

<b>Date of Meeting</b>	1 <sup>st</sup> April 2021
<b>Application Number</b>	20/10716/OUT
<b>Site Address</b>	Land at Cools Farm  Tisbury  East Knoyle
<b>Proposal</b>	Outline planning application to establish access only for agricultural dwelling at Cools Farm.
<b>Applicant</b>	M & Q Edwards
<b>Town/Parish Council</b>	WEST TISBURY
<b>Electoral Division</b>	Tisbury - Cllr Tony Deane
<b>Grid Ref</b>	390603 129820
<b>Type of application</b>	Outline Planning
<b>Case Officer</b>	Lynda King

### Reason for the application being considered by Committee

The application has been called to Committee by the Local Member Cllr Deane for the following reasons:- The site is located some distance from the farm buildings on a narrow lane. There is some doubt whether the proposed sightlines onto the road are adequate in this very rural lane. There are also issues regarding the visual impact on the surrounding area, and the relationship to adjacent properties.

#### 1. Purpose of Report

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

#### 2. Report Summary

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

- Principle
- Character
- Highway Safety
- Ecology

The application has generated an Objection from West Tisbury Parish Council; and 4 letters of objection from third parties.

### 3. Site Description

The application site is 0.09ha in extent and is situated within a larger field currently forming part of Cools Farm. Cools Farm is located about 4km to the north west of Tisbury and west of Beacon Hill. East Knoyle is to the west. It lies in open countryside and the whole farm lies within the Cranborne Chase and West Wiltshire Downs AONB.

Cools Farmhouse (which is Listed Grade II) and the main farm complex lies approx. 120m to the south east of the application site at a lower level. The land rises from the main farm buildings, through to the Farmhouse and then up to the application site itself, which sits below Beacon Hill. The application site is located in a depression in the ground which was previously used to extract stone for the construction of farm buildings. It is not readily visible from the existing farm complex to the south west.

The main farm buildings are grouped to the south west of the farmhouse and mainly comprise substantial modern agricultural buildings either side of Tokes Lane, which bisects the farm. There is a separate stone building in residential use to the north west of the farmhouse, which is not within the ownership of the occupants of Cools Farm, as well as a pair of holiday lets converted out of a previous store building and an annex to the main farm house also used as a holiday let. The existing farmhouse does not have an agricultural occupancy tie condition as the dwelling pre-dates the planning system.



### 4. Planning History

S/2001/0239 and 0240 – first floor conversion of redundant stables to a two-bedroom dwelling, approve with conditions.

S/2003/0217 and 0218 – renovation and change of use of existing redundant outbuilding to ancillary accommodation for farmhouse, approve with conditions.

S/2003/0942 and 0943 – extension of redundant building to provide residential accommodation. Withdrawn due to LPA objecting to the scale of extension proposed on the Listed outbuilding.

S/2007/2250 – convert and extend store to provide two residential units for holiday letting, approved with conditions limiting the occupation to holiday use only.

S/2008/1497 – erection of agricultural livestock building, approved with conditions.

## **5. The Proposal**

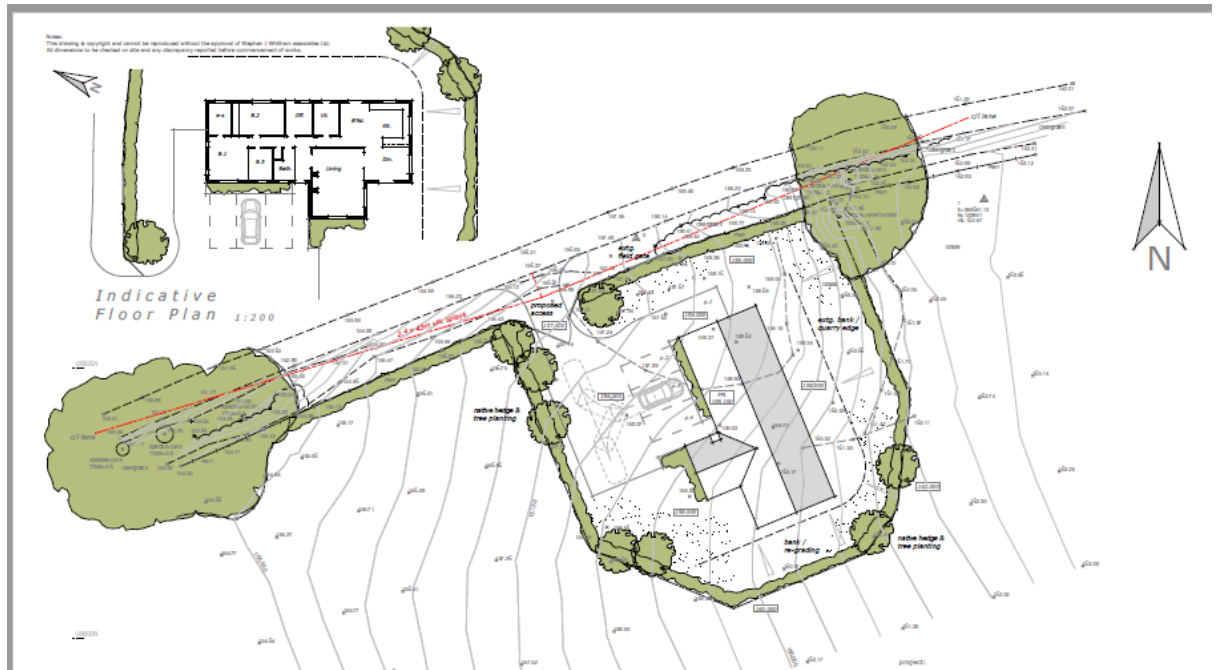
This application, in outline, is for the erection of an agricultural worker's dwelling to be occupied by a share farmer associated with the running of Cools Farm.

The current farm comprises 79ha (195 acres) of which 6.75ha (16.23 acres) is rented. It is currently run by the farmer as an organic beef holding, with his wife running the holiday let and a bed and breakfast business as part of the farm diversification. The applicants are nearing retirement and wish to ensure that their farming legacy and environmental ethos is maintained in the future by supporting a new farm entrant to the holding on what is known as a 'share farming arrangement' which is explored in more detail in section 9 below.

The existing dwellings on the site are not available for the new share farmer, explored in more detail in section 9 below, and the application therefore looks to consider whether there is a justification for an additional dwelling in this location.

The applicants have decided on the current site, which is approx. 120, from the main farm complex, as it lies in what is known as the calving field, with access to the road, power and other services. In this location it is argued that the occupier will be on hand to assist cows when calving outside, whilst remaining close to the farmyard.

The application is in outline with all matters reserved except for access. However there is an indicative plan submitted which indicates a relatively modest single storey dwelling with associated farm office and three car parking spaces sat within a small curtilage, as set out below. This scale of dwelling would not be inappropriate for a farm worker's dwelling if the need for the property can be justified when considered against local and national planning policy.



## 6. Local Planning Policy

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

*Wiltshire Core Strategy:*

- CP1 (Settlement Strategy)
- CP2 (Delivery Strategy)
- CP3 (Infrastructure Requirements)
- CP46 (Needs of Wiltshire's Vulnerable and Older People)
- CP48 (Supporting Rural Life)
- 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)
- CP69 (Protecting the River Avon SAC)

*Salisbury District Local Plan policies (saved by Wiltshire Core Strategy)*  
 C21 (Farm Diversification)

Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)

*Supplementary Planning Documents:*

Wiltshire Local Transport Plan – Car Parking Strategy

Cranborne Chase and West Wilts Downs AONB Management Plan

## **7. Summary of consultation responses**

West Tisbury Parish Council – Objection

The Parish Council do not support, the reason being the access onto the highway at this point for site 7 is not suitable or appropriate.

Highways – Initial consultation response:-

The site is located off the C309, Tokes Lane outside of any settlement boundary, and would usually be considered to be contrary to the Wiltshire Core Strategy, Core Policy 60 and 61 and Section 9, paras 102, 103, 108 & 110 of the National Planning Policy Framework 2019 which seek to reduce the need to travel particularly by private car, and support and encourage sustainable, safe and efficient movement of people and goods, however I am aware that you may have policies that support an agricultural dwelling that override the sustainability issue.

Due to the fact that the proposal is for an agricultural workers dwelling, the main occupant will not need to travel for work, which will reduce the amount of vehicle trips through the proposed access.

The carriageway in this area of Tokes Lane is bounded by high banks on either side, however the bank immediately to the front of the site where the access is proposed levels to form a verge.

I note the visibility splays that are shown on the submitted drawings of 2.4m by 43m. These do not meet the visibility splay recommendations for a vehicle access where the national speed limit applies, however, on visiting the site, I was aware that any vehicle would be unlikely to achieve speeds reaching the national speed limit due to the nature of the road. I therefore believe that a speed survey is required to establish whether the splays proposed are adequate.

Therefore, I would be grateful if the applicant would undertake a speed survey and provide me with the results.

Final comments following speed survey :- No objection, subject to conditions, if the dwelling is deemed necessary to support an agricultural enterprise..

## **8. Publicity**

This application was advertised through a site notice. 4 letters of objection were received raising the following issues:-

- Support the principle of the dwelling, but concerns about it's location
- Concern about lack of details in this AONB location
- Access is on a bend in a narrow road
- Access point is of great botanical interest
- The development would be on a prominent hillside in the AONB
- Another site on the holding would be preferable
- No justified need
- There are already 4 dwellings on the holding and one of these could be used instead.
- Impact on the Cools Farmhouse listed building

## **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**

This application proposes the construction of a dwelling within the open countryside where such a form of development would not normally be permitted unless it can be justified that the proposal is for accommodation to meet the needs of employment essential to the countryside and can be supported by functional and financial evidence.

Cools Farm has been run as a family farm for over 50 years, and the applicant is the third -generation farmer on the holding. He and his wife are of retirement age, but are still currently running the farm and the accompanying holiday lets and farm B and B as part of the farm diversification. There are no members of the next generation of the family in a position to take over the running of the farm and therefore the applicants are wishing to explore another mechanism to enable a young farmer to take over the running of the enterprise.

The farm is run on environmentally sustainable principles, based around an organic beef rearing enterprise using Red Poll cattle. It is registered with the Soil Association as well as the Red Tractor Scheme. In 2020 the farm has been accepted onto the Countryside Stewardship's Higher Tier Scheme, with particular reference to at-risk native breeds and the preservation of biodiverse meadows. It is also one of 6 farms in the AONB selected for the Cranborne Chase Environmental Land Management Scheme.

The applicant has arrived at a method for enabling the continuation of the farming enterprise to the existing environmental standards currently operating, and to give an opportunity for a new young farmer to take on the running of the holding. This is via a share farming arrangement, which it is understood to be not very common yet within the UK, but is widely practised in places such as New Zealand.

Under the share farming arrangement, the applicant will utilise his mentoring experience to support the new farmer in ensuring that the pedigree herd is maintained and the farm business continues. The land, buildings and herd will be made available to the new farmer, who in exchange will provide the labour and machinery input. Each party then receives a proportion of the income depending upon what has been put into the agreement (eg land, buildings, labour). The applicants do not wish to vacate Cools Farmhouse, which is their home. Therefore the proposal is to provide a new rural worker's dwelling to the new entrant enabling that person to live on-site and take on the majority of control of the farm business.

### Functional need test

The Council sought the expert opinion of an Agricultural Consultant in respect of this application due to the novel form of the proposal.

The assessment as to the need for this dwelling has to be undertaken against the provisions of, in particular, Policy CP 48 of the Wiltshire Core Strategy and paragraph 79 of the NPPF.

The relevant section of Policy CP 48 states that:-

***Dwellings required to meet the employment needs of rural areas***

*Outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.*

The relevant section of Para 79 of the NPPF states that:-

*Planning policies and decisions should avoid the development of isolated homes in the countryside unless.....there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.*

The Council's agricultural consultant has concluded that there is a functional need for a full time worker to live on site to manage the calving that takes place externally in Home Paddock (where the proposed dwelling is to be sited) and that the labour requirements of the farm require one full time person plus part time assistance.

He concludes that as the applicant will continue to occupy the existing dwelling, but will no longer be responsible for the essential need to manage the calving operation, and that the existing dwelling is therefore discounted, then the proposed dwelling is an appropriate means to meet the essential need.

### Viability of the holding

The next criteria for consideration is the viability of the holding and its ability to support another dwelling on the site. Although the NPPF does not expressly reference the need to assess the existing or proposed business which will operate in association with the proposed dwelling, Policy CP48 does contain this requirement, and the recent (July 2019) update of the Planning Practise Guidance (PPG) does now reference financial viability as a consideration when determining the need for a rural worker's dwelling. That same guidance also refers to whether the provision of an additional dwelling "is essential for the continued viability of a farming business through the farm succession process".

The Council's consultant concludes that the applicant's circumstances are such that the proposed transfer of the business through a share farming arrangement are wholly appropriate, and that the size of the dwelling proposed is suitable. However, the current financial information does not conclude that the current operation is viable, but in his opinion the existing business has the capacity to attain viability.

This conclusion has been discussed with the applicants and additional information has been sought to support, or not, the applicant's claims about the long term viability of the holding.

The response is that the applicant, due to his age, has not been running the holding in the last few years to maximise income, but rather had been investing in improving the holding. This information is borne out by the accounts the Council's consultant has seen.

The share farming process is nearing completion and a preferred candidate has now been chosen, who will be bringing expertise and input to the holding that has allowed the estimates of the farm's profitability to significantly increase. It has also been confirmed that with the applicant's situation, the farm will not be supporting two livelihoods. In addition, the income from the holiday lets has not been included in the farm income, and details have been provided for the profits from this enterprise, which will support the applicants in the future. It has also been clarified that the proposed dwelling will be constructed and owned by the applicants and that therefore the cost of constructing the property will not fall to the prospective share farmer. The additional information submitted confirms that the business is viable, and that sufficient income can be produced to support both the incoming share farmer and the applicant.

In conclusion the future income from this holding will be sufficient to enable the farm to be let under a share farming agreement that can provide sufficient return for the applicants along with the new share farmer, and which will allow for the business to expand and for the necessary re-investment to take place to support the business in the long term. On that basis the holding would appear to be viable.

#### Need for a secondary dwelling

The question of the need for a second dwelling to effectively replace the existing farmhouse, Cools Farmhouse, also needs to be considered.

Paragraph 79 of the NPPF states, in part, that :- *'there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside'* The relevant supporting text in the PPG states that :- *whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*

This is the situation with this application, in that the share farmer will be taking the majority control of the holding to ensure it's long term continuation. There is also



case law to support the contention that the applicants should be able to retire to their own home.

There are other potential residential properties within the farm holding which need to be considered before agreeing to the construction of a new dwelling on the holding. One, the Old Stables, is not owned by the applicant and is not available for use by the share farmer. There are also two small holiday lets which have been converted from redundant farm buildings in the past, which currently provide farm diversification income in accordance with prevailing national policy, in particular para 83 of the NPPF which states that :- Planning policies and decisions should enable:

***a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;***  
***b) the development and diversification of agricultural and other land-based rural businesses...***

As a consequence, the proposed dwelling appears to accord with the aims of national planning guidance, and thus a refusal on this basis may be difficult to justify in officers opinion.

## **9.2.Highways and Access issues**

Concerns were raised by local residents and the Parish Council about the suitability of the site due to it's location on a narrow country lane on a bend in the road.

Wiltshire Council Highways officers had a similar concern, due to the fact that the site lies on a road with an unrestricted speed limit. The applicant was therefore asked to carry out a speed survey to assess traffic speeds in the locality. This survey demonstrated relatively low traffic speeds in the locality and the Highways Officer therefore raised no objection to the proposal, subject to conditions, on the grounds of highway safety.

Comments have also been made about the biodiversity of the area of land where the access is proposed. It should be noted, however that it would be possible for the applicants to construct a new agricultural access to the site under permitted development rights which could affect this area, without any conditions to be imposed to ensure the impact is minimised. There is an existing access to be stopped up and a new one created, and as the visibility splays are largely over the existing grass verge, it is not necessary for significant works to take place which will affect the biodiversity of the land in question.

### **9.3 Ecology**

The Council's ecologist has commented:

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorous mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period. The strategy also covers non-residential development with the following exceptions:

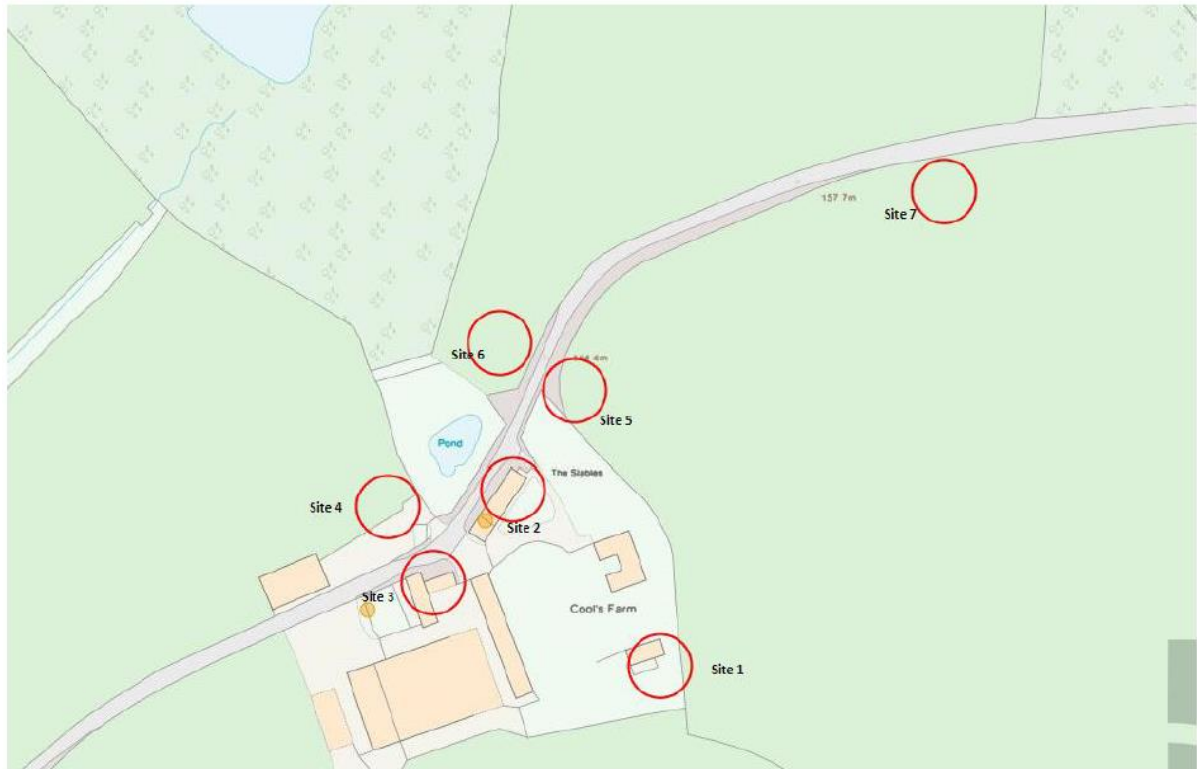
- Development which generates wastewater as part of its commercial processes other than those associated directly with employees (e.g. vehicle wash, agricultural buildings for livestock, fish farms, laundries etc)
- Development which provides overnight accommodation for people whose main address is outside the catchment (e.g. tourist, business or student accommodation, etc)

Following the cabinet's resolution on 5<sup>th</sup> January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7 January 2021. As this application falls within the scope of the mitigation strategy and generic appropriate assessment, I conclude it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

### **9.4 Siting of the proposed dwelling**

The proposed site of the dwelling lies within the AONB, and in proximity to the Listed Cools Farmhouse and therefore Policies CP 51 and CP 58 are applicable.

The applicants have provided information to demonstrate that they have considered 7 possible sites for the proposed dwelling, as set out on the map below:



Each of these sites will be considered in turn.

Site 1 – This building has planning permission for use ancillary to the main farm house and is currently used for holiday accommodation. It is poorly related to the Listed Farmhouse as a separate dwelling as it is located on the southern edge of the formal garden of this property, it has no separate vehicular access, and it would require extending to be capable of use as an agricultural worker's dwelling. Previous proposals to extend the building have been resisted as inappropriate and having an adverse impact on the setting of the Listed Building.

Site 2 – This converted farm building is in residential use, but is not owned by the applicant and therefore is not available for use in connection with the farm business.

Site 3 – These are the barn conversions granted consent in 2007. They could be converted to a single larger dwelling, but the applicant's business is reliant on the tourism business to support the viable farm operation and therefore the buildings need to remain in their existing use.

Site 4 – This is the area where the applicants are seeking to consolidate their farm buildings, and therefore a dwelling in this location could prejudice the farm's continued expansion.

Site 5 - This site is on top of a bank, at a higher level than the adjacent Listed Building and with a prominent tree on its southern edge. A dwelling sited here would be very prominent when viewed from the existing Farmhouse and access would be difficult as it

would either have to come off the highway in a location where visibility is limited, or across the curtilage of the Listed Building.

Site 6 – This is a steeply sloping field in use it is understood as pasture. A dwelling here would require a significant amount of cut and fill and would take up a large area of land to support this. It is also the access to a wider area of the farm land, and an additional access would need to be created to serve this function separate to that of the dwelling, thereby increasing the amount of development in the area.

Site 7 – the application site. This area of land is relatively flat, as it is formed out of the old worked-out quarry area, and is well located to the area used for calving. It is at a distance from the main dwelling and the main farm complex and the access along Tokes Lane is awkward.

The applicants have clarified why this particular site has been chosen above all others and they are of the opinion that with appropriate siting and design, a simple single storey dwelling located in the depression created from the old quarry can be screened with material from the foundations. Part of the Planning Statement on this topic states that:-

*The layout plan which has overlaid the Topographic survey shows the dwelling (albeit illustrative) to adopt a single storey, linear form. The scope to use the existing excavated landform allows for the finished floor levels to be set at 158.150m AOD. This is a similar height to the road level as it passes the site and is set some 2.5 – 3.5 m below the natural ground as it rises to the north east of the dwelling. This is illustrated on drawing S2012-02 which indicates a contour at 162.00 – 162.11 running along the eastern site boundary.*

*4.6 The scheme indicates that there is scope to use the excavated material from the dwelling's base to re-profile the land to the south of the site to maintain a level at 160.00m AOD to partly screen the dwelling from views to the south and west within the wider landscape.*

*4.7 The proposed rural worker's dwelling comprising a linear single storey dwelling to the field edge would reflect the positioning of rural outbuildings relative to the road networks. The use of a single storey building would also be reflective of traditional rural outbuilding scale and seek to minimise landscape impacts.*

*4.8 The outline plan indicates that boundary treatments could adopt a post and rail and native hedge to both further mitigate views as well as to ensure a biodiversity net gain is achieved through the development.*

Pedestrian access to the main farm complex will be through the field leading to the buildings. Photos of the site are set out below:-



Photograph 1: Application site looking from the west.



Photograph 2: Application site looking south west (Google street view)

The site would also limit the impact of the proposed dwelling on the setting of the Listed Building. Section 16 of the NPPF requires the decision maker to assess the level of harm, if any, to heritage assets which may be affected by a development and then to assess whether the degree of harm can be mitigated by any public benefits. In this instance, due to the distance from the dwelling and the intervening landform, the proposed dwelling will not be readily visible from the Listed Building, which is set at a much lower level in the farm setting. The roof of the dwelling is just visible in Photograph 2 above. It is therefore considered that the impact on the Listed Building is neutral, and as no harm is determined, the test of public benefit is not required.

The site also sits in the AONB, which is offered the highest level of landscape protection. This application is for a rural worker's dwelling and the AONB Management Plan is

generally supportive of appropriately designed dwellings to meet this need if there is a justification for their development. The site will be screened from the wider landscape by using the landform and materials excavated from within it, as well as appropriate planting. It is set on rising land with the significant wooded area of Beacon Hill to the north and east which will ensure that it is not seen as a skyline building from any vantage point.

## **10. Conclusion (The Planning Balance)**

The consideration of this application is essentially in two parts. Firstly whether there is a justified need for the dwelling when judged against local and national policy, and secondly whether the location for the proposed dwelling is acceptable in its setting within the AONB and in the vicinity of a Listed Building, and taking into account highways issues.

As Members are aware, under normal circumstances new dwellings in the open countryside are contrary to policy and would not be granted planning permission. An exception to that rule is where the dwelling is required to support a rural business that cannot be provide in any other way. The applicants have demonstrated that there is a need for an additional dwelling on this holding to maintain the long-term future of the farm as the current farmer is of retirement age and wants to enter into a share farming arrangement with a new entrant into the profession to ensure the succession of the business. They have also demonstrated that the farm is viable and will remain so with the new dwelling and farming arrangement proposed. Therefore the scheme meets the requirements of Policy CP48 of the Core Strategy and paragraph 79 of the NPPF.

The siting of the proposed dwelling has caused concern locally, but it's location has been justified as part of the submission of the application in that it is using a small area of land not very useful for farming due to it's topography, is in a location that will meet the requirements for the farm worker to be on hand when cows are calving in the open, it has a suitable vehicular access to the public highway, and will not cause harm to the setting of the nearby Listed Farmhouse, nor will it be obtrusive within the AONB landscape.

On that basis the application is considered to meet the requirements of the relevant policies that seek to manage development in the open countryside, to protect the landscape integrity of the AONB and to protect the setting of the Listed Building.

### **RECOMMENDATION: APPROVE, subject to the following conditions:**

#### 1) Outline commencement

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase

Act 2004.

2) Approval of Reserved Matters

No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3) Reserved Matters application to be submitted

An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4) Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan – Drawing No. S2012 01 dated October 2020

Proposed Site Plan – Drawing No. 2012 02 dated October 2020

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

5) Single storey dwelling only

The building hereby permitted shall be of single storey construction only

REASON: In the interests of amenity having regard to the characteristics of the site and surrounding development.

6) Approval of materials

No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been

submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

#### 7) Hard and Soft landscaping

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

#### 8) Implementation of landscaping

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.

#### 9) Limitation on water usage



The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.

Reason: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation (SAC).

10) Consolidation of access

The development hereby permitted shall not be first occupied until the first five 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.

11) Set back of any gates

Any gates 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.

12) Gradient of access

The gradient of the access way shall not at any point be steeper than 1 in 6 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

13) Stop up existing accesses

No development shall commence on site until details of the stopping up of all existing accesses, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That 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.

14) Provision of access, turning and parking on site

No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

15) Provision of visibility splays

No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a

height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

16) No water onto the highway

Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

17) PD removal for extensions

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 of any building forming part of the development hereby permitted.

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.

18) Disposal of sewerage

No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

19) Limit occupation to agricultural worker

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

Informative notes

- 1) Land drainage consent

The applicant(s) is advised that discharge of the drainage condition does not automatically grant land drainage consent, which is required for any works within 8m of an ordinary watercourse or any discharge into an ordinary watercourse. The applicant remains responsible for obtaining land drainage consent, if required, at the appropriate time.

2) Consent required from highways authority for new access

The application involves the creation of a new vehicle access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

3) Materials samples

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.