

Date of Meeting	31 st January 2019
Application Number	18/09811/FUL
Site Address	Stables Cottage, Lower Chute SP11 9DX
Proposal	Demolition of Stables Cottage and the erection of two dwellings with access and parking
Applicant	Ms Stella Coulthurst
Town/Parish Council	CHUTE
Electoral Division	CHUTE – Councillor Blair-Pilling
Grid Ref	431273 153238
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the application being considered by Committee

This application is brought to committee at the request of Councillor Blair-Pilling, for the following reasons:

- Scale of development;
- Visual impact on surrounding area; and
- Design, Bulk, Height, General appearance

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- Heritage, Character & Design
- Neighbouring Amenities
- Highways
- Ecology
- S106/CIL

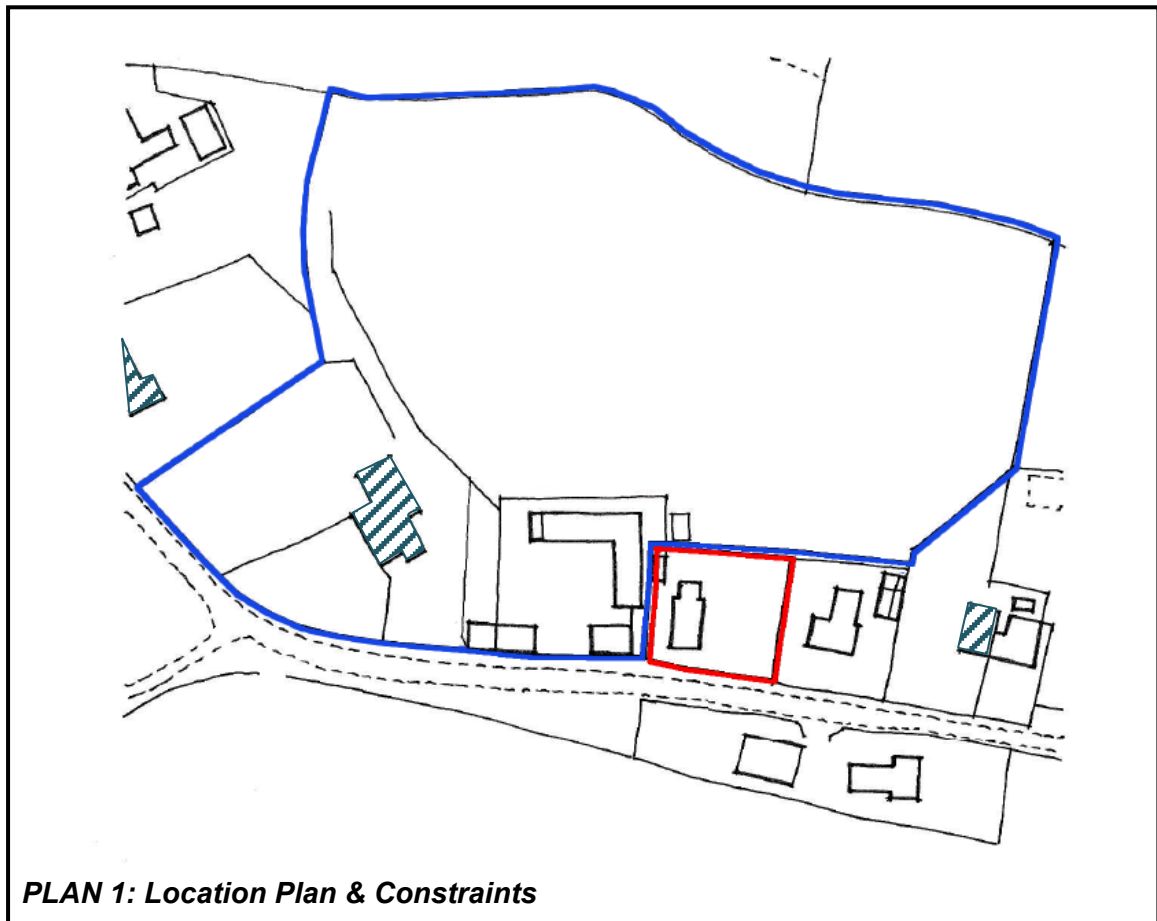
The application has generated an objection from Collingbourne Ducis Parish Council; and 19 letters of objection.

3. Site Description

The site is situated within the main built-up parameters of the village of Lower Chute, which is defined as a Small Village by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area). This part of Lower Chute is a ribbon form of development with properties all fronting

the road which leads through the village. To the east and south, the site is surrounded by other residential properties and their associated parking/amenity provision. To the west, the site abuts a traditional stable yard which is still in equestrian use. To the north, the site adjoins open countryside/paddocks. The site is situated within the Chute Cadley/Lower Chute Conservation Area. Whilst there are listed buildings in the vicinity of the site (hatched blue on PLAN 1 below), none are situated immediately adjacent to or on the site. The site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

The site currently consists of an attractive, detached, single storey bungalow (Stables Cottage) that sits perpendicular to the road. It is of modest size, of brick and slate construction and sits on the site of the former Methodist Chapel. A detached garage serves the dwelling, which is sited towards the rear/west of the dwelling, at the end of the private driveway serving the property. The driveway is accessed directly from the main village road running along the southern boundary of the site. The eastern half of the site is laid to lawn and currently provides a large garden for the dwelling.



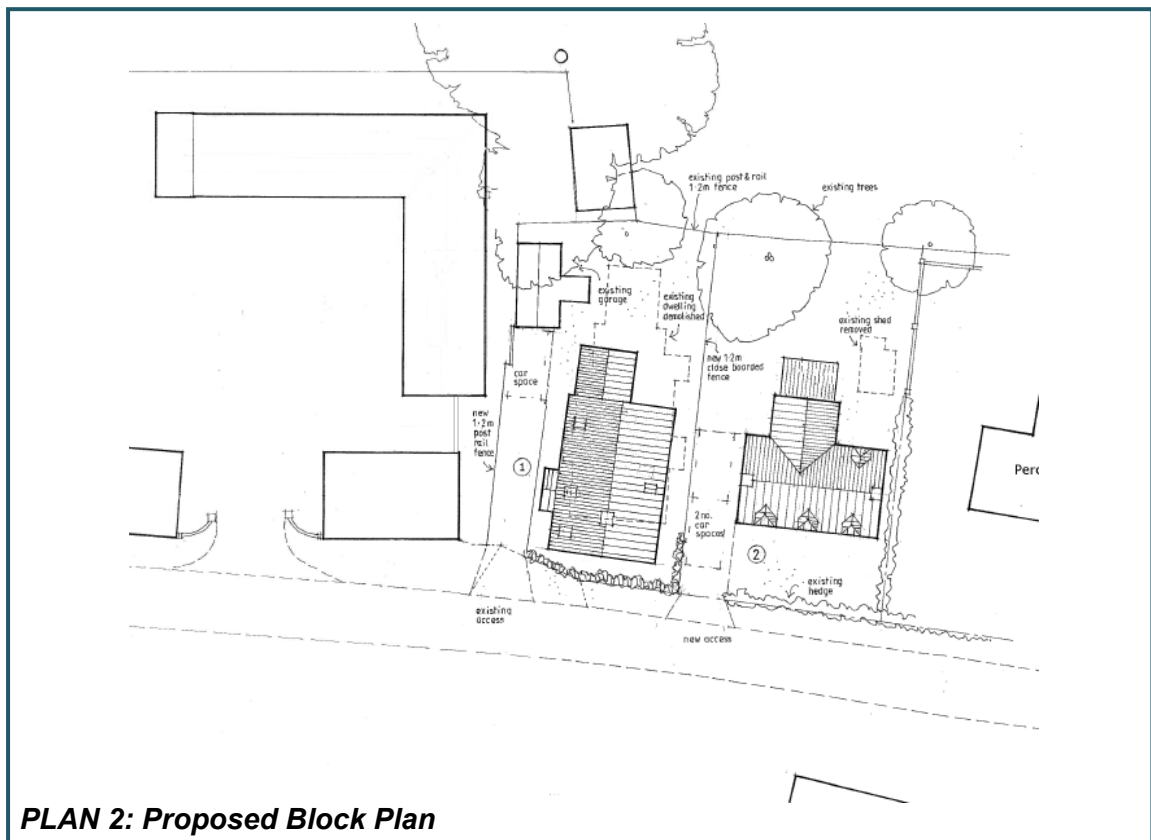
4. Planning History

Application Ref	Proposal	Decision
K/15815/O	Outline: Erection of one bungalow and double garage and construction of new access.	Refused – 15.05.1990 Appeal Dismissed – 09.11.1990

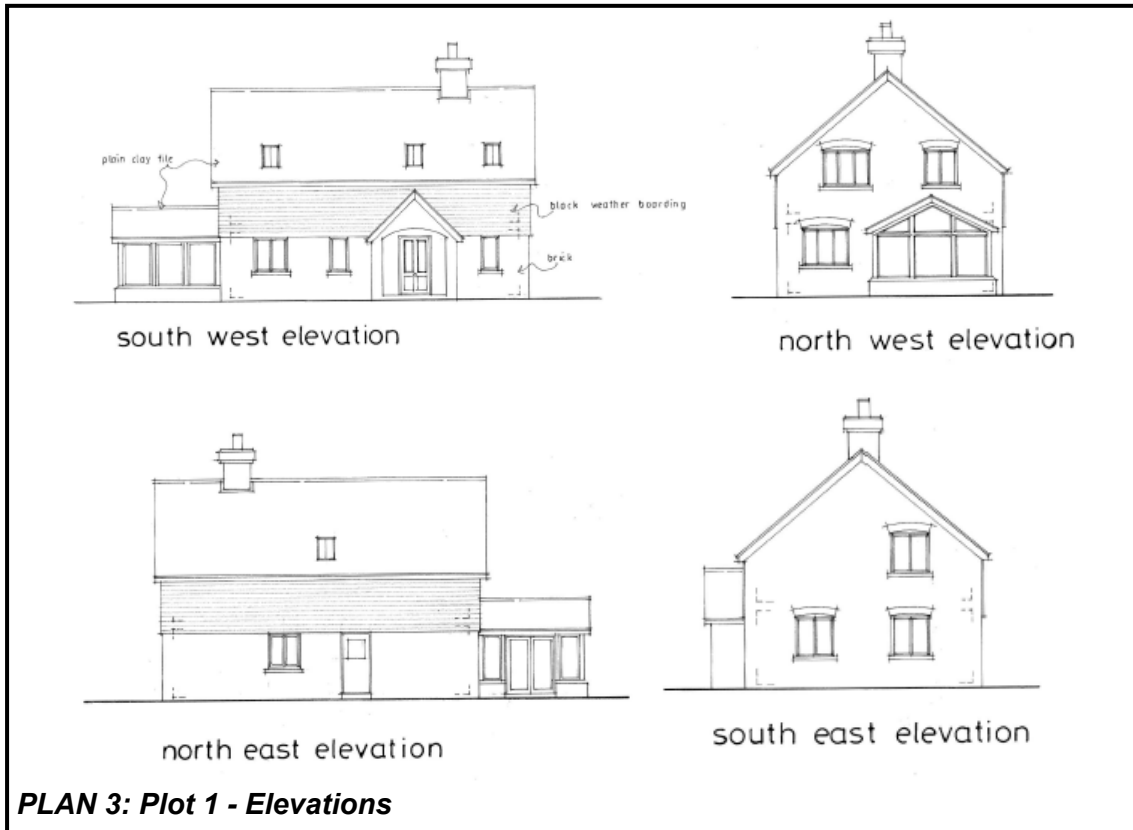
K/30300/C	Conservation Area Consent for demolition of existing chapel and the erection of a new detached bungalow.	Consent – 17.08.1990
K/30331	Demolition of existing Chapel and the erection of a new detached bungalow.	Permission – 21.12.1994
K/38670	Rear Porch & Velux roof windows.	Permission – 09.03.2000
k/44689	The erection of a conservatory	Refused – 06.02.2003
K/45817	The erection of a conservatory	Permission – 08.08.2003
K/46998	The erection of a conservatory	Permission – 22.03.2004

5. The Proposal

This is a full application proposing the demolition of the existing bungalow and its replacement with two new dwellings. During the course of the application, amended plans have been received which have changed the design, appearance and orientation of the dwelling which is proposed on Plot 1. This dwelling is effectively a replacement dwelling for the existing bungalow.



Plot 1 is to consist of a 1½ storey dwelling that is to be of part brick/part weatherboard cladding construction, with a plain clay tile roof. As per the existing dwelling, it is to be orientated perpendicular to the road, but is to be situated further forward in the plot than the existing dwelling in order to enable some private amenity space/garden to be created at the rear of the dwelling. It is to utilise the existing access driveway on its western side and is to also retain and benefit from the existing detached garage.



Plot 2 is to consist of a more traditional style, double-fronted property, also of 1½ storeys in height. It is similar in design and orientation to the existing dwelling to the east (Percy Cottage) and is to front the road. It is to be of brick and clay tile construction. A new access and driveway is to be created between Plots 1 and 2 to serve this second dwelling. A small rear garden is also proposed to serve this property.



The application is accompanied by a Phase 1 & 2 Bat Report and a Planning Statement which includes a Heritage Statement.

6. Local Planning Policy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Kennet Local Plan policies (Saved by Wiltshire Core Strategy) (KLP):

- HC25 – Replacement of Existing Dwellings

Wiltshire Core Strategy (WCS):

- CP1 (Settlement Strategy)
- CP2 (Delivery Strategy)
- CP3 (Infrastructure Requirements)
- CP26 (Tidworth Community Area)
- CP43 (Providing Affordable Housing)
- CP45 (Meeting Wiltshire's Housing Needs)
- CP50 (Biodiversity and Geodiversity)
- CP51 (Landscape)
- CP52 (Green Infrastructure)
- CP57 (Ensuring High Quality Design & Space Shaping)
- CP58 (Ensuring the Conservation of the Historic Environment)
- CP61 (Transport & Development)
- CP62 (Development Impacts on the Transport Network)
- CP64 (Demand Management)

Supplementary Planning Documents:

- Creating Places Design Guide SPG (April 2006)
- Achieving Sustainable Development SPG (April 2005)
- The Chutes Village Design Statement (VDS)
- North Wessex Downs AONB Management Plan 2009-2014
- Affordable Housing SPG (Adopted September 2004) Affordable Housing SPG (Adopted September 2004)

7. Summary of consultation responses

Chute Parish Council – Objection

- strongly object
- the site is too small to support two three bedroomed houses
- over-development of a relatively small site
- changes the character of the conservation area
- totally contrary to the Village Design Statement
- contradiction to the original planning application for the former Wesleyan Cottage
- contrary to Conservation Designation Area statement.
- The revised plans do not address the issues raised

Highways – No Objection subject to conditions

- The proposal will create two 3 bedroomed dwellings within the curtilage of this site once the existing dwelling is demolished with each having their own vehicle access and parking.
- The existing dwelling is two bedroomed and located on an unclassified road which is subject to a 30mph speed limit.
- The site in question would make use of the existing access for the bungalow that will be demolished and has good visibility for one of the dwellings.

- The creation of a new access for the second dwelling will need to be suitably surfaced and consolidated and provide visibility splays in each direction, measured 2m back down the centreline of the new access.
- In order to meet Wiltshire Parking Standards, 2 off-road parking spaces are required which I am satisfied can be met by way of the drive of one of the dwellings and the drive and single garage of the other.
- No Highway objection is raised, subject to conditions

Conservation – No Objection subject to conditions

- The site lies within the Lower Chute Conservation Area and immediately to the NE of Lowerhouse Farm and its outbuildings, all of which are grade II listed.
- Stables Cottage itself is modern, on the site of a former chapel, but of traditional appearance with Flemish bond brickwork and a Welsh slate roof covering.
- The CA is characterised by fairly loosely spaced detached dwellings of a variety of materials including brick, flint, slate, tile and thatch.
- The only roadside buildings are the stable yard buildings of Lowerhouse Farm, otherwise properties are set several metres into their sites.
- The demolition of Stables Cottage would cause no loss of historic fabric, however its modest scale and quality of materials does sit well in the street scene and it is the LPA's statutory duty to pay special regard to preserving or enhancing the character of the CA.
- If consent is to be granted on this basis, then we need to ensure that the redevelopment proceeds and is completed promptly, rather than the site cleared and left empty.
- The proposal would see a pair of new dwellings erected, one on the same orientation as the existing cottage, but moved 3m closer to the road, and the other facing the road about 2.8m forward of Percy Cottage, the modern brick and flint cottage to the NE.
- The design and orientation of the buildings provides adequate distinction between them to maintain the varied nature of the street scene, and subject to the use of quality brickwork, tiles and timber joinery (as in the D&A) they should sit comfortably with the neighbouring properties.
- It is highly unusual to have three dormers on the front of a traditional cottage, and the central dormer facing the road should be omitted, preferably without substitution by roof light.
- My only concern of note relates to the positioning within the site and the street scene.
- The existing property is set far enough back into the site that it is seen in conjunction with other properties to the NE from the area of Lowerhouse Farm, whereas the relocation towards the street means that those views would be much more constricted.
- Views of the listed roadside farm buildings from the north would also be significantly reduced.
- The CA street scene would be affected, as would views of some curtilage listed farm buildings, but I do consider the level of harm to be at a very low level and therefore raise no objection.

Ecology – No Objection subject to conditions

- I note the submission of the Lindsay Carrington ecology report (Oct 2018).
- Survey work found very low numbers of pipistrelle bats roosting in the existing building proposed for demolition, and a satellite roost of pipistrelles (linked with a nearby maternity roost) in the garage which is proposed for retention.
- A Natural England EPS licence will be required in order to conduct works as bat roost will be destroyed.

- Assuming that no works to the garage are proposed the development can proceed in accordance with the recommendations in the Lindsay Carrington report.
- No external lighting must be included in the proposal which could impact the retained roost in the garage.

8. Publicity

This application was advertised through the use of site notices and letters of consultation.

Letters – 19 letters of objection received from the residents of 3 New Buildings, Folly Cottage, Jimila, Providence Cottage, The Old Cottage, Meadow View, Keepers Cottage, Hyde Cottage, Percy Cottage, Cadley Lodge, Woodruff, Wansdyke, & Lower House, Chute Cadley; and Hazel Cottage, Hatchett Hill. The following comments made:

- Strongly object
- This is not an infill plot it is a garden.
- This is garden grabbing
- In 2010 the Ministry for Housing, Communities & Local Government gave Local Planning Authorities power to prevent garden grabbing
- This plot cannot seriously be regarded as a suitable infill plot
- There is no statement of what the housing needs of the village are, therefore it is not possible to assess whether this plan addresses a need.
- These houses are not needed or wanted
- This would provide negligible benefit to the "Tidworth area remainder" of 74 dwellings
- Contrary to Village Design Statement
- The Chute Conservation document from the Kennet Plan is still being disregarded
- CP2 allows infilling in small villages provided it does not consolidate an existing sporadic loose knit area of development related to the settlement
- conflict with Wiltshire Planning Policy CP2 as this is not infilling and consolidates loose knit character
- it does not meet HP24
- does not comply with HH5
- The demolition of the Stables (Wesleyan) Cottage cannot in any way be regarded as preserving, conserving or enhancing the historic character of the village/AONB
- paragraph 1.17 from the Kennett Local Plan states: "In the interests of sustainability, housing development should be limited to those villages which have a good range of facilities, and should be restricted to a small scale"
- In the interests of sustainability, housing development should be limited to those villages who have a good range of facilities to support additional inhabitants. Lower Chute, Chute Cadley, Chute Standen, Upper Chute and Chute Forest have no local facilities other than one public house
- This is not affordable housing
- The proposal is far from what should be allowed in a green belt
- Development between Jimila and Chute Forest is a prime example of infill but that was turned down. This is not infill. It is not a vacant plot between properties
- A former Chute Conservation document from the Kennet Plan interestingly states that any development of this site must follow the modest scale and form of the then single story structure and should adhere to the spatial relationship that the Chapel had with nearby buildings and surrounding land

- This site is far too small to sustain two properties whatever orientation is suggested
- No dimensions for the amended proposal for Plot 1 given in the planning statement.
- The Chutes are a beautiful part of Wiltshire, please don't let developers spoil it by cramming houses into sites that are too small
- The "in fill" that would happen, if this application was to be approved, would replicate the density and scenario of overcrowding found in the suburbs
- Existing house is structurally sound, perfectly good and reasonably new and does not need demolishing
- The unnecessary demolition of a property with the loss of its history of the original Chapel is unwarranted.
- The wanton and unnecessary demolition of a perfectly functional property with the loss of its history of the original Chapel is unwarranted
- The demolition of the Stables/Wesleyan Cottage and its associated history must surely require substantially more justification than purely development of the plot for commercial reasons
- The two red brick houses are not in keeping with the village, conservation area or AONB
- Wooden boarding has now been added as an afterthought
- Black timber cladding is not a residential building material in this village.
- we have few facing brick houses
- Suggesting that this development does not consolidate the existing loose knit character of the village is obviously wrong, as doubling the housing density on one plot of land inevitably consolidates the village.
- If this was to go ahead the unique nature of Lower Chute particularly the environs around Lower House Farm would be damaged, destroying the distinctive style and "loose knit " nature of properties along the lane.
- Will consolidate development along this road
- Claiming that the site is within a group of residential properties is wrong as the site is adjacent to agricultural and equestrian buildings on one side, a residential property on the other and faces, and is backed by, open agricultural land.
- Consolidation will intensify by bringing the proposed building in plot 1 closer to the road.
- This will not preserve the character and appearance of the street scene
- The proposed development will dwarf the stable barns, and significantly impact the visual aspect of the lane, particularly as building 1 has now been moved forward closer to the road.
- The village is made up of different sized plots, yet these buildings will be sat on matching plots, contrary to the variety that makes up the village character.
- Outside space is very restricted and the physical space between building and road is limited.
- Change from a boundary hedge to a close boarded fence between plot 2 and Percy Cottage is out of character in this village and contrary to the village design statement
- Two storey nature of the development will dominate the street scene.
- The original permission for Stable cottage stated that 'Any such scheme must, however, follow the modest scale and form of the present single storey structure, and should adhere to the spatial relationship that the Chapel has with nearby buildings and surrounding land'
- The planning restrictions applied to the original building of Stables Cottage (once Wesleyan Cottage) were designed to maintain in perpetuity a link with the

village's past. It is wrong to ignore the reasoning behind those restrictions, and to allow unfettered buildings to be erected

- The detail surrounding the original guidance and planning approval for Chapel Cottage was very specific in its lack of close proximity to neighbouring houses.
- The existing dwelling was therefore designed to reference the Methodist Chapel and positioned on site to respect the stable buildings and their associated paddocks.
- This should continue to be adhered to now
- The result is these buildings will still dominate the street scene
- The Wesleyan Chapel footprint saved by Kennet Council will be destroyed.
- plans for a second storey to be added to Stables Cottage has already been turned down by the council
- Plans for two houses each having two storeys is not justifiable
- An additional access on this single track road is just not feasible
- The permission for Percy Cottage was subject to the closure of the existing access and it being relocated where the road was wider, not having 2 accesses next to each other, what has changed?
- less car parking will be available for plot 1, as the drive apron will be reduced
- This is a very narrow stretch of road
- If this road is blocked for any length of time for delivery of building materials, it will definitely cause disruption.
- The defibrillator is in Lower Chute. A three- mile detour if the lane became blocked would certainly have adverse effects
- Will cause increase in traffic
- Not enough parking to take into account visitor, deliveries, size of houses proposed
- Removal of hedge to create access is unacceptable in this countryside location
- Will detrimentally affect nesting birds and bats
- Will cause loss of light, overshadowing, reduced outlook, loss of privacy, noise to Percy Cottage
- It does not provide any benefit to the community of Lower Chute
- Amended plans do nothing to address the concerns raised about the unsuitability of these proposals on this site
- Turning one of the houses around makes no difference to the application
- The revised statement submitted with the amended plans contains significant errors and omissions

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 Principle of development

The site is situated in the countryside, within the existing built up area of the Small Village of Lower Chute, as defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area). Small Villages have a low level of services and facilities, and therefore few employment opportunities. WCS policy CP1 (Settlement Strategy) confirms that *'there is a general presumption against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages'* and that development in Small Villages will therefore be *'limited to that needed to help meet the housing needs of settlements and to improve employment*

opportunities, services and facilities'. WCS policy CP2 (Delivery Strategy) further confirms that such development in Small Villages will be *'limited to infill within the existing built area'*, provided that the development respects *'the existing character and form of the settlement; does not elongate the village; and does not consolidate the existing sporadic loose knit areas of the development'*. WCS policy CP26 (Tidworth Community Area) however confirms that there is a need for an additional 1,920 dwellings in the Tidworth Community Area up to 2026, with approximately 170 of these to be provided outside of the large settlements of Tidworth and Ludgershall and in accordance with the housing strategy set out in CP1 (Settlement Strategy) and CP2 (Delivery Strategy).

In addition, saved KDLP HC25 confirms that *'In the countryside, the replacement of an existing dwelling which has not been abandoned will be permitted where: a) the siting is closely related to the footprint of the dwelling it replaces...and b) the scale of the replacement dwelling is not significantly larger than the original structure'*.

In this instance, the proposals involve the demolition of the existing dwelling on the site and its replacement with two dwellings. Significant local objection has been received to both the demolition of the existing building and the proposed 'infill' of the plot as it is suggested that the existing building is of merit and in a good state of repair; and that the proposals do not represent 'infill' but instead involve 'garden grabbing'. References to legislation have been made in support of these principle objections; unfortunately, much of this is now out-of-date or has been superseded by the NPPF and WCS, which are the primary considerations for any such planning application.

With regard to the demolition of the existing dwelling, the matter of its implications for the conservation area and heritage value will be discussed in greater detail below. However, whilst it is agreed that the existing building is attractive and appears in sound order, the fact remains that it is not a listed structure nor is it considered to be an undesignated heritage asset. Its demolition is therefore acceptable in principle under saved KDLP policy HC25 which allows for replacement dwellings regardless of the state of the current dwelling on the site (other than that they must not be abandoned). This in itself is not therefore a reason to warrant the refusal of the scheme.

With regard to the matter of 'infill', WCS policy CP2 (Delivery Strategy) defines this as *'the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling'*. Nowhere does it say that the 'gap' must be a vacant plot, or that it must not be a garden, and whilst there was a lot of talk at government level in 2010 regarding 'garden grabbing', this has not transcended into a restrictive policy in the WCS that prevents the redevelopment of gardens. Indeed, the majority of infill development that is proposed in Wiltshire is on garden land. It is considered that the proposed demolition of the existing dwelling and redevelopment of the plot with two dwellings would therefore constitute infill development within the remit of WCS policy CP2 (Delivery Strategy) and is therefore acceptable in principle.

This acceptability in principle is, however, subject to the detail in terms of how the development responds to the existing character of the area; design; heritage assets; neighbouring amenities; and highway safety. These matters will therefore be addressed in more detail below.

9.2 Heritage, Character & Design:

As identified above, the site in question involves an unlisted building on a plot that is in the vicinity of a number of listed buildings and wholly within the Chute Cadley/Lower Chute Conservation Area. The site is also within an AONB and is therefore within a 'heritage sensitive' location. WCS policy CP58 (Ensuring the Conservation of the

Historic Environment) confirms, however, that the designation of a conservation area, listed building, or scheduled ancient monument does not preclude the possibility of new development but that 'it is expected that development will be of the highest standard in order to maintain and enhance the quality of the area or building, and be sensitive to its character and appearance. In addition, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting. Section 72 of the Act further states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In having 'special regard' and/or in paying 'special attention' the NPPF confirms that an assessment must be made as to whether the proposal causes '*substantial harm*', '*less than substantial harm*' or *no harm* to the asset

Significant local objection has been received to the application due to concerns that the regarding the demolition of the existing dwelling (so it should be retained) and that the proposed development does not preserve nor enhance the conservation area, AONB or the setting of nearby listed buildings. However, the Council's Conservation Officer has considered the proposals and has confirmed that, whilst Stables Cottage is on the site of a former Chapel and of traditional appearance, the building is of modern construction and therefore its demolition would cause no loss of historic fabric. It has also been confirmed that it does not represent an undesignated heritage asset and is therefore afforded limited protection. Its scale and quality of finish does however mean that it sits comfortably in the streetscene and it is therefore imperative that following demolition the building is replaced; and that any replacement/redevelopment of the site equally preserves or enhances the character of the conservation area. This can be ensured by the imposition of planning conditions.

The area is characterised by one-off dwellings on their individual plots. There is a fairly eclectic mix of roof heights, styles, ages and forms of architecture. The village in the main has quite a loose-knit range of development with large detached houses on large plots. However, there is some variance to this with a few semi-detached properties thrown into the mix. Some plots are broad with gardens to the side; others are narrower with gardens to the rear. There is also a mix of plot sizes and there is very little uniformity from one plot to the next along this lane. The existing character reflects an organic growth over time, which is typical of a village such as this.

Originally the proposals involved two similarly-designed dwellings on the site. It was, however, considered that whilst the principle of infill development was acceptable, the uniformity of the proposals was such that it would be out of keeping with the existing character of the area as described above. Amended plans were therefore submitted, which reoriented the dwelling on Plot 1 (so that it is now perpendicular to the road and therefore more akin to the existing dwelling) and ensured that the dwelling on Plot 2 addressed the streetscene directly. The reorientation of Plot 1 did necessitate the dwelling being pulled forward, but this is still shown to be behind a front, hedged road boundary and does not protrude further forward than the adjacent stable building, which also has an immediate road side presence. Plot 2 then provides a staggered transition between Plot 1 and the adjacent property, known as Percy Cottage. It is now considered that the design and orientation of the two dwellings provides adequate distinction between them to maintain the varied nature of the existing streetscene and thus the character of the area.

The two plots will obviously be smaller than the existing plot; and than some of the adjacent plots, but they are each still considered to be of appropriate size for this

village setting and the type of dwelling proposed. It is also considered that they are comparable to other plots in this part of The Chutes. Much local concern has been raised that this proposal represents overdevelopment because it would close up the sporadic, loose knit character of the lane, however it is not considered that the existing plot represents an important gap in this streetscene and the ultimate development will fit effectively into the eclectic grain of development in this lane, still providing gaps and separation between plots, albeit not as large as the current gap.



It has also been suggested by third parties that two storey nature of the development is not appropriate in this area and that the existing dwelling was limited in height to reflect the site's Methodist Chapel past. However, the proposals involve two 1½ storey dwellings (of a similar height to the adjacent property at Percy Cottage) and unlike 2 storey development, the upper floor is tucked within the roof. It is considered that the scale of the development is appropriate and similar to others in the area/adjacent, and would not dominate the streetscene. In addition, whilst the history of the site is of importance locally, the existing building is not listed or considered to be an undesignated heritage asset and there are no outstanding restrictions on the site that would limit the height of any replacement dwelling. Any application instead has to be considered on its own merits and in relation to its potential impact on the character and of the area; heritage assets; and street scene, which in this instance has all been assessed against current, up-to-date policies/guidance and has been found to be acceptable.

Local concern has also been raised about the choice of materials and finish of the proposed development, stating that red brick, timber cladding and fenced boundary treatments are not common features in this village. However, the existing dwelling on the plot is of brick construction, as is the dwelling opposite. In addition, weatherboarding is an appropriate material for such a rural location, especially as it is to be of dark finish, which it is quite an agrarian finish. The materials, boundary treatment and detailed architectural features can all be controlled by condition to ensure the appropriate quality and finish is achieved but are otherwise considered to be appropriate; adding interest and difference between the two dwellings and in some instances aiding to subdue their scale. The Council's Conservation Officer has confirmed that subject to the use of quality brickwork, tiles and timber joinery the two properties should sit comfortably with the neighbouring properties in this street scene.

The Council's Conservation Officer has confirmed that there are a few issues with the scheme; and it is clear that some elements of the proposals are a little contrived, such as the position of the house on Plot 1 which enables a private garden to the rear. It is also confirmed that Plot 1's position will change the relationship between the residential and equestrian uses along this lane constricting and possibly competing with the farm buildings in some views. Some of the views of the curtilage listed farm buildings may also be affected. However, it is not considered that this would constitute harm. No objection has therefore been raised in this regard accordingly.

9.3 Neighbouring Amenities:

WCS policy CP57 (Ensuring High Quality Design & Space Shaping) requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'*. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

The most immediate neighbours that are likely to be affected by the proposals are the residents of Percy Cottage to the north east. Whilst the development does involve built development coming closer to this common boundary than the existing arrangement, the proposed design of Plot 2 has been carefully managed in order to limit its potential impact on these neighbours. The depth of the proposed dwelling is not as deep as this neighbouring property (certainly at first floor); no windows above ground floor are proposed on the flank facing wall; the dwelling is slightly angled away from the neighbouring property; and a level of separation (approximately 6 metres) will still exist between the two. This neighbouring property also has no windows on its flank wall facing the site and the intervening hedgerow is to be retained. It is therefore considered that any implications regarding overlooking or loss of light will be minimal and certainly not significant enough to warrant a reason for refusal.

With regard to the south western neighbour, this consists of stabling with no windows positioned on its flank wall. The relationship between this adjacent stable yard and the dwelling on Plot 1 is also similar to the existing arrangement and is not therefore considered to be of significant concern.

In terms of potential mutual overlooking between the two new dwellings, it is considered that the arrangement is less successful but has still been managed effectively. The orientation of the dwelling on Plot 1 necessitates that the primary outlook of the majority of the internal rooms is to the side. However, these have in the main been directed south westerly with only a bathroom window proposed at first floor facing Plot 2. Conditions can be imposed to secure this long term arrangement and there is approximately 5 metres of separation and boundary treatment proposed between the two which will further mitigate any potential for harm.

9.4 Highway Safety:

The proposals involve 2 x 3 bed dwellings which therefore require a provision of 2 car parking spaces each. These have been identified on the plans being provided by a mix of driveway and/or garaging. The Highway Authority has confirmed that the level of parking that is proposed is acceptable and accords with the Council's adopted parking standards.

Local concern has been raised about the proposed provision of a new access off this lane and it is considered that the lane is too narrow to accommodate the additional traffic and access that will be generated from the net gain of one dwelling and the construction process of this development. However, construction is part and parcel of any development and cannot be used to refuse a planning application. In addition road traffic laws govern what can and cannot be done on the highway during construction. Ultimately, the Highway Authority has assessed the application and considers that the proposed new access/intensification of the use of the lane to serve

an additional dwelling and principle of the development is unlikely to result in any significant implications for highway safety. It has raised no objections accordingly.

9.5 Ecology:

The application is accompanied by a bat report and it has been established that very low numbers of pipistrelle bats are roosting in the existing dwelling that is proposed for demolition, and a satellite roost of pipistrelles (linked with a nearby maternity roost) has been found in the garage which is proposed for retention. It is therefore confirmed that an European Protected Species License from Natural England will be required.

The existing garage is to be retained to serve the replacement dwelling on plot 1 and therefore the satellite roost will not be affected by the development. The low level numbers of pipistrelle bats that have been found in the bungalow will be accommodated within the roof of the proposed replacement dwelling. The Council's Ecologist is satisfied that subject to a license being achieved; these measures being implemented; and a number of other recommendations outlined in the report being secured, that the development is therefore acceptable and has raised no objection accordingly.

9.6 S106/CIL:

As the proposals involve only a net gain of 1 dwelling in the area, WCS policy CP43 (Providing Affordable Housing) is not triggered and no affordable housing contributions are required as part of the scheme. However, as of May 2015 the Council adopted its Community Infrastructure Levy (CIL) which applies and is sought from any additional dwellings in the area. A note is therefore attached to the recommendation to bring this to the applicant's attention accordingly.

10. CONCLUSION:

It is considered that the proposed development will represent infill development and accords with the provisions of WCS policy CP2 (Delivery Strategy). The design, finish and orientation of the two dwellings provides adequate distinction between them to maintain the varied nature of the existing street scene; and it is also considered that the proposals will result in only very low level of harm for the surrounding heritage assets. Furthermore, the proposals would not result in significant or unacceptable implications for highway safety; neighbouring amenity; or ecology. The proposals are on balance, recommended for permission accordingly.

11. RECOMMENDATION

That planning permission be **GRANTED** 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form & Certificate

Ref: 170127-01 A – Site & Location Plan. Received – 11.12.2018

Ref: 170127-03 – Design Scheme (Plot 2). Received – 25.10.2018

Ref: 170127-04 A – Street Scene. Received – 11.12.2018

Ref: 170127-05 – Design Scheme (Plot 1). Received – 20.12.2018

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

3. No development above slab level shall continue 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: In the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until full details of all eaves, verges, roof lights, windows (including head, sill and window reveal details), doors, porches, rainwater goods, chimneys, dormers and canopies 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/conservation area.

5. 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:
 - finished levels and contours;
 - means of enclosure;
 - car park layouts;
 - other vehicle and pedestrian access and circulation areas;
 - all hard and soft surfacing materials;

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

6. 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.

7. 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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the north eastern or South western elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

8. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on Mondays to Fridays and 08:00 to 13:00 on Saturdays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

9. The development hereby approved shall be carried out in strict accordance to the recommendations set out in the submitted Lindsay Carrington survey report (updated October 2018).

REASON: To ensure the protection and mitigate the impact for Protected Species

10. No external lighting shall be installed on Plot 1 that is directed toward the retained garage

REASON: To ensure the protection and mitigate the impact for protected species and a known bat roost

11. The development hereby permitted shall not be first occupied until the first five metres of the new access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety

12. 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: To ensure that the development can be adequately drained.

13. The new access hereby approved shall not be first brought into use until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm 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.

14. 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.

15. INFORMATIVE TO APPLICANT:

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

16. INFORMATIVE TO APPLICANT:

The proposal includes alteration to the public highway and 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. Please contact the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.