

From: Diccon Carpendale <Diccon.Carpendale@brimblelea.com>
Sent: 28 October 2020 17:01
To: Jones, Becky <Becky.Jones@wiltshire.gov.uk>
Subject: 19/11985/FUL - Land at Bonham Farm, Bonham Lane, Stourton, BA12 6PA
Importance: High

Dear Becky,

Many thanks for calling me yesterday and the helpful conversation.

My understanding is the matter will be reported to the Southern Area Planning Committee although there is no guarantee that this will be on the 12th November. Please advise/confirm as soon possible.

You have indicated the LPA will be recommending the application for refusal for 3 reasons:

1. Adverse impact upon heritage assets.
2. Objection from WC Housing Officer.
3. Objection from WC Highways Officer.

Although I have yet to see your detailed report, the following additional information is pertinent and I would be grateful if it is carefully considered in advance of the Planning Committee.

1. Heritage

When we discussed the proposal many months ago (after you had visited the site) at that stage your personal (planning) assessment was that you were not unduly concerned about adverse impact upon heritage assets. Subsequently, your Conservation Officer has raised concerns with respect to the impact upon a Grade II* listed building and this position has been echoed by Historic England.

We have provided a comprehensive Heritage Impact Assessment which has considered all of the heritage assets within the vicinity and reached a different conclusion to the consultees – that the proposal would not cause harm to significance.

Subsequently we have provided a further response from A C Archaeology following the receipt of your consultation responses from Jocelyn Sage and Historic England.

Although I have not read your report, it is very important for the benefit of the decision makers that they understand the NPPF at para 196 (within chapter 16 conserving and enhancing the historic environment) states *where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.*

The statutory consultees suggest that based on their perception of the impact of the development on the setting of heritage assets the proposal should be adjudged to cause **less than substantial harm**. In such circumstances it is for the decision maker to weigh the benefits of the proposal against such harm. In this instance there are very substantial public benefits – the provision of 4 units of affordable housing – and in my professional assessment

(and I am both a qualified Planner and full member of the Institute of the Historic Building Conservation) the clear public benefits are able to justify approval in these circumstances.

2. **Housing Officer objections**

Please find attached a comprehensive response from the applicant which addresses the various concerns raised by your Housing Officer.

It is clear that the proposal is policy compliant and that there is no need for Wiltshire Council to be involved with nomination rights.

As you know, a similar proposal was approved nearby some 5 years ago by the Southern Area Committee and the applicant has explained how this (and other properties they control) are managed and there is every intention (as before) that all relevant matters relating to tenure, eligibility and the retention of the dwellings for rent in perpetuity are controlled through S.106 agreement which as the applicant states, will need to be worded to the satisfaction of the LPA.

3. **Highway objection**

The Highway Authority has objected to the proposal – primarily as it considers it is in an isolated location and also because it considers the road network to be inadequate.

As explained by the applicant, in response to the Housing Officers objection, Bonham Farm cannot be considered “isolated”. It comprises a cluster/hamlet of properties which is typical of Stourton. The site approved in 2015 was in a similar location adjacent to a cluster of properties.

With respect to promoting sustainable transport (chapter 9 of the NPPF) para 103 recognises that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas and that should be taken into account in both plan-making and decision-making.

It is important to note the existing access to/from the public highway and the proposed access arrangements to serve the new dwellings are unobjectionable to the Highway Authority.

Of course, by its very nature many of the roads in the area are country lanes but those using them are familiar with their form and the type of traffic likely to be encountered. Tenants will be from the Parish or work within it.

Please find attached a plan produced by the applicant showing the possible highway improvements within land under their control which have been suggested to the Highway Authority. Unfortunately, despite numerous attempts to engage with the Highway Officer involved, she has declined to meet with the applicant to consider the benefits that could be delivered through the provision of a number of passing places along the road to the east of the development.

At paragraph 109, the NPPF advises *development should only be prevented or refused on highways grounds if there would be an unacceptable impact of highway safety, or the residual cumulative impacts on the road network would be severe.*

This is a modest development of small dwellings which is not going to generate significant additional traffic movements. Any change must be considered within the context of there being existing dwellings and a series of farm buildings on the site served by the same access. As such, any increase in the use of the access itself and the surrounding roads will be negligible.

Taking into account the above information, I would respectfully submit that there should be no objection to the proposal from your Housing Officer. Similarly, we submit that the objection from your Highway Officer cannot be substantiated either in terms of sustainability arguments or in relation to the nature of the road serving the development as the proposals do not result in any cumulative impact which is severe. Nor will they result in harm to highway safety.

Finally, with respect to the impact upon the setting of heritage assets, whilst the applicants Heritage Consultants do not share the view of your Conservation Officer or that of Historic England, the NPPF makes it clear that even in situations where there may be less than substantial harm to significance the planning benefits of a proposal should be weighed in the planning balance and it is entirely within the decision makers gift to judge that the clear benefits associated with this proposal are such to outweigh any perceived (minor) harm to significance.

Please can you ensure that the relevant statutory consultees are aware of these comments and also that this email and its attachments are circulated to all members of the Southern Area Committee in advance of the meeting.

Many thanks for your assistance.

Kind regards

Diccon Carpendale

Mr Diccon Carpendale
MA, Dip (Arch.Cons.), MRTPI, IHBC
Planning Consultant
Brimble Lea & Partners
Wessex House
High Street
Gillingham
Dorset
SP8 4AG

Mobile: 07968 500223

Tel: 01747 823232

Diccon.carpendale@brimblelea.com

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