

REPORT TO THE AREA HUB PLANNING COMMITTEE

Date of Meeting	21 st February 2013
Application Number	E/2012/0941/FUL
Site Address	9 Easterton Lane, Pewsey, Wilts SN9 5BP
Proposal	Demolition of existing dwelling and outbuildings and replacement with three chalet style dwellings
Applicant	Mr & Mrs C Wootton
Town/Parish Council	PEWSEY
Grid Ref	416753 160062
Type of application	Full Planning
Case Officer	April Waterman

Reason for the application being considered by Committee

The application is referred to committee at the request of the Division Member, Cllr J Kunkler.

1. Purpose of Report

To consider the recommendation to refuse planning permission.

2. Report Summary

The main issues in this case are the principle of residential development at this location and the detailed aspects of the proposal, including:

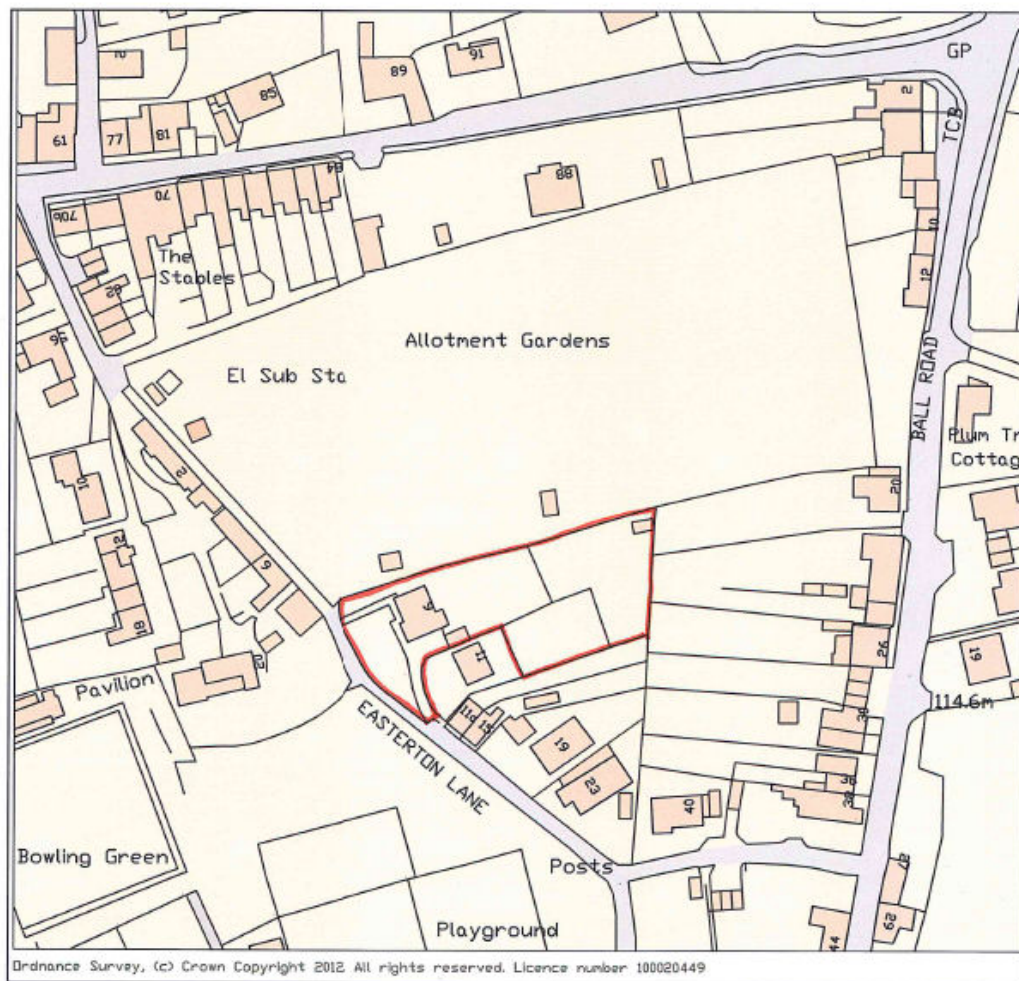
- a) Grain and density of development in the locality
- b) Character and appearance of the area
- c) Ecology
- d) Trees and landscaping
- e) Impact on the Conservation Area
- f) Impact of the North Wessex Downs Area of Outstanding Natural Beauty
- g) Archaeology
- h) Impact on residential amenity
- i) Highway, access and parking matters (including emergency vehicle access and refuse/recycling collections)

All to be evaluated with regard to the extant development plan, national policy and other material considerations.

3. Site Description

The site comprises 0.15 hectares of relatively flat residential land, currently occupied by a single bungalow, and some low-key outbuildings, within a generous amount of garden, mainly to the rear (east) of the existing dwelling. The site lies to the south and east of the centre of Pewsey, adjoining the allotments to the south of the High Street, and close to the town's park and recreation facilities. Easterton Lane is a public footpath over which residents are understood to have rights to

drive. Although this footpath links the High Street with Ball Road, only sections of the route are wide enough for a vehicle (van) to use, with a central portion of the route being too narrow for any vehicle. No 9 Easterton Lane is the last property at the northern cul-de-sac end of the vehicle-wide section leading from Ball Road.



Site Location Plan

The site stretches along roughly half of the southern edge of the allotments. The eastern edge of the site abuts the rear boundaries of the back gardens of housing on Ball Road. The southern site boundary wraps closely around the small garden of no 11 Easterton Lane (a chalet bungalow) and adjoins the side boundary of the rear garden of one of a pair of modest 2 storey cottages which front directly onto the lane. To the south west of the site are found the children's play park, recreation ground and tennis courts, and to the west the front garden of the existing bungalow on the plot is separated from other dwellings/gardens which are served only by the footpath from the south, with their vehicular access reached via the High Street end of the Lane.

To some extent hedging and a number of trees help define the western site edge onto the footpath, and other trees mark the rear (east) boundary, but the northern site edge, abutting the allotments, is hardly screened at all by vegetation, and the site is highly visible across the open space of the cultivated plots.

The site is within the Pewsey Conservation Area, and the entire settlement stands within the North Wessex Downs Area of Outstanding Natural Beauty.

4. Planning History

K/54731/F Full planning permission was refused in September 2006 for a single new three bedroomed chalet bungalow and detached garage, together with a new access and parking for no. 25 Easterton Lane, on a site halfway along the arm of Easterton Lane that currently serves no. 9. Amongst other matters, reasons for the refusal included:

Reason no. 4 – “Easterton Lane, by reason of its restricted width, poor alignment and sub-standard junction with Ball Road, is considered unsuitable to serve as a means of access to the proposed development. This is contrary to Policy PD1 of the Kennet Local Plan 2011.”

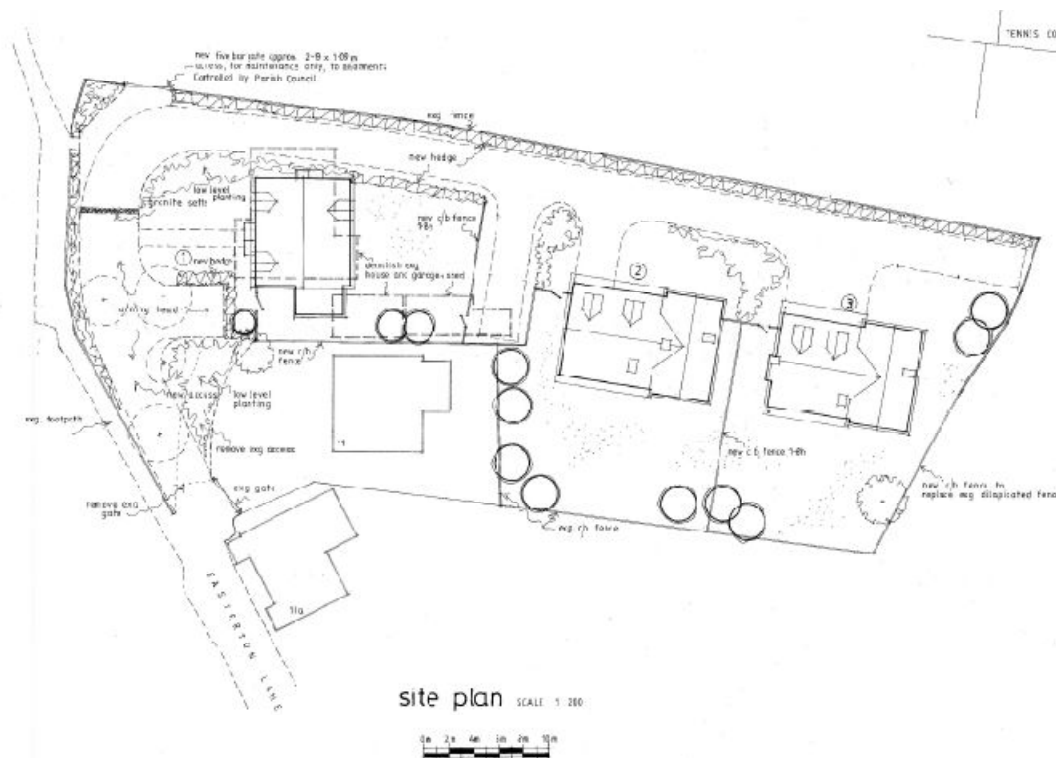
E/2012/0940/CAC Concurrent with the submission of this application for planning permission, an application for Conservation Area Consent was received, for the demolition of the existing dwelling on the site.

No pre-application advice for the current proposal was sought from the Local Planning Authority in advance of the submission of the formal application.

5. The Proposal

Full planning permission is sought for the replacement of an existing bungalow with three dwellings all of one-and-a-half storey design. Springing from the same point at the end of the “navigable” section of Easterton Lane, the scheme shows the re-alignment of the access drive to follow the western site edge, providing a turning head, before sweeping along the northern boundary of the site to serve three new dwellings. The scheme shows the off-site retention of the existing gate to the neighbouring property, no. 11 Easterton Lane, unchanged by the proposals to alter the alignment of the driveway access into the application site itself. The house on plot 1 is shown to present towards the west, with both houses on plots 2 and 3 facing north towards the allotments.

A number of trees on the site would be cleared, together with the existing bungalow, garage and sheds.



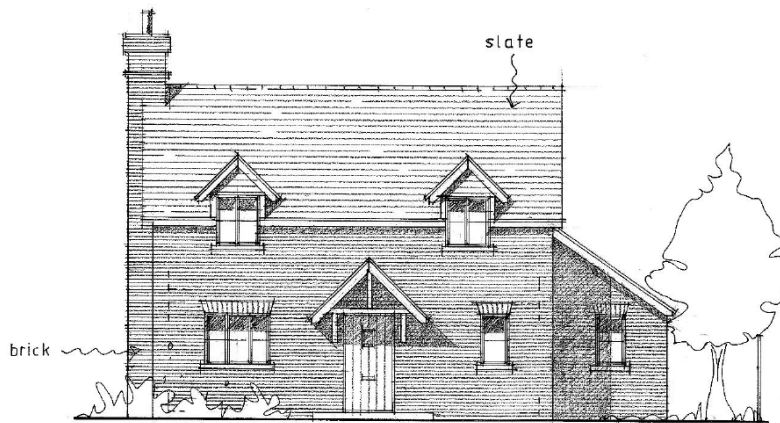
Amended block layout plan

Amended plans have been received which show changes to the parking arrangements. The internal layout of the house on plot 2 is altered to omit a utility room, and elongate the single integral garage. All other parking (to total 2 spaces per dwelling) is assumed to be on driveways, as the single detached garages originally shown to serve plots 1 and 3 are omitted. No alternative external storage is indicated for plots 1 and 3.

The amendments also indicate the letting of a 5-bar gate opening into the north-western corner of the site boundary to give access to the allotments from the southern (Ball Road) section of Easterton Lane (vehicular access to the allotments is currently achieved from the High Street end of Easterton Lane).

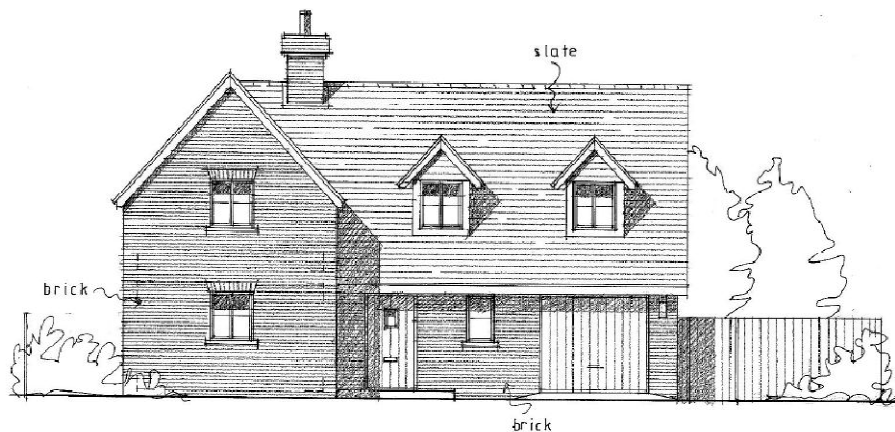
New tree planting is indicated close to the garden boundaries dividing the existing dwelling at no 11 from plot 1, and also from plot 2. Further planting is indicated on the eastern boundary, and also between the gardens of 11a and plots 2 and 3, where currently a close boarded fence defines the site. New hedging is indicated along the length of the northern boundary with the allotments, except for the north western point where the gated access is now proposed. No details (species, heights, densities etc.) of soft landscaping have been submitted.

The submitted ecological appraisal made recommendations to sow a wildflower strip along the northern site boundary, with the construction of a hibernaculum at the north west corner. These recommendations conflict with the proposals set out in the original and amended plans.



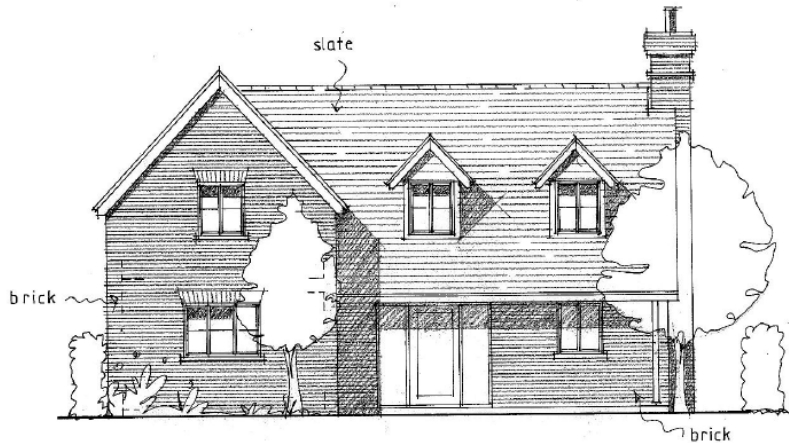
west elevation

Plot 1



north elevation

Plot 2



north elevation

Plot 3

6. Planning Policy

National Planning Policy Framework 2012

Introduction

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 11 Conserving and enhancing the natural environment

Section 12 Conserving and enhancing the historic environment

Historic Environment Planning Practice Guide 2010

Wiltshire and Swindon Structure Plan 2016

DP1 Delivering sustainable development

DP2 Infrastructure

DP3 Development strategy

HE7 Conservation Areas and Listed Buildings

C8 Areas of Outstanding Natural Beauty

Kennet Local Plan 2011

PD1 Development and design

Pewsey Conservation Area Statement 2007

7. Consultations

A number of consultations were undertaken on this planning proposal as a result of the content of the representations made by local residents and other members of the public – in particular in relation to access for fire appliances and refuse collection arrangements.

Pewsey Parish Council

We support this application and offer the following comments: 1. That signage be erected as advised by Wiltshire highways to show the adjacent play area and that a turning head is available at the end of the lane. 2. An entrance wide enough for a vehicle at the north west corner of the site to allow occasional use for allotment deliveries or collections. This gate would be locked and the key held at the parish office.

Wiltshire Council Highways

Initial comments: Easterton Lane is a private road acting as a public footpath. It is restricted in width and has a poor alignment. Its junction with Ball Road is very substandard in terms of visibility and alignment.

This proposal would result in increased traffic on Easterton Road with the consequent increased risk to other users, particularly pedestrians.

In view of this refusal is recommended for the following reasons:-

The traffic generated from this proposal would use a road which, by virtue of its function in the highway network, its inadequate width, alignment and substandard junctions, is considered unsuitable to accommodate the increase in traffic from this development.

The proposed development would result in an increase in vehicular traffic along a designated public footpath with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way.

Expanded comments: Easterton Lane is a private road of single vehicle width. At no point is it of sufficient width for two vehicles to pass. It forms a public footpath.

The junction of Easterton Lane with Ball Road is seriously substandard with tight radii and inadequate visibility. The restricted width of both roads makes it impossible for large vehicles to turn into Easterton Lane. There is also a right angle bend in the lane which is even less negotiable for large vehicles than the junction. In my opinion the site is not accessible by anything larger than a "transit" sized van. This supports the expressed views of the objectors. It is also clear that whilst an ambulance might be able to access with difficulty a fire appliance cannot.

The proposed turning area is adequate only for a medium size car. It is not big enough to enable a delivery van to turn so will not help with existing problems.

The parking provision within the site does not comply with current parking standards which require a minimum of 2 spaces for a 3 bed dwelling, **excluding garages**. Whilst I am prepared to accept garages in certain circumstances these must have minimum internal dimensions of 6.0m x 3.0m with a minimum door height of 2.4m. The proposed garages do not meet this requirement.

The suggestion of the Parish Council that a sign be provided is acceptable. Indeed the Parish Council could provide such a sign themselves at any time with the consent of the owner of land on which it is situated. I do not agree with the provision of a sign indicating that a turning head is available, particularly in view of the inadequacy of the proposed facility. In any case it is usual to provide a sign warning of the absence of such a facility rather than its presence.

As far as access to the allotments is concerned there are legal difficulties relating to this. Easterton Lane is a public footpath and it is an offence to drive a vehicle along it without express authority. It is unlikely that any such authority exists in respect of access to the allotments as no such access currently exists. Only the owner(s) of the land over which the lane passes can grant such authority.

Other issues are the demolition of the existing dwelling and construction of the new, bearing in mind the serious access difficulties. If permission is granted a condition should be imposed requiring the submission and approval of method statements for each of these operations prior to the commencement of any work on the site.

Further comments on amendments and submitted parking data: I am not sure what the "parking survey" is trying to demonstrate. It is clearly only a snapshot taken within the working day and, as such, it can carry little weight. It cannot be taken as an indication of the traffic levels on Easterton Lane. As the principal objection is the nature of the road I am not sure what the parking survey is supposed to address.

As far as parking for the new dwellings is concerned I am now happy with this and my previous objection on that basis is withdrawn.

I agree with you about the gate to the allotments. No legal right of way for vehicles on Easterton Lane exists in respect of the allotment land and its use by vehicles would be unlawful.

My original recommendation for refusal still remains as follows:

The traffic generated from this proposal would use a road which, by virtue of its function in the highway network, its inadequate width, alignment and substandard junctions, is considered unsuitable to accommodate the increase in traffic from this development.

The proposed development would result in an increase in vehicular traffic along a designated public footpath with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way.

Wiltshire Council Ecologist

Initial comments: The Design & Access Statement claims that a protected species survey was carried out for the site. However, the survey report submitted (*Phase 1 bat survey at 9 Easterton Lane, Pewsey, Wiltshire, by Lindsay Carrington Ecological Services Ltd.*) deals only with survey for bats and no other protected species. Nor is there any assessment of habitat suitability for other species or reasons why surveys for other species have not been carried out. It is obvious that the proposed development will involve different and greater areas of the site than the current buildings footprint, therefore the bat survey report submitted is inadequate to inform a planning decision as it does not provide sufficient information about the ecology of the whole site.

The buildings on the site have apparently been unoccupied and the surrounding grounds unmanaged for a significant period of time, during which it is likely that the habitat within the former garden area may have increased in its suitability to support reptiles (particularly slow worms), nesting birds and badgers. There also appear to be several mature trees within the site which would be removed to enable the proposed development layout. Mature trees often develop features that can support bat roosts, however no assessment has been made of the trees within the site for their suitability to support roosting bats. Given the location of the site and its proximity to the adjacent allotments and to wildlife corridors connecting into the wider landscape area, it is likely that other protected species may need to be considered.

I note that the desk study for the bat survey relied only on records from the NBN Gateway and only sought records of bats. A full data search for all protected species within 1km would have better informed the requirement of surveys to be undertaken. This data is only held at the Wiltshire & Swindon Biological Records Centre and cannot be sourced from other sites. While there are other sources of ecological data available on the internet the resolution of these data is not sufficient for planning applications. The main alternative source of data is the National Biodiversity Network (NBN). While this is appropriate for a scoping exercise it is not an acceptable substitute for a WSBRC data search in a commercial or professional report; the use of NBN data for commercial purposes is also contrary to the NBN Gateway Terms and Conditions.

Unfortunately there are also inadequacies within the report with regard to bats. The methodology does not describe sufficiently what methods were used to determine bat presence, rather, a list of possible evidence and the statement that a search was made. It is not clear if the roof void of the house was searched sufficiently to be able to state that no bats were currently roosting there. The lack of an emergence survey as part of a bat survey carried out at the optimum time of year is a serious omission unless it can be clearly explained why it is not necessary. Bats can occupy roof voids and other internal and external features of buildings without leaving signs of their presence.

I therefore request that further survey of the site is carried out, to include an assessment of the habitats within the whole site to support protected species, together with survey for those species as indicated. An emergence survey for bats should be carried out for all the buildings on the site.

I advise that this application should not be determined until this information has been submitted to the planning authority.

I also request that a construction method statement should be either submitted as part of the application or added as a condition to any permission you are minded to give. The purpose of the method statement will be to ensure that suitable precautions are implemented during the construction process, including the demolition phase, to ensure that wildlife species are not adversely impacted by the works.

Comments on submission of ecological appraisal: The additional information supplied in the updated survey report by Lindsay Carrington Ecological Services Ltd., is welcome. I have reviewed the issues that I raised in my previous email and am satisfied that sufficient survey has now been carried out in relation to the ecology of the site for me to be able to conclude that the proposals can be achieved without adverse effect on biodiversity within the site and in the immediate surrounding area.

The report states that an area of grassland will be enhanced for reptiles at the northern end of the site. I have received the updated information showing the area where reptiles will be relocated and also where the seeding will be carried out. I am happy with these locations. It is important that the area chosen for receiving reptiles will not subsequently be enclosed within a residential garden. I do not consider there are any other ecological issues to address. I therefore have no further ecological comments to make in relation to this application.

I request that a condition should accompany any permission you are minded to give, using the following (or similar) wording:

“The works will be carried out in line with the recommendations given in the report by Lindsay Carrington Ecological Services Ltd., to include site clearance with regard to reptiles and native birds, demolition of existing buildings and construction of new buildings, including associated infrastructure.”

Wiltshire Council Archaeologist

Initial comments: This site lies within the part of Pewsey that developed from at least the medieval period. It therefore has the potential to contain significant archaeological features. I consider that a field evaluation is required in this case, in order to determine the nature, scale and significance of any archaeological remains which might be present and the likely impact of the development upon them. In light of this, and in line with NPPF (2012), I would recommend that an archaeological field evaluation is carried out prior to the determination of the application. This information should reveal the impact of the proposed development on any buried archaeology, and such works should be conducted by a professional, qualified archaeologist. No decision on approval of this scheme should be made until the results of the field evaluation have been made known. If the results are positive, it may be necessary for me to recommend a further programme of archaeological works as an appropriate planning condition. The costs of the archaeological works will of course fall to the applicant.

Comments on archaeological evaluation submission: As very little of archaeological significance was revealed I consider that there is no need for any further archaeological work.

Wiltshire Council Arboricultural Officer

The Pewsey Conservation Area statement notes that the character of the immediate area (allotments and recreation ground) as being derived by its function as well as appearance and that both make an important contribution to the tranquil and rural nature of this part of the village in contrast with the bustling air of the centre. In my view the allotments are open with long views across the site with little to no tree or hedge cover in and around the site giving the feeling of space and openness, whilst the adjacent recreation land feels more enclosed and is partly characterised by significant trees and hedging. The Oak just off site and on the corner of the

allotment is seen as an important feature helping to characterise this rural setting.

Although the trees within the site, especially those to the frontage, are visible from the footpaths, open spaces and properties and make a positive contribution to sylvan character along with trees on the recreation land they are of limited quality and are not worthy of Tree Preservation Order Protection. Likewise the trees to the rear appear to be old fruit trees or suckers of them and are of limited quality.

I have concerns that the proposed scheme shows a distinct lack of tree cover on the western boundary which is likely to change the more intimate feel on the edge of the recreation ground. The few trees planted on the southern side of the properties also have the potential to cast shade and debris over the proposed gardens and from experience such trees are frequently inappropriately lopped or removed before they ever reach their full potential. Smaller scale trees seldom afford the same level of amenity and are unlikely to make a significant contribution to the wider sylvan character of the area. The garage for plot three is too close to the north and eastern boundaries and is unlikely to give adequate room for maintenance of the proposed hedging and that located within the neighbouring garden.

Wessex Water

Standard general advice on connections for water supply and waste water.

Wiltshire Fire and Rescue Service

If a fire appliance is unable to get within 45 metres of any part of the premises then we would be looking to install some form of compensatory feature that would arrest the development of a fire. In this instance the installation of a sprinkler system in each unit would be a suitable compensatory feature.

Wiltshire Council Waste Management Services

The issue of vehicle access is a major problem for our service, as you have noted and as Highways have made clear.

The major impact here is on future residents who would have to wheel their bins to the nearest public highway. We can't look at using different vehicles etc to service the area because of the highway width issue so we will not incur any expense in using new resources to access the site. The onus really is on residents to wheel containers over a significant distance to the kerbside, which is something that we want to avoid. The question then becomes one of whether the team that enforces Buildings Regulations is happy with the situation as it stands.

I think that the plans could be made more acceptable if the developer considered changing the plans to create the shortest route possible from the gardens of plots 2 and 3 to the public highway. It would require some modification to the land around all of the plots and the construction of a path, but that might make the situation easier for residents, which will make them more likely to recycle and therefore allow the council to implement its waste strategy more effectively.

Wiltshire Council Building Control

The development has the advantage of the demolition of the existing dwelling, therefore we would use an "adverse effect" approach in that does the scheme make an existing situation any worse.

Commenting on the refuse collection, the additional two houses are over the 25 metre distance that the Building Regulations give as a guide for the movement of refuse containers (to a point of collection by the refuse authority). I would not see this as an issue as the site is level and it is easy to manoeuvre the wheelie bin containers.

On a separate matter we would need to get more detail from a fire fighting point of view. Again the adverse effect rule would apply due to the existing dwelling and several solutions may be available, however I would need further detail and possibly to consult with Wiltshire Fire and Rescue before I could comment further in this regard.

8. Publicity

The application was advertised by site notice and, following an initial delay, neighbours were notified by letter.

This application, and its partner application for Conservation Area Consent for the demolition of the existing dwelling, have together prompted a large number of representations.

One letter of support for the development has been received from the recent purchaser of the address adjoining the site, no. 11 Easterton Lane. Points made include:

- The houses are well designed, fit in well, and are not too high
- No overlooking from proposed bedrooms into the back garden of no. 11
- The turning circle will improve the situation – at present vehicles try to turn in the garden of no. 11, or have to reverse all the way to Ball Road

35 letters of objection have been received from 24 contributors. Points made include:

- Additional traffic on this footpath will be dangerous and disturbing and will change the character of the area
- Easterton Lane is a popular footpath and cycle route used by many, including unaccompanied children, to reach the play park, bowling green, tennis courts, football pitch, allotments and the village shops
- The ownership of the lane should be determined as it is a criminal offence to drive a vehicle on a public footpath without specific lawful authority from the owners of the land
- The access to the play park from Easterton Lane is located at the sharp corner where visibility is very restricted
- Existing use of the lane by vehicles is very problematic because of its length, narrowness, sharp corners, lack of parking spaces and clash with pedestrian use
- Some sat-nav systems show the lane as being continuous from Ball Road to the High street, which it isn't!
- There is no sign to warn drivers entering from Ball Road that it is a footpath or a dead end, so they get stuck rather than being able to go through to the High Street as intended
- There are no turning facilities, so vehicles have to reverse out if they become stuck, or if another vehicle is met coming the other way
- The provision and signposting of a turning head will only encourage more traffic into the lane, and will be no use to any vehicle which meets another coming the other way because one vehicle will still have to reverse, there being no passing places
- Vehicles accessing the site will need to pass within inches of the front door of neighbouring property (11a) as the lane is so narrow
- Even small refuse vehicles cannot negotiate the corner halfway along the lane
- Wheelie bins and recycling boxes have to be collected and walked by Council staff to the refuse vehicle because the lane is too narrow for the refuse truck
- Wheelie bins and boxes further obstruct the lane on collections days (especially if people are out at work all day)
- Emergency vehicles won't be able get to the site (a fire engine was unable to reach no. 15 when there was a chimney fire)
- Heating oil, delivery vans etc will not be able to get to the site
- There will be far more construction traffic movements than normal for such a scheme if the development is permitted, as no materials could be brought to or removed from the site in normally-sized construction lorries – smaller vans making multiple trips will need to be used instead
- Damage has been caused to a number of front boundaries of properties along the lane by

- vehicles trying to travel or turn
- Planning permission for an additional dwelling at no. 25 Easterton Lane was refused in 2006 because the access was inadequate
- The junction of Easterton Lane and Ball Road is completely blind for drivers and pedestrians
- Ball Road leading to Easterton Lane is also only single width for some of its length
- Another vehicular access into the allotments would add more traffic and isn't needed – there is already access from the High Street
- There is nowhere for vehicles to go if an access were opened without losing the corner allotments
- An allotment holder objects to the prospect of exhaust pollution contaminating vegetables, of increased vandalism, and of being overlooked on her plot
- Residents would have made objections known to the parish council if they had been made aware that the pc meeting was going to discuss the scheme
- Contrary to the applicant's statement most of the residents were not consulted before the application was made formally
- The proposed dwellings would make this green space feel much more urban
- The allotments will feel enclosed and overlooked, rather than spacious and open
- The gardens of the adjoining dwellings 11a and 15 Easterton Lane will feel boxed in by the new dwellings
- Upper storey of plot 1 will look directly into the private garden of no. 20, on the opposite side of the lane
- The house on plot three would be so close to the eastern boundary that it could affect or be affected by the roots of a mature apple tree just off site (in an old orchard, now uncultivated to attract wildlife, forming part of the garden backing onto the site)
- Decent sized gardens such as the site has at the moment are becoming too rare
- The plot will be overcrowded with three dwellings
- The proposal would damage a mature environment, and add to the problem of degrading local ecosystems
- The development will mean the loss of trees and green infrastructure
- The open character of the Conservation Area would not be enhanced by replacing the bungalow with three chalet houses
- Objection is raised to the demolition of the existing dwelling unless another (more appropriate) development scheme is proposed, such as the modernisation of the existing bungalow

All comments received relating to applications E/12/0940/CAC and E/12/0941/FUL are available to view on the planning pages of the Council's website, and Members are encouraged to read the full content of these submissions.

Members are also encouraged to visit the location prior to the meeting, to gain an understanding of the site's character, its access and its relationship with its surroundings.

9. Planning Considerations

The principle of the development of the site for residential purposes is not in question as the land falls within the Limits of Development of Pewsey, in a sustainable location, in that employment, commercial and social infrastructure to support new housing are all clearly and closely available. The acceptability of the proposal therefore hinges on the details of the scheme, with regard to the matters set out in section 2 of this report.

Grain and density of development in the locality:

Residential development in the vicinity of the application site is, generally, of single depth plots mostly fronting onto the non-uniform mesh of highways (some streets and some footpaths) that typify this part of the settlement. As a result of this organic route pattern, curtilage sizes and shapes vary, with no standard building:garden plot ratio evident. Development along the southern

part of Easterton Lane includes older, modest cottages and more modern bungalow and chalet bungalow constructions. The allotments to the north and the recreation ground to the west of the site are very important open spaces within the conservation area, contrasting with the route-hugging and fairly closely-packed pattern of dwellings along this Lane and Ball Road. Although the scheme would create a short branch of development which would not follow an existing footpath or road route, the proposals are considered not to conflict sufficiently with the general grain and density of development in the locality to warrant a refusal of planning permission.

Character and appearance of the area:

Built forms near to the site are predominantly residential, with smaller structures (sheds) scattered across the allotments. The pavilion on the recreation ground is the only notable exception. Trees, hedges and banks line and accentuate the route pattern, and contrast with the spacious layout of recreation and allotment land-uses. The proposed development would introduce an arm of built form which would interrupt the vista from the north of the allotments southwards across and into the rear gardens of Easterton Lane and Ball Road properties, and in this respect would not necessarily maintain or enhance the spacious visual quality of the area, so could be considered to be in conflict with the general application of policy PD1 of the Kennet Local Plan 2011. However, the storey-and-a-half design of the dwellings at least tries to keep this interruption at a reasonable scale (provided the slab level of the new properties can be fixed at a suitable height). Subject to the control of the datum for the building slab heights, it is considered that the new development would not harm the open character and appearance of the area so much as to warrant the refusal of the application.

The northern boundary of the site is proposed to be marked either in new hedging (as noted on the site layout drawing), or in a strip of wildflower grassland (as set out in the recommendations for reptile mitigation measures/enhancements in the ecological appraisal). While the latter option is better for the biodiversity resource of the site and its surroundings, it should be understood that the north-facing appearance of the new dwellings would be more stark when viewed across the allotments without the screening that a new hedge could provide. Given the shallow north-south measurement of the plots 2 and 3, it is unlikely that the scheme could be further revised to accommodate both a hedge and a grassland strip along the site's northern boundary without reducing unacceptably the amount (depth) of private rear garden space left for plots 2 and 3 (only just over 10 metres is currently shown), as a shift southwards of the footprint for these proposed dwellings would then bring them too close to the side boundary of the private rear gardens of nos. 11a and 15 Easterton Lane, and to the rear boundary of the garden serving no. 22 Ball Road.

On balance it is considered that the wildflower grassland strip option should be put into effect, if planning permission were to be granted, given that the development would, in any case, result in a foreshortening of the view southwards across the allotments, where now exists a fairly blurred change from community to private "undeveloped" land. In this way the development would at least minimise its impact on biodiversity (NPPF 2012 guidance in Section 11 refers) and be in greater conformity with criterion B3 of policy PD1 of the Kennet Local Plan 2011.

Ecology:

The submitted surveys, assessment and conclusions drawn on the value of the ecological resource on the site have been accepted, and, subject to the implementation of the recommended measures to protect and encourage wildlife and habitat on the site, the proposal is considered to be acceptable in terms of its impact on the natural environment, assessed against the planning policy referenced above.

Trees and landscaping:

Details of the proposed landscaping of the site need to be confirmed, in particular in relation to the treatment of the northern site boundary, the need to boost tree cover towards the western side of the site, and the likely unpopularity with new residents of tree planting along parts of the southern boundary. These matters can be secured by pre-commencement conditions on any planning permission, requiring a re-working of the landscaping concept and detail, to be tailored to the recommendations of the ecological appraisal and report, and comments of the Council's

Arboricultural Officer.

Impact on the Conservation Area:

From the earlier townscape and landscape analysis, it follows that the effect of the proposed development, subject to caveats relating to the finished floor level or slab level for the dwellings, would not be considered to warrant the refusal of planning permission. The contribution that this part of the settlement makes to the Conservation Area designation is a product of its land use, network of circulation routes, vegetation pattern and the scale and layout of development, rather than the historic or architectural merits of the individual buildings within this character zone. Consequently, as long as the proposed buildings are of a scale, massing and palette of materials appropriate to their context, they do not need to be of outstanding architectural quality in order to generally preserve the character and appearance of the Conservation Area. The proposed designs are, therefore, considered to be acceptable.

Impact on the North Wessex Downs Area of Outstanding Natural Beauty:

The proposed development is set well within the overall limit of development of the settlement, and it is considered that the scheme would have no effect on the landscape quality of the North Wessex Downs Area of Outstanding Natural Beauty.

Archaeology:

The site's location within an area known to have been settled for more than 14 centuries correctly prompted the need for an investigation to be made of the site's below-ground heritage potential. The outcome has been positive for the applicant and the Council: the results of the investigation present no hurdle to the development, while adding to the body of public knowledge concerning Pewsey's evolution.

Impact on residential amenity

The design of the dwellings has been set to minimise the overlooking of other residences and associated private garden areas at close range. Although the rear gardens of dwellings on plots 2 and 3 are just 10 metres deep, the plans for these units show that no upper floor windows from habitable rooms are proposed on the rear elevations, so no overlooking of the closeby rear gardens of nos. 11a and 15 Easterton Lane could be enabled. In each unit only a bathroom and a passageway window is shown: the bathroom windows can be required by condition to be obscurely-glazed, with restricted opening, and passageway rooflights can be set at an internal cill height to ensure that views are only possible upwards, rather than horizontally or down onto gardens below.

Upper floor bedroom windows of the new unit on plot 1 are shown to face westwards towards no. 20 Easterton Lane. However the distance from the proposed building to the edge of the garden of the existing property on the other side of the footpath is, at around 20 metres, considered to be an acceptable distance over which the effect of overlooking is not normally felt to be an invasion of privacy.

The degree to which any demolition and construction works on an application site would disturb or inconvenience neighbouring residents is a legitimate planning concern, but not one that is usually determinative of the application itself. Undoubtedly the awkward access arrangements for this site would present difficulties for the construction process, and it is expected that the frequency of vehicle movements during any build programme would be increased from the norm because of the need to use small vehicles to transport materials to and from the site. Three new units are proposed, and it is considered that the additional vehicular traffic that would be associated with the whole demolition and redevelopment project would cause significant disturbance and inconvenience, for a sufficiently long period of time, to the existing residents in Easterton Lane, to warrant note of this in any reason for refusal on highway and access grounds.

Highway, access and parking matters (including emergency access and refuse collection):

As set out in the series of comments of the Highway Development Control Manager, the proposed development would face problems with obtaining suitable access, and would cause problems of

safety and inconvenience to other users of the highway network (drivers, cyclists and pedestrians) that do not appear to be surmountable. The narrowness and alignment of the route present no difficulties for its pedestrian users per se, but as a result of vehicles being driven along it, pedestrian safety is compromised. By adding to the number and frequency of vehicle trips along this route, in both the short and long term (construction period and subsequent occupation) this development would not accord with guidance within the National Planning Policy Framework 2012 at paragraph 35, which advises that *“developments should be located and designed where practical to ... create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians...”*. Policy PD1 criterion B(4) of the Kennet Local Plan 2011 obliges all development to address adequately *“layout, servicing, and access arrangements, and road safety”*. The proposal does not achieve this.

The submitted changes to the proposed parking provision have addressed the initial concern that the indicated garaging could not meet the required standard of two spaces for each dwelling. With the omission or elongation of the garages originally shown, this objection is overcome.

As noted above, the impact of the transport of demolition and construction materials from and to the site in this instance bears greater importance to the case than is usual for a redevelopment site, because of the physical shape and dimensions of Easterton Lane. Planning conditions could limit hours of work or determine routes to be taken for construction vehicles to reach Ball Road, but these would not overcome or adequately offset the harm that the implementation of the proposed development would do to the area. The recommended decision reflects this.

The advice of the Fire and Rescue Service, concerning the inability of fire appliances to reach the site, implies that measures can be incorporated into the design of the building to offset this problem.

It is understood that the Council uses special vehicles to collect refuse and recycling materials for properties in Easterton Lane, but that the closest that any such vehicle can get to the site is the corner point adjoining the entrance to the playground. For the dwelling proposed on plot 3 this represents a distance of about 155 metres to transport the wheelie bins and recycling boxes. This compares very unfavourably with the guideline distance set out in the Building Regulations of 25 metres. While in some residential developments the Local Planning Authority has secured, by condition, the provision of refuse and recycling storage and collection facilities and operational arrangements, in this case such provision cannot be secured as there is no opportunity for even a non-standard collection vehicle to access the site, and the application site as defined by the red line does not include any satellite areas back along Easterton Lane to serve as a refuse collection bay. This unsatisfactory level of servicing for the new development can be viewed as a consideration in planning policy terms, as PD1 B(4) of the Kennet Local Plan 2011 refers to *“servicing”* but given that there are already 5 (6 if no. 23 is included) dwellings to the north of the bend in Easterton Lane where refuse and recycling containers need to be moved more than 25 metres, it is considered that a refusal of planning permission on this point would not be tenable. The matter of achieving (or not) compliance with the relevant Approved Document under the Building Regulations cannot, of course, be influenced by the grant or refusal of planning permission: if planning permission is granted for this development, the scheme must still be assessed against the regulations set out under separate building legislation.

10. Conclusion

Notwithstanding the compliance of the proposal generally with planning policy in terms of the principle of residential development in this locality, the proposed scheme could not obtain safe and convenient access from the public highway, and would be the cause of increased danger and inconvenience to all users of the local highway network.

RECOMMENDATION

That planning permission be REFUSED for the following reasons:

1. The traffic generated from the construction and occupation of this proposal would use a route which, by virtue of its function in the highway network, its inadequate width, alignment and substandard junctions, is considered unsuitable to accommodate the increase in traffic from this development.
2. The construction and subsequent occupation of the proposed development would result in an increase in vehicular traffic along a designated public footpath with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way.
3. The proposed development conflicts with the terms and objectives of national and local planning policy, as set out in the National Planning Policy Framework 2012, with particular reference to section 4 "Promoting sustainable transport", and with the general application and considerations of Policy PD1 of the Kennet Local Plan 2011.