

Date of Meeting	2 nd February 2023
Application Number	PL/2022/08216
Site Address	HIGH CROFT, COMMON ROAD, WHITEPARISH, SALISBURY, SP5 2SU
Proposal	Demolition of existing 5 bed dwelling and erection of 4 bed dwelling with garage and parking
Applicant	Mr & Ms Leach & Monzani
Town/Parish Council	Whiteparish Parish Council
Electoral Division	Cllr R. Britton
Grid Ref	
Type of application	Full
Case Officer	Mrs. Becky Jones

Reason for the application being considered by Committee

Cllr Britton has called the application to committee to be determined if recommended for approval by officers, on the following grounds:

- *Scale of development*
- *Visual impact on the surrounding area*
- *Design – bulk, height, general appearance.*

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that the application should be **APPROVED** for the reasons detailed below.

2. Report Summary

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

1. Principle for development of a replacement dwelling
2. Site history, character of the area and permitted development rights
3. Scale, design, impact on the character of the area and neighbouring amenity
4. Highway safety
5. Biodiversity
6. CIL
7. The Planning Balance

The application generated a letter of objection from Whiteparish Parish Council and six letters from neighbours both in support and objecting.

3. Site description, site constraints and the proposals

The site comprises a dwelling and single garage located at the north end of a cul-de-sac, within the settlement boundary for Whiteparish. The site is in an elevated position to the east above Common Road and the dwellings which front onto Common Road on each side. To the north is a detached dwelling known as The Bank's. To the south of the site are Rosebank (fronting Common Road) and Sunflower Cottage (which forms part of the cul de sac). To the

east are 5 and 6 Croft Heights and to the west is the garden of Rosebank, with further dwellings on the opposite side of Common Road, including Johanna's Mount and Meadowside (Daw-lea) with Greenfields being separated from the site by Rosebank's garden.

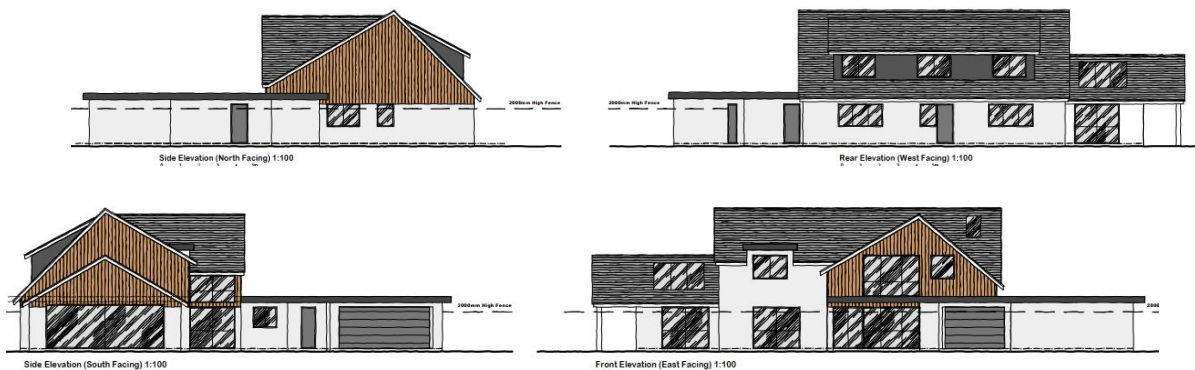


The application site comprises the existing dwelling, garage and a spacious garden with vehicular access onto Croft Heights.



The site is within the Special Landscape Area and the Mottisfont Bat SAC, within the 13.8km buffer for the New Forest SAC and SPA and the River Test catchment SAC and SPA. Croft Heights is unclassified and Common Road is a Class C highway.

The application seeks to replace the existing circa 6.5m tall five bed dormer dwelling with a circa 7.5m tall four bed dwelling with a rear elevation roof dormer and single storey linked double garage, utilising the existing access from Croft Heights. The existing hipped roof design would be replaced with gable ends and the new ridge height represents an increase of approximately 1m from ground to ridge:



The proposed materials for the dwelling are render with timber cladding for the walls and grey slates for the pitched roof slopes and grey aluminium for window and door frames. Block paving is intended for the hardstanding. 5 off street parking spaces are retained.

4. Planning Policy

The following planning policies are considered to be relevant to the determination of this application:

National Planning Policy Framework (NPPF 2021) and the PPG

Neighbourhood Plan status – area undesignated

Adopted Wiltshire Core Strategy

CP1 Settlement Strategy

CP2 Delivery Strategy

CP24 New Forest National Park

CP23 Spatial Strategy for Southern Wiltshire Community Area

CP50 Biodiversity and Geodiversity

CP51 Landscape conservation

CP58 Conservation of the Historic Environment

CP57 Design

CP61 Transport and new developments

CP69 Protection of the River Avon SAC

Saved Policy C6 Special Landscape Area (Annex D of WCS)

Other:

- Wiltshire Local Transport Plan – Car Parking Strategy: Chapter 7: Parking Standards
- Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
- The Community Infrastructure Levy Regulations 2010
- National Model Design Code July 2021
- Building for a Healthy Life - A Design Code for neighbourhoods, streets, homes, and public spaces (Homes England June 2020).
- (*) Wiltshire Council INTERIM RECREATION MITIGATION STRATEGY FOR THE NEW FOREST INTERNATIONALLY PROTECTED SITES January 2022

5. Relevant Planning History:

S/1983/1049 OUTLINE APPLICATION - ERECTION OF 2 BUNGALOWS & 4 houses and construction of pedestrian and vehicular access Approved with conditions (AC)

S/1984/0651 APPROVAL OF MATTERS RESERVED - ERECTION OF 6NO. Bungalows and access road AC

S/1984/0690 O/L APPLICATION - ERECTION OF 2NO. DWELLINGS AND alteration of access Refused (The Bank's)

S/1986/1205 ERECTION OF BUNGALOW AND GARAGE AND ALTERATIONS TO access. AC (The Bank's)

S/1989/0252 O/L APPLICATION - ERECTION OF BUNGALOW AC

S/1991/1548 ERECTION OF BUNGALOW AND ASSOCIATED GARAGE AC

PL/2022/04810 Demolition of existing 5 bed dwelling and erection of a 4 bed dwelling with garage and parking Withdrawn

6. Consultations

Highways – no objection

Archaeology – no objection

I am of the view that it would not be proportionate to require an archaeological response to this proposal should it be permitted, and no further action is therefore required as regards the buried archaeological heritage in relation to this proposal.

Whiteparish Parish Council – Object and recommended refusal due to:

- *over development of site, scale and mass, it will impede on neighbour's amenity and it will be detrimental to the street scene*

7. Publicity

The application for minor development was advertised by neighbour consultation only.

3 letters of **no objection** (including from 2 adjacent neighbours) received on the following grounds:

- *dwelling would be an improvement over the existing*

3 letters of **objection** (including from 1 adjacent neighbour) received on the following grounds:

- *loss of amenity and privacy*
- *replacement dwelling would be disproportionate in height and scale and in an elevated position some 8m above the roadway*
- *dwelling in the vicinity are predominantly single storey (officer note: the photo submitted with this letter shows several dormer bungalows)*
- *Croft Heights dwellings are modest, single storey bungalows (officer note: High Croft at the north end of the cul de sac is a dormer bungalow)*
- *the surrounding dwellings in the road are traditional properties, single storey or chalet style and are sympathetic in scale, size and roof height with their neighbours and the locale.*
- *Application is for a two storey house*
- *Ridge height is over 3.5 feet higher and the ground floor area over twice that of the present dwelling. Re-positioning of the dwelling brings it closer to Common Road and will further magnify the increased height and mass intensifying the domination of this proposal on Common Road. Ridgeline will dominate neighbouring bungalows*
- *Overlooking into properties and gardens fronting Common Road. Dominant effect.*
- *Loss of privacy to front garden space at The Bank's and dominant impact. Overlooking, unsympathetic with surroundings, lacking any affinity with the immediate surroundings and properties in Croft Heights, disproportionate in both scale and height making it intrusive, compromising the privacy presently enjoyed by those within Croft Heights and Common Road, and the wider locale*
- *Contrary to Wiltshire Core Strategy Policies*
- *Overshadowing and loss of natural light. No overshadowing drawing provided.*
- *Loss of fir tree and hedge.*
- *The proposed dwelling is in such a prominent and dominant position that proposed screening and new planting would not deflect from the issue of the scale of the building*
- *The proposed dwelling is in such a prominent and dominant position, new appropriate screening is key to maintaining the privacy of certain overlooked properties*

8. Main Planning Considerations

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework

8.1 Principle for development of a replacement dwelling

The site lies within the settlement boundary for the large village of Whiteparish. The principle for residential development within the settlement, including the replacement of existing dwellings, is acceptable in principle under Core Policies 1, 2 and 23, subject to detailed policy provisions.

8.2 Site history, character of the area and permitted development rights

The site history and the original outline application for the dwellings at Croft Heights includes the following description: *S/1983/1049 OUTLINE APPLICATION – Erection of 2 bungalows and 4 houses and construction of pedestrian and vehicular access Approved with conditions*

Whilst the details of the dwellings would not have been determined at outline stage, the *principle* for the development of houses and bungalows in Croft Heights was considered to be acceptable in principle and the outline application was approved on these terms. Presently, within Croft Heights, High Croft has south facing dormer windows in its roof. Its materials and colour (left) also contrast from its newer orange/red brick and tiled neighbours in Croft Heights.



1a Croft Heights (above right) is a dormer bungalow with accommodation in its roof facing towards Common Road approved under S/2003/0989 with a low hedge screen. Rosebank is a two storey, extended cottage. 8 Croft Heights, sited opposite the dwellings in Common Road (below left), is also a dormer bungalow with accommodation in the roof:



There are dormer bungalows and new dormer dwellings in Common Road, opposite Croft Heights (above right), some of which are significantly taller, more prominent and contemporary in their appearance and materials than their modest single storey neighbours:



Windyridge and Greenfields

Officers conclude that the character of dwellings in the area is a mixture of bungalows and dormer dwellings with a small number of two storey houses, all of varying sizes, colours and finishes and

no one style appears to dominate the area. There is also no particular established building line for the east side of Common Road and the plot layouts vary in size and orientation.

High Croft and Rosebank appear on the early plotting sheets and pre-date many other dwellings in the area. It is considered that High Croft would benefit from intact permitted development rights. The provisions of Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) are a material consideration for the application as they set out the alterations which the applicant could make to the dwelling without the need for planning permission, subject to the restrictions and provisions.

8.3 Scale, design, impact on the character of the Special Landscape Area and neighbouring amenity

Adopted Wiltshire Core Strategy Core Policy 57 states:

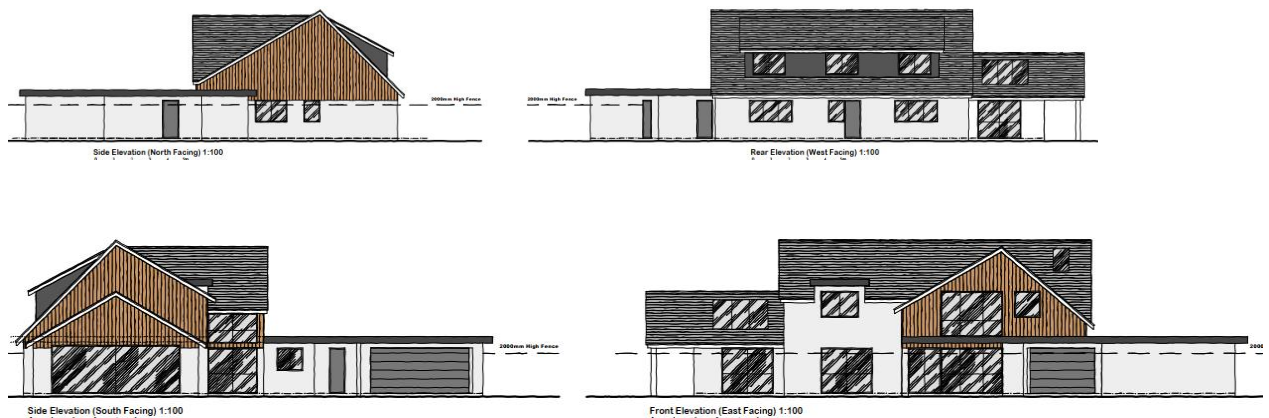
A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire....

CP57 requires development to relate *positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced.* It also seeks to ensure that development responds *positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.*

CP51 aims to ensure that *Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.*

The site is within the Special Landscape Area, but as the site is within the settlement and not the countryside, the provision of Saved Policy C6 do not apply.

The applicant is seeking to replace the original dormer bungalow with a contemporary dwelling with dormer windows and accommodation in the roof.



Impact on Croft Heights cul-de-sac

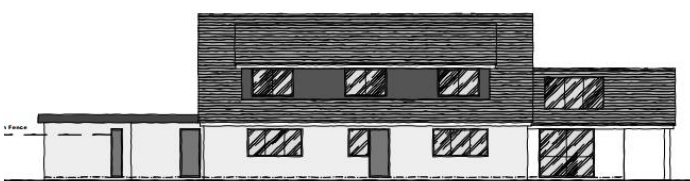
The proposals presents a modern, contemporary design with a palette of slate and render with timber. The dwelling to be replaced is the original dwelling within the Croft Heights development. High Croft is already taller, with a different appearance to the neighbouring bungalows, presenting white walls and dark roof tiles with dormer windows, in contrast with the simple red/orange brick finish to the surrounding bungalows in Croft Heights. Nevertheless, it isn't prominent:



For this reason, the proposed change to the appearance in the dwelling is not considered to harm the established character of Croft Heights and High Croft would retain its existing individual character and appearance within the development. The NPPF (paras 8 and 73) seeks to secure *a variety of well-designed and beautiful homes to meet the needs of different groups in the community*. There is no design requirement for the replacement to look the same as other bungalows, provided its appearance does not cause material harm to the character of the area. The change in orientation within the site away from the cul de sac would further reduce any impact the two storey elements of the front elevation would have on the streetscene of Croft Heights. The single storey elements to each side of the front elevation would further minimise the impact of the design. Therefore, no objection is raised in terms of siting, design, scale, massing and materials and the visual impact on Croft Heights.

Impact on Common Road

Several third parties have objected on the grounds of unacceptable impact and dominance of the replacement dwelling on the visual character and amenity of Common Road, which is below the site to the west. The garden has also been cleared, with some trees removed and hedges trimmed:



It is noted from the plans that the centre of the west elevation of existing dwelling is set some 28 metres back from the edge of the carriageway at the edge of Rosebank's garden. The replacement dwelling would be about 1m taller to the ridge and orientated more closely towards the road, set some 22m back at the same point:



Therefore, whilst the replacement dwelling may appear taller and more prominent in the site given its raised position, it would be set slightly lower (about half a metre from the contour plan) down the slope, partly behind Rosebank which has a number of mature trees in its garden and this would assist with screening the development.

To the north of the site, Common Road curves to the east and is densely lined with trees between the surgery and The Bank's entrance. Therefore, unobscured views of the site are limited to a short stretch of road across the entrance to The Bank's and opposite Meadowside.



The proposed elevation for Common Road is designed as a dormer bungalow, with all first floor accommodation in the roof and served by dormers, giving this elevation a modest character and scale. Given the set back of the dwelling and the overall acceptability of the design and scale of the development in relation to the ample size of the plot, it is not considered that any harm to the streetscene (due to the increased prominence of the dwelling) would be sufficient to warrant refusal on this ground. An increase in height, prominence and contemporary design would not be adequate reasons for refusal unless the dwelling would cause actual harm to the streetscene. In this case, the design and scale of the dwelling facing towards Common Road is considered to be sympathetic to the streetscene which comprises a number of dormer bungalows. The contemporary style is not considered to be harmful and would reflect the contemporary character of Greenfields.

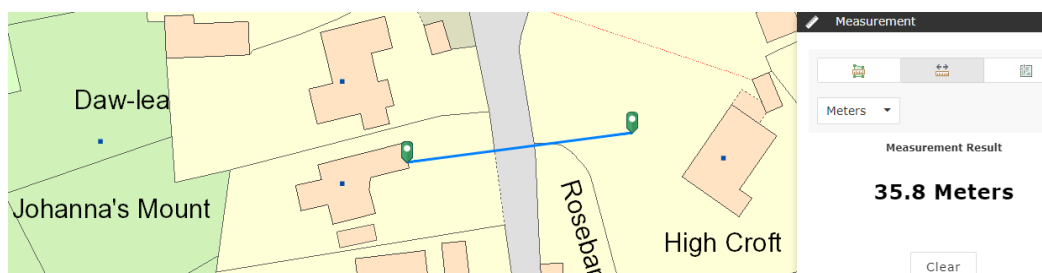
The site is considered to be sufficiently distant and adequately screened from the Conservation Area and Grade II* listed All Saint's Church to the north for the development to be unlikely to harm the setting or the significance of these designated heritage assets, in accordance with CP58.

In conclusion, the proposed scale, height, design, materials and massing for the replacement dwelling are considered to be appropriate within the site and the development would not appear cramped within the plot. The re-orientation of the dwelling is acceptable and would not materially harm the streetscene, particularly given the existing levels of screening available to the site. No objection is raised under CP57 and CP51.

Neighbouring amenities

Policy CP57 (vii) also considers neighbouring amenities: *Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter).*

Johanna's Mount, Greenfields and Meadowside – west



The likely separation between habitable room windows for the replacement dwelling and these homes would be in excess of 30 metres. 21 metres is considered to be an acceptable separation between windows of dwellings facing one another and so in this case, a reason for refusal on this ground could not be supported. Whilst there may be some *perceived* loss of privacy due to the elevated position of the replacement dwelling, there is adequate separation between the dwellings and the existing private gardens to the west of these dwellings would not be affected.

Rosebank – south and west

Rosebank is an existing two storey cottage, with a steep bank behind the dwelling, limiting outlook into and out from the property. There are good levels of screening from trees:



The replacement dwelling would be sited to the north east of the cottage. There are no first floor windows proposed for the south facing elevation. The west facing dormer would enable direct and 45 degree views over the north section of Rosebank's garden. However, the garden is very well screened by trees and hedges and is already somewhat overlooked by dwellings on the west side of the road. The above site plan shows that there is adequate spaces between the dwellings and the development does not appear cramped in relation to Rosebank. Therefore, no objection is raised on amenity grounds.

Sunflower Cottage - south



Sunflower cottage is a low, single storey bungalow sited to the south of High Croft. It enjoys good levels of privacy, which are partly due to its low height, its west facing outlook towards Rosebank and close proximity to a tall boundary fence separating the properties. The amenities of the occupiers are unlikely to be harmed by the proposed replacement dwelling, despite its re-orientation and increase in height. No south facing first floor windows are proposed and the existing outlook from Sunflower Cottage would not be harmed. No objection is raised on amenity grounds.

5 and 6 Croft Heights - east

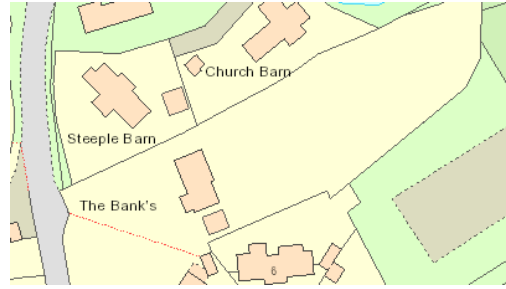
No 6 is a low, single storey bungalow to the east side of the site. The replacement dwelling has been designed to take account of this property and seeks to move the bulk of the dwelling away from the boundaries with No 6, with the single storey elements including the garage being retained close to the boundary. There are no first floor east facing windows proposed to overlook the rear garden and the existing shed for No 6 ensures good levels of privacy for this area. No amenity concerns are raised for this property by the proposal.



5 Croft Height lies oppsite the application site. However, given the change to the proposed orientation of High Croft, and the resultant separation (circa 30 metres between the elevations) the development is unlikely to disturb the amenities of the occupiers of No 5.

The Bank's - north





The Bank's is a detached dwelling, sited at a lower level than the application site on the north boundary shared with 6 Croft Heights. The aerial photo and mapping shows that the dwelling is accessed via a curved drive from Common Road through a large front garden to the gravelled parking area and house. A further large garden and private patio area lie to the east (rear) of the dwelling, along with equestrian grazing and a menage. The woodland area to the east shown yellow on the mapping was approved as private garden space for The Bank's under a certificate of lawfulness application S/2008/0022. This east area is not overlooked by High Croft or No 6 Croft Heights. The menage and equestrian land were approved under S/2002/1838.

Significant objections have been raised to the proposal by the occupiers on several grounds, including loss of privacy, loss of light, scale, overlooking and dominance.



A 2m high close boarded fence is proposed on the High Croft plans and there would be no north or north west facing windows in the replacement dwelling. Therefore, it is not possible to demonstrate that the proposal would result in undue or unacceptable overlooking into the front garden of The Bank's. Should members be minded to approve, permitted development rights for additional first floor windows, dormers and rooflights should be removed and the fence should be erected as part of the scheme and retained in perpetuity to maintain acceptable levels of privacy.

In terms of dominance, the north facing side elevation which would face towards The Bank's has been broken up into different elements, heights and materials. The resultant form is not considered to be overbearing or dominant, despite the increased overall height of about 1m. The single storey element ensures that the bulk of the dwelling is minimised and should not appear unduly dominant when viewed from the front garden of The Bank's. Given the closest part of the replacement dwelling to the front elevation of The Bank's would be single storey and set behind the 2m fence, officers do not consider that there would be an unacceptable level of overshadowing from the

dwelling. The two storey elements may cause some limited shadow at midday to the north of the building, but this part of the dwelling would be some 6m from the boundary, reducing the overall impact of shadow to the front garden area.

Any new overlooking towards The Bank's from the dormer windows would be limited to the front portion of the garden and the driveway to the west. A 45 degree splay is shown to indicate the likely extent of overlooking afforded by the new dormer:



Windows on the front elevation (east) would not afford any overlooking towards The Bank's and its private rear garden and patio.

In conclusion, the potential impacts of the development on the amenities of the occupiers of The Bank's and any harm arising is considered to be acceptable in terms of dominance, privacy, outlook and shadowing. The development would not detrimentally affect any of the private rear garden spaces currently enjoyed by this property.

Hours of construction and any demolition can be controlled by condition and subject to conditions, appropriate levels of amenity are achievable within the development, in compliance with CP57 (vii). Other dwellings are considered to be sufficiently separated from the site not to be materially affected in terms of amenity.

8.4 Highway Safety

Core Policies CP57, 60 and 61 are relevant to the application and the highways officer has stated:

The proposal, in highway terms, is the same as the previous application, PL/2022/04810 and I therefore adhere to my previous observations. Adequate off street parking is proposed and the existing vehicle access is not proposed to be altered. I wish to raise no highway objection.

Therefore, no highway safety or rights of way objections are raised under Core Policies CP57, 60 and 61.

8.5 Biodiversity

Ecology

Core Policy 50 of the WCS states:

Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. All development should seek opportunities to enhance biodiversity.

The site falls within the Mottisfont bat SAC and the majority of the garden is laid to lawn. There are no proposals within the application to remove significant trees or hedges as part of the application. The ecology team consider that bat survey work is not required for the dwelling given the good condition of the building and the existing room in the roof. A Great Crested Newt and Bat informative should be applied to any permission. A scheme for biodiversity enhancement (such as provision of bird, bee and bat boxes) should be conditioned as part of the new development and new external lighting should be restricted in the interests of bats.

River Test catchment: Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA), Portsmouth Harbour SPA, Solent and Southampton Water SPA

Whilst the application site is not adjacent to any rivers or in any respective flood zones, it is situated within the River Test catchment which drains into the Solent. This region is protected by a number of international designations. The Solent water environment is one of the most important for wildlife in the United Kingdom and is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations 2017 (as amended) as well as through national legislation for many parts of the coastline and adjacent maritime areas.

Natural England has confirmed high levels of nitrogen and phosphorus are entering this water environment and that there is sound evidence that this eutrophication is causing excessive growth of plants and algae which reduces oxygen and light levels and is leading to negative effects on the special features for which the European sites are designated. These nutrient inputs mostly come either from agricultural sources or from wastewater from existing housing and other development. Natural England currently advises that every permission for new dwellings in the River Test Catchment Area could result in increased nutrients entering the Solent area. Nutrients are generated by the new people in the housing (nutrients enter the water environment via wastewater discharges), and from their activities and pets. Nutrients can move to designated sites by streams, rivers or through the groundwater.

Essentially, plan-led development that complies with *in principle* policies in the Wiltshire Core Strategy includes proposals within settlement boundaries. This proposal seeks to replace an existing 5 bed dwelling with a four bed dwelling within the settlement boundary. As such, this is planned development and accordingly, the Local Planning Authority considers this proposal is unlikely to lead to any significant effects on the European Sites and an Appropriate Assessment (AA) may be concluded favourably.

New Forest Special Protection Area, SAC and Ramsar

Applications for new residential development and visitor accommodation within the New Forest SPA buffer zone have potential to lead to a significant adverse effect on the SPA on account of additional recreational/visitor pressure upon the SPA which is likely to detrimentally impact qualifying features of the SPA, namely ground nesting birds. It can be expected that even a single unit could give rise to impacts in-combination with other plans and developments.

As such the application is screened into Appropriate Assessment and adequate mitigation will be required before the assessment can be concluded favourably, and the application can be lawfully approved.

The ecology team has drawn up an interim mitigation strategy(*) and the mitigation for developments of under 50 dwellings would be secured through CIL funding towards Strategic Access Management and Monitoring (SAMM). This proposal is for a replacement dwelling and accordingly, an Appropriate Assessment can therefore be concluded favourably on this matter and it is possible to conclude that it will not lead to adverse impacts alone and in-combination with other plans and projects on the New Forest SPA.

8.6 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a charge that local authorities in England and Wales can put on new development in their area to raise funds to help deliver the infrastructure necessary to support this development. All development containing at least 100 square metres of new build is chargeable, although residential extensions which are built by 'self builders' are exempt from CIL. An informative would be placed on any permission to advise the developer regarding CIL.

8.7 Conclusion and Planning Balance

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. Planning decisions should apply a presumption in favour of sustainable development and this means approving development proposals that accord with an up-to-date development plan without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application seeks to replace an existing dormer bungalow with a new dormer dwelling within the settlement boundary for the large village of Whiteparish, in the Mottisfont bat SAC, the New Forest SPA, SAC and Ramsar and the River Test SAC catchment. The principle for the development is acceptable and this can be afforded significant weight.

For the reasons set out in this report, the development is considered unlikely to cause any unacceptable material harm to existing neighbouring amenities. The resultant dwelling would be more prominent within the streetscene, but its contemporary design, scale and massing are acceptable and the dwelling would not appear cramped within the spacious plot. Highway safety would not be detrimentally affected and adequate off street parking can be provided. There is unlikely to be any adverse impacts on heritage assets and their settings. These factors also weigh in favour of the development.

The provision of biodiversity enhancement measures as part of the new scheme and the opportunity to restrict new external lighting to appropriate levels within the Mottisfont bat SAC are ecological benefits that can be afforded some weight.

The River Test catchment area is a European site and the development is not considered likely to lead to any adverse significant effects in terms of additional nutrients being created by a

replacement dwelling. Similarly, no adverse significant effects would be caused to the New Forest SPA and SAC by a replacement dwelling.

Some moderate negative impacts from the development include the increased prominence of the dwelling within Common Road, but this is limited to a short stretch of road opposite the site. The dwelling would be more prominent when viewed from neighbouring properties, and may result in some increase in potential overlooking (Rosebank and The Bank's front garden) but this is not considered to be at a harmful level. There may also be some degree of overshadowing to the front garden and drive area for The Banks around midday, but the development would not adversely impact on the private rear garden and patio area for this dwelling. These negative impacts are also afforded some weight in the planning balance.

The applicants are seeking to replace an existing dwelling and the impacts of the proposed scheme are considered to be acceptable. Having assessed the material planning considerations for the scheme, it is concluded by officers that the planning benefits and the rights of the applicants to improve their property would outweigh any harm identified, and that the development would be acceptable and in accordance with the development plan and NPPF. Any negative impacts are considered insufficient to warrant refusal of the scheme. Officers consider that the planning balance weighs in favour of the development, subject to conditions being imposed to restrict future changes to the scheme which could result in harm to neighbouring amenities.

9. RECOMMENDATION: APPROVE

Subject to the following conditions:

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

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

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

Location and proposed Site Plan ref 2890/03 02H dated March 2022
Proposed Elevations and Floor Plans ref 2890/03 03 Rev J dated March 2022
High Croft Landscape Design Concept dated 10/7/22
Design Response from Applicants received 10/1/23

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

3. The materials for the development hereby approved shall be in accordance with the details submitted in the application, namely slate for the roof, timber cladding and light coloured render for the walls. Development shall be carried out in accordance with the approved details.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window,

dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the elevations and roof slopes of the dwelling hereby approved. There shall be no extensions to the dwelling.

REASON: In the interests of residential amenity and privacy.

5. The replacement dwelling hereby approved shall not be occupied until the 2m timber fence along the north and north east site boundary (shown on site plan ref 2890/03/02 Rev H and elevation plans ref 890/03/03 Rev J) has been erected and completed. The perimeter fence shall be maintained in this condition for the lifetime of the development.

Reason: In the interests of neighbouring amenities and to prevent undue overlooking.

6. Any new external artificial (domestic) security lighting shall achieve a level of 0.5 lux or less at the edges of the site's boundary features (fences, hedges, tree lines and all other linear features at the site boundaries). External light fittings throughout the site shall be low level wherever possible, pointing downwards and avoiding any increase in the ambient light within, adjacent to and particularly above the site.

REASON: In the interests of the visual amenities of the site, to minimise unnecessary light spillage above and outside the development site and to avoid excessive illumination of habitat used by bats.

7. The hours of construction for the development including any demolition works shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays. There shall be no fires or burning of waste on the site during the demolition or construction phases.

Reason: In the interests of neighbouring amenities.

8. Before development of the dwelling commences above slab level, a scheme of enhancement measures (for bats, swifts, bees and other birds) shall be submitted for approval in writing by the Local Planning Authority and implemented before the replacement dwelling is occupied. The measures shall be maintained for the lifetime of the development.

REASON: To enhance the biodiversity on the site

9. Notwithstanding the submitted landscape plan (Concept Design dated 7/10/22), before the replacement dwelling is occupied, a scheme to help screen the development from Common Road shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the retention and reinforcement of the existing hedge fronting Common Road.

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 replacement dwelling 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.

REASON: To ensure a satisfactory landscaped setting for the development and

the protection of existing important landscape features in the interests of bats.

10. The replacement dwelling 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 Test catchment SPA and SAC.

Informatives:

Bats and great Crested Newts

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.

CIL

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy