

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 31 JANUARY 2019 AT WESSEX ROOM, CORN EXCHANGE, MARKET PLACE, DEVIZES SN10 1HS.

Present:

Cllr Mark Connolly (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Ian Blair-Pilling, Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble and Cllr James Sheppard

Also Present:

Cllr Jane Davies, Cllr Phillip Whitehead

1. Apologies

Apologies were received from Cllr Nick Fogg MBE.

2. Minutes of the Previous Meeting

The minutes of the meeting held on 29 November 2018 were presented for consideration, and it was:

Resolved:

To approve and sign as a true and correct record the minutes of the meeting held on 29 November 2018.

3. Declarations of Interest

There were no declarations of interest.

4. Chairman's Announcements

The Chairman announced that as there was a yellow weather warning in force and as snow was forecast we would keep an eye on the weather. If necessary he would cancel the meeting so that people could get home safely.

5. Public Participation

The rules on public participation were noted.

6. **Planning Appeals and Updates**

The report on completed and pending appeals was presented for consideration.

Resolved:

To note the updates.

7. **Planning Applications**

The following planning applications were considered.

8. **18/07283/FUL - Land at St Marys Close, Potterne, Wiltshire - APPLICATION WITHDRAWN**

The Chairman announced that application 18/07283/FUL, Land at St Marys Close, Potterne, Wiltshire, had been withdrawn by the applicant after publication of the agenda.

9. **18/06977/FUL - Land at Uphill, Friars lane, Urchfont, SN10 4SA**

Public Participation

Mr Malcolm Smith, spoke in objection to the application

Mr Jim Stevenson, spoke in objection to the application.

Ms Nicola Sage, spoke in objection to the application.

Ms Jenny Holt, spoke in support of the application.

Mr Kieren Dobie, Agent, spoke in support of the application.

Mr Richard Cosker, Design Team, spoke in support of the application.

Cllr Trevor Hill of Urchfont Parish Council spoke in objection to the application.

Senior Conservation/Planning Officer Morgan Jones, introduced a report which recommended that the application for the erection of 8 dwellings together with associated works be granted subject to conditions and a section 106 legal agreement.

The application had been amended to reduce the number of dwellings from nine to eight. These dwellings would be served by a single point of access at the south-west corner of the site onto Friars Lane. Two of the eight dwellings would be affordable housing. This figure met the requirement of policy H3 of the Urchfont, Wedhampton and Lydeaway Neighbourhood Plan (UWLNP) which required 30% of the development to be affordable housing. It was noted that there had been a mistake in section 8.92 of the agenda report, where it should read 2 affordable homes rather than 3.

Key details were stated to include the following:

Highway safety had been raised as an issue. However, the Highways Authority were happy with the layout of the development. The plans had been amended to include a footpath at the front of the scheme, so one of the issues raised by the parish council had been addressed. However the parish council were also

concerned about increased vehicle movements and their effect in particular on Crooks Lane and the access to the B3098. The Highways Authority recognised that Crooks Lane was narrow in places, but felt that it was sufficient to cope with a development of the proposed scale. Landscape impact was also considered an issue by objectors.

The development was considered to be of an appropriate design and layout and to meet the need for affordable housing identified in the UWLNP on this allocated site.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to a question regarding whether the proposed estate road would be adopted by Wiltshire Council, the officer stated that the Highways Authority would not be looking to adopt this road. However, if the application were to be approved, the section 106 legal agreement would secure a scheme for the management and ownership of the estate road. In response to a question regarding protecting significant parcels of agricultural land the officer explained that as this site had been allocated for residential development in the UWLNP, these issues would have been looked at during the allocation process.

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

The unitary division member, Cllr Philip Whitehead, spoke in objection to the application. Cllr Whitehead explained that the main reason he called this application in to the planning committee was because of the access to the site via Crooks Lane, stretches of which he felt were very narrow and would exacerbate the existing problem with traffic on this road. He stated that although the land had been allocated in the neighbourhood plan this did not mean that the Highways Officer should be unable to object. Locals felt that the road was not safe. Cllr Whitehead had spoken to a local farmer regarding the implementation of a footpath over his land which might help to mitigate the impact, and the farmer seemed willing to discuss the matter. Therefore he felt that unless mitigation measures could be secured, the application should be rejected.

In response to public statements the Highways Officer stated that there was no objection from the Highway Authority.

Cllr Mark Connolly proposed a motion to grant planning permission with conditions and a section 106 agreement as per the officer recommendation. This was seconded by Cllr Ian Blair-Pilling.

A debate followed where key issues raised included the access to the site via Crooks Lane. It was noted that in the UWLNP, Policy TIC1 – Local Traffic and Movement, stated that developments would need to provide the necessary road infrastructure required as a result of, and to support, the development including access to the B3098 where appropriate. However, it was noted that underneath this policy was a qualifying statement, stating that highway improvements were a community aspiration and therefore could not be insisted on. It was stated that

the parish council should have acknowledged this. The local farmer was willing to discuss a footpath and there would also be Community Infrastructure Levy (CIL) monies available. Some felt that implementing a footpath as suggested was the responsibility of the parish council. It was also suggested that the Community Area Transport Group (CATG) may be able to help with this. If able to implement a new footpath this would also be of benefit to the residents of nearby Foxley Fields.

Other issues raised included the number of affordable homes on the site, as there were now only two affordable homes included in the scheme. However, it was noted that this met the 30% requirement.

It was suggested that it may be possible to amend the motion being discussed to add a condition that would ensure the implementation of the footpath. However, after discussion with planning officers it was determined that this could not be added as a condition due to ownership issues. However, it would be possible to add an informative.

Therefore, Cllr Connolly proposed an amendment to the motion, which was to add an informative suggesting that the parish council work with CATG to try and address the footpath issue. The final wording of the informative would be delegated to officers. This was seconded by Cllr Stewart Dobson. It was;

Resolved:

To amend the motion as proposed.

At the conclusion of the debate it was;

Resolved:

To grant planning permission with the following conditions and a section 106 agreement, as per the officer recommendation, with the addition of an informative, suggesting that the parish council work with CATG to try and address the footpath issue. The final wording of the informative would be delegated to officers.

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 & Rood 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.

20 INFORMATIVE TO APPLICANT:

The applicant / developer is advised to take every opportunity to provide new, or enhance, footpath facilities between the application site and the centre of the village and / or the B3098 through engagement and negotiation with the Parish Council and local landowners.

10. **18/10309/FUL - Old Manor Farm Yard, Old Manor Farm, Chandlers Lane, Bishops Cannings, SN10 2JZ**

Public Participation

Mr Richard Cosker, RCC Town Planning, spoke in support of the application.

Mr Anthony Heath, Architect, spoke in support of the application.

Mr James Robson, spoke in support of the application.

Senior Conservation/Planning Officer Morgan Jones, introduced a report which recommended that the application for the demolition of agricultural buildings and erection of two detached dwellings and associated works be refused.

Attention was drawn to two late representations, one from Bishops Cannings Parish Council who stated they had no objection to the application and a third party letter of support for the application.

Plans and photographs were shown to the meeting and key details were stated to include the following:

The site was comprised of former agricultural buildings associated with Old Manor Farm. The Old Manor Farmhouse itself, which was Grade II Listed, lies to the south of the site and was within the applicant's ownership. The Farmhouse had been damaged by fire but planning permission and listed consent had been granted for all of the dwelling to be rebuilt. The whole site lies within the Bishops Cannings Conservation Area and the North Wessex Downs Area of Outstanding Natural Beauty.

Key issues for consideration were stated to be the principle of development; design and impact on heritage assets & landscape character; ecological impact; and the impact on highway safety.

The Wiltshire Core Strategy (WCS) and Devizes Area Neighbourhood Plan (DANP) classed Bishops Cannings as a small village. Therefore it did not have a defined 'limits of development'. However, 'infill' was allowed if it met the housing needs of the settlement. Infill was defined as 'the filling of a small gap within the village that it is only large enough for not more than a few dwellings, or generally only one dwelling'. The site was on the periphery of the village and therefore the planning officer felt that it would not represent infill. This was one of the reasons the application was recommended for refusal.

It was stated that the conservation officer felt that the proportions of dwelling 1 were too large. As it was close to the Grade II listed farm house it would compete visually with it, rather than appearing as a subservient ancillary building. It was also stated that the overall scheme would harm the setting of the listed building and the character and appearance of the conservation area. This was another reason that the application was recommended for refusal.

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

The unitary division member, Cllr Philip Whitehead, spoke in support of the application. Cllr Whitehead felt that this site was central in the village and therefore the new dwellings would represent infill. The current agricultural buildings were ugly and deteriorating in condition, causing a blight on the village. The applicants had stuck to the pre-application advice on the design of the dwellings and therefore felt it was upsetting that the conservation officer had not chosen to support the application. Therefore Cllr Whitehead felt that the application should be supported.

Cllr Stewart Dobson proposed a motion to grant planning permission with conditions, the wording of which would be delegated to officers. This motion went against the officer recommendation. This was seconded by Cllr Paul Oatway.

A debate followed where the following issues were raised.

The buildings had been designed sympathetically and fit the environment. They looked similar to the buildings they were replacing and would improve the appearance of the site. The yard was no longer a working farmyard, small farms were now defunct and needed regenerating. In this case the old and useless would be replaced with new and useful. Some councillors felt that some of the policy needed updating. Whilst they understood that officers had to work within the policy it could be taken to extremes. Some councillors felt that the application proposal comprised infill whilst others felt it was not.

At the conclusion of the debate it was;

Resolved:

That planning permission be granted with conditions (the final wording of the conditions would be delegated to officers).

Reason:

The application could be classed as infill as defined in the WCS and therefore was acceptable in principle. The new buildings would not have a harmful impact on the setting of the listed building or the character and appearance of the site and conservation area.

- 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:**
 - Document. Planning Statement (October 2018) by RCC Town Planning;**
 - Document. Preliminary Ecological Assessment & Phase 2 Bat Surveys (July 2018) by Gareth Harris Ecology & Conservation;**
 - Document. Tree Survey, Arboricultural Impact Assessment and Tree Constraints Plan (ref 18.781) by WHLandscape;**
 - Drawing no.3439-01 (Plans & Elevations for New Dwelling 1 [showing Location Plan, Block Plan, & Proposed Site Plan]);**
 - Drawing no.3439-02 (Plans & Elevations for New Dwelling 1);**
 - Drawing no.3439-03 (Plans & Elevations for New Dwelling 2);**
 - Drawing no.3439-04 (Diagram for Yard Access Visibility Splays);**
 - Drawing no.19119-200-01 RevD [showing existing site / topographical plan].**

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

- 3. No development shall commence on site until a scheme for the discharge of surface water from the site, 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.

4. 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

5. 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.

6. 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.

7. 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.

8. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and

approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2012;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.
- In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.
- Subsequently and until the completion of all site works, site visits should be carried out on a regular basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

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 order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

- 9. No above ground 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:-**
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
 - finished levels and contours;**
 - car park layouts;**
 - all hard and soft surfacing materials;**

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

- 10. 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.

- 11. 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.

12. No dwelling shall be occupied, 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

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), 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.

14. The mitigation and enhancement measures to protect and enhance the habitat of the site as detailed in Section 7 of the approved Preliminary Ecological Assessment & Phase 2 Bat Surveys (July 2018) by Gareth Harris Ecology & Conservation 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:

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.

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.

11. **18/08304/FUL - Garage site adjacent 22 Saxon Rise, Collingbourne Ducis, SN8 3HQ**

Public Participation

Ms Rachel Steer, RCC Town Planning, spoke in support of the application.

Senior Planning Officer, Morgan Jones, introduced a report which recommended that the application for the demolition of garages and erection of two dwellings and associated works be granted subject to conditions and the completion of a S106 legal agreement to secure off site public open space contributions.

Attention was drawn to updated comments from the Highways Officer. The report had stated that there would be a net loss of a car parking space. However, it was clarified that there would in fact be a net gain of 2 car parking spaces. Therefore, the Highways Officer was happy with the number of parking spaces being provided. It was also noted that parking provision could be withdrawn at any time by the applicant, Aster Group, as it was private land.

Key details were stated to include the following:

The application proposed the demolition of an existing garage block and the redevelopment of the site with a pair of semi-detached dwellings. The site was within the village of Collingbourne Ducis, which was defined as a large village. The site was within the defined 'limits of development' and the design and scale were deemed acceptable. There was limited impact on neighbour amenity. The main issues with the proposal were parking and the loss of green space/recreational land.

There would be a loss of a small amount of grass verge which was deemed public open space. This loss would be recompensed by a financial contribution via a section 106 legal agreement.

Members asked for clarification regarding the parking situation. In response the officer stated that the site currently had 10 open air parking spaces and 6 garages. However, only 3 of the garages were in use, hence the requirement to provide 13 new parking spaces. The 3 garage users had been offered garages in a nearby block. The application provided 12 open air parking spaces, which brought the total of spaces to 15, resulting in the net gain of 2 parking spaces.

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

The unitary division member, Cllr Ian Blair-Pilling, spoke in objection to the application. Cllr Blair-Pilling had called the application in as he was aware there

was strong feeling within the community currently living in Aster Group homes regarding parking spaces. Therefore he felt that the matter should be aired publically. Although it was noted that the number of parking spaces provided had changed.

Cllr Mark Connolly proposed a motion that the application should be granted with conditions and the completion of a S106 legal agreement to secure off site public open space contributions, as recommended by the Planning Officer. The proposal was seconded by Cllr Paul Oatway, QPM.

A debate followed where the following issues were discussed:

Some members stated that whilst the application met with policy, they were not sure that it met the needs of the community. It was felt that the applicants had not approached the situation well. Members wished that Aster Group had attended the meeting. Aster Group were urged to consider their conduct and adhere to their ethical policies and statements.

At the conclusion of the debate it was;

Resolved:

That planning permission be granted subject to the following conditions and the completion of a S106 legal agreement to secure off site public open space contributions.

- 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: Location_1775 planning.dwg – Location Plan. Received – 30.08.2018

Ref: Location Plan. Received - 15.01.2019

Ref: P1_1775 planning A.dwg – Proposed Scheme. Received – 16.10.2018

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 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:
 - location and current canopy spread of all existing trees and hedgerows on the land;
 - full details of any to be retained, together with measures for their protection in the course of development;
 - 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.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the 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.

6. No dwelling hereby approved shall be first occupied until the parking spaces together with the turning provision and access thereto, have been provided in accordance with the approved plans.

These areas shall be maintained for those purposes at all times thereafter.

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

- 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 eastern elevation of the development hereby permitted.**

REASON: In the interests of residential amenity and privacy.

- 8. No development shall commence on site until a scheme for the discharge of foul drainage from the site including details of how it will be implemented to ensure it results in a sealed system, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul drainage system has been constructed in accordance with the approved scheme.**

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 that the development can be adequately drained and that no groundwater enters the foul water drainage system within the site.

- 9. 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.

11. 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 .

12. INFORMATIVE TO APPLICANT:

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

13. INFORMATIVE TO APPLICANT:

The applicant's attention is drawn to the comments received from Wessex Water with regard this application in their letter dated 17.09.2018.

12. 18/09811/FUL - Stables Cottage, Lower Chute, SP11 9DX

Public Participation

Mr John Pead, spoke in objection to the application

Ms Ann Rudland, spoke in objection to the application.

Ms Annie Griffiths, spoke in objection to the application.

Ms Stella Coulthurst, applicant, spoke in support of the application.

Mr Aaron Smith Agent, spoke in support of the application.

Cllr Jim Haines of Chute Parish Council spoke in objection to the application.

Cllr Sue Stock of Chute Forest Parish Council spoke in objection to the application.

Development Management Team Leader, Karen Guest, introduced a report which recommended that the application for the demolition of Stables Cottage and the erection of two dwellings with access and parking be granted subject to conditions.

Attention was drawn to an error in paragraph 2 of the officer report, which stated that Collingbourne Ducis Parish Council had objected. In fact, it was Chute Parish Council and Chute Forest Parish Council who had objected. It was also noted that at the request of third parties, councillors had been provided with a full copy of the wording of Wiltshire Core Strategy policy CP2 (Delivery Strategy), as this had not been copied out in full in the officer report. In particular, attention was drawn to the section on Outside the Defined Limits of Development and the criteria that sets out when infill development would be acceptable in small villages.

Key details were stated to include the following:

The site was situated in the main built-up parameters of the village of Lower Chute, which was defined as a Small Village by Wiltshire Core Strategy policies CP1, CP2 and CP26. The site was situated within the Chute Cadley/Lower Chute Conservation Area. Whilst there were listed buildings in the vicinity of the site, none were situated immediately adjacent to or on the site. The site was also within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The application proposed the demolition of the existing bungalow on the site and its replacement with two new one-and-a-half storey dwellings.

It was stated that the principle of development was acceptable and would constitute 'infill'. No objections had been raised by the conservation officer. It was stated that the application would not cause significant harm to neighbour amenity or highway safety, and that the ecologist had confirmed that the application would not cause harm to protected species.

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

The unitary division member, Cllr Blair-Pilling, spoke in objection to the application. Cllr Blair-Pilling stated that he had called the application in due to strength of public opinion against it in the local community. Once again the principle of infill development was the crux of the matter. It seemed that there was a degree of interpretation involved in determining whether a development was infill as defined in WCS CP2 and different people came to different conclusions.

Cllr Mark Connolly proposed a motion that the application be granted with conditions as per the officer recommendation. The motion was seconded by Cllr Paul Oatway, QPM.

A debate followed where the following issues were discussed:

Cllr Oatway, QPM stated that he felt that development near the site was quite dense, rather than sporadic or loose-knit and therefore that the planning officer had been right to determine that the application constituted infill development.

Cllr Dobson felt that Plot 1 was far too near the road and that he could not understand why the footprint of the existing cottage was not used. Therefore he would not be supporting the current motion.

The Chairman stated that the Committee had to look at the application before them and determine the application on planning grounds.

At the conclusion of the debate it was;

Resolved:

That planning permission be granted with 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/communityinfrastucturelevy.

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.

At 5.20pm the Chairman temporarily adjourned the meeting for a comfort break. The meeting reconvened at 5.30pm.

13. 18/08874/FUL - Hawthorn Farm, The Street, Marden, SN10 3RQ

Public Participation

Ms Kate Fielden from the Campaign to Protect Rural England, spoke in objection to the application

Mr Richard Cosker from RCC Town Planning, spoke in support of the application.

Ms Sandra Lovell, Architect, spoke in support of the application.

Mr James Purves, Applicant, spoke in support of the application.

Cllr Julia Lloyd-Hughes of Marden Parish Council spoke in support of the application.

The Planning Officer Nick Clark, introduced a report which recommended that the application for the demolition of existing buildings in mixed-use and the construction of a single detached family dwelling be refused.

The officer read the definition of 'infill' to the committee as it was pertinent to the application. The definition stated that infill was 'the filling of a small gap within the village that was only large enough for not more than a few dwellings; generally only one dwelling. The development must also be within the built area of the village.

Key details were stated to include the following:

The site was not within the recognised Limits of Development of the village, was outside of the built area of the village and was not within a small gap. Therefore it could not be considered 'infill'. As such it would be contrary to WCS CP1, CP2 and Core Policy 18 of the Pewsey Community Area Strategy.

Consultation responses were summarised by the officer. There had been 10 letters of support from local residents and the parish council supported the application. The Conservation Officer, the Campaign to Protect Rural England and 5 local residents had objected to the application.

The officer stated that a redevelopment of the site that reflected the agricultural nature of the site and the character of the village may potentially be considered favourably. However, it was felt that the proposal was of excessive size and scale and that the Georgian design would be out of keeping. As such, it did not meet the requirement of WCS CP57 and CP58.

Therefore it was stated that the application was contrary to policy and as such it was recommended for refusal.

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

The unitary division member, Cllr Paul Oatway, spoke in support of the application. Cllr Oatway thanked members for visiting the site. He stated that Hawthorn Farm was derelict, it would never farm again and the current buildings were an eyesore. The applicants were not developers but were active members of the village community who would live in the proposed dwelling. There was a unique mix of buildings in the vicinity of the site and it was not felt that the application would stand out. In fact the high quality design of the dwelling would meet with CP57.

Cllr Paul Oatway, QPM, proposed a motion to approve planning permission with conditions (against officer recommendation), with the final wording of the conditions delegated to officers. This was seconded by Cllr Stewart Dobson.

A debate followed where the main issues raised were:

If the application was just in a field then it would be unacceptable, however, it was noted that there were other buildings nearby. The issue seemed to be the scale and design of the dwelling, as even officers had stated that something more appropriate could be built there so it was hard to see how WCS CP1 and CP2 could be used to refuse the application. It was felt that as the site was large, a small building would be inappropriate.

It was stated that although officers had made the recommendation in accordance with policy, it was very hard to apply the policy consistently to different villages as they were all different in make-up. Some members stated they were surprised by the variety and number of large complimentary houses close to the site and thought that this application would complement the village.

Other members felt the proposed dwelling was too big and was out of context.

At the conclusion of the debate it was;

Resolved:

That planning permission be granted with conditions (against officer recommendation), with the final wording of the conditions delegated to officers.

Reason

The application was felt to be 'infill' and as such was not contrary to WCS CP1 and CP2. The application was high quality design and therefore was not contrary to WCS CP57.

- 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 drawings and documents:**

- Location Plan (2677-000)**
- Block Plan (2677-PR001)**
- Topographic Survey (SU-01)**
- Detail Floor Plans (SU-01)**
- Elevations (SU-01)**
 - Ground Floor & First Floor Plans (2677-PR002)**
 - Attic Plan (2677-PR003)**
 - Proposed Front Elevation (North-West) (2677-PR004)**
 - Proposed Side Elevation (South-West) (2677-PR005)**
 - Proposed Back Elevation (South-East) (2677-PR006)**
 - Proposed Side Elevation (North-East) (2677-PR007)**

- Section A-A (2677-PR008)
- Section B-B (2677-PR009)
- Proposed Car Port (2677-PR010)
- Landscape Strategy (18.759)
- Protected Species Survey & Mitigation Strategy (13th September 2018)

REASON

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

3. The development hereby permitted shall not be carried out other than in full accordance with the requirements (including pre-demolition requirements) of the Mitigation and Enhancement Strategy as set out in the approved Protected Species Survey & Mitigation Strategy.

REASON

To ensure the protection of bats and birds affected by the development, in the interests of the biodiversity of the area.

4. i) No development of the new dwelling or car port shall commence above ground floor slab level until details of the following have been submitted to and approved in writing by the local planning authority:
 - a) external bricks,
 - b) the timber cladding and finish to be used on the exterior of the car port,
 - c) details of materials and finishes to be used in all soffits, fascias and bargeboards, and
 - d) detailing, materials and finishes to be used on the chimneys;

such details to include for example, written descriptions, product literature and photographic examples, and if requested, samples to be made available for inspection on-site.

- ii) The development shall not be carried out other than in accordance with the so-approved details.

REASON

In the interests of visual amenity and the setting of the adjoining conservation area and nearby listed buildings.

5. i) The materials, finishes, facing brick bond, mortar and detailing to be used in the development hereby permitted shall not be other than as shown and specified on the approved drawings.
- ii) Rainwater goods shall not be other than of cast metal construction with a painted black finish.

iii) Windows in the main body of the dwelling shall not be other than sash windows of timber construction with a painted finish.

iv) Windows and doors in the rear single storey of the dwelling shall not be other than of timber construction with a painted finish.

REASON

In the interests of visual amenity and the setting of the adjoining conservation area and nearby listed buildings.

Prior to first occupation of the development there shall have been submitted to and approved in writing by the local planning authority full details of all boundary treatments including details of any existing fences to be retained and the details of any new front gates.

REASON

In the interests of certainty and the rural character of the area and the setting of the Marden Conservation Area and nearby listed buildings.

6. i) All soft landscaping as detailed on the approved drawings shall be carried out in the first planting and seeding season following the first occupation of the building or the substantial completion of the development whichever is the sooner.

ii) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.

iii) Any trees or plants (including those shown to be retained on the approved drawings) 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, or as otherwise agreed in writing by the local planning authority.

iv) All hard landscaping as shown on the approved drawings and boundary treatments and gates as approved under the condition above shall be carried prior to first occupation of the development.

REASON

To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features in the interests of the rural character of the area and setting within the North Wessex Downs AONB.

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), there shall be no additions to, or extensions

or enlargements of any building forming part of the development hereby permitted.

REASON

In the interests of the amenities of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

8. i) No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority.

ii) The so-approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON

In the interests of the amenities of the area and North Wessex Downs AONB and to minimise unnecessary light spillage above and outside the development site.

14. **18/10206/FUL - Harestone House, Church Lane, East Kennett, SN8 4EY**

Public Participation

Mr Graham Kitchen, Warden of East Kennett Church, spoke in support of the application.

Mr Howard Waters, Agent, spoke in support of the application.

Cllr Leslie Jenkinson of East Kennett Parish Council spoke in support of the application providing the redevelopment was sensitive.

The Planning Officer Ruaridh O'Donoghue, introduced a report which recommended that the application for the proposed development of four dwellings, and the extension and alterations to the existing property known as Harestone House, with associated change of use of equine yard, removal of modern barn & stables, and the introduction of car parking and WC facilities for church visitors be refused.

Key details were stated to include the following:

East Kennett was a small village and as such was only suitable for 'infill' development. There were no listed buildings on the site however there was a mix of buildings, from modern stable blocks to historic buildings like Harestone House that could be considered to be significant unlisted buildings. The site was currently being unofficially used as a builders storage yard which was unsightly. The site was adjacent to the grade II listed building Christ Church. The site was within the Avebury World Heritage site and the AONB.

The proposal included 4 new dwellings and a large extension to Harestone House. As well as a change of use from an equine yard, the removal of modern stables and the introduction of toilet facilities for the church. All dwellings would utilise the shared access off Church Lane. The courtyard would also provide a parking area for the church, consisting of 10 parking spaces and a small footpath through to the church.

The officer stated that the harms of the scheme included the following. It could not be considered infill development as it was on the edge of the village (not the filling of a small gap) and was more than a few dwellings, and would therefore be contrary to WCS CP1 and CP2. The design was not deemed to meet the high standards required by CP57 of the WCS. It was also felt that the high density urban nature of the development would not preserve or enhance landscape character and therefore conflicted with WCS CP51.

However, it was noted that the scheme did have benefits. These were stated to include the dedicated parking for the church, which would reduce parking problems on Church Lane and the public benefit to the village of the proposed WC's. There was also a benefit to removing the current buildings on the site.

On balance the officer stated that it was not felt that the benefits outweighed the harm and therefore the scheme was recommended for refusal.

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

The unitary division member, Cllr Jane Davies, spoke in support of the application. Cllr Davies stated that East Kennett was a small, vulnerable village that had no community facilities. The neighbouring church and the majority of the village supported the application. There was very little affordable housing in the village or smaller houses suitable for young families. Although none of the houses were designated as affordable housing, their smaller size would encourage young people into the village. There would be community benefits to having parking and WC's for the Church, which was the only place in the village that could be used as a community facility.

Cllr Richard Gamble proposed a motion to grant planning permission with conditions (against officer recommendation), with the final wording of conditions to be delegated to officers. This motion was seconded by Cllr James Sheppard.

A debate followed where the following issues were discussed.

Some members stated that this could be classed as 'infill' and as such it did comply with WCS CP1 and CP2. Others disagreed and felt that as there were four new properties being provided it could not be constituted as 'infill'.

Some councillors stated that the design was high quality and therefore did meet the requirements of WCS CP57. It would certainly constitute an improvement on

the modern stable blocks currently on the site. It was also a major public benefit to the village.

Most members stated that the public benefit was the issue here, the scheme would be of great benefit to the village. This included the benefit of the only community facility in the village having parking and WC's. Also the smaller size of the dwellings would make them more affordable. It was felt that this benefit outweighed any harm.

Other issues discussed included the scheme of parking shown in the application – concerns were raised that a parking space for one of the dwellings appeared to be directly outside one of the other dwellings bedroom windows. At the request of the committee this was clarified by the architect, who using slides from the earlier presentation explained the parking scheme and showed that this was not in fact the case.

At the conclusion of the debate it was;

Resolved:

That planning permission be granted with conditions (against officer recommendation), with the final wording of conditions to be delegated to officers.

Reason:

The public benefit to the scheme was considered to outweigh any harm.

- 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**
- Drg No. 17119.01-A - Site Location Plan**
- Drg No. 17119.02-C - Site Block Plan**
- Drg No. 17119.04-A - Site Layout & Sections**
- Drg No. 17119.05 - Plots 1-3: Plans and Elevations**
- Drg No. 17119.06 - Plot 4: Plans and Elevations**
- Drg No. 17119.07 - Harestone House**

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

Within 3 months of the demolition of the existing buildings to be demolished on site, all of the materials and debris resulting there from shall be removed from the site.

REASON: In the interests of the character and appearance of the Conservation Area and the scenic qualities of the North Wessex Downs AONB.

4. No development shall commence on site above ground floor slab level 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 as it is within a groundwater vulnerability zone.

5. No development shall commence on site above ground floor slab 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 the character and appearance of the Conservation Area and the scenic qualities of the North Wessex Downs AONB.

6. No development shall commence on site above ground floor slab level until details of all eaves, verges, windows (including head, sill and window reveal details), doors, 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: In the interests of the character and appearance of the Conservation Area and the scenic qualities of the North Wessex Downs AONB.

7. All new windows and doors shall be flush fitting timber casements and maintained as such in perpetuity.

REASON: In the interests of securing high quality design, the character and appearance of the Conservation Area and the scenic qualities of the North Wessex Downs AONB.

8. All soft landscaping comprised in the approved details of landscaping (Fig 5 (18.794) contained within the LVIA) shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees

and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development which is within the North Wessex Downs AONB.

9. No part of the development hereby permitted shall be brought into use 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.

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

REASON: In the interests of the character and appearance of the Conservation Area, the scenic qualities of the North Wessex Downs AONB, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

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

REASON: In the interests of the character and appearance of the Conservation Area, the scenic qualities of the North Wessex Downs AONB.

12. The development hereby approved shall be carried out in strict accordance with the Ecological Assessment carried out by Malford Environmental Consulting dated 26th June 2018.

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

Excluding the demolition works hereby approved, no development shall commence within the area indicated (proposed development site) until 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

The approved programme of archaeological work will be carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

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

REASON: In the interest of neighbour amenity and the tranquillity of the North Wessex Downs AONB.

No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interest of the environment and neighbour amenity.

Prior to the occupation of the second dwelling, the WC, car park and passageway to serve the church shall be constructed in accordance with the approved plans.

REASON: In the interest of providing the community facilities set out in the application particulars as this was a material consideration in the decision to grant planning permission.

15. Urgent items

There were no urgent items.

(Duration of meeting: 3.00 - 6.45 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail tara.shannon@wiltshire.gov.uk

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