detached houses
- Two 4.bed detached houses
- Two 2.bed semi-detached dwellings



Proposed Site Layout

The application is supported by the following reports:

- Planning Statement (July 2018) by RCC Town Planning Consultancy
- Landscape and Visual Appraisal (July 2018) (ref 18.756) by WH Landscape landscape architecture & arboriculture (updated January 2019)
- Habitat & Protected Species Survey (16 July 2018) by Malford Environmental Consulting
- Construction Traffic Management Plan (Technical Note – 6350/01. Issue no.2) by Cole Easdon Consultants
- Drainage Statement (Technical Note – 6350/02. Issue no.2) by Cole Easdon Consultants, submitted 24.09.18.

5. Planning Policy

The **National Planning Policy Framework (NPPF)** with particular regard to Chapters 4 'Decision-Making', 5 'Delivering a sufficient supply of homes', 9 'Promoting Sustainable Transport', 11 'Making Effective Use of Land', 12 'Achieving Well-Designed Places', and 15 'Conserving & Enhancing the Natural Environment'.

The adopted **Wiltshire Core Strategy**, in particular:

- Core Policy 1 Settlement Strategy;
- Core Policy 2 Delivery Strategy;
- Core Policy 3 Infrastructure Requirements;
- Core Policy 12 Spatial Strategy: Devizes Community Area;
- Core Policy 45 Meeting Wiltshire's Housing Needs;
- Core Policy 46 Meeting the Needs of Wiltshire's Vulnerable and Older People;
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport;
- Core Policy 61 Transport & Development;
- Core Policy 62 Development Impacts on the Transport Network;
- Core Policy 67 Flood Risk;
- Core Policy 68 Water Resources;

The made **Urchfont, Wedhampton and Lydeaway Neighbourhood Plan (UWLNP) 2015**

– **2026** (Made April 2017), in particular:

- Policy H1 Housing Site Allocations;
- Policy H2 Form of Housing Development;
- Policy H3 Provision of Affordable Housing;
- Policy H4 Parking for New Developments;
- Policy D1 Design (including Appendix A: Design Statement);
- Policy TIC1 Local Traffic and Movement;
- Policy CN1 Protecting the Landscape;
- Policy CN2 Protection of Biodiversity Site and Features.

Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

6. Consultations

Wessex Water – No objection.

Wiltshire Council Highways – No objections, subject to conditions to secure the layout, parking, and access arrangement as shown, and the implementation of the approved construction traffic management plan.

Wiltshire Council Landscape and Arboricultural Officer – No objection.

Wiltshire Council Landscape and Design Officer – No objection to the amended proposal.

Wiltshire Council Ecologist – No observations.

Wiltshire Council Drainage Engineer – No objections, subject to conditions to secure full details of the drainage schemes along with details of their ownership and future management.

Wiltshire Council Archaeologist – No objection, subject to a condition to secure a written programme of archaeological investigation in the form of a Watching Brief.

Wiltshire Council Housing Officer – No objection, subject to a legal agreement to secure 2 affordable dwellings in accordance with the policy of the local development plan.

Urchfont Parish Council – “The Planning Committee of Urchfont Parish Council
OBJECT to this application for the following reasons;

UPC objects on the grounds that the UPC Planning Committee had insufficient information to enable support of it. UPC believe that more detailed reports needed to be made available on how the following issues will be addressed:-

- Infrastructure
- Surface Water
- Sewage
- Access / Highway Safety
- Pedestrian Safety
- Pavements on Approach Roads
- Highway Maintenance
- Construction Traffic Access
- Resident Parking during Construction

In addition, with respect to Affordable Housing, UPC believe there should be more units than are currently proposed and that the Applicants should submit a more detailed report on how these Affordable houses will be managed to meet the guidance within the National Planning Policy Framework for Affordable Housing”.

The Parish Council also objects to the revised scheme submitted on the 17th December 2018 for the following reasons:

- “The proposed application does not address the necessary road infrastructure improvements and enhancements for pedestrian and vehicle safety (along its main access route to and from the B3098), to sufficiently support this development. (*UWLNP Policy TIC1 1(a))
- The number of Affordable houses has been reduced from 3 to 2. Development proposals of more than 5 properties are expected to deliver at least 30% (net) Affordable Houses. (*UWLNP Policy H3 (1))
- The proposed entrance layout to the site, at a junction of 4 existing roads, does not allow safe movement of pedestrians and vehicles with priority to pedestrians. (*UWLNP Policy D1 (e))
- The ridge height of proposed houses, are at least 2 metres above those of houses in the immediate area, and as such does not respect the visual impact upon the existing rural locality and reflect local distinctiveness. (*UWLNP Policy D1 (a))”.

7. Publicity

The application has been publicised via press and site notices and letters sent to properties within close proximity of the site. As a result of the publicity, 32 letters were received prior to the 18th September 2018, one expressing support for the proposal and the others raising concerns with the inadequacy of the existing highway network and the harmful impact the proposed development will have on pedestrian and highway safety; the development of greenfield agricultural land; the harm to landscape character and visual amenity; conflict with the made neighbourhood plan due to the number of dwellings and because the site is identified as an important view; the inadequacy and impact of the proposal on drainage infrastructure; the loss of privacy and harm to the amenity of adjoining residents; inappropriate density, design and height; and a lack of affordable housing. The neighbourhood plan process and examination has also been questioned.

The following list of bullet points provide further detail on the grounds for objecting to the application:

- The development will generate an unacceptable level of traffic;
- The existing highway network will be unable to cope with the additional traffic;
- The access from the B3098 is narrow and unsafe and the addition of another 27 vehicles will greatly exasperate the existing problems, making the road even more dangerous for all users;
- The Traffic Management Plan proposes a parking suspension during operational hours. I would request a consultation process and impact assessment is undertaken prior to any decision being made on the planning application.
- The Traffic Management Plan does not consider all necessary risks such as the time children use surrounding roads to walk to School.
- Access to the development is already under pressure with the amount of traffic and parking created by the existing developments.
- Parking is already in short supply on Foxley Fields and Crooks Lane.
- The development will remove parking spaces and does nothing to alleviate the issue of traffic converging at the “crossroads” at the entrance to the site.
- The new footpath along the side of the old road will not be used as a path by the new residents or the existing residents as they use the road to walk on.
- It is questioned whether there is a need for more properties of the scale and price proposed;
- The density of the development is too high;
- The dwellings are too high;
- The bi way is liable to flooding every time it rains and it’s unclear where surface water will run off too;
- There is presently little light pollution;
- The visual qualities, heritage and rural character of the village will be negatively impacted by such a development;
- Development will affect the natural environment & disturb the character of the area
- Many aspects of this development appear to totally disregard the views of the villagers as expressed in the Village Plan;
- The Neighbourhood Plan shows the proposed site as being an ‘.important view..., worthy of a special landscape designation..’
- It is considered to be important to preserve the current view for all the residents of the village of Urchfont to enjoy.
- This site at Uphill is Prime Agricultural land and therefore should not be built on;
- It does not comply with the Neighbourhood Plan as it will provide very little ‘affordable homes for local people’;
- There are more suitable sites which have been overlooked;
- Existing houses in Uphill will be overlooked;
- The orientation of the proposed properties will mean bedrooms will directly overlook the residents of Uphill Cottages, causing loss of privacy;
- Surface water will head down the hill towards the cottages at The Bottom either on the surface or within the existing drainage used by the Foxley Field estate;
- The Section Drawings in the application are misleading and the proposed built form does not respect the existing;
- The site is inappropriate and should not have been included within the list of allocated housing sites in the UWLNP.

In addition to the original 31 letters of objection, a further 10 letters of objection were received on the same grounds as above, but with the main purpose of commenting on the consultation responses. The concerns of the Parish Council are highlighted but in particular the comments

focus on the observations of the Council Highways Development Control Officer. It is felt that the Highways Officer has clear reservations about the proposed development and ultimately does not object due to the allocation of the site within the neighbourhood plan. The Highways Officer has since provided further observations to provide clarification as detailed within Section 8.4 'Impact on Highway & Pedestrian Safety' below.

A number of the letters also highlight that the original consultation response from the Council Landscape Officer was removed from the Council's website and question why. The consultation response was removed in order to allow the case to be considered further by the Landscape & Design Team, however, the consultation response was subsequently re-published with some revisions but the overall conclusion and recommendations remain as originally written.

The amended scheme submitted on the 17th December 2018 was subject to a re-consultation exercise. As a result of the publicity one letter of support and seventeen letters of objection have been received. The letters of objection outline that the revised plans seem to be a re-submission of the original plans with minimal changes that address the concerns of local residents or Urchfont Parish Council. The same grounds for objecting to the application are therefore reiterated, in particular on highway safety grounds, along with disappointment expressed in relation to the loss of an affordable dwelling from the scheme. As a result of the updated layout and proposed site section plans, it is felt that the new properties would dominate Uphill Cottages and the area of open green space would be dangerous as a play area due to its position. The comments also suggest that the neighbourhood plan is being ignored and other say the development does not accord with the policies of the plan.

The letter of support was on the following grounds:

- It is listed as a site in the made Urchfont, Wedhampton & Lydeaway Neighbourhood Plan (UWLNP).
- It is supported by the NPPF
- It is supported by the Wiltshire Council Core Strategy.
- It provides 2 affordable homes in accord with the UWLNP.
- I feel the effect on the amenity of neighbouring homes has been much reduced in the new layout.
- The use of Michelmersh bricks will give a very pleasing finish and the application has referenced the Design Statement in the UWLNP.

8. Planning Considerations

8.1 Principle of Development

The local development plan document is made up of the Wiltshire Core Strategy (WCS) (adopted January 2015) and the Urchfont, Wedhampton and Lydeaway Neighbourhood Plan (UWLNP) 2015 – 2026 (Made April 2017),

Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' of the WCS outline a settlement strategy which identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. The settlement strategy seeks to restrict new development to within the limits of development of the settlements identified within the plan other than in circumstances permitted by the exception policies of the plan or through subsequent site allocations within Development Plan Documents or Neighbourhood Plans.

The site comprises open agricultural land opposite the built up area of the village which is classed as a 'Large Village' by Core Policy 12 'Spatial Strategy: Devizes Community Area' of

the WCS. The site is, however, allocated for residential development in the made UWLNP and falls within the Development Boundary set by the plan (shown on Figure 2.1 of the UWLNP).

Section 2. 'Housing' of the UWLNP outlines that one of the main objectives of the plan is to 'allocate sufficient land for small scale market housing and affordable housing to meet local needs' (p12). Policy H1 'Housing Site Allocations' of the plan therefore allocates land for approximately 37 houses over the plan period across 9 sites (sites 'a' to 'i') in Urchfont. The current application site corresponds with site 'i' which is allocated for approximately 7 dwellings.

The principle of residential development at the site is therefore supported by the local development plan and is considered acceptable in principle in terms of land use; however, there are a number of key material planning considerations which will have to be taken into account to determine the appropriateness of the proposed scheme, as discussed within the following sections.

8.2 Layout, Density, Design & Impact on Landscape Character

The site is allocated for approximately 7 dwellings within the UWLNP. The number is not fixed because the Planning Inspector who examined the plan stated that "the overall number of houses should not be capped as it may stifle a design-led approach and innovative and proper planning of each site. Furthermore even though WC has confirmed the level of development indicated is considered to be acceptable in the context of the Devizes Community Area, the figure should not be regarded as a maximum. In addition whilst an indicative figure for each site can be included, it should just be that – indicative – and this should be made clear in the policy itself to allow for site specific considerations to be taken account of".

In terms of density, the UWLNP states that "it is important that housing development makes efficient use of land and, as a guide, a minimum density of 30 houses per hectare will be expected. However, the actual density on each site will reflect its location, surroundings and the need for new infrastructure, parking and landscaping". In order to meet the density of 30 houses per hectare, the scheme would need to deliver 14 houses on the 0.4735 hectare site. The guide of a minimum density of 30 houses per hectare is therefore not achieved at the site, however 8 units is considered appropriate for the semi-rural location of the site on the edge of the village and accords with housing policies H1 and H2 of the UWLNP.

In terms of the mix of new developments, the UWLNP specifies that "Housing size and type will be expected to reflect the community's needs. Evidence has shown that the need of the community is for smaller homes, which are suited to meet the requirements of young families and older people. Therefore, it will be expected that new development proposals will show the largest proportion of homes as 2 and 3 bedroomed. Given the trend of an ageing local population, schemes which provide homes for specifically older people will be supported" (p15). The largest proportion of proposed homes are 2 and 3 bedroomed, which meets the aims of the UWLNP i.e. 6 of the dwellings with an additional 2 larger homes containing 4 bedrooms.

The layout and appearance of the scheme has been amended during the application process in order to improve the entrance of the site and the orientation and design of some dwellings to secure a better quality built environment. The dwellings are considered to be of an appropriate scale and design and will be finished primarily with red brick and plain clay roof tiles. The removal of certain permitted development rights to prevent alterations to the roofs of the dwellings is considered appropriate to protect the design and character of the development.

It is recognised that the dwellings will be higher than the properties to the west due to the gradient of the land and their design, however it is not considered that they would dominate the existing properties due to the separation distances, or appear out of place next to the modern properties within the Foxley Fields development. The ridge height of no.38 Crooks Lane for example, which is directly adjacent to the site entrance, is 126.24 AOD compared to the ridge height of the dwelling proposed on plot 8 which is 126 AOD. Furthermore, the closest proposed dwelling to the properties to the west will be a bungalow on plot 1.

The revised scheme is also supported by a landscape scheme which is designed to strengthen and add to the existing natural landscaping around the periphery of the site. There will be an inevitable change to the character of the site from an undeveloped open field to that of a residential environment, however the planting of a continuous hedgerow with larger trees around the north and east boundaries will contain the development and soften its visual impact as much as possible.

The Landscape and Visual Appraisal (July 2018) (ref 18.756) by WHLandscape landscape architecture & arboriculture concludes by stating that “The most notable views of the development are those from the section of Friars Lane that runs along the site’s southern boundary, where the development will obscure views of the AONB beyond, resulting in localised significant adverse effects. However, these only represent a small part of a much larger study area, with there being no significant effects from locations with a high receptor sensitivity, or from any designated PRowS. While there will be changes to visual character in respect of views out from a small section of the residential edge of Urchfont, the overall perception of the site, in terms of views from the wider landscape, will be largely unchanged as the application is for a residential development on the visible residential edge of an established settlement. Overall, any visual change will be limited and will not compromise the study area’s established visual character as a whole”.

The UWLNP identifies important views within the plan area which need to be protected and this includes the application site. The Council’s Landscape Officer highlights that this Important View would appear to relate to the general open views from the edge of the village across fields to the distant hills beyond Devizes and the Vale of Pewsey rather than a specific view and it is not apparent why this would be considered to be an ‘important’ or particularly special view. The Site Brief which forms part of the supporting and background information to the UWLNP highlights that a key consideration for the development of this site will be the impact on views into the village from the east. There will be an unavoidable impact on the view from adjoining properties and Friars Lane looking north-east across the site, however the development does not encroach further than allocated within the UWLNP and the visual impact looking back towards the village from the east will be mitigated as much as possible through a comprehensive landscaping scheme.

The Landscape and Visual Appraisal explains that “Mitigation measures will mainly focus on the retention, enhancement and management of existing vegetation around the site, in particular the hedgerow and tree cover around the land under the applicants’ control. New planting will supplement the existing landscape structure around the site, as well as creating structure within the development itself through the use of strategic tree planting. The aim is to not only integrate the proposed development into the landscape, but also provide enhancements to the green infrastructure network at on the residential edge of Urchfont through a comprehensive scheme of new planting and management of existing vegetation”. The proposed landscaping scheme can be secured via condition should the application be granted planning permission.

In summary, the density, layout and design of the development are considered to be appropriate for the context of the site and in general conformity with the housing, design and landscape policies of the UWLDP. Furthermore, whilst there will be a change to the

undeveloped rural character of the site which will result in localised changes to landscape character and visual amenity, the UWLNP has identified the site as one of the most sustainable options to meet the housing need within the UWLNP area, which justifies these impacts.

8.3 Impact on Residential Amenity

Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the WCS lays down the requirement for good design and requires developments to have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter).

The proposed development has been designed to limit the impact on the residential amenities of the occupiers of neighbouring properties through the careful siting and orientation of the proposed dwellings. The two storey dwelling on plot 8 faces the terrace of dwellings to the west of the site, but the separation distances are more than required to ensure no direct overlooking. The closest dwelling to the neighbouring properties to the south is on plot 6 but there will be a separation distance of 17.5m between both dwellings, and the south elevation of the proposed dwelling will be a side gable wall with only a small bathroom window at first floor level.

In relation to the residential amenity of future residents of the development, the proposed dwellings will each benefit from private amenity areas and will not be directly overlooked by existing neighbouring properties.

In light of the above, it is considered that the scheme will not have a significant adverse impact on the residential amenity of the occupiers of any neighbouring properties.

8.4 Impact on Highway & Pedestrian Safety

Core Policies 60 'Sustainable Transport' and 61 'Transport and New Development' of the WCS seek to ensure that new developments are located within sustainable locations and are designed to encourage the use of sustainable transport facilities. Core Policy 61 also seeks to ensure that all new developments are capable of being served by safe access to the highway network. Core Policy 62 'Development Impacts on the Transport Network' seeks to ensure that developments provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

Policy TIC1 'Local Traffic and Movement' of the UWLNP requires new development to provide the necessary road infrastructure, demonstrate how the impact of construction traffic during the construction period has been minimised, and take every opportunity to provide new, or enhanced, footpath, cycleway and bridleway networks in the Parish.

The proposed development will be served via a single vehicular point of access to the site from Friars Lane. The estate road will be 5.5m in width to allow two vehicles to pass and enable some on-street parking. The width and layout also enables refuse and service vehicles to manoeuvre around the site. The private parking provision complies with the Council's Car Parking Strategy, albeit the amended proposal does not provide any visitor parking spaces. The development will accommodate footpaths within the site which will also lead out onto Friars Lane and provide easy access to the Public Right of Way immediately to the north-east of the site. A revised site plan was submitted on the 15th January 2019 in order to provide a footpath along the site frontage to address the concerns of the Parish Council in relation to a lack of facilities for pedestrian priority at the site entrance.

The Council's Highways Officer highlighted that the site is not within a particularly sustainable location within the village, due to its position outside the limits of development, and would not therefore ordinarily be supported because of the conflict with the settlement strategy of the WCS (Core Policies 1 & 2). However, it is recognised that the site has been found to be one of the most sustainable within the village to deliver the identified housing need (through the neighbourhood plan site assessment process) and can therefore be supported. Furthermore, the Officer is of the opinion that the proposed development meets the requirements of Policy TIC1 because there is adequate visibility at the site access onto Friars Lane and there is relatively direct access to the B3098 road along Crooks Lane.

The Highways Officer highlights some shortcomings with the road (Crooks Lane) leading to the site, in terms of the narrow width and lack of footways, but it is concluded that the highway network is adequate to deal with the vehicular and pedestrians movements associated with the proposed development and off-site mitigation measures are not compulsory. It was specified that "The Highway Authority acknowledges that there will be a noticeable impact on the road network in regards to vehicle movements to and from the development but I consider that this will not lead to a significant detrimental impact on the safety of the users of the highway. The junction of Crooks Lane and the main B3098 is suitable for an increase of vehicle movement and for the majority of its length there is adequate space for two vehicles to pass."

It is recognised that policy TIC1 advises that every available opportunity should be taken to provide new, or enhance, footpath, cycleway and bridleway networks in the Parish. Improvements have also been requested by those who support and object to the proposed development. The Highways Officer has explored possible options but advised that the extent of the adopted highway surrounding the site does not offer any opportunities to improve the pedestrian facilities in the area. It should however be noted that the proposed development is considered acceptable from a highway safety perspective without the need for any off-site highway improvement works. It would therefore be unreasonable to demand that the applicant provide some form of off-site improvements or dismiss the application on these grounds.

In terms of the impact from construction traffic, this is detailed within the submitted Construction Traffic Management Plan (Technical Note – 6350/01. Issue no.2) by Cole Easdon Consultants. The document provides details of the construction access arrangements, proposals for the temporary construction compound area and contractor parking, details of construction traffic and routing signage, and traffic management. The report concludes by stating that "The developers will commit to minimising where possible the impact of the development on the surrounding area during the construction process. With the proposed HGV route avoiding the centre of the village and nearby narrow lanes, and all deliveries routing via the B3098, construction impact within the existing settlement will be limited. During the construction process, there will be an identified Site Manager who will ensure that the measures set out within this Construction Traffic Management Plan are adhered to. They will also be the first point of contact for any site-related queries". It is recognised that the construction of the site will result in some disruption to the existing local residents, however the construction traffic management plan is designed to try and manage and limit the adverse impacts as much as possible.

It is considered that subject to conditions to secure the parking and access arrangements as shown on the submitted plans, and the Construction Traffic Management Plan, the development will not result in unacceptable highway safety impacts. A scheme for the future ownership and management of the estate road is also considered necessary because it will not be adopted by the Highway Authority. This can be secured via a section 106 agreement should there be a resolution to grant planning permission.

8.5 Impact on Ecology

Core Policy 50 'Biodiversity & Geodiversity' of the WCS outlines that all development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term.

The application is therefore supported by a Habitat & Protected Species Survey (16 July 2018) by Malford Environmental Consulting. The report specifies that "The grassland is of negligible ecological value. The short length of boundary hedge is species-rich and therefore a local priority habitat, but it is of recent origin and will nevertheless be retained and protected during the construction phase (see Section 6.1). There are no protected species associated with the proposed development site, and as such no specific mitigation is necessary other than maintaining the grassland in its current condition (see Section 6.2)". The report does, however, present a series of mitigation and enhancement measures to protect and enhance the habitat of the site by protecting the boundary hedge and the introduction of new landscaping and bat roosting opportunities. The mitigation and enhancement measures can be secured via a condition should planning permission be granted.

8.6 Impact on Heritage Assets

Core Policy 58 'Ensuring the Conservation of the Historic Environment' of the WCS seeks to ensure that developments protect, conserve and where possible enhance the historic environment. The site does not fall within the village Conservation Area and there are no listed buildings within close proximity of the site (the Grade II Listed Ardgowan, no1 Uphill being the closest to the site). The development does, however, have the potential to affect below ground archaeological remains.

The Council's Archaeologist indicated that "The Wiltshire and Swindon Historic Environment Record shows that the proposed development is on the periphery of settlement with origins in the medieval period, referred to as Ierchesfonte in 1086. There have been a number of findspots recorded on the Portable Antiquities Scheme to the east of the site. Based on present evidence there is a low potential for significant archaeological remains to be impacted by the proposals. I do however recommend an archaeological Watching Brief is made a condition of planning approval due to the amount of 'background' activity in the surrounding area. This will ensure that any archaeological remains which are revealed during construction will be recorded". An Archaeological Watching Brief can be secured via a condition of any planning permission.

8.7 Flood Risk, Surface Water & Drainage

Core Policy 67 'Flood Risk' of the WCS outlines that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable.

The proposal involves the disposal of surface water via soakaways which is supported by the Council's Drainage Engineer, however the Engineer requested details of the drainage scheme and testing to BRE 365 prior to the determination of the application to demonstrate that soakaways will work. A Drainage Statement (Technical Note – 6350/02. Issue no.2) by Cole Easdon Consultants was subsequently submitted on the 24th September 2018 which concludes that the proposal can be delivered sustainably in terms of drainage without having any adverse impact within the site or the neighbourhood.

The Council's Drainage Engineer accepts the conclusions of the Drainage Statement and highlights that the indicative scheme is presented on drawing no.6350/501 at the end of the

report. The Drainage Engineer recommends a condition to ensure the proposed foul drainage scheme is in and connected before the occupation of dwellings on the site, and a condition to secure and approve full details of the surface water scheme. Finally, it was requested that details be submitted and approved of the ownership and maintenance of the highway drainage if not adopted by the Council. The future management of the drainage scheme, along with the open space within the site, can be secured via conditions and / or a s106 agreement.

8.9 Planning Obligations

8.9.1 Community Infrastructure Levy

The Council's adopted Wiltshire Community Infrastructure Levy (CIL) Charging Schedule applies to the proposed development. The site falls within Charging Zone 1 which sets a charge of £40 per square metre of residential development floorspace.

8.9.2 Section 106 Contributions

The Council's most recent policy in relation to affordable housing is outlined within Core Policy 43 'Providing Affordable Housing' of the WCS. The UWLNP, however, includes a more up-to-date affordable housing policy (Policy H3 Provision of affordable housing) which given the proven shortage of affordable housing in the Parish requires new developments on sites of more than 5 properties to provide 30% (net) affordable housing for those in need or with a local connection to Urchfont or its neighbouring Parishes. In order to meet the policy requirement, 2 of the 8 dwellings should be affordable.

The Council's Housing Officer specified that "In line with current affordable housing approaches, an affordable housing contribution would not normally be sought in relation to this application as the proposal falls below the affordable housing threshold trigger. However, I note that 3 affordable homes are now proposed in line with Policy H3 of the 'made' Neighbourhood Plan which seeks a minimum 30% (net) affordable housing provision on sites of more than 5 properties. It would be acceptable for plots 6 & 7 (2 x 2 bed semi-detached houses) to both be provided as affordable housing, with one house being for affordable rent and one house being for shared ownership.

Any affordable housing units agreed would need to be provided at nil subsidy in perpetuity and would need to be transferred to a Registered Provider, approved by Wiltshire Council. When providing affordable housing, developers are advised to engage with a Registered Provider at the earliest opportunity, in order to ensure that the appropriate standards are met at the design stage. Affordable housing will be secured via a S106 Agreement and nominated in line with the Council's current Allocation Policy and Procedures".

9. Conclusion

The application seeks full planning permission for the construction of eight dwellings on land allocated for residential development within the 'made' Urchfont, Wedhampton and Lydeaway Neighbourhood Plan. The development accords with the aims of the neighbourhood plan because it will deliver both open market and affordable housing to help meet the identified housing need within the plan area on this allocated site. The density and layout of the development is considered appropriate for the semi-rural context of the site along with the design and appearance of the dwellings.

The concerns of the Parish Council and local residents, in particular the impact of the proposal on highway safety and landscape impact, have been carefully considered, however the development is considered to comply with the policies of the local development plan. The impact of the proposed development on highway safety and landscape character are no

greater than anticipated and considered during the allocation of the site within the neighbourhood plan and no statutory consultees have objected to the amended proposal.

The scheme is considered to be in accordance with both national and local planning policies and with suitably worded conditions, and a section 106 agreement to secure the affordable homes, and a scheme for the future management of the private estate road, open space, and surface water scheme; it is recommended that planning permission be granted.

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions and a section 106 legal agreement:

- 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 be carried out in accordance with the following approved documents and plans:

- Drawing no.BDS-01-18. Title. Topographical Survey, received 24.07.18;
- Drawing no. 01-01-Existing B&L Rev.A. Title. Existing Block & Location Plan, received 24.07.18;
- Drawing no.04-04-Proposed B&L Title. Proposed Block & Location Plan, received 17.12.18;
- Drawing no.04-03-Proposed Site Plan Rev.A. Title. Proposed Site Plan, received 15.01.19;
- Drawing no. 04-07-Boundary & Hard Landscape Plan Rev.A. Title. Proposed Boundary & Hard Landscape Plan, received 15.01.19;
- Drawing no. 04-08-Site Section Rev.A. Title. Proposed Site Section, received 15.01.19;
- Drawing no. 04-09-Vision Splay. Title. Proposed Vision Splay

- Drawing no. 02-01-Plot 1 - Three Bed Bungalow. Title. Proposed Ground Floor Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 02-02-Plot 2 - 3 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan, Block Plan, received 24.07.18;
- Drawing no. 02-03-Plot 3 - 3 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 02-04-Plot 4 - 4 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 02-05-Plot 5 - 4 Bed Detached Rev.B. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan & Block Plan, received 24.07.18;
- Drawing no. 04-02-Plot 6 & 7 - Semi Detached Rev.A. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section, Roof Plan & Site Plan, received 15.01.19;
- Drawing no. 04-01-Plot 8 – 3 Bed Detached. Title. Proposed Ground Floor & First Floor Plan, Elevations, Section & Roof Plan, received 17.12.18;

- Drawing no. 02-08-Plot 2 – Single Bay Garage / Rev A.. Title. Proposed Single Bay Garage, received 17.12.18;
- Drawing no. 02-09-Plot 3 – Single Bay Garage / Rev A.. Title. Proposed Single Bay Garage, received 17.12.18;
- Drawing no. 02-10-Plot4 – Double Bay Garage. Title. Proposed Double Bay Garage, received 24.07.18;
- Drawing no. 02-11-Plot5 – Double Bay Garage. Title. Proposed Double Bay Garage, received 24.07.18;
- Drawing no. 04-06-Plot 8 – Single Bay Garage. Title. Proposed Single Bay Garage, received 17.12.18;
- Drawing. 04-10-Brick Wall Detail. Title. Proposed Brick Wall Detail, received 15.01.19;

- Document. Urchfont – Material Schedule – Rev B, received 17.12.18;
- Document. External Facing Materials Schedule Plot 1, received 24.07.18;
- Document. External Facing Materials Schedule Plot 2 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 3 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 4 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 5 + Garage, received 24.07.18;
- Document. External Facing Materials Schedule Plot 6 & 7, received 17.12.18;
- Document. External Facing Materials Schedule Plot 8 + Garage (3 Bed), received 17.12.18;

- Document. Construction Traffic Management Plan (Technical Note - 6350/01. Issue no.2) by Cole Easdon Consultants, received 24.07.18.
- Document. Landscape and Visual Appraisal (January 2019) (ref 18.756) by WHLandscape landscape architecture & arboriculture, received 15.01.19;
- Document. Planting and Maintenance Detail (January 2019) (ref 18.756) by WHLandscape landscape architecture & arboriculture, received 15.01.19.

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

3 No development shall commence within the application site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: 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, to enable the recording of any matters of archaeological interest.

4 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: 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, to ensure that the development can be adequately drained.

NOTE: In order to satisfy the condition full details of the proposed surface water drainage scheme, as indicatively shown on drawing no.6350/501 within the Drainage Statement (Technical Note - 6350/02. Issue no.2) by Cole Easdon Consultants, will be required.

5 No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: 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, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 6 No above ground 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 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

- 7 No railings, fences, gates, walls, bollards and other means of enclosure development, other than those shown on the approved plans, shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 8 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: 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.

- 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 dwellings 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.

NOTE: The approved soft landscaping is shown on Figure number: 'Fig.5 (18.756) Rev.A' within the Landscape and Visual Appraisal (January 2019) (ref 18.756) by WHLandscape landscape architecture & arboriculture.

- 10 No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 11 No part of the development shall be occupied until a visibility splay has been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the point on the edge of the carriageway 43m metres to the east, and a 2.4m clear set back to the west to afford visibility of the junction. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 12 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 window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes of the development hereby permitted.

REASON: In order to protect the design and character of the development and in the interests of residential amenity and privacy.

- 13 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), the garages hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 14 The mitigation and enhancement measures to protect and enhance the habitat of the site as detailed in Section 6 of the approved Habitat & Protected Species Survey (16 July 2018) by Malford Environmental Consulting shall be carried out in full prior to the first bringing into use/ occupation of the development and/or in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

- 15 **INFORMATIVE TO APPLICANT:**
The attention of the applicant is drawn to the contents of the consultation response from Wessex Water (dated 16.08.18 / ref KT/SU05NW/ 133) which can be seen on the Council website at www.wiltshire.gov.uk

- 16 **INFORMATIVE TO APPLICANT:**
The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further

information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

- 17 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 *(to be confirmed should there be a resolution to grant planning permission)*
- 18 INFORMATIVE TO APPLICANT:
The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
- 19 INFORMATIVE TO APPLICANT:
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.