

Date of Meeting	7 November 2019
Application Number	19/07460/FUL
Site Address	Lowerhouse Farm, Lower Chute, Andover, Wiltshire SP11 9DX
Proposal	Conversion and extension of outbuildings and stables to form 3 dwellings (amended scheme following refusal of 18/04151/FUL)
Applicant	Ms Stella Coulthurst
Town/Parish Council	CHUTE
Electoral Division	Chute – Councillor Blair-Pilling
Grid Ref	431219 153197
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the application being considered by Committee

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

- Scale of development;
- Environmental or Highway Impact

This application is also brought to committee because the previous application on this site for a similar scheme was determined by Eastern Area Planning Committee.

1. Purpose of Report

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

2. Report Summary

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

- Principle of development
- Site history, heritage, character & design
- Neighbouring amenity
- Highways
- Ecology
- Drainage
- S106/CIL

The application has generated an objection from Chute Parish Council; Chute Forest Parish Council; and 40 letters of objection from third parties.

3. Site Description

The site is situated within the main built-up parameters of the village of Lower Chute, which is defined as a Small Village by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area). This part of Lower Chute is a ribbon form of development with properties all fronting on to the road which leads through the village. To the northeast and southwest the site abuts residential properties and their associated parking/amenity provision (both of which are also in the applicant's ownership). Members may recall that the dwelling to the northeast has recently received planning permission to be demolished and the site redeveloped with 2 dwellings (under ref: 18/09811/FUL). This permission remains extant but has not yet been implemented.

The southwestern property is known as Lowerhouse Farm and is a Grade II listed building. To the northwest the site adjoins open countryside/paddocks, also within the applicant's ownership. To the southeast, the main lane running through this part of the village separates the site from further fields/paddocks beyond. The site is situated within the Chute Cadley/Lower Chute Conservation Area. The site is also within the North Wessex Downs Area of Outstanding Natural Beauty (AONB).



PLAN 1: Site Location Plan

The application site currently comprises a range of attractive outbuildings and stables that are used in association with the listed Lowerhouse Farm to the southwest of the site. The buildings are predominantly arranged around a central courtyard with an L shaped stable building defining the northwestern and northeastern sides of the courtyard; and a further pair of barns defining the southeastern boundary of the site, with a break between, allowing access into the stable courtyard from the lane to the

southeast. The southwestern boundary with the main house is defined by a low-level wall. A pedestrian access between these parts of the site currently exists in this boundary wall. The existing L shaped stable buildings are believed to be curtilage listed buildings and are of traditional vernacular. The roadside buildings, whilst also of traditional vernacular, are more recent and are not therefore curtilage listed (although they are still situated within the curtilage of the listed building). All of the buildings in this range are single storey but with varying roof heights.

One of the buildings on the southeastern boundary of the courtyard then joins onto a further outbuilding which is outside of the courtyard of stable buildings and is within the residential garden of Lowerhouse Farm, accessed from the existing access driveway serving this dwelling to the southwest. This building is currently used as domestic garaging/store building for the existing property. This building is also single storey and is of traditional vernacular but is a more modern building and is not therefore considered to be curtilage listed (although it is also within the curtilage of the listed building). All of the buildings on the site have slate roofs and are of brick and timber cladding construction.

4. Planning History

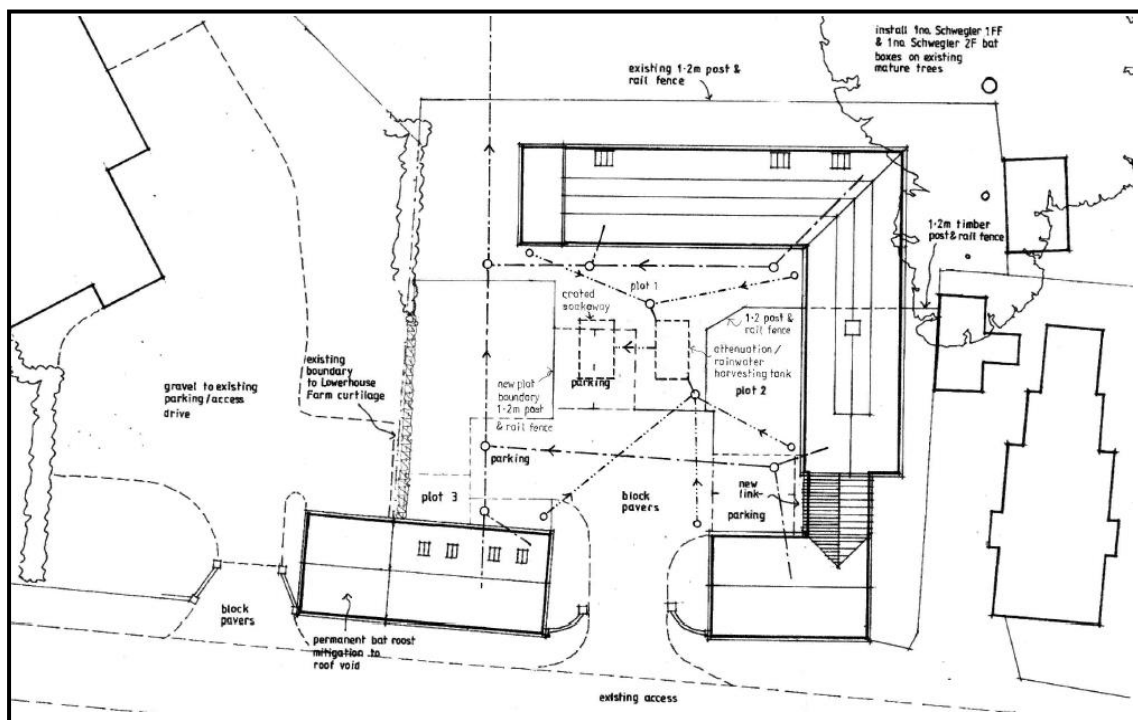
Application Ref	Proposal	Decision
K/81/0568	Extension to dwelling	Permission – 20.08.1981
K/81/0973	Replacement outbuildings and alterations to existing outbuildings	Permission – 17.12.1981
K/81/1006/LB	Demolition and replace some outbuildings and alterations to remaining outbuildings	Consent – 17.12.1981
K/33050/L	Part conversion of stable block to pottery room and erection of false roof ventilator.	Consent – 24.07.1996
K/33051	Part conversion of stable block to pottery room and erection of false roof ventilator.	Permission – 24.07.1996
K/59542/F	Conversion of barn to self-contained annexe	Permission – 29.10.2008
K/59543/LBC	Conversion of barn to annexe	Consent – 15.10.2008
E/2013/0284	Conversion of barn and garage to self contained annexe	Permission – 17.06.2013
18/04151/FUL	Conversion and extension of outbuildings and stables to form 3 dwellings	Refuse – 07.09.2018
19/01970/FUL	Conversion and extension of outbuildings and stables to form 2 no. dwellings with conversion of barn to self-contained annex for Lowerhouse Farm	Withdrawn
19/02213/LBC	Conversion and extension of outbuildings and stables to form 2 no. dwellings with conversion of barn to self-contained annexe for Lowerhouse Farm	Withdrawn
19/07609/LBC	Conversion and extension of outbuildings and stables to form 3 dwellings (Plots 1 & 2)	Pending

The most recent decision at this site (18/04151/FUL) also involved the conversion and extension of these outbuildings into 3 separate dwellings and was refused by Eastern Area Planning Committee for the following reason:

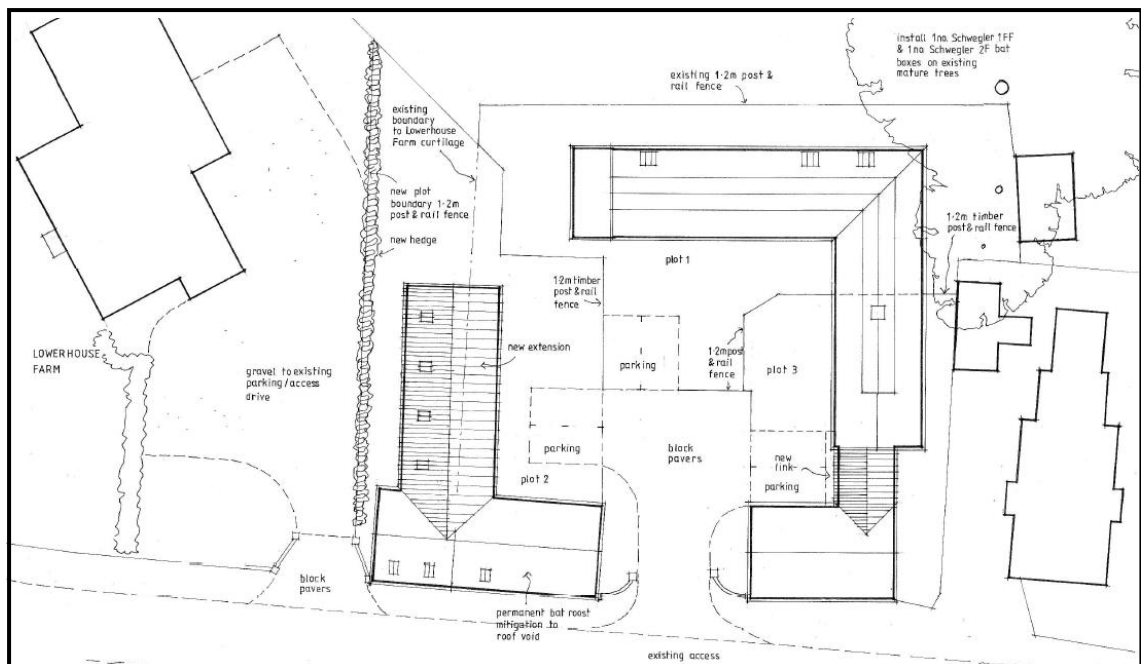
- 1) *Plot 2, comprising the conversion and extension of the existing outbuilding, would be in close proximity to the adjacent grade II listed Lowerhouse Farm; would result in an overdevelopment of the site; and would result in the loss of dedicated outbuildings for use in association with Lowerhouse Farm. This would cause less than substantial harm to the significance of the adjacent grade II listed property and the curtilage listed stable block by compromising their settings; and to the character and appearance of the conservation area. There are no public benefits which would outweigh that harm. The proposal would therefore conflict with Core Policies 57 and 58 of the Wiltshire Core Strategy and Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, 2018.*

5. The Proposal

This is a full application proposing a revised scheme to the proposals that were refused in 2018 as part of the 18/04151/FUL application, as the applicant now seeks to address the previous reason for refusal. The current scheme still proposes the conversion of the curtilage listed stable buildings as well as the non-listed outbuildings along the roadside into a total of 3 new dwellings. However, the previously proposed large, perpendicular addition to the outbuilding to create the third dwelling has been omitted from the scheme and instead the third house is to be created entirely within the footprint of the existing roadside outbuilding. In addition, the boundary between the host dwelling and the stable block has been retained but is to be replaced by a hedgerow instead of the existing wall. The host dwelling is also shown to retain more of its garden/curtilage (as a result of this boundary retention) and part of its existing domestic outbuilding in order to provide a garaging/cart shed to serve the existing property. The differences between the current and proposed schemes can be seen in PLANS 2 and 3 below.



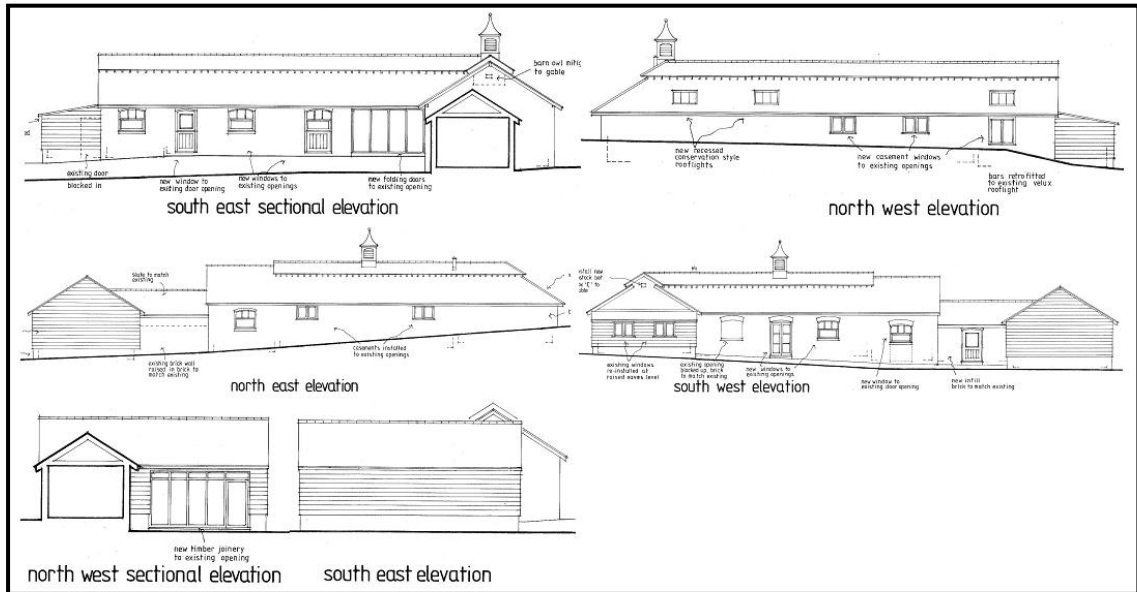
PLAN 2: Site Plan for current Application



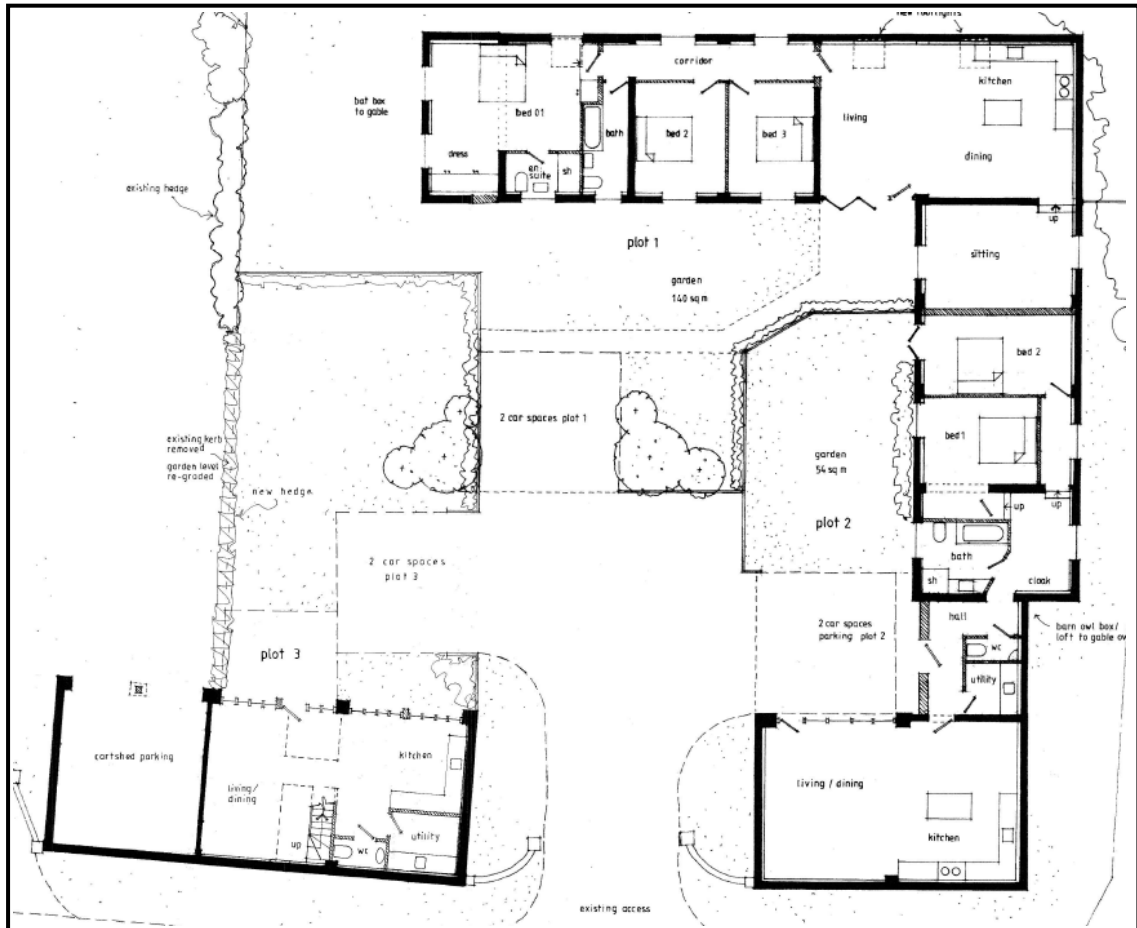
PLAN 3: Site Plan for the 2018 Scheme (Refused)

In detail, as can be seen by PLANS 4 & 5 below, the two new dwellings that are to be created in the existing range of stable buildings involve a small link addition in the south eastern corner of the site which will link the L shaped building to the short return building on the road side (southeastern corner) of the courtyard. Dwelling one is to be created in the northwestern and part of the northeastern arms of the L shaped building. It is to provide 3 bedrooms over one level. Wherever possible, existing openings are to be utilised with only two new roof lights being proposed on the north western elevation of this building. A small lean-to addition on the northwestern arm is to have fenestration reinstated and its eaves increased in height to match the rest of this building but otherwise the conversion works are to be contained within the existing footprint and form of the existing buildings. Two parking spaces and an area of dedicated garden are identified to serve this property.

The second dwelling is to be created by converting the remainder of the north eastern arm of the building and the detached building on the south eastern boundary of the courtyard. A single storey link extension is proposed to link these two parts of the stable buildings together. This dwelling is to have 2 bedrooms over a single level. Again, existing openings are to be used wherever possible and the northern elevation of the south eastern building, which is currently open fronted, is to be infilled with full height glazing. The roadside elevation will remain blank. Two parking spaces and an area of dedicated garden are also identified to serve this property.



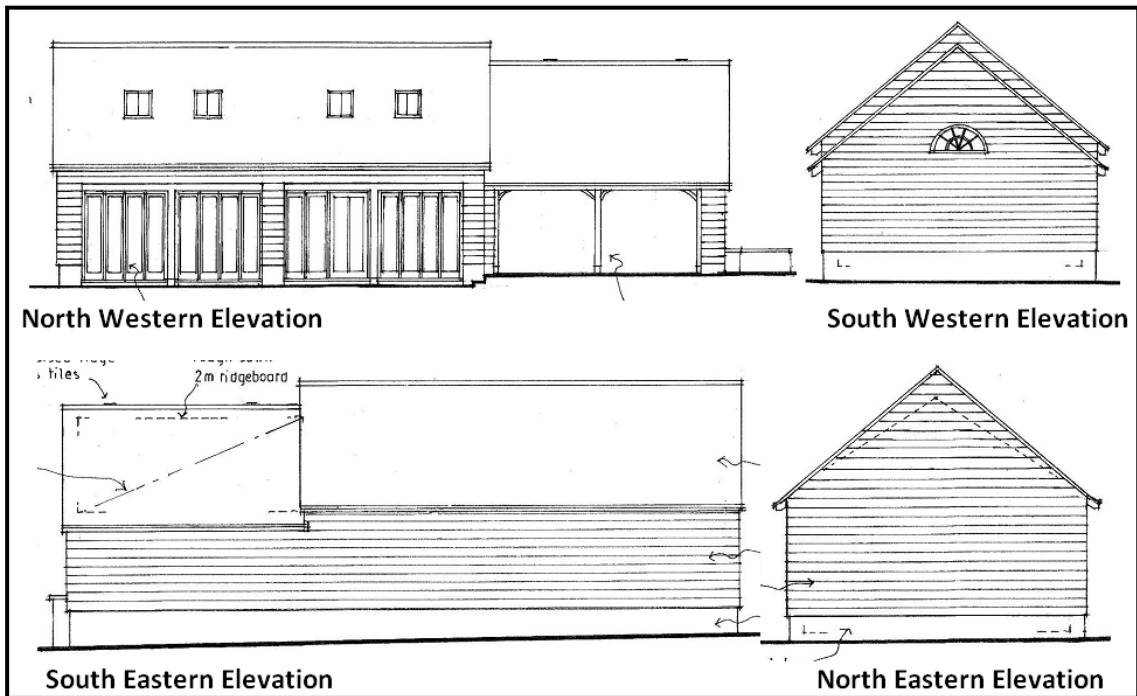
PLAN 4: Proposed Elevations of Dwellings One & Two



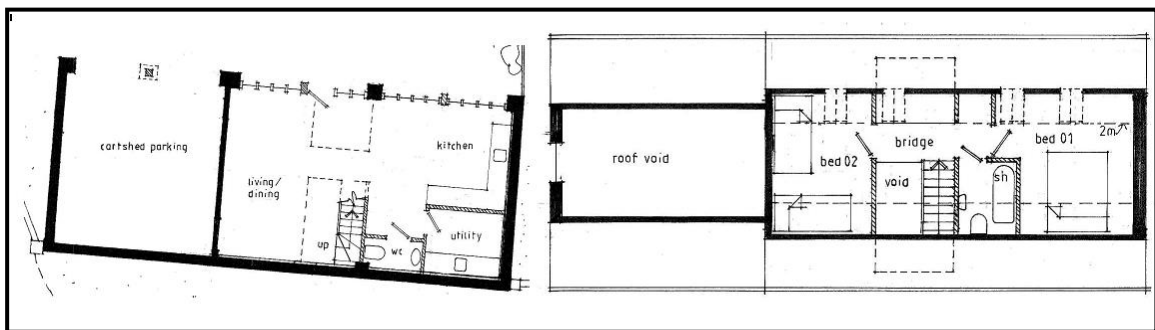
PLAN 5: Proposed Ground Floor Plans

As can be seen by PLANS 6 & 7 below, the final building along the road boundary is then to be converted into a third dwelling as before. It is however to be created within the footprint of the existing outbuilding without any additions. This proposal does however involve a slight increase (approximately 0.5 metres) to this building's ridge height to enable it to be converted into a 2 bedroom dwelling over two levels (with the bedrooms within the roof). New roof lights and full height glazing at ground floor are

proposed in the north western elevation of this building looking into the courtyard. The roadside elevation will remain blank.



PLAN 6: Proposed Elevations of Dwelling Three & Car Port



PLAN 7: Proposed Floor Plans of Dwelling Three & Car Port

As has been stated above, the existing boundary wall that separates the stables from the adjacent listed dwelling is to be removed and a new boundary hedge is to be planted along this same boundary line. The land in front of dwelling 3 is to be regraded and will provide a private garden and parking provision (for 2 spaces) for this property. The remainder of this building that is attached but within the residential garden of Lowerhouse Farm is to be retained by the host dwelling and is to be used as a cart shed to provide garaging/storage for the host property.

The application is also accompanied by a tandem application for listed building consent which will be considered separately under ref: 19/07609/LBC. The application is accompanied by a Planning Statement (incorporating a Heritage Statement); and a Phase 1 and 2 Bat Report. During the course of the application a drainage report and revised drainage plan has been provided.

6. Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Kennet Local Plan policies (Saved by Wiltshire Core Strategy) (KLP):
None

Wiltshire Core Strategy:

CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP3 (Infrastructure Requirements)
CP26 (Tidworth Community Area)
CP50 (Biodiversity and Geodiversity)
CP51 (Landscape)
CP57 (Ensuring High Quality Design & Space Shaping)
CP58 (Ensuring the Conservation of the Historic Environment)
CP60 (Sustainable Transport)
CP61 (Transport & Development)
CP62 (Development Impacts on the Transport Network)
CP64 (Demand Management)
CP68 (Water Resources)

Supplementary Planning Documents:

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

7. Summary of Consultation Responses

Chute Parish Council - Objection

- This application has aroused significant negative public comment, involving as it does a collection of listed, curtilage listed and non-listed heritage assets that form the very heart of the Chute Cadley and Lower Chute Conservation Area.
- The whole character of the two conjoined villages and their Conservation Area is, beyond argument, dictated by Lowerhouse Farm and its outbuildings;
- They are the most sensitive heritage assets and their positioning and usage dictated the pattern of development of the villages as they now stand.
- It is clear that, by the terms of the VDS, this development would alter the character of the village and is not acceptable.
- The proposal is in direct conflict with the Chute Village Design Statement (VDS) in a number of areas
- The VDS states 'Buildings are of modest sizes in generous plots.' This is manifestly not the case in the proposed development, which involves a tightly packed cluster of dwellings completely out of character with the rest of the village.
- The VDS states 'Development is in a linear pattern and mostly only occurs on one side of the road.' The courtyard style of the development is very different in form to the established linear pattern and encroaches onto the agricultural land beyond, causing a significant source of light pollution and disturbance to wildlife.
- The VDS states 'Some excellent outbuildings often with pantiles.' The development is repurposing outbuildings that serve the grazing land immediately

to their rear. When this grazing is put back into use, new outbuildings will be required, the existing, which comprise both curtilage listed and non-listed heritage assets having been destroyed. The usage of the existing buildings has always varied with the interests and needs of the owners of the farm, but once they are converted into dwellings, they will be permanently lost.

- The proposal does not accord with WCS CP1, which states, 'Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.'
- This application divides an existing equestrian property from a range of outbuildings that serve the needs of its likely occupants.
- The dwellings that will be created will be out of the economic reach of young villagers and are likely to attract incoming residents to an area with no public services.
- There is no need for this type of housing in the settlement, and no positive benefit to employment opportunities, services or facilities. In fact, the opposite is true, with additional demand put on an already inadequate service network, with roads, water, electricity and telecoms in the village all under extreme pressure.
- The proposal contradicts the guidance of WCS CP2, which states 'At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the
- Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development: i) Respects the existing character and form of the settlement ii) Does not elongate the village or impose development in sensitive landscape areas iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.
- Although the buildings are already extant, the change of use from stabling and storage to residential does, in fact, represent a significant consolidation in terms of dwellings with the attached requirement for car parking and vehicle movements.
- The proposal runs against the spirit and the letter of WCS CP 50.
- We note particularly; 'EPS Bat Licences will only be issued where the application has considered the three following tests and met the following criteria: ▪ The development is in the interest of public health and safety or is required for other imperative reasons of overriding public interest. ▪ There is no satisfactory alternative to the development. ▪ The development will not be detrimental to the maintenance of the Favourable Conservation Status (FCS) of the bat population concerned within their natural range.'
- We do not accept that there are any grounds to believe that the development is in the interest of public health or any overriding public interest, neither is there any need for the development within the village, as there are no identifiable housing needs within the village. Finally, the development will clearly be detrimental to the FCS of the bat population, despite the applicant's mitigation strategy, as, once the converted properties are passed into new ownership, certain elements of the mitigation strategy will be unenforceable.
- The proposal is contrary to CP57 because it does not enhance local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development, nor does it respond to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced.
- The proposal is contrary to CP57 because it is not sympathetic to and conserving historic buildings and historic landscapes.

- The proposal is contrary to CP57 because it does not take account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area.
- The proposal is in direct conflict with WCS CP58 in that it damages the site of a heritage asset (the Chute Cadley and Lower Chute Conservation Area, the character of which the concentrated character of the development will dramatically alter), and involves substantial and unjustified alterations to both curtilage listed and non-designated heritage assets.

Chute Forest Parish Council – Objection

- Earlier applications K/59542/F and K/59543/LBC and E/2013/0284, for a single dwelling in the barns facing the stables, were accepted as reasonable development. The permission did not affect the stables themselves.
- We disagree with the statement in paragraph 6.8 of the application “Outwardly the proposals would involve negligible visual change to the surroundings.” The stables and courtyard are clearly visible from the road, and give historic character to the heart of the village, being adjacent to the Village Green and War Memorial.
- It is incorrect to say that only “a glimpse exists from the access” as is stated in the application.”
- We feel that the development of Plots 1 and 2, together with the inevitable parking, fencing, garden furniture, wheelie bins etc will fundamentally compromise the character of this integral part of the conservation area.
- Plot 3, comprising the conversion of the existing outbuilding to increases the ridge height which would be out of character, and is still in close proximity to the adjacent grade II listed Lowerhouse Farm.
- This would still result in an overdevelopment of the site; and would result in the loss of dedicated outbuildings for use in association with Lowerhouse Farm and the surrounding land.
- We also feel strongly that this is an overdevelopment of the site particularly in light of the recent planning to redevelop the adjacent Stables Cottage site.
- Paragraph 6.3 implies that the previous scheme in 1981 involved the deliberate ‘...demolition and replacement of some outbuildings...’ and “...involved the loss of historic fabric and reconstruction of the barns.” In reality they had collapsed in a storm and had to be rebuilt.
- We do not feel that the proposed scheme reflects the objectives of Wiltshire Core Policy 58: Ensuring the conservation of the historic environment. Paragraph 6.129 states “Core Policy 58 aims to ensure that Wiltshire’s important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire’s environment and quality of life.”
- The increase in traffic would cause significant harm and danger particularly with planning for two properties next door to the stables in a single-track lane close to a road junction and bend.
- We also note that proposed works will also result in the loss of all bat roosts on-site to allow for the conversion and extension of the buildings to living accommodation.

Conservation – No Objection subject to conditions

- Although in many respects identical to the earlier refused scheme, the retention of the existing boundary line and a double-garage within the domestic curtilage of the listed building allay my concerns regarding the impact on the setting and practicality/desirability of the farmhouse.

- The latter are significant in that we should not support works that clearly compromise the future use of a building or site, bearing in mind the NPPF guidance regarding optimum viable use and the likelihood of owners/occupiers being minded to maintain it.
- The details of works to the historic stable buildings (i.e. those not on the roadside, which were rebuilt quite recently) are unchanged and are considered acceptable in heritage terms.
- We should require details of new glazing and doors.
- The site will remain within the historic curtilage of the listed building, and listed building consent will continue to be required for any future works of alteration should consent be granted for the conversion;
- planning permission would be required for all external alterations to any of the buildings, and for fences, oil tanks, sheds etc;
- It would be prudent to withdraw PD rights to ensure this is clear.
- Future purchasers would otherwise not be advised by solicitors that they're acquiring a listed building, or a building within the curtilage.
- But for clarity, the roadside buildings are NOT listed and so works to them do not require LBC;
- They are, however, within the curtilage of the LB and any external alterations would require planning permission.

Highways – No objection subject to conditions

- It is considered that the development proposed will not detrimentally affect highway safety and I therefore recommend that no highway objection be raised to it subject to conditions
- The existing access shall remain ungated or the existing gates permanently fixed in the open position.

Drainage - Objection

- Holding objection currently on the grounds of lack of drainage details.
- Whilst supportive in principle the site needs to demonstrate viability.
- The application notes that a septic tank will be used, and surface water disposal to soakaway, but there is no supporting evidence with this.
- To clear the objection we will require the following:
 - Outline plan of foul drainage disposal, including supporting evidence that the septic tank can accommodate the additional discharges to it;
 - Outline surface water disposal plan, including infiltration testing results to BRE 365 and evidence that any proposed soakaway has a clearance of at least 1m from the groundwater level; and
 - Outline plan for attenuation of discharge rate for the surface water from site
 - As brownfield development, Wiltshire Council policy is to seek reduction in discharge rate to greenfield levels.
- Detailed design can be undertaken via conditions, but the applicant is required to show evidence that the site can be drained effectively to gain support.

Ecology – No objection subject to conditions

- I note the submission of an updated ecology report by ABR Ecology (19/07/19).
- Bat and bird mitigation is required, and enhancements are proposed.
- The required mitigation is plotted on the submitted drawings
- I have no ecology objection to the proposal, subject to conditions

Wessex Water – No objection subject to informatives

- Wessex Water has no objections to this application
- The sewerage service provider for this area is Southern Water.
- If the proposals require new connections to the public water mains, an application will need to be made
- According to our records there are no recorded water mains within the red line boundary of the development site.

Southern Water – No comments received

8. **Publicity**

This application was advertised through the use of site notices; an advert in the local press; and letters of consultation.

Letters – 40 letters of objection received from the residents of Keepers Cottage, Old Peelers, Percy Cottage, Jimila, Providence Cottage, Chute Forest Cottage, Grovewood, Hyde Cottage, Woodruff, Meadow View, 2 Tolleys Cottages and The Old Cottage, Chute Cadley; Orchard House, Cadley Bottom, Hazel Cottage, Cadley Lodge and Lower House, Lower Chute; 30 Tibbs Meadow, Wansdyke and Chute Collis Cottage, Upper Chute; West Lodge and Standen House, Chute Standen; and letter from Land Development & Planning Consultants on behalf of many concerned local residents. The following comments made:

- It goes against AONB, Conservation Area, Chute VDS and the previous Kennet plan.
- This application is basically the same as previous applications (18/04151/FUL and 19/01970/FUL which were refused and withdrawn respectively
- CP2 para 4.34 defines infill as generally only one dwelling. No reasons are given here to justify an exception for more than one
- CP 2 para 4.34 defines infill as the filling of a small gap within the village. The proposed development is not located in a gap. It replaces existing buildings, as opposed to being in a gap between buildings. It is not infill.
- This is a completely unnecessary change of use and a very obvious misinterpretation of 'infill' within a rural village location.
- This is the worst kind of backland development in that it erodes and exploits the protected nature of the surroundings, the local building and amenity grain
- Lower Chute does not have any housing needs
- It is not needed or wanted in the village
- Other than during a build period, this proposal does not support any local employment.
- Since 18/04151/FUL was refused, 18/09811/FUL has been allowed allowing next door to demolish one house and replace with two. Together with this application, this will amount to 5 new houses along a narrow lane all within about 50 metres of each other where there is currently one house only
- The addition of four houses will increase the density by 50%.
- The cumulative effect of this proposal and the development of Stables Cottage would constitute the largest and most significant building project in the history of Lower Chute and Chute Cadley.
- The creation of 3 new dwellings in this short distance will inevitably consolidate what is now a loose knit area
- This cannot be considered affordable housing in a small village which has no facilities other than 1 local public house.
- Over development. Site too small to accommodate 3 dwellings and associated paraphernalia
- the Chutes is not the place for such a cramped development

- Contravenes HC24 and HH5 now CP2 and CP58.
- The village has limited facilities. no school, shop, transport
- The appeal decision submitted with the application was refused for reasons which would also apply to this scheme
- Better also to leave the new urban sprawl to the confines of Ludgershall, Tidworth, Andover, and so on, where there is need and sufficient infrastructure and amenity.
- no evidence that alternative employment, tourist, cultural or community uses have been explored, or that the buildings are structurally sound and capable of both the conversion, together with the additional rebuilding and extension proposed (as per CP48)
- Contrary to CP57, CP58 and the NPPF
- Plot 2, comprising the conversion and extension of the existing outbuilding, would be in close proximity to the adjacent grade II listed Lowerhouse Farm
- This would cause less than substantial harm to the significance of the adjacent grade II listed property and the curtilage listed stable block by compromising their settings
- Detrimental to the character and appearance of the conservation area
- There are no public benefits which would outweigh that harm
- This Conservation Area cannot gain any benefit from over development.
- The stables are an attractive centrepiece of the village which once developed leaves little room for gardens.
- In a Conservation Area it is not within the interests of our Village Design Statement that these stables be allowed to be given 'Change of Use' status – the proposal to allow them to be changed to residential properties goes against conserving this 'area of outstanding natural beauty'
- To build three additional commune style properties, which are in very close proximity to each other will encroach and spoil the aesthetic style that was in the original design of the Listed property.
- The revised scheme retains no more than 40% of the building as garaging to the listed building and overall the scheme separates the historic association of the stables from the farmhouse on ownership and physical relationship, compromising the significance of both the Grade II Farmhouse and its ancillary, curtilage listed buildings, subject of this application.
- while care has been taken over the detail of the conversion of the buildings, the subdivision of the open yard is considered to compromise the essential character of the site leading to an overtly domestic complex and loss of the rural aesthetic
- Outdoor space will be at an extreme minimum.
- The retention of a 2 bay car barn for a property with 12 acres is insufficient for the management of such acreage and will certainly warrant further development within the curtilage of the farmhouse in future to replace necessary barns.
- Currently the surrounding land is unmanaged without any grazing or maintenance of fencing etc, but presumably at some stage in future there will again be active use of the land which will necessitate either equipment or livestock, both of which need buildings for storage or shelter.
- The current stables are in good order, fulfil an important purpose and complete the function of a farmhouse with associated land. Without the stables, the Farmhouse becomes an executive property
- The 3 dwellings in the gardens of the existing plot represents an unneighbourly form of development for the adjacent properties resulting in adverse overbearing impacts and loss of privacy.
- Development would not protect, conserve or enhance the historic environment.
- It will not conserve the designated heritage assets and their settings

- Concerned about noise during construction
- There will not be enough parking facilities for any more than 2 vehicles per household
- Visitors and other cars will be forced to park on verges and/or village greens.
- Traffic will be an issue for pedestrians, pets, horses and children with numerous extra car/van/delivery journeys along a single-track lane.
- The cart shed parking is incorrectly defined not clear if it is for the existing house or cart shed development
- The newly written bat report shows that there are numerous wildlife reasons why these buildings should not be developed
- The chances of any of the biodiversity/wildlife being retained at this site after construction are slim
- Natural England will only issue an EPS license providing the Planning Authority satisfy themselves that 3 key tests are met (Derogation).
- Case Law exists which successfully challenged an Authority which did not adequately consider these as part of the planning process.
- 1. No detriment to the bat population - It appears that an acceptable mitigation plan has been developed and which would likely satisfy Natural England, providing all of the appropriate procedures through the building process are followed.
- 2. The development is in the interest of public health & safety or is required for other imperative reasons of overriding public interest – The development is clearly not in the interest of public health & safety. The client allowing the stables to fall into disrepair is her choice and will likely have a detrimental impact on her ability to successfully sell Lower House Farm. The fact that it may become an eyesore for the community is for the community to decide.
- 3. There is no satisfactory alternative to the development – The alternative is simply not to develop it. I do not believe that there is a need, as alleged, for additional housing in the area and the fact that the client wishes to ‘maximize’ the development opportunity for this and an adjacent site does not meet the test of no satisfactory alternative.
- Based on the above, it is my contention that 2 of the 3 required tests, for EPS purposes, cannot be met and consequently the Planning Authority cannot, in all conscience, approve this application.
- Were they to, then they run the risk that a case could be brought to dispute the decision based on existing case law.
- Will create a dramatic reduction of House Martins and Swifts/Swallows
- Insufficient consideration has been given to the bat and owl population
- There is nothing within the application that addresses the environment either in terms of energy sources, building processes, materials or dealing with Waste.
- No mains drainage in the village
- Need to investigate whether the increase in septic tanks in this area would have a detrimental effect on the underlying water table
- My fear is that approving this planning application could set a precedent for a pattern of development that is not sustainable – a stepping stone for further development that would change forever this profoundly beautiful, rural area.
- There have been stables recently built in Lower Chute as there is a lack of this facility in the village.
- No reference to the means by which these properties will be heated.
- Given that the majority of properties in the village, including Lower House Farm, have oil fired central heating, and the oil tank for Lower House Farm is located in the stable yard. This needs to be considered.

- Planning permission will be required for the location of any oil tank, including the relocation of that serving Lower House Farm
- Too many inaccuracies in the application form and statement

9. Planning Considerations

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

9.1 Principle of Development

The site is situated within the existing built up area of the Small Villages that collectively make up The Chutes, as defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP26 (Tidworth Community Area). It is acknowledged that Small Villages have a low level of services and facilities, and therefore few employment opportunities. WCS policy CP1 (Settlement Strategy) confirms that *'there is a general presumption against development outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages'* and that development in Small Villages will therefore be *'limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities'*. WCS policy CP26 (Tidworth Community Area) also confirms that there is a need for an additional 1,920 dwellings in the Tidworth Community Area up to 2026, with approximately 170 of these to be provided outside of the large settlements of Tidworth and Ludgershall and in accordance with the housing strategy set out in CP1 (Settlement Strategy) and CP2 (Delivery Strategy) and so there is an identified need for additional residential development in this community area's small villages.

WCS policy CP2 (Delivery Strategy) further confirms that such development in Small Villages will be *'limited to infill within the existing built area'*. Infill development is defined in CP2 (Delivery Strategy) as *'the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling'* and will be supported provided that the development *'Respects the existing character and form of the settlement;...Does not elongate the village or impose development in sensitive landscape areas;'* and *'...Does not consolidate an existing sporadic loose knit areas of development related to the settlement'*. In this case the site sits within a ribbon of existing residential development which is situated to the north of the lane running through this part of the village and is situated between two residential properties. The proposals also comprise the conversion and extension of existing buildings to provide a low number of new dwellings (3 in total). For these reasons, it is considered that the proposal consists of small-scale infill development and is therefore acceptable in principle in accordance with the above policy context.

It should also be noted that there is a recent refusal on this site involving a similar scheme for 3 new dwellings on this site. The implications of this previous decision for the current scheme are going to be assessed in more detail below, but the previous scheme was not refused on the matter of principle but rather on detail issues. It would therefore be unreasonable to introduce a new reason for refusal on principle grounds at this late stage and instead a consideration of how the new scheme addresses (or not) the previous reason for refusal should be the main consideration of this current scheme.

Local concern has however suggested that because the scheme does not involve only one dwelling; is not on the road frontage like existing development along this lane; and does not involve the development of new buildings to fill a gap but instead the conversion of existing buildings, that it does not involve infill development. However, this is simply not the case. As per the infill definition outlined above, this site is only large enough for a few dwellings. The policy does not state that justification has to be provided if the scheme involves more than only one dwelling (rather than a few) as each application will be considered on its own merits and on the basis of how it fits on the site and into the street scene (which will be assessed below). In addition, this is a small, non-residential site that is situated between two residential plots. Just because it is already developed with buildings does not reduce its ability to perform as an infill plot for residential purposes and does not mean that the conversion of those buildings for residential purposes would not represent infill development. The fact remains that this proposal involves the conversion and extension of a number of existing buildings for not more than a few dwellings within the confines of the existing built up area of the village, which therefore complies with the policies set out above and is therefore acceptable in principle.

Local concern has also been raised about the cumulative effect of this application when considered in conjunction with the adjacent development which has recently been approved, involving a subdivision of the plot and redevelopment of the site with one additional infill dwelling (considered under ref: 18/09811/FUL). The Parish Councils and local residents are concerned that the development of the two adjacent plots with a total of 5 dwellings where there is currently only one and some stables (a net gain of 4 dwellings), is an overdevelopment of the street/sites and goes beyond the provisions of the policies and level of development that is accepted in small villages. However, the fact remains that whilst in this particular instance the two sites are adjacent to each other; within the built up area of small villages such as this there will be limited scope for such infill development and therefore overall the scale of development that can come forward in such a village will remain low, and in line with the provisions of the Small Village policies. There is no maximum figure as to what can be accommodated in such villages set out in the relevant policies but the number of infill plots that meet the criteria will be the limiting factor in each case. The fact that both sites/schemes in this instance have the same owner/applicant and are situated adjacent to each other is not a relevant material planning consideration as each application must be considered on its own merits. This scheme must therefore be assessed against how it individually fits within the above policy context.

Local representation has also suggested that as the development involves conversion of existing barns, the applicant should have demonstrated that alternative uses for the building had been considered in the first instance, and that the buildings are capable of conversion before a residential reuse would be considered acceptable, in line with WCS policy CP48 (Supporting Rural Life). However, WCS policy CP48 (Supporting Rural Life) is concerned with the conversion of existing buildings in more remote countryside locations and is not applicable to such developments within the built-up parameters of a small village. Therefore, the specific criteria outlined in WCS policy CP48 (Supporting Rural Life) are not relevant to the consideration of this proposal. However, there is no reason to believe that the buildings are not capable of conversion and the fact that this policy does allow for the residential conversion of barns, even in the countryside (subject to criteria), does suggest that the conversion of existing buildings *within* small villages should equally be acceptable.

Whilst it is clear that there is no local support for additional residential development in this village, the fact remains that such small-scale development is necessary to ensure the long-term future of such villages and in order to sustain the limited facilities that do

exist in such areas, which is what WCS policies CP1 (Settlement Strategy) and CP2 (Delivery Strategy) are trying to achieve. There is also an identified need for such housing generally in this community area and no Neighbourhood Plan exists for The Chutes which directs such development elsewhere. Therefore, and in line with the above policy context, the proposals are considered to be acceptable in principle.

This 'in principle' acceptability is however subject to the detail in terms of the implications of the proposals for the heritage assets; the character of the area; neighbouring amenities; highway safety; and ecology. The refusal of the previous scheme on this site must also be assessed in order to determine how this scheme differs and/or if the previous reason for refusal has been addressed. These matters will be considered in more detail below.

9.2 Site History, Heritage, Character & Design:

As is identified above, the development involves the conversion of a number of curtilage listed and non-curtilage listed buildings on a plot that is within the curtilage of a Grade II listed farm house; wholly within the Chute Cadley/Lower Chute Conservation Area; and within an AONB. The site is therefore within quite a sensitive heritage landscape. The application is therefore accompanied by a Heritage Statement.

WCS policy CP58 (Ensuring the Conservation of the Historic Environment) confirms that the designation of a conservation area or listed building does not preclude the possibility of new development but that 'it is *expected that development will be of the highest standard in order to maintain and enhance the quality of the area or building, and be sensitive to its character and appearance*'. In addition, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting. Section 16 of the Act further states that in considering whether to grant listed building consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition, Section 72 of the Act further states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, 'special attention' shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In having 'special regard' and/or in paying 'special attention' the NPPF confirms that an assessment must be made as to whether the proposal causes '*substantial harm*', '*less than substantial harm*' or *no harm* to the asset

As is noted above, the previous scheme on this site involving the conversion of this range of outbuildings (considered under ref: 18/04151/FUL), was refused because it was considered that the level of works previously proposed would have compromised the setting of the listed buildings and curtilage listed buildings; the works were considered to be detrimental to the setting of the conservation area; and the scheme would have resulted in the loss of *any* dedicated outbuildings to serve the main farmhouse resulting in future pressure to allow further outbuildings on the site. It was therefore considered that the previous scheme would have resulted in less than substantial harm to the various heritage assets and this was not outweighed by any public benefit associated with the scheme. Local concern has suggested that the current scheme, to all intents and purposes, remains unchanged and will therefore still result in the same level of harm that was previously identified in the previous reason for refusal.

However, in order to address the previous reason for refusal, the current scheme has been subject to a number of revisions. The main change is that the large extension previously identified on the southern barn, which effectively cut across the existing courtyard, has been removed. The scheme now primarily consists of the conversion of the existing buildings in their current form and footprint, bar for the addition of a modest link extension in the south eastern corner of the courtyard and a slight increase in the height of one of the southernmost barns in order to allow for accommodation in its roof. In addition, part of the southern building and the respective garden/driveway/parking area to its front are to be retained by the existing host dwelling. This retained part of the latter building is to be converted into a cart shed/car port and will provide parking and storage for the listed farm house thereby consisting of dedicated outbuildings for use by the main house and thus reducing pressure to provide further outbuildings on the site in the future. In any event though, the retention of the existing boundary line also ensures that there is more space retained about the existing dwelling and thus potentially more scope for the provision of additional outbuildings should the need arise. Either way however, it should be noted that the erection of outbuildings either within the residential curtilage of the listed farm house or on the adjacent paddocks/land would need planning permission and would therefore be considered on their own merits at that point if/or when such proposals are put forward. It is not reasonable to try to pre-empt or refuse the current application because of a potential future development that is not even being proposed as part of this current scheme.

The Council's Conservation Officer has confirmed that the level of changes that have been made as part of this revised scheme, whilst fairly small-scale, have directly addressed the original concerns and are welcomed. It is considered that the more sensitive approach to both the conversion of the stable courtyard buildings; as well as for the setting of the adjacent listed building and conservation area will now result in no harm to the heritage assets and will sympathetically ensure the long-term viability, upkeep and repair of these curtilage listed buildings which is of public benefit because of their heritage importance. The previous reason for refusal is therefore considered to have been addressed and no objection has been raised in this regard.

With regard to the design approach proposed, development within the locality tends to have a traditional character but, as is typical of a village that has grown organically over centuries, there is not a particularly consistent design within this lane/street scene. Plots shapes and sizes also vary in the locality. The proposal seeks to retain the visual character and relationship of the existing buildings with the lane, with only a modest, link extension and minimal increase to the overall height of one of the barns now being proposed. Given that the works primarily involve conversion rather than new build works, the existing buildings, form, spacing and grain of development will look little different from the public domain than the existing arrangement of buildings in this street scene.

Local concern has suggested that views into the stable courtyard from the road will be possible and thus the associated parking/gardens and domestic paraphernalia associated with such a conversion will be apparent from the lane/street scene to the detriment of the character of the area. However, it is not considered that this will detrimentally affect the character of the lane which is in any event a village street with other residential properties (and associated development) dotted along its length. The essential rural character of the buildings will still be retained; new fenestration, particularly on the road side is restricted; the courtyard arrangement will be maintained; and the sensitive use of materials will all ensure that the buildings will retain their traditional character and their former equestrian use will still be apparent and readable.

The Parish Council has also raised concern that the proposals are contrary to The Chutes VDS and WCS policies CP57 (Ensuring High Quality Design & Space Shaping) and CP58 (Ensuring the Conservation of the Historic Environment) because the development involves tightly packed buildings encroaching into the agricultural fields, beyond the existing ribbon building line of residential development along this street and the buildings do not use pantile roof coverings. However, this development involves the conversion of buildings that already exist within a defined courtyard. Very little new build is proposed and as is identified, very little alteration is proposed to the existing buildings. Therefore, the position, grain, form and style of development on this site and its relationship with the street scene will be little different to the existing arrangement. It is therefore considered that the proposals will accord with the general principles of the VDS and WCS and NPPF policies and the impact for the character of the area; conservation area; and wider AONB landscape will be minimal.

9.3 Neighbouring Amenities:

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

The proposed works involve predominantly internalised changes within the existing courtyard and/or the insertion of high-level windows on external elevations. The potential implications for wider neighbouring amenities in terms of outlook, shadowing, loss of privacy and dominance will therefore be minimal.

Local concern has, however been raised about the potential internal overlooking that may be created between the three proposed dwellings. The layout of the site is such that the bulk of open space/amenity is to be provided within the courtyard to the front of each dwelling. It is therefore acknowledged that there is likely to be a high degree of inter-visibility between the occupiers of the development, and limited private amenity provision as a result of the need to provide parking spaces and bin storage etc. It is acknowledged that this is not ideal but it is nevertheless a common occurrence within courtyard style conversions such as this, where the desire to retain building layouts is an important counter-balance for the scheme's consideration. The removal of the previously proposed large projection on dwelling 3 has, however resulted in greater space being possible to provide the associated gardens, bin storage and parking provision and has thus improved the level of space available in this courtyard.

In any event, any future occupiers/residents will be aware of this situation before purchase and such a lifestyle/relationship would therefore be a known choice rather than one that is inflicted upon them after purchase. It is therefore considered that this would not be a defensible reason for refusal in this case. It also was not used as a previous reason for refusal for a similar re-use of this space/buildings and so it would be unreasonable to raise this as a reason for refusal at this late stage.

9.4 Highway Safety:

The proposals involve a 1x3 bed dwelling and 2x2 bed dwellings on this site, which therefore requires a provision of 2 car parking spaces per plot (6 in total). These have been identified on the plans being provided by way of surface driveways to the front of

each dwelling. The scheme also involves the retention of a 2 berth car port/cart shed to serve the existing dwelling. The Highway Authority has confirmed that the level of parking that is proposed is acceptable and accords with the Council's adopted parking standards. It should also be noted that the adopted standards take into account the likely visitor needs to a site with additional visitor spaces only being required per 5 new dwellings, which is not applicable in this case.

Much local concern has however been raised about the suitability of the lane to serve three additional dwellings (in addition to the additional dwelling that has already been allowed on the adjacent site). It is also considered that there is insufficient space on the site for visitor/delivery vehicles etc which will cause a knock on effect for parking in the lane and on the memorial green/grass verges nearby. However, the site is located on an unclassified road which is subject to a 30mph speed limit. The Highway Authority has confirmed that all three dwellings are to be serviced by an existing access which is of suitable width with good visibility. Whilst it is acknowledged that the proposed use is likely to generate additional vehicle movements compared with the existing equestrian use of the site; it is confirmed that this would not be excessive to warrant a reason for refusal of the scheme, even when combined with the traffic generation that will result from the adjacent development. As is set out above, the level of parking identified to serve the new use also meets the Council's Adopted parking standards and it would not therefore be reasonable to insist on additional provision. In addition, this matter was not sustained as a reason for refusal on the previous scheme and so it would again be unreasonable to raise this as a matter of concern at this late stage. The Highway Authority has therefore raised no objection to the scheme on this basis.

9.5 Ecology:

Local concern has been raised about the potential harm for protected species and nesting birds that will result if the proposed development is permitted. A Phase 1 and 2 Bat Report (which also deals with Barn Owls and other nesting birds) has been submitted with the application which confirms that a Licence from Natural England will be required. The report confirms that the buildings in question are in use by common pipistrelle, soprano pipistrelle and long eared bats for roosting; as well as providing nesting opportunities for a barn owl and swallows.

Natural England has confirmed that the presence of a European Protected Species is a material consideration for a planning application and the Local Planning Authority must therefore satisfy itself that the proposed development meets three tests as set out in the Directive. If the three tests cannot be satisfied then the Local Planning Authority should refuse planning permission.

The three tests referred to above are the three derogation tests which require the following:

- 1) The consented operation must be for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment
- 2) There must be no satisfactory alternative
- 3) The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Some information has been submitted by the applicant with regard to the compliance of the development with regard the derogation tests. Whilst some of this assessment

is brief, the Local Planning Authority is satisfied that the three tests have been met in this instance.

With regards to the first test, the proposals involve the conversion of a number of curtilage listed buildings, which are therefore considered to be worthy of retention because of their heritage value. The proposed works/reuse of these buildings will secure their long-term future, viability and more importantly upkeep, which is of public benefit because listed buildings are of national importance. The scheme also involves the creation of new dwellings which will help to meet the identified local housing need in WCS CP26 (Tidworth Community Area), in an area that is considered to be appropriate in principle for small scale new development such as this, as outlined above. It is therefore considered that the proposals satisfy the first derogation test regarding overriding public interest/benefit.

With regards to the second test, it is considered that the conversion of the buildings will ensure that the buildings are maintained in the long term, rather than left to deteriorate, and thereby the roosting opportunities afforded by the building will also be maintained in the long term. There is no alternative site that can be considered instead for this proposal given that the buildings already exist on this site; and the sensitive conversion rather than redevelopment of the site for the purpose is the best way to ensure that the bat population on site is maintained and preserved.

With regards to the last test, the applicant has proposed a mitigation strategy which will ensure that roosting places are available for bats and birds at the site both during the construction and the operation stages of the development. In detail the proposed mitigation involves the erection of 3 temporary bat boxes on mature trees on the north eastern side of the site, which will temporarily provide opportunities for roosting during the construction phase. The conversion works then identify an area within the roof void of dwelling 1 providing bat roosting opportunity with two access points being provided in the roof covering. A bat box is also identified on one end gable of dwelling 1. A barn owl box is proposed on dwelling 2 and a further bat box and swallow nesting cups are proposed on dwelling 3 and the attached cart shed. Timings for the construction work are suggested along with recommendations for any external lighting.

The Council's Ecologist has confirmed that this level of replacement facilities is appropriate to mitigate against the potential impacts for protected species that could result from the proposed development. It is considered that the third test can therefore also be met and there is no ecological objection to the scheme, subject to conditions being imposed on the decision to secure the mitigation measures identified. The Local Planning Authority is therefore satisfied that the proposals are also acceptable in this regard.

9.6 Drainage:

The site is not situated in Flood Zones 2 or 3 and the site area is less than 1 hectare in size. Therefore, in line with the Environment Agency advice, the site is not considered to be at risk of surface water flooding. As the proposals also do not constitute major development, there is no statutory requirement to consult the Lead Local Flood Authority (LLFA) (The Council's Drainage Team) about the scheme.

In this instance, however, the LLFA were erroneously consulted on the application and have issued a holding objection due to the lack of drainage information (as is summarised above). The applicant, in response has issued a drainage report and altered the drainage strategy from a septic tank (foul drainage) and soakaway (surface water) to a 9 person Sewage Treatment Plant on the adjacent field within the applicant's ownership (foul drainage) and a soakaway (surface water).

Whilst the Council's Drainage Officer has made no further comments on the application and proposed revisions, on a small-scale development such as this, it is considered that this matter is covered by building regulations and/or other legislation. The proposals and information provided is therefore sufficient to satisfy the planning requirements in this regard. If however it is found that changes to the drainage scheme are required at a later date, then an amended planning application may also need to be submitted accordingly, which would be considered on its own merits at that point. This is not however a reason to refuse a development of this scale at this planning stage. An informative is considered to be appropriate highlighting both the concerns raised by the LLFA and the advice provided by Wessex Water as part of this application to the applicant, which will hopefully help inform any building regulation/drainage scheme that might be submitted in the future.

10. S106 contributions

As the proposals involve only a net gain of 3 dwellings in the area, WCS policy CP43 (Providing Affordable Housing) is not triggered and no affordable housing contributions are required as part of the scheme. However, as of May 2015 the Council adopted its Community Infrastructure Levy (CIL) which applies and is sought from any additional dwellings in the area. A note is therefore attached to the recommendation to bring this to the applicant's attention accordingly.

11. Conclusion

The proposal is considered to be acceptable in principle. The proposal represents a comprehensive and sensitive development that would retain the visual amenity and character of the site and street scene without resulting in any detrimental impact for the character or setting of the heritage assets or AONB. The revisions are also considered to have addressed the previous concerns and reasons for refusal and are unlikely to result in any implications for highway safety; ecology; or drainage. The application, on balance, is recommended for permission accordingly.

12. RECOMMENDATION

Grant planning permission subject to 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: 160811-09 – Plot 1 & Plot 2 Elevations. Received – 01.08.2019

Ref: 160811-10 Rev A – Design Scheme. Received – 03.09.2019

Ref: 160811-11 Rev A – Design Scheme Plans. Received – 01.08.2019

Ref: 160811-12 Rev A – Site & Location Plans. Received – 04.10.2019

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing buildings.

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

4. Notwithstanding the approved drawings, no works to the buildings/extensions hereby approved shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - (i) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
 - (ii) Full details of proposed roof lights, which shall be set in plane with the roof covering;
 - (iii) Full details of external decoration to joinery; and
 - (iv) Full details and samples of external materials.

The works 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 preserving the character and visual amenity of the conservation area and the setting of the adjacent listed buildings.

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:
 - 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;
 - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - 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, south eastern or south western elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy and the character of the area.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E and G shall take place on the dwelling houses hereby permitted or within their curtilage.

REASON: In the interests of heritage and 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.

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.

10. No part of the development hereby permitted shall be first brought into use until the 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: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

11. The existing access shall remain ungated or the existing gates permanently fixed in the open position.

REASON: In the interests of highway safety.

12. The development shall be implemented in accordance with the recommendations detailed in Section 5 of the approved ABR Ecology Update Roost Appraisal, Bat Activity Surveys & Nesting Birds Report (19th July 2019) and the identified mitigation measures shall be carried out in full prior to the new dwellings hereby approved being first brought into use.

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

13. The replacement swallow/barn owl nesting opportunist and bat roost boxes identified on the approved plans shall be installed in accordance with the approved details prior to first occupation of the dwellings hereby approved. These bird and bat boxes shall be retained and maintained as such in perpetuity.

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

14. Any external lighting at the site must be installed in accordance with the details set out in the ABR Ecology Update Roost Appraisal, Bat Activity Surveys & Nesting Birds Report (19th July 2019).

REASON: in the interests of biodiversity and protected species.

INFORMATIVES

- 1) 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.
- 2) The applicant's attention is drawn to the advisory notes provided about the application by Wessex Water in their letter dated 23rd August 2019; and the comments made by the Council's Drainage Officer to the scheme. Both will need to be considered as part of any drainage scheme for the site or as part of any subsequent building regulation application for the site.
- 3) The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.