

Date of Meeting	31March 2011
Application Number	E/10/1620/FUL
Site Address	Wansdyke Farm Ham Spray Marlborough Wiltshire SN8 3QZ
Proposal	Demolition of redundant farm buildings and a cottage. Removal of slurry pit. Erection of one replacement dwelling with associated outbuildings; residential barn conversion with associated outbuildings, landscaping and access; creation of two statutory public bridle paths and one permissible public footpath; restoration of farmland with associated landscaping and biodiversity improvements, re-contouring of land.
Applicant	Mr Paul Clarke
Town/Parish Council	Ham
Grid Ref	
Type of application	Full Planning
Case Officer	Victoria Cains

Reason for the application being considered by Committee

The application has been called to committee by the local division member.

1. Purpose of Report

To consider the recommendation that the application be approved.

2. Report Summary

The main issues to consider are:

- Whether the proposal is acceptable in principle
- Whether the proposal would have a detrimental impact on the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Whether the design of the two dwellings and associated buildings are acceptable
- Whether the scheme would give rise to an adverse impact upon residential amenity
- Whether the scheme would cause harm in respect of highway safety
- Whether the scheme would cause harm to protected ecological species and/or their habitats
- Whether the proposed footpaths are acceptable both in terms of their suitability for formal adoption by the Council and in respect of their impact upon adjacent farmland
- Impact upon the setting of the adjacent listed Ham Spray House

3. Site Description

The site comprises two redundant farms (Wansdyke Dairy Farm and Manor Farm) which are situated at either edge of the village of Ham, together with approximately 120 acres of intervening farmland which falls between the two sites. The site, as a whole, lies in the valley at the foot of Ham Hill and Ink Pen Hill, which together form a steep scarp ridge to the south. The two sites are therefore visible not only within their immediate context but also from the elevated rights of way network on the downland to the south. The site also lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).

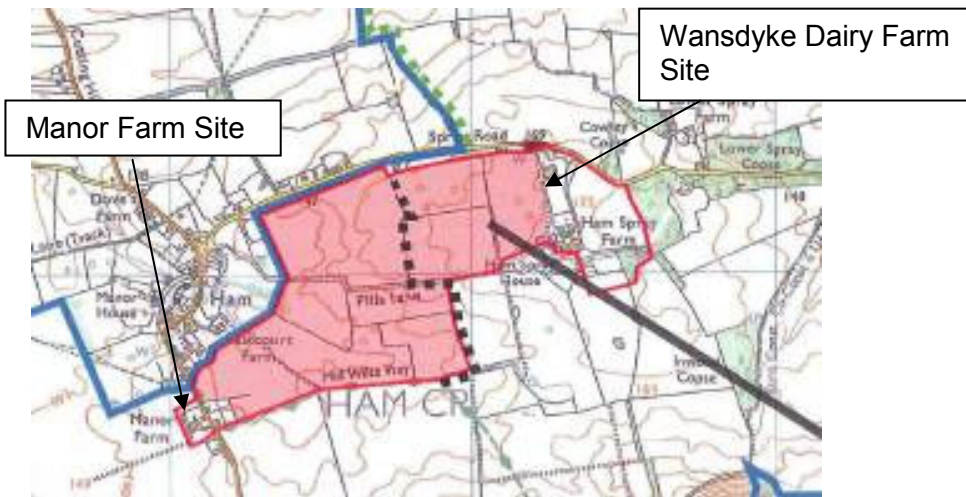


Plate 1: Application Site (not to scale)

Wansdyke Dairy Farm was, until the recent change in ownership, a working dairy farm. It lies approximately a third of a mile to the east of the village of Ham, in a remote rural location at Ham Spray. It comprises numerous modern farm buildings, silage clamps, slurry pit and 3 dwellings (one of which is to be demolished as part of this application). The farm was historically called Ham Spray Farm and associated with this is Ham Spray House, which is grade II listed. Plate 2 below shows the extent of the site in so far as it refers to Wansdyke Dairy Farm and plate 3 contains photographs of the site.

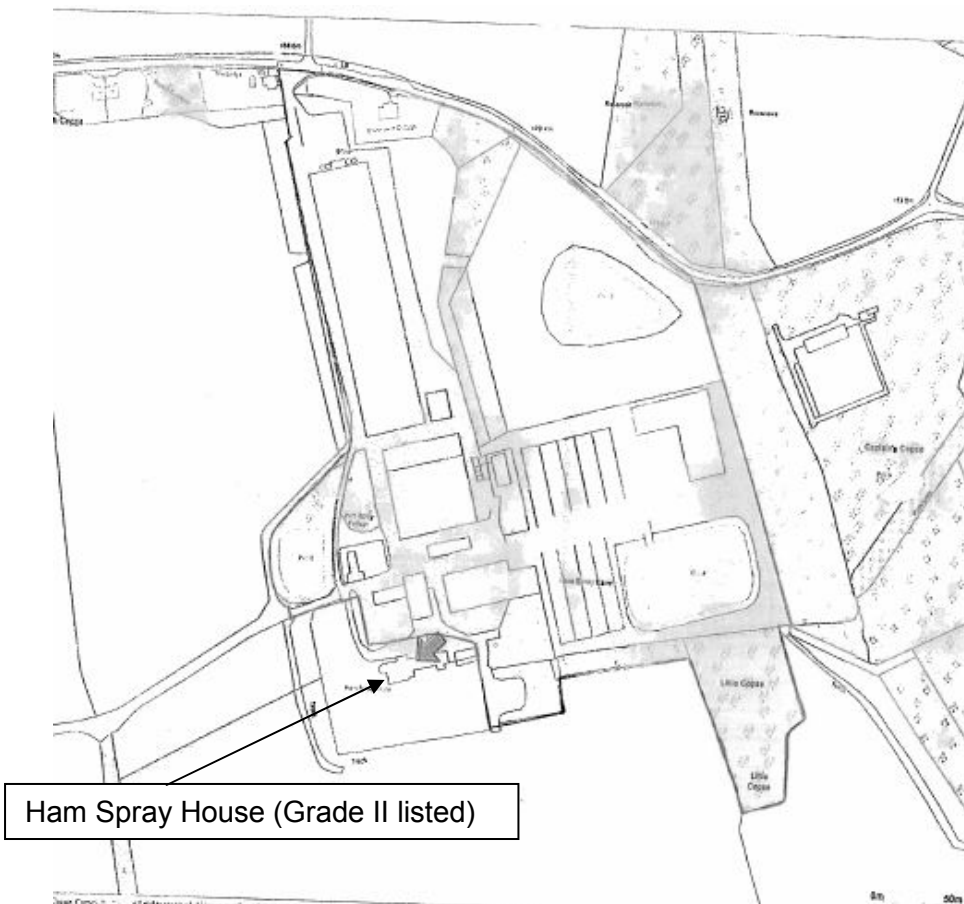


Plate 2: Wansdyke Dairy Farm Site Plan (not to scale)

Plate 3 (below): Photograph of Wansdyke Dairy Farm Site



Manor Farm lies at the opposite extent of the village from Wansdyke Dairy Farm, being situated beyond the southern edge of the built up area of the village. This site comprises an historic barn alongside a small group of modern farm buildings and areas of hardsurfacing. Plate 4 below shows the extent of the site in so far as it refers to Manor Farm and plate 5 contains photographs of the site.

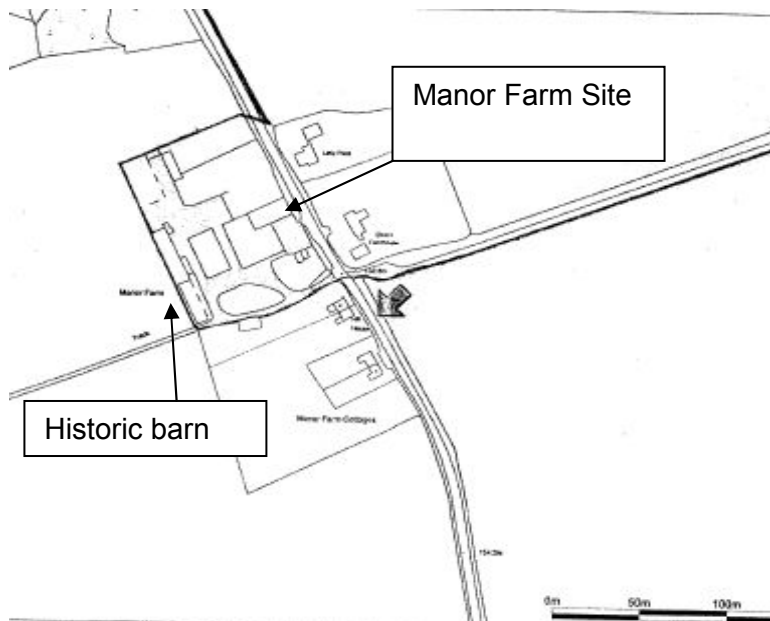


Plate 4: Manor Farm Site Plan (not to scale)



Plate 5 Photograph of Manor Farm Site

4. Planning History

Planning application E/10/1334/FUL proposed a similar scheme to that now under consideration and was withdrawn further to objections raised by your officers in respect of the scale of the scheme, visual impact and consequently the principle of the development. This scheme proposed significantly larger dwellings and the package of AONB improvement measures were slightly different.

There is no planning history of relevance at Manor Farm. In respect of Wansdyke Dairy Farm, the most relevant application is E/09/0663/FUL. Retrospective consent for the retention of a straw barn, machinery storey, straight store, slurry handling store, silage clamps, attenuation pond and cattle building was granted by committee. These buildings form a large part of the site at present and, in particular, the cattle building represents a significant physical feature.

5. The Proposal

This application comprises a number of elements which must be viewed as a whole. Essentially, the main build components of the application are:

- (a) The erection of a large country house and associated outbuildings/landscaping within the countryside of Ham Spray, on the redundant Wansdyke Dairy Farm site. This is to replace both the extensive agricultural buildings complex here and a smaller cottage elsewhere within the site which is to be demolished.
- (b) The conversion and extension of an historic barn to residential use, also within the open countryside of Ham at the Manor Farm Site.

Accompanying these two residential dwellings, the application also includes a number of other aspects, including landscape and environmental improvements to the AONB:

- (a) Demolition of the existing large range of redundant farm buildings and slurry pit at Wansdyke Farm;
- (b) Demolition of Greensand Cottage adjacent to the Wansdyke Dairy Farm site;
- (c) Creation of two new statutory/definitive bridlepaths;
- (d) Creation of one permissive footpath;
- (e) Restoration of an area of farmland between the two farm sites, including landscaping and biodiversity improvements;
- (f) Creation of new access at Manor Farm;
- (g) Alteration to existing access at Wansdyke Dairy Farm, and
- (h) Re-contouring of land and creation of new internal access track at Wansdyke Dairy Farm.

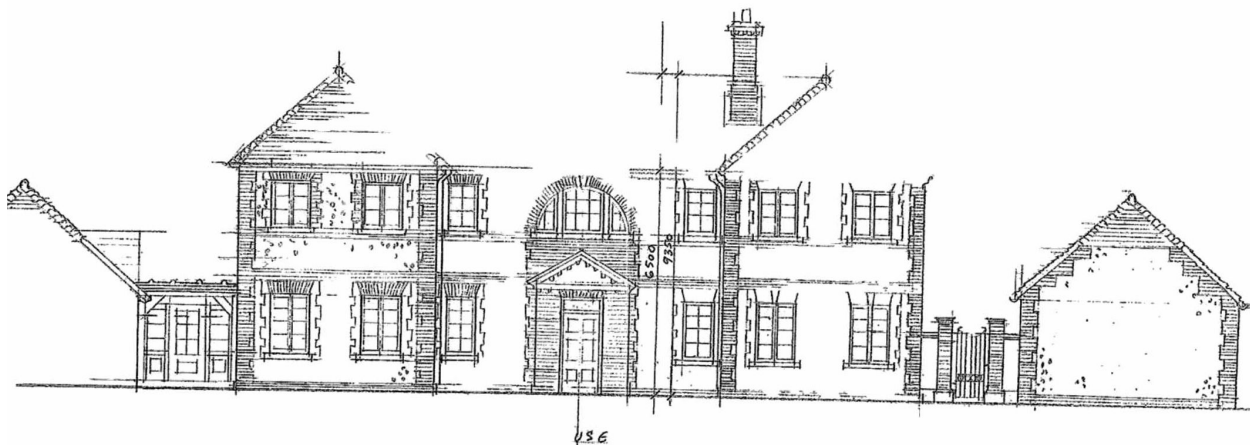
During its consideration, the application has been amended to (a) expand and improve upon the landscaping principles at each site; (b) remove the new access proposal at Wansdyke and re-use and improve the existing farm access; (c) provide plans showing the defined residential curtilage for each plot; (d) provide basement plans for the Wansdyke site and (e) remove a ground floor window in the guest barn at the Manor Farm site.

Set out below are extracts from the plans showing the key elements of the planning application:

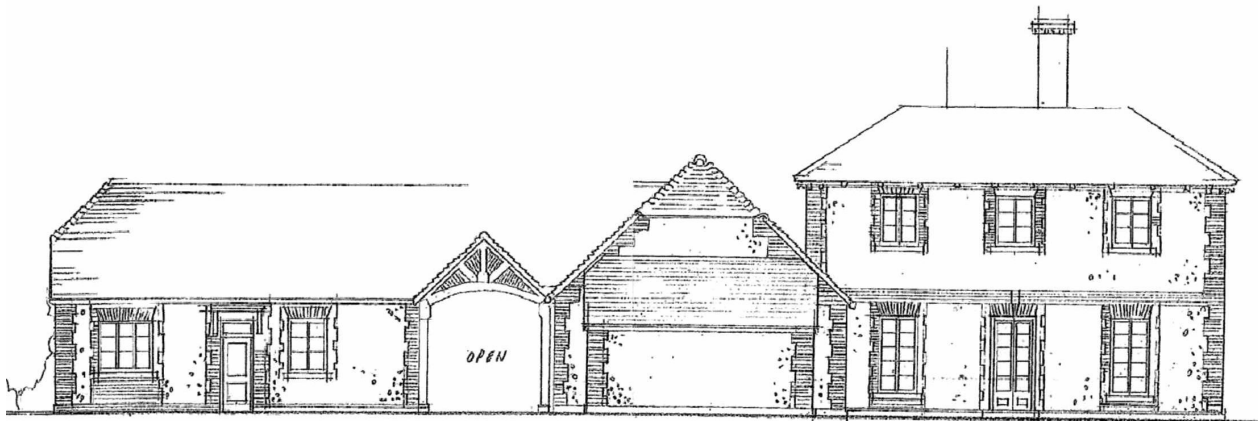
Plate 6 (below): Part elevations of the proposed new dwelling and outbuildings at Wansdyke Dairy Farm (not to scale)



Part of the south (rear) elevation of the dwelling facing towards the open countryside

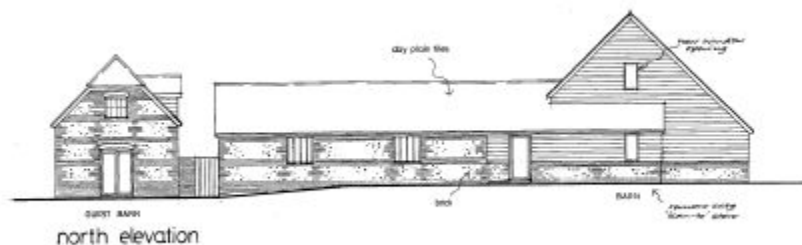
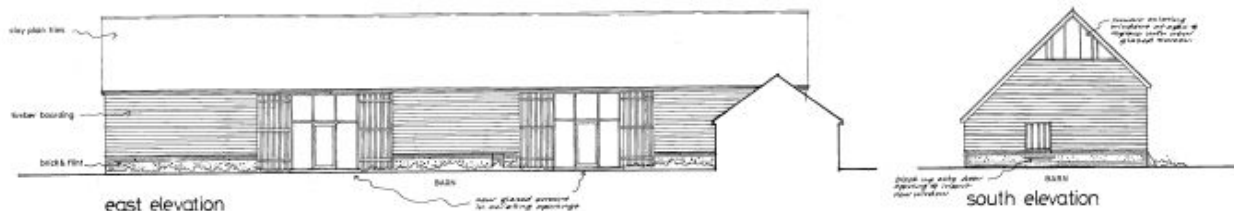


Part of the north (front) elevation of the dwelling



East (side) elevation of main house, staff wing and pool

Plate 7 (below): Part elevations of the proposed new dwelling (conversion and new build) at Manor Farm (not to scale)



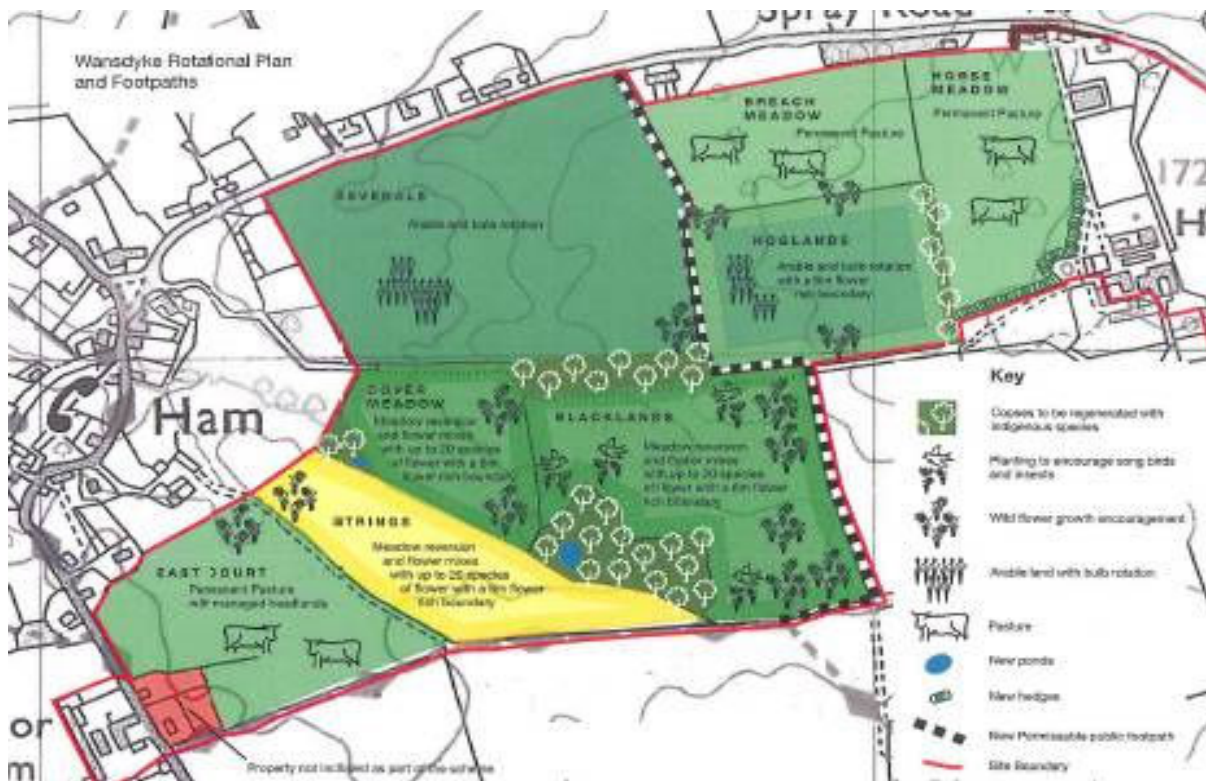


Plate 8: Regeneration area (indicative)

6. Planning Policy

Both sites lie, in planning terms, within the open countryside of the AONB where planning policies HC25 (replacement dwellings), HC26 (dwellings within the open countryside), PD1 (general development principles) and NR6 (sustainability and protection of the countryside) of the local plan (saved policies) are the pertinent considerations.

In respect of central government advice, PPS5 (Planning and Historic Environment), PPS7 (Sustainable Development in Rural Areas) and PPS9 (Biodiversity and Geological Conservation) are relevant to the determination of this application. Alongside this, the North Wessex Downs Management Plan (2009) and Kennet Landscape Conservation Strategy Supplementary Planning Guidance (2005) are material considerations.

7. Consultations

The comments below represent a summary of those received to date. Any additional comments will be reported verbally at the meeting.

Ham Parish Council –

Councillors agreed that they supported the application (both in its original and amended forms) subject to:

- a) covenants being agreed and signed which gave a beneficial interest to the Parish Council and restricted any development, both now and in the future, to the envelope/footprint of the proposed plans; and
- b) a section 106 agreement for the regeneration area being entered into by the applicant; and
- c) should the current or future owner of the Wansdyke estate wish to erect additional agricultural buildings, these must be sited at Lower Spray so that they do not adversely impact the village or its surroundings.

Wiltshire Council Development Control Engineer –

No objection to the new highway alterations at either site subject to conditions in respect of provision of accesses as shown, visibility splays, surfacing of the first 4.5 metres of the accesses, position of gates and permanent closure of existing access at Manor Farm.

Wiltshire Council Environmental Health Officer –

No objection subject to conditions ensuring that the findings of the reports submitted with the application in respect of soil testing in the area to be gardens following demolition is carried out. Furthermore, the Council should view any reporting into the findings of this survey including remediation proposals if deemed necessary.

Likewise, the recommendation for a visual assessment of areas under and around the oil storage tanks needs to be secured by a condition and this should include a remediation and validation strategy if contamination has occurred.

Wiltshire Council Rights of Way Officer –

No objection – support for the new bridleways and permissive path. The bridleways would be useful additions to the network for riders. The applicants will, however, have to pay for the making of a dedication agreement and any onerously expensive maintenance requirements.

Wiltshire Fire & Rescue Service –

No objection – generic fire safety advice provided.

Wiltshire Council Ecologist –

No objection subject to conditions ensuring:

- a) All development shall be carried out in accordance with the mitigation measures for bats and barn owl set out in the submitted ecology report, and
- b) Prior to commencement of development, the Regeneration Area shall be subject to an ecological survey by an experienced ecologist. The recommendations of this ecological survey shall inform an Ecological Management Plan for the area, which shall be approved by the Local Planning Authority.

Environment Agency –

No objection subject to conditions in respect of surface water drainage and groundwater and contaminated land being imposed alongside informatives regarding private foul drainage, water efficiency, waste, site management and oil storage forming part of any approval.

North Wessex Downs Planning Officer -

The North Wessex Downs AONB raise no objection to this application subject to conditions and a legal agreement to ensure that all the landscape improvement works offered as part of this application are secured. This form of development would not normally be acceptable in itself, however the North Wessex Downs AONB accept in this case that there will be positive benefit to come from the scheme.

8. Publicity

A site notice has been posted and neighbour notification has taken place. 3 letters of objection have been received to the scheme. Any comments subsequently received will be reported verbally at the meeting. The comments received so far raise the following key concerns.

1. The so called 'enhancement', and associated re-contouring of the central area of the land, is completely unnecessary, and is intended only as a sop to the villagers. It has no bearing on the main purpose of this application which is for permission to build residential property on agricultural land, and would only serve to turn an area already designated as 'of outstanding natural beauty' into something unnatural and contrived. It would also involve a change of land use from agricultural to something approaching horticultural (fairyland ornamental gardens). The village does not need it.
2. Such 'enhancement' would also require permanent maintenance and would therefore, at some time in the future, have to become self-financing, with all that that would imply for the village and its residents. Or, alternatively, it would be left to deteriorate into something neither natural nor beautiful. The present landscape would not be recoverable and the area would be scarred forever.
3. The planning officer drew specific attention to this matter in her letter to the applicant (June 2010) with regard to the previous application 0334. Quote - "As it stands, the landscape is already of high visual quality, hence its inclusion within the AONB designation. The area has an intrinsic special quality and farms and their associated land and buildings form part of this". She also implied that she considered the 'enhancement' proposal to be a ruse (*my word*) to justify the building proposals

within the application "despite (*them*) being contrary to policy".

4. I also believe that the extent and character of the residential developments proposed are not suited to a village of this size and character. The idea of converting a barn into a mansion is no different from building a mansion to look like a barn - as with the proposal to erect new residential buildings to look like farm buildings - all of which will add even further to the fake Disneyland effect that these proposals as a whole will have on the village.
5. Were this application to succeed it would have an adverse effect on the village over a wide area, I believe the Planning Authority should take into account that the so-called 'Enhancement' proposal would have the effect of turning a great swathe of village land into a virtual private estate to the proposed new properties.
6. My initial reaction is that in principle this application is not a great deal different from the one which was turned down earlier in the year. One difference being that the original proposed residential house was to be a replacement dwelling but the new application is for an agricultural barn to be converted into a house, with extensions and other ancillary outbuildings, which would give a total floor space in the region of 7,000 square feet. To quote from the Wiltshire Councils objection letter 'The proposed dwellings will be large detached countryside houses.....inappropriate within the countryside of the North Wessex Downs AONB. I am also concerned about the harmful precedent that could be set in approving such a scheme' The barn conversion would be between two and three times the size of any nearby residential property.
7. I am also concerned that if planning permission was to be given for a barn conversion, a future owner of the site might successfully apply to build a larger house on the same site. There is a precedent for this concern, namely, my neighbour bought a bungalow with planning permission to build a 3 bedroom thatched cottage and he then applied successfully to build a three story 5 bedroom house with a tiled roof!
8. One of the proposed footpaths abuts land belonging to Doves Farm and would compromise one of the few areas where the farm owners have been able to soften the environmental impact of modern agriculture and encourage environmental biodiversity. This is the only part of the farm which is not already dissected by, or very close to, a public right of way. The area in question has been developed as a wildlife sanctuary with two areas in the Countryside Stewardship Scheme. If the new path is constructed, walkers and riders would have a negative effect and disturb the natural ambience and wildlife habitat. An alternative proposal would be to create a new bridlepath adjacent to a current farm track.
9. Wansdyke is a large farm and needs a good complement of farm buildings. If the current buildings are all removed there will be new applications for more buildings on greenfield areas which will be hard to refuse under current legislation.
10. This farm has changed owners 4 times in my adult life and each new owner wants new farm enterprises, it is folly to allow the great majority of the buildings and farmyard to disappear.
11. If the Council are minded to approve this application then one or two mansions is not what is best for the community. Ham already has a disproportionate amount of larger houses and these tend to be owned as second homes by people. This adds very little to the social cohesion of the village nor do they contribute to village life. There is much in planning legislation regarding encouraging a mix of residential properties, including social housing in larger schemes. This application flies in the face of such matters, so a few smaller houses would be closer to the spirit of planning guidance.
12. As a direct neighbour to the Manor Farm site, we have been in discussions with the applicant's agent, who had agreed to remove the window on the east elevation of the Guest Barn, but this window has not been removed from the latest plans (drawing no:100803-04). In our opinion, this window is intrusive as it looks out over the road and directly faces our house, and it is also the only window on this elevation on either the Guest Barn or garage/cartshed and as such looks out of place and is unnecessary. The plans show that there are already 2 windows in this room of the Guest Barn so in our opinion there will already be plenty of light, without the requirement for this further window on the east elevation.

9. Planning Considerations

It is considered that the main issues in determining this application are:

- Whether the proposal is acceptable in principle
- Whether the proposal would have a detrimental impact on the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Whether the design of the two dwellings and associated buildings are acceptable
- Whether the scheme would give rise to an adverse impact upon residential amenity
- Whether the scheme is acceptable in respect of highway safety
- Whether the scheme would cause harm to protected ecological species and/or their habitats
- Whether the proposed footpaths are acceptable both in terms of their suitability for formal adoption by the Council and in respect of impact upon adjacent farmland
- Impact upon the setting of the adjacent listed Ham Spray House

Whether the proposal is acceptable in principle

In deciding whether to accept this scheme in principle, Members need be aware of the policy and legislative context as well as the material considerations which your officers consider relevant. The national and local planning policy context is well established and quite clear in that new dwellings within the open countryside should be highly restricted in principle, both on sustainability and landscape impact grounds. However, as the site lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) the Council also has a duty under Section 85 of the Countryside and Rights of Way (CROW) Act 2000 when *“exercising or performing any functions in relation to or so as to effect an AONB, the authority shall have regard to the purpose of conserving and enhancing the natural beauty of the AONB”*. This legislative duty plays an important role in determining this particular application.

Wansdyke Dairy Farm: Judged on its own, the erection of the large detached country house within the open countryside is considered contrary to national and local planning policy. The scheme does not accord with HC25, the replacement dwelling policy, because it is in a very different location to the one that it replaces and is significantly larger than the dwelling to be demolished. Neither does the scheme accord with HC26 relating to housing within the countryside as the proposed dwelling is not required for the needs of an agricultural or forestry worker nor is it a form of holiday accommodation.

Manor Farm: Likewise, Manor Farm also falls, in planning terms, within the open countryside where the proposed residential conversion of the barn is contrary to policy HC26. Policy HC26 does allow for the residential conversion of a listed building within the countryside where this is the only economic means of retaining the structure but the barn in question is not a listed structure.

Material Considerations: Therefore, in strict policy terms, both schemes are considered to conflict with existing planning policies on residential development. However, it is your officers view that there are material considerations which, in this instance, justify overriding the established policy stance:

- (i) In their reduced form and improved design, the visual impact of the two dwellings upon the character and appearance of the AONB has been significantly lessened since the previous submission. The existing farm buildings (whilst an accepted part of rural landscape and viewed as part of AONB rural character) in this instance are generally very large scale modern buildings (particularly at the Wansdyke site) which are nonetheless highly visible and there is a strong local desire for their removal. Indeed, the Kennet Landscape Conservation Strategy states that the majority of the landscape character in which the site lies has been significantly weakened by agricultural intensification and “repair” to the landscape is required. Neither large houses nor large farm buildings are particularly akin to the area and both can have a harmful visual impact. However, in this revised scheme, the dwellings have been significantly reduced in scale and their designs on the whole simplified. For example, the floorspace of the new dwelling at Wansdyke has been reduced by approximately 44% and at Manor Farm by approximately 59%. This much reduced visual impact of the dwellings combined with the loss of the large modern redundant farm buildings (especially the former Dairy Unit at Wansdyke Dairy Farm) is considered to overall represent an enhancement to the appearance of the AONB. This stance is supported by the North Wessex Downs AONB Management Group.

- (ii) The environmental and landscape regeneration improvements to the area of land between the two sites, the landscaping at each site and the creation of footpaths are all seen as significant enhancements to the AONB as required by the CROW Act. The provision of the two bridlepaths and permissive footpath are positive attributes to the AONB creating wider access for all.
- (iii) Both farm sites are now redundant under the new ownership and are therefore highly unlikely to return to an agricultural use. Whilst the loss of the farming enterprise in these locations is regrettable, an alternative use nonetheless needs to be found at either site. There are local concerns that any likely viable agricultural or employment alternatives may have a more intensive use causing a harmful local impact, e.g. traffic/smell nuisances and may have an unacceptable impact in their own right.
- (iv) This application has been accompanied by the submission of a heritage statement demonstrating that the historic barn at Manor Farm is a heritage asset worthy of retention and permanent conversion/use to ensure its long term viability. The barn, whilst not listed, is considered to be a heritage asset under the new PPS5 (which is more recent than HC26) and the scheme is therefore considered to conform to the spirit of HC26 which allows for the residential conversion of listed structures to residential use if this is the only economic means of conversion.
- (v) In line with the new localism agenda and approach to planning, there is strong local support (parish council) for the alternative use of the Wansdyke Farm site and from the North Wessex Downs AONB Management Team for the environmental enhancements.

Taking a holistic development management approach to the proposal, it is considered that the cumulative impact of the various material considerations referred to above result in a significant benefit to the AONB and justify overriding planning policy in this instance. None of the above material considerations on their own would be sufficient to justify granting consent for these dwellings otherwise considered contrary to policy but viewed as a whole the cumulative benefits/considerations are considered to outweigh the policy objections.

Whether the proposal would have a detrimental impact on the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty (AONB)

The application site lies within a particularly remote part of the countryside designated as an Area of Outstanding Natural Beauty (AONB). Within the AONB there is a requirement for councils to consider whether development conserves or enhances the natural beauty of the landscape. PPS7 states that AONB's (together with National Parks and the Broads) have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty.

The Wansdyke Dairy Farm site is particularly prominent in long distance views from public rights of way within the AONB. Whilst farm buildings are an accepted part of the established landscape, the buildings at this site are particularly large and are therefore significant modern structures in the wider landscape. The proposed dwelling is to be accompanied by significant landscaping (the principles of which are shown on the submitted plans) and, on balance, it is considered that the dwelling would be less evident in views of the site and would be less harmful to the appearance of the AONB than the current farm buildings. The new internal access track, pond and re-contouring works are relatively small scale developments and again well contained within the site and with the appropriate landscaping and conditions (i.e. materials for track) will ensure that no harm is caused to the character or appearance of the AONB.

Manor Farm is a much smaller scale farmyard but nevertheless it still has an impact upon both long and short term views. The proposed conversion and extensions are now modest in relation to the scale of the site and the accompanying landscaping will ensure that the site and its domestication does not have a detrimental impact upon the character or appearance of the AONB.

Your officers have recommended a set of conditions for both sites which are considered very important in ensuring the impact of the two dwellings does not have an adverse impact upon the AONB, e.g. removal of certain permitted development rights, modest "tightly drawn" residential curtilages for both dwellings, materials and landscaping. Your officers therefore recommend these conditions are imposed.

Impact upon the setting of the adjacent Grade II listed Ham Spray House

This assessment is two-fold in that one must look at the impact of the loss of the farming activities as well as the impact of the new dwelling and associated outbuildings/landscaping upon Ham Spray House.

PPS5 refers to the need for planning authorities to 'treat favourably applications that preserve those elements of the setting (of a designated heritage asset) that make a positive contribution to or better reveal the significance of the asset.' In this case, farming activities are to be transferred over to Lower Spray Farm, located to the north of the Spray Road and therefore there is no requirement for the existing farm buildings, which are all modern. Modern farm buildings are fundamentally built for their practical merits rather than aesthetic and due to some of them being disused, it is fair to say that the site in general appears rather unsightly when in close proximity (that is within the boundaries of the site itself). Ham Spray House which is Grade II listed is located in the immediate vicinity of the farm buildings and so they can be said to be part of the setting of the house. Whilst it could be regrettable to lose a farm on this site, there having been one located here in association with Ham Spray House since the earlier 19th century, it is probably true to say that Ham Spray House will be better experienced with the removal of the farm buildings, that is to say it will be more visible as a building in its own right, rather than as a smaller adjunct to a modern farm complex that would not have been in existence at this scale during its historic association with the Bloomsbury group.

The proposed house, to be located on the Ham Spray farm site, will be a large country house. The development will consist of the classically designed main house with attached pool house and also a barn/ garage complex. With the right choice of materials and quality of workmanship the buildings will no doubt result in a significant country house. However, the house itself is located far enough away from Ham Spray House to have no direct impact on its setting. The landscaping will be beneficial in providing a better visual setting for the listed building.

It is therefore your officers view that the scheme will not have an adverse impact upon the setting of the Grade II listed Ham Spray House.

Whether the design of the two dwellings and associated buildings are acceptable

In respect of design, the two dwellings have been significantly reduced in scale and simplified in appearance since the last application.

Although the new dwelling at Wansdyke Dairy Farm is no doubt a significant country house, its classical design is considered acceptable. With the right choice of materials (brick and flint) and high quality external finish (which can be secured by condition) the dwelling will be appropriate for its large setting. Views of the dwelling are mainly long distance and in such views, with the landscaping, the dwelling is considered acceptable.

The Manor Farm site has more direct impact upon the streetscene being close to the village and opposite another small cluster of dwellings. The barn and outbuildings would be set back from but visible from the road as one heads towards the village of Ham.

This is an historic farmstead site, previously linked to Manor Farm (the farmhouse of which is located to the north of the site). The barn is the last remaining historic farm building on this historic farmstead site, the others having been demolished in the later 20th century. It therefore has significance in being the only surviving historic farm building of this former farmstead, a farmstead that was characteristic for this area (in terms of layout, building types, building materials etc.). The building can therefore be considered to be a 'heritage asset' in relation to the terms set out in PPS5.

The barn has already been converted to a private place of worship for a previous owner (a basic and unauthorised conversion). The proposals contained within the application are to convert the barn to residential use, extend and alter it and re-position the vehicular entrance. In line with the advice set out in PPS5, the retention, full conversion and regular use of this heritage asset is considered to be very important. The alterations to the barn itself are considered acceptable with not too much interference to the fabric and character of the barn. Although long, the extension, in terms of its scale, form and position can be said to be subordinate to the barn.

Likewise, the two additional outbuildings are considered to be of relatively modest scale and the proposal to form a loose courtyard group is acceptable. The use of brick and flint along with some timber boarding is an appropriate finish and alongside the landscaping will ensure the new residential dwelling is not unduly prominent within both long and short distance views within the AONB.

Whether the scheme would give rise to an adverse impact upon residential amenity

Wansdyke Dairy Farm: The proposed dwelling at this site is well contained within its own curtilage and landscaped setting. The immediate neighbours are a satisfactory distance away from the dwelling and, as such, the scheme is not considered to cause harm to amenities. The access revisions to create a more modest entrance would bring traffic further away from the dwelling at this junction and overall there would be a reduction in traffic in comparison to the current agricultural use.

Manor Farm: Again, this scheme is well contained within its own site and sited a satisfactory distance away from neighbouring properties so as not to give rise to an adverse impact in respect of neighbour amenity. A ground floor window has been removed from the scheme by the agent at the request of a neighbour opposite. This is not considered necessary in planning terms because the window would be quite a distance from the neighbouring boundary but it is a “good will” gesture on behalf of the agent. Your officers do not therefore consider it necessary or reasonable to impose a condition restricting ground floor windows such as this. It is believed that the agent will privately secure the permanent removal of this window through the separate unilateral agreement that is being worked upon with the Parish Council and lies outside of the scope of this planning application.

Landscape Regeneration and Footpaths: None of these aspects of the scheme are considered to give rise to an adverse impact in respect of residential amenity.

Impact Upon Highway safety

The new access at the Manor Farm site is viewed as an improvement to the existing access arrangement with improved visibility. The access alterations at the Wansdyke Farm Site will result in greater visibility whilst at the same time narrowing the access to reduce its visual impact. The highways department is satisfied with the scheme. Subject to the conditions recommended by the highways department being imposed, your officers are satisfied with the scheme in respect of highway safety.

Whether the scheme would cause harm to protected ecological species and/or their habitats

The development will involve the loss of roosts of brown long-eared and pipistrelle bats, and seven species of foraging bat at both sites through demolition of Greensands Cottage at Wansdyke Dairy Farm site and the conversion of the tithe barn at Manor Farm. Four species of bat including the endangered barbastelle bat were recorded foraging at this site. The same populations of bat are considered to use both sites. The Manor Farm site also supports a nesting barn owl in one of the agricultural buildings.

All British bats and their roosts are fully protected at all times under the Habitats Regulations (2010), and the proposals could potentially result in a breach of this legislation if granted permission. It is understood that a derogation licence would be secured from Natural England prior to commencing any works to known bat roosts, nonetheless as a competent authority Wiltshire Council has a legal responsibility under Regulation 9(5) to have regard for the requirements of this legislation in the carrying out of its functions including determination of planning applications.

The applicant has therefore submitted bat survey data and a mitigation plan dealing with potential impacts upon bats at both of these sites. This sets out how disturbance and injury of bats will be avoided through careful timing of works, sensitive working methods and supervision by a licensing bat worker where necessary. It also includes details of compensatory roost provision to ensure that roosting opportunities are maintained for returning bats. Your officers are therefore satisfied that these measures are sufficient to ensure that the favourable conservation status of the species concerned would be maintained at a favourable conservation status, and that the application could be determined in accordance with the requirements of the Habitats Regulations.

A barn owl nesting site will also be lost through the demolition of agricultural buildings at Manor Farm. The barn owl is a national and local Biodiversity Action Plan species, and as such is a material planning consideration in planning decisions. The applicant has therefore made a commitment to provide two

barn owl boxes at this site in compensation for the loss of the original nest site. This should ensure that any negative effects upon the local barn owl population would be mitigated to acceptable levels and that the permission could be granted in line with relevant planning policy.

The applicant has also provided a concept plan for regeneration of the farmland between the two sites. In principle this scheme could have significant benefits for local biodiversity if implemented fully, particularly for wildflowers, invertebrates, amphibians, reptiles and bats including the endangered barbastelle bat. The regeneration plan is welcomed and sets out the principles for this area, however an ecologist should survey the site to identify the specific benefits that can be delivered in line with PPS9.

The scheme is therefore considered acceptable by your officers in respect of its impacts upon protected species and their habitats subject to appropriate conditions ensuring that the ecological recommendations are carried out and that an ecological survey of the regeneration area is carried out.

Whether the proposed footpaths are acceptable both in terms of their suitability for formal adoption by the Council and in respect of impact upon adjacent farmland

The county rights of way officer has walked the proposed routes and is satisfied that these are acceptable to adopt formally (bridlepaths only) and considers these to be a positive addition to the local rights of way network within the AONB. It is recommended that the appropriate condition is applied to any planning permission to secure the implementation of these footpaths.

An objection has been received from the owner of adjacent farmland to one of the footpaths and the impact upon the neighbouring land and wildlife scheme encouraged at this part of the farm. It is not considered that the footpaths would cause demonstrable harm to wildlife. The footpath would run along the shared boundary and this is a common feature of the national footpath network and there is no particular reason why in this instance wildlife improvements on neighbouring land should be harmed. Furthermore, the increase in public accessibility is in this instance considered to override these perceived concerns of the adjacent landowner.

10. Conclusion

The scheme, viewed as a whole, is considered to result in an overall enhancement to the character and appearance of the North Wessex Downs Area of Outstanding Natural Beauty. Although the two proposed dwellings are strictly contrary to policy if viewed on their own, your officers consider that in this instance there are material considerations that justify overriding this well established policy stance. It is important to note that these material considerations must be viewed collectively as individually none of the considerations would be sufficient to override the policy stance.

In all other respects (e.g. design, landscape impact, ecology, neighbour amenity, highway safety, impact upon listed buildings/heritage assets, contamination, archaeology) the scheme is considered acceptable subject to the appropriate conditions.

Members are therefore recommended to approve the application subject to the following conditions.

RECOMMENDATION

It is recommended that planning permission be granted for the proposal, for the reasons set out below, and subject to the following conditions

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: HC25 (replacement dwellings), HC26 (dwellings within the open countryside), PD1 (general development principles) and NR6 (sustainability and protection of the countryside) as well as advice and guidance contained within PPS5 (Planning and Historic Environment), PPS7 (Sustainable Development in Rural Areas), PPS9 (Biodiversity and Geological Conservation) North Wessex Downs Management Plan (2009) and Kennet Landscape Conservation Strategy Supplementary Planning Guidance (2005).

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

REASON:

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

2. No development within the application site shall commence until:

(i) An ecological survey has been carried out by a suitably qualified and experienced ecologist within the landscape regeneration area (details of the exact area to be surveyed to be first agreed in writing by the local planning authority), and

(ii) A landscape regeneration and ecology management plan has been submitted to and approved in writing by the local planning authority. This shall include the following:

- (a) A scale plan showing the exact routes of the two new bridlepaths and one permissive footpath;
- (b) Details of bridlepath and footpath surfacing/construction (including samples if requested);
- (c) A programme for the provision of the bridlepaths/footpath and formal adoption of the bridlepaths by Wiltshire Council;
- (d) A scale plan showing the extent of the area to be sustainably managed/farmed;
- (e) Details of the sustainable farming methods to be introduced and a programme for their introduction and ongoing management (including details of management responsibilities and monitoring);
- (f) Details (species, density, location) of all planting required in association with the sustainable management/farming of the land.
- (g) The recommendations of the ecological survey and a programme for their implementation.

Development shall be carried out in accordance with the approved details.

REASON:

In the interests of protecting/enhancing the ecology of the site and the amenities of the North Wessex Downs Area of Outstanding Natural Beauty.

3. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall commence on site until all the existing farm buildings on the site have been permanently demolished and all of the demolition materials and debris resulting there from have either been removed from the site or recycled as part of the construction works.

REASON:

In the interests of the character and appearance of the area.

4. The dwelling referred to as Greensand Cottage (to the north of Wansdyke Dairy Farm) shall be permanently demolished and all of the demolition materials and debris resulting removed from the site before the first occupation of any part of the dwelling or outbuildings at the Wansdyke Dairy Farm site.

REASON:

In the interests of sustainability (in that a new dwelling within the open countryside has been permitted elsewhere at Wansdyke Dairy Farm) and the character and appearance of the area.

5. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall commence on site until:

(a) a sample panel of flintwork, not less than 1 metre square, constructed using flints hand laid in a random pattern (with no preformed panels to be used), has been erected on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample panel, using flints hand laid in a random pattern with no preformed panels.

and

(b) details and samples of the brick to be used for the external walls and the roofing materials have been submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details and using flints hand laid in a random pattern with no preformed panels.

REASON:

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

6. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details and window surround details), doors, rainwater goods, chimneys, porches 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 visual amenity and the character and appearance of the area.

7. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall commence on site until details of the design, height, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied.

REASON:

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

8. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site 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) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) other vehicle and pedestrian access and circulation areas, including the narrowing of the existing vehicular access (as shown on the approved plans);
- (e) hard surfacing materials;
- (i) any required lighting;

REASON:

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

9. All soft landscaping comprised in the approved details of landscaping for the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON:

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

10. Notwithstanding the approved plans, no development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall commence on site until the access has been completed in accordance with the details shown on the approved plans and visibility splays have 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 points on the edge of the carriageway 33 metres to the east and 33 metres to the west from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON:

In the interests of highway safety.

11. The development hereby permitted at the Wansdyke Dairy Farm site shall not be first occupied until the first 4.5 metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON:

In the interests of highway safety.

12. Any gates at the new access at the Wansdyke Dairy Farm site shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON:

In the interests of highway safety.

13. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall commence on site until details of the proposed ground floor slab levels for all of the approved buildings 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:

In the interests of visual amenity.

14. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

(a) Filtration strips as outlined in section 5.7 of the Wansdyke Dairy Flood Risk Assessment document reference: KMR/MAC/E3761/10881.RR

(b) As per section 5.5 of the Wansdyke Dairy Flood Risk Assessment document reference: KMR/MAC/E3761/10881.RR, confirmation of the infiltration rate through infiltration tests should be provided.

REASON:

To prevent the increased risk of flooding to properties downstream of the site and to prevent pollution of surface water.

15. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall begin until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved, in writing, by the local planning authority:

1) A site investigation scheme, based on Environmental Protection Strategies Ltd, Environmental Desk Study, Wansdyke Dairy, Jan 2010, [Ref UK09.0817) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON:

Previous activities on the site may have resulted in contamination. The site is located on the upper greensand principle aquifer, which we would regard as a sensitive controlled water receptor. A phased investigation would be required to determine the extent of any contamination present and to what extent it pose a risk to controlled waters. Any risk identified would need to be adequately resolved, this is may include site remediation.

16. Prior to the occupation of any part of the dwelling or outbuildings at the Wansdyke Dairy Farm site, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

REASON:

To ensure that contamination at the site is remediate, such that the site does not pose a threat to controlled waters.

For more information regarding Groundwater and Contaminated Land issues please contact Tom Wickens Groundwater and Contaminated Land Technical Officer on 01491 828627.

17. All development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall be carried out in accordance with the mitigation measures for bats and barn owl set out in the submitted report Wansdyke Dairy, Ham Spray, Wiltshire and Manor Farm, Ham, Wiltshire Phase 1 and Phase 2 Surveys (Rev. 1) (Ecosa, September 2010). Prior to the first occupation of any part of the dwelling or outbuildings, a licensed bat worker shall provide written confirmation to the Local Planning Authority that all mitigation measures have been implemented in full.

REASON:

In the interests of ecology.

18. The residential curtilage for the new dwelling permitted at the Wansdyke Dairy Farm site shall be as outlined in red on the landscape layout plan received on the 2nd March 2011.

REASON:

In the interests of clarity to define the extent of the domestic/residential curtilage.

19. The outbuildings hereby permitted at the Manor Farm site shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby permitted.

REASON:

The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 to the new dwelling or outbuildings hereby approved at the Wansdyke Dairy Farm site.

REASON:

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

21. No development relating to the new dwelling and outbuildings at the Wansdyke Dairy Farm site shall commence until details (including samples if requested) of the material(s) for the surfacing of the vehicular access and new farm track at the site 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.

22. No development relating to the new dwelling and outbuildings at the Manor Farm site shall commence on site until all the existing buildings on the site, except for the barn to be converted to a dwellinghouse, have been permanently demolished and all of the demolition materials and debris resulting there from have either been removed from the site or recycled as part of the construction works.

REASON:

In the interests of the character and appearance of the area.

23. Notwithstanding the details contained on the approved drawings, no development relating to the barn conversion and outbuildings at the Manor Farm site shall commence on site until:

(a) a sample panel of flintwork, not less than 1 metre square, constructed using flints hand laid in a random pattern (with no preformed panels to be used), has been erected on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample panel, using flints hand laid in a random pattern with no preformed panels.

and

(b) details and samples of the brick to be used for the external walls and the roofing materials have been submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details and using flints hand laid in a random pattern with no preformed panels.

REASON:

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

24. No development relating to the barn conversion and outbuildings at the Manor Farm site shall commence on site until details of the finish to external timber (both on the existing barn and new buildings), including any paint or stain to be used on the external walls and window joinery have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied.

REASON:

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

25. No development relating to the new buildings at the Manor Farm site shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors and

rainwater goods 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.

26. No development relating to the new dwelling and outbuildings at the Manor Farm site 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) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) other vehicle and pedestrian access and circulation areas;
- (e) hard surfacing materials;
- (i) any required lighting;

REASON:

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

27. All soft landscaping comprised in the approved details of landscaping for the barn conversion and outbuildings at the Manor Farm site 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.

28. No part of the development hereby permitted at the Manor Farm site shall be first occupied until the access and turning area 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.

29. The new dwelling hereby permitted at the Manor Farm site shall not be first occupied until the first 4.5 metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON:

In the interests of highway safety.

30. Any gates at the new access at the Manor Farm site shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON:

In the interests of highway safety.

31. No part of the development hereby permitted at the Manor Farm site shall commence on site until details of the permanent closure of the existing access have been submitted to and approved in writing by the Local Planning Authority. The details shall make provision for the reinstatement of the grass verge across the access position. The stopping up shall take place in accordance with the approved details within one month of the first occupation of the development. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON:

In the interests of highway safety.

32. No part of the development hereby permitted at the Manor Farm site shall commence on site until details of the proposed ground floor slab levels for the new buildings 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:

In the interests of visual amenity.

33. No part of the development hereby permitted at the Manor Farm site shall commence on site until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

(a) All surface water produced on the site with allowance for 30% increase due to climate change to be retained on site in the filtration strips as outlined section 5.7 of the Manor Farm flood risk assessment, document reference: KMR/MAC/E3761/10878.R.

(b) As per section 5.5 of the Manor Farm Flood Risk Assessment, document reference: KMR/MAC/E3761/10878.R, confirmation of the infiltration rate through infiltration tests should be provided.

REASON:

To prevent the increased risk of flooding to properties downstream of the site and to prevent pollution of surface water.

34. All development relating to the new dwelling and outbuildings at the Manor Farm site shall be carried out in accordance with the mitigation measures for bats and barn owl set out in the submitted report Wansdyke Dairy, Ham Spray, Wiltshire and Manor Farm, Ham, Wiltshire Phase 1 and Phase 2 Surveys (Rev. 1) (Ecosa, September 2010). Prior to the first occupation of any part of the dwelling or outbuildings, a licensed bat worker shall provide written confirmation to the Local Planning Authority that all mitigation measures have been implemented in full.

REASON: To protect the ecology of the site.

35. The residential curtilage for the new dwelling permitted at the Manor Farm site shall be as outlined in red on the landscape proposals plan received on the 2nd March 2011.

REASON:

In the interests of clarity to define the extent of the domestic/residential curtilage.

36. The buildings hereby permitted at the Manor Farm site shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling at the converted barn.

REASON:

The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 to the new dwelling or outbuildings hereby approved at the Manor Farm site.

REASON:

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

38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings over 10 cubic metres shall be erected anywhere within the residential curtilage of the new dwellings permitted at the Manor Farm site.

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

39. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no walls or panel fencing of any type shall be erected or placed anywhere within the Manor Farm site.

REASON:

In the interests of visual amenity.

40. INFORMATIVE TO APPLICANT:

If a new septic tank/treatment plant is the only feasible option for the disposal of foul water, or if there is an increase in effluent volume into an existing system, an Environmental Permit may be required. This must be obtained from the Environment Agency us before any discharge occurs and before any development commences. This process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of any application. The applicant is advised to contact us on 08708 506506 for further details on Environmental Permits or visit <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>.

If you want to discharge treated sewage effluent, to a river, stream, estuary or the sea and the volume is 5 cubic metres per day or less, you might be eligible for an exemption rather than a permit. Similarly, if you want to discharge sewage effluent, to groundwater via a drainage field or infiltration system, and the volume is 2 cubic metres per day or less, you might be eligible for an exemption rather than a permit.

Please note, this Environmental Permit may be subject to an Appropriate Assessment under the Habitats Directive, which would involve consultation with, and agreement from, Natural England. This is likely to apply if it is proposed to discharge into a watercourse that is within or up to 3km upstream of a SAC, SPA, Ramsar or SSSI. This may also apply if it is proposed to discharge into the ground (Eg soakaway) within 250m of a SAC, SPA, Ramsar or SSSI.

41. INFORMATIVE TO APPLICANT:

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

Applicants are advised to refer to the following for further guidance
<http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx>
<http://www.savewatersavemoney.co.uk/>

42. INFORMATIVE TO APPLICANT:

Under current legislation developers have a Duty of Care, which requires all waste to be handled, recovered or disposed of responsibly. Records should be kept on site to demonstrate that the Duty has been adhered to. Similarly, for hazardous wastes, such as cement asbestos, contaminated soil, oil-contaminated tanks, copies of consignment notes should be kept. Agency officers may audit these records during the demolition/construction phase. More detailed information on these requirements can be found on the Agency's website at www.environment-agency.gov.uk/netregs.

Site Waste Management Plan

From 6 April 2008 it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000.

The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT.

For projects estimated at between £300,000 and £500,000 (excluding VAT) the SWMP should contain details of the:

- (A) types of waste removed from the site
- (B) identity of the person who removed the waste
- (C) site that the waste is taken to.

For projects estimated at over £500,000 (excluding VAT) the SWMP should contain details of the:

- (A) types of waste removed from the site
- (B) identity of the person who removed the waste and their waste carrier registration number
- (C) a description of the waste
- (D) site that the waste was taken to
- (E) environmental permit or exemption held by the site where the material is taken.

At the end of the project, you must review the plan and record the reasons for any differences between the plan and what actually happened.

You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care.

Further information can be found at www.netregs-swmp.co.uk

43. INFORMATIVE TO APPLICANT:

Premises used wholly or mainly as a single private dwelling where less than 3500 litres of oil are stored are exempt from The Control of Pollution (Oil Storage)(England) Regulations 2001. However any oil should be stored according to the Agency Pollution Prevention Guidelines (PPG2) Above Ground Oil Storage. Copies of PPG2 (and the Oil Storage Regulations) are available from your local Agency office on 01491 828370 or the Environment Agency website at www.environment-agency.gov.uk/ppg

44. INFORMATIVE TO APPLICANT

The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire and Rescue Servicedated the 10th November 2010.

45. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Location Plan (titled Ham Spray and Wansdyke Estate Regeneration Plan), Received on 2nd March 2011;

Wansdyke Site Location Plan, Received on 25th October 2010;

Wansdyke Farm Landscape Layout, Received on 2nd March 2011;

Wansdyke Farm Landscape Layout, Received on 2nd March 2011;

DF01, Received on the 25th October 2010;

DF02, Received on the 25th October 2010;

DF03, Received on the 25th October 2010;

DF04, Received on the 25th October 2010;
 DF05, Received on the 25th October 2010;
 DF06, Received on the 25th October 2010;
 DF07, Received on the 25th October 2010;
 DF08, Received on the 25th October 2010;
 DF09, Received on the 25th October 2010;
 DF10, Received on the 25th October 2010;
 DF11, Received on the 25th October 2010;
 Lower Ground Party Room floor plan (Wansdyke Site), Received on the 2nd February 2011;
 138WD01 (Wansdyke Site Survey), Received on the 25th October 2010;
 Sections through bund and pond Sheet 1(Wansdyke Site), Received on the 25th October 2010;
 Section Lines Overlaid Sheet 2(Wansdyke Site), Received on the 25th October 2010;
 Sections through bund and pond Sheet 3(Wansdyke Site), Received on the 25th October 2010;
 Proposed entrance to Wansdyke Dairy site, Received on the 4th March 2011-03-21;
 PPS 25: flood risk assessment (Wansdyke Site), Received on the 25th October 2010;
 Environmental Desk Study (Wansdyke Site), Received on the 25th October 2010;
 Manor Farm Site Location Plan, Received on 25th October 2010;
 Manor Farm Landscape Proposals, Received on 2nd March 2011;
 100803-01, Received on the 25th October 2010;
 100803-02, Received on the 25th October 2010;
 100803-03, Received on the 25th October 2010;
 100803-04, Received on the 25th October 2010;
 100803-05, Received on the 25th October 2010;
 100803-06, Received on the 25th October 2010;
 138MF01 (Manor Farm Site Survey), Received on the 25th October 2010;
 PPS 25: flood risk assessment (Manor Farm Site), Received on the 25th October 2010;
 ECOSA Phase 1 and Phase 2 ecological surveys Wansdyke and Manor Farm site, Received on the 25th October 2010;
 ECOSA Updating Phase 2 bat surveys Wansdyke and Manor Farm site, Received on the 25th October 2010;

Appendices:

None

Background Documents Used in the Preparation of this Report:

Application files