

# REPORT TO THE NORTH AREA PLANNING COMMITTEE

Report No.

Date of Meeting	31 July 2013		
Application Number	N/13/01254/FUL		
Site Address	Garages at Stubbs Lane, Kington St Michael, Chippenham SN14 6HX		
Proposal	New Dwelling		
Applicant	Mr C Labourchere		
Town/Parish Council	Kington St Michael		
Electoral Division	Kington	Unitary Member	Councillor Howard Greenman
Grid Ref	90436 177160		
Type of application	Full Planning		
Case Officer	Lee Burman	01249 70668	

## Reason for the application being considered by Committee

To consider the visual impact and environmental synergy of the proposed dwelling against the existing planning consent.

### 1. Purpose of report

To consider the above application and to recommend that planning permission be REFUSED

### 2. Report summary

The main issues in the consideration of this application are as follows:

- The Principle of Development
- Design Character and The Impact on the Setting of the Listed Church of St Michael and Kington St Michael Conservation Area
- Drainage and Flooding
- Nature Conservation
- S.106 Matters

The application has generated support from Parish Council; and 27 letters of support from the public. 44 representations were received in total with those not explicitly stating support for the proposals largely also positive and not objecting.

### 3. Site Description

The site is located within the defined framework boundary and the Conservation Area for the village of Kington St Michael. The site is a low lying open paddock which features an existing access with vehicular garaging, small shed structures and some undergrowth. The site boundaries feature some mature vegetation including trees. To the south is a small stream/brook with open agricultural land on rising ground beyond. To the east is a small area of informal public open space adjacent to the stream with residential properties beyond, to the west open agricultural land and to the north on higher ground and elevated above the application site is the Grade II Listed parish Church of St Michael including its separately Grade II listed Lychgate. This is separated from the application site by Stubbs Lane itself.

<b>4. Relevant Planning History</b>		
N/11/00353/FUL	Demolition of Existing Garages & Erection of 3 bed Dwelling with Detached Garage	Withdrawn
N/11/00354/CAC	Demolition of Existing Garages & Erection of 3 bed Dwelling with Detached Garage	Withdrawn
N/11/03343/FUL	Demolition of Existing Garages & Erection of 3 bed Dwelling (Resubmission of N/11/00353/FUL)	Permitted
N/11/03344/CAC	Demolition of Existing Garages & Erection of 3 bed Dwelling (Resubmission of N/11/00354/CAC)	Permitted

#### **5. Proposal**

The proposal is for the demolition of the existing garage structure on site and erection of a 4 bed room dwelling. The demolition of the garages already benefits from Conservation Area Consent under N/11/03344/CAC and has been considered and approved through N/11/3343/FUL and so is not re-applied for here. The proposed dwelling would be 4 bed property arranged over three floors including a basement and a first floor in the elevated roof space.

#### **6. Planning Policy**

North Wiltshire Local Plan: policies C3 NE 9 NE11 H3 HE 1HE4 CF3 H6

Central Government Planning Policy: National Planning Policy Framework

#### **7. Consultations**

**English Heritage** Recommends that the application be determined in accord with national and local guidance and on the basis of the Council's own specialist conservation advice.

**Conservation Officer** Recommends refusal and identifies that the scale, bulk, mass, layout, form and design character are inappropriate to the site and locality and will result in harm to the Grade II\* Listed St Michael Church and Grade II Listed Lychgate and not preserve or enhance the character and appearance of the Conservation Area. The design of the proposed dwelling is identified as of particular concern in not responding to the historic character of the locality and being an agglomeration of design styles typical of modern housing development throughout the country.

**Housing Officer** No objection but identifies that under policy H6 of the Adopted NWLP an off-site financial contribution of £26,000 is required. There are 10 households in Kington St Michael and adjoining villages seeking an affordable home as a first preference.

**Natural England** No objection but highlights that there is evidence from third parties of the possible presence of protected species on site. In this context it is expected that the LPA assesses and considers possible impacts of the development on protected species and their habitats. In order to support his Natural England identify that supporting survey information should be submitted prior to determination.

**Council's Ecologist** Raises no formal objection but requires that a condition be added to any permission to secure an exclusion buffer zone of 5 metres from the top bank of the watercourse to ensure no development takes place in order to protect potential water vole burrows from the effects of any building works.

**Environment Services (Open Spaces)** Identify that under policy CF3 of the Adopted NWLP and supporting supplementary guidance and studies the development generates a requirement for open space provision. Given the form and nature of the development and site this can be secured via an off-site financial contribution of £7,400 toward the upgrading of Kington St Michael Recreation Ground.

**Highways** Identifies a requirement for 3 parking spaces instead of the two proposed but considers the required level of provision can be accommodated on the site and so raises no formal objection subject to the imposition of appropriate conditions to secure sufficient parking space. No objection is raised in respect of the access and none was raised in respect of the previous proposals.

**Drainage Engineer** Identifies that the site is subject to a 1:30 year flood risk event and that evidence available to both the Council and the EA indicates conforms flood risk problems at and adjacent the site contrary to submission by the applicant. It may be the case that proposed works by Wessex Water adjacent the site and affecting the stream referred to by the applicant can assist with localised flooding problems and ensure that the property will not be the subject of flooding. At this stage however there is insufficient evidence submitted with the application to demonstrated that flooding can be satisfactorily addressed sufficiently to be able to recommend approval.

**Kington St Michael Parish Council** Supports the application and considers the proposal an improvement on the permitted scheme but identifies reservations including the use of aluminium window frames in a conservation area where frames should be of wood; the use of Bradstone in a conservation area – approval of details required; concerns over flooding re-iterated from previous application.

## 8. Publicity

The application was advertised by site notice and neighbour consultation.

28 letters of letters of support received. 1 letter of objection.

Summary of key relevant points raised:

- Current site is an eyesore and demolition and proposed development will be an enhancement
- The proposed design is of a high quality and appropriate to the locality
- The approved scheme is not appropriate or in accord with the design character of the locality and the current proposals are significantly better
- Previous scheme should never have been approved
- The proposals are of a traditional design character appropriate to the locality
- The site is within the village boundary
- The proposed development is energy efficient and high specification
- Support the approved scheme but consider the use of natural stone is essential to blend in with the locality
- The approved scheme is unwelcome as it resembles a trailer park static caravan not in accord with the locality
- The current proposals would nestle within the landscape and incorporate a design and materials sympathetic to the locality
- Proposal is in a traditional Cotswold style appropriate to the design character of the village and is well integrated to the locality
- Proposal is of an appropriate design and character to the historic context
- Application fully accords with the NPPF and the Council's emerging Core Strategy in particular CP1 CP2 CP57 CP58
- Previously approved scheme looks like cross between a mobile home and portacabin and is not appropriate to the village. The artist's impressions submitted in support of the current scheme demonstrate that it is sympathetically site and blends well with other buildings in the vicinity
- The applicants are active in the local community and the church activities and the approval of the proposals will assist with this commitment
- There is a need in the village for modest houses for older residents with disabled facilities, a proposal for a dwelling for multi generational is innovative
- A pitch roof design is more sustainable

- The proposal is aesthetically pleasing but aluminium window frames are not suitable for the conservation area. Similarly the proposed reconstituted Bradstone finish is not prevalent or appropriate to the Conservation Area. It is unclear how the large basement will affect the local water table especially given local flooding issues. It may also impact on the habitat of water voles which are known to live in the stream.
- Bay window in rear elevation out of character with the locality and will harm the setting of the church when viewed from Tor Hill
- Windows should be made of wood frame in a conservation zone. The roof should be tiled or of natural slate.
- The proposal will be sustainable using renewable energy and rainwater collection
- The proposal has a lot of local support

## 9. Planning Considerations

### Background

It is important to note the background to the consideration of the current application. Two previous application proposals for the demolition of the existing garages on site and erection of a new dwelling were permitted. Application references are listed above in the planning history. The first proposals were for a standard two storey house design and very much reflective of the current proposals. The application received objection from the conservation team and the case officer as not responsive to the site constraints and characteristics and not sympathetic and in fact harmful to the historic context. In particular the application proposals were considered to be harmful to the setting of the Grade II \* Listed Church of St Michael, Grade II Lychgate and the Kington St Michael Conservation Area. The consultation exercise also raised concerns regarding the impact of the proposals on nature conservation interest adjacent the site and the potential flood risk of the development and increased flood risk off site as a result of development. Consequently significant additional supporting assessment information – Flood risk and Ecological survey – were identified as necessary. The applications were withdrawn.

Subsequently the site owner employed consultants to undertake the additional surveys and assessments. In addition a process of pre-application consultations with officers was undertaken to identify site constraints and an appropriate design response to these. The constraints were identified as:-

- the setting of the adjacent listed church of St Michael
- the character and appearance of the Kington St Michael Conservation Area
- the low lying nature of the site and rising ground surrounding and stream adjacent forming a river valley character
- open agricultural land beyond the stream on rising ground forming a prominent viewpoint across the site to the Listed Church
- Existing mature planting in the site boundaries
- Informal Public Open Space directly adjacent the site
- Local experience and evidence of flooding of the site
- Local evidence of protected species of flora and fauna within and adjacent the site

To respond to these identified characteristics and constraints officers considered that any proposal should:

- Either be modern and innovative in character or of a traditional Cotswold rural building vernacular
- Be low-lying and of minimal height – preferably single storey
- Unobtrusive and low impact
- Utilise natural materials
- Incorporate on site flood risk and surface water attenuation measures
- Incorporate ecological mitigation and compensation measures as necessary

Revised scheme proposals were developed and new applications based on this approach submitted. Additional site surveys and assessments were submitted in support of the applications. It was considered that the proposals accorded with the above requirements and clearly sought to respond to the identified site constraints and characteristics. A section 106 agreement to meet the identified requirements was entered into by the applicant and consents were issued.

The site was then marketed for sale and officers received extensive expressions of interest and queries regarding the permitted scheme. It is fair to say that the approved design solution was not popular with purchasers. All enquiries were informed that there was an approved scheme. This was not considered to be the only appropriate approach and design solution but a standard two storey dwelling was unlikely to be supported given the site characteristics and constraints. Again it is fair to say that almost all interested parties wanted to secure a standard two storey detached house type and so did not pursue their interest. The current applicant contacted officers with the same queries and received the same response. However it became clear that the applicant had already purchased the property. The architects for the applicant contacted the Council and were again given the same message, with the further clarification that alternative designs may be appropriate but these would need to respond to the site characteristics and constraints. Officers received no further draft proposals or sketch schemes. Concerns were submitted to the Local Ward Member regarding the design approach being adopted by officers and it was again reiterated that Officers would be willing to consider, discuss and respond to alternatives but in the context of identified site constraints and circumstances. No further correspondence was received until the formal submission of the current application proposals.

### Principle of Development

It is important to bear in mind that the current proposals must be considered on their own merits based on the development plan and all material considerations including the impacts that the proposals would have on interests of acknowledged importance. It is not appropriate to approve a scheme merely because some members of the local community express a preference for one particular scheme over another. This general approach has been set out in "The Planning System: General Principles" and established through the courts.

The site is located within the defined settlement framework boundary of Kington St Michael and features existing built development. As such the proposals are in accord with policy H3 of the adopted local plan in terms of location and making use of previously developed land. Such proposals must be considered against other relevant policies also including general development control policy C3, HE1 development within a conservation area and HE4 development affecting a listed building, including its setting. Proposals for development are acceptable where they do not result in harm to the interests of acknowledged importance protected under these policies. As such further assessment is required and this is set out below.

The emerging policies of the Wiltshire Core Strategy are subject to current examination in public and consideration of a range of outstanding objections to the draft document. The Council considers that the policies accord with the NPPF but this is a matter for examination and consideration by the Inspector. It is not considered that the relevant policies of the emerging WCS are fundamentally different from the relevant policies of the adopted NWLP as they pertain to this site and development proposal. It is not considered that the draft emerging policies provide any greater support for the proposals than the current proposals and certainly not that would override the relevant material considerations considered in detail below.

### Design Character and The Impact on the Setting of the Listed Church of St Michael and Kington St Michael Conservation Area

The site characteristics and constraints that are considered to be relevant to any proposal to develop this site are detailed above in the background history section. Policy C3 criterion (iii) requires that all proposals have respect for and reflect the local character. Policy HE1 requires that proposals for development preserve the character and appearance of the Conservation Area. If possible proposals should also secure an enhancement to the conservation area. Policy HE4

requires that proposals for development do not cause harm to Listed Building by virtue of harm to their historic fabric or context i.e. their settings.

The site sits very low with land around it rising to higher level. Adjacent the site is a small stream to which much of the surrounding land drains. The adjacent road of Stubbs Lane runs past the site leading downward to the lower lying land. The land directly adjacent the historic parish church is used for burial plots. A small informal public open space lies adjacent the site. In effect this is a low point at the centre of open land that rises in height and over which towers the magnificent grade II \* Listed church. A right of way runs across the agricultural land to the south of the site. This affords excellent views of the Church. The right of way, the roads in the vicinity, adjacent public open space and the entrance way to the church itself all afford prominent views of the site. As a result the site is especially sensitive in terms of local character, the conservation area and the setting of the church. Development in this location potentially has a significant and almost disproportionate impact on these interests of acknowledged importance.

There is an approved scheme for a dwelling at this site and many supporters have referred to this in their representations. Whilst the previous consents at the site are a material consideration officers have sought to point out to interested parties that there may be other appropriate design solutions to the constraints and characteristics of this particular site. It is however considered that the current scheme is not one such example for the reasons set out below.

The proposed dwelling is arranged over three floors and incorporates four bedrooms – albeit this includes a basement and accommodation in the roofspace and the applicant considers this to be a 1.5 storey dwelling. It has a footprint of at least 108 square metres and reaches a height of 6.2 metres at ridge and 3 metres at eaves. It is also arranged in an L shape and features extensive solar panels on the south west elevation roofscape. The proposal is of a scale that is visually prominent, particularly the bulk, massing and height. Whilst the proposal attempts to mask and disguise its true form and layout by placing the first floor in the roof and utilising dormer roof extensions, the height is close to that of a standard two storey dwelling and remains visually prominent. Indeed the dormer extensions themselves add considerably to the bulk and massing of the roofscape. The visual prominence of this form of development is somewhat perversely increased and the overall height is only reduced from the normal two storey dwelling by approximately 1.3 metres.

Little attention has been paid to the floorspace of the proposals in the context of the existing garages on site. The proposed dwelling as noted would have a footprint of 108 square metres with the garage block approximately 57.75 square metres a 47% increase. This excludes the extensive hardstanding areas which the Conservation Officer has, alongside the boundary treatment, also identified as uncharacteristic, visually prominent and harmful to heritage assets. It should be noted that the parking area has been identified as inadequate in scale by Highways Officers and would need to increase to the three spaces with a commensurate increase in visual prominence and harm to the setting of the Listed Church and the Conservation Area.

The visual prominence is further increased by the use of materials. Contrary to the assertion of some supporters of the proposal the development does not use natural stone. The materials proposed are very much of the type to be found in a lot of modern residential development including aluminium and Bradstone. The Bradstone walling finish appears from the artist impression in the Design and Access Statement bright in tone and colour. It is considered that this would be clearly prominent and most certainly could not be considered muted or in harmony with the context, which is formed by open agricultural land, the burial ground of the church and the adjoining stream and grassed public open space. Similarly the choice of the applicant to remove mature hedges from the site has already increased its openness and visual prominence. The proposed white powder coated aluminium window frames shown in the artist impression further add to the visual prominence of the structure. Finally the use of solar panels which clearly is not a historic form of development and is not characteristic of the locality will also raise prominence by virtue of this conflict of character but also by virtue of reflection from the surface of the panels when viewed from the footpath to the south. Without doubt it is considered that the proposed design does not seek to be unobtrusive or to minimise impact on the setting of the listed building,

Conservation Area or the open character of the locality. The principle aim of the design very much appears to be to secure the desired living accommodation rather than responding to and minimising impacts on interests of acknowledged importance.

The demolition of the existing vehicular garaging on the site will undoubtedly result in an enhancement to the Conservation Area and the setting of the listed Church. This of course does not mean that any replacement development automatically also results in an enhancement. The existing garages, whilst in a somewhat poor condition and visually unattractive, are very low lying and to a certain extent were screened by existing planting and boundaries on site. The form and materials further minimised their visual prominence. Given the visual prominence of the proposed dwelling by virtue of its scale, bulk, use of materials and design character it is not considered that the development would preserve and enhance the character and appearance of the Conservation Area. Furthermore, and possibly more importantly the setting of the grade II \* Listed Parish Church of St Michael would be harmed. Openness would be lost and a new prominent structure would draw the attention. In views from the south the foreground would be dominated by the prominent new structure. It is important to note that this is the Parish Church of St Michael, it is of great local historical significance and importance in this context. Forming the very heart of the village and parish for a great many years the approaches to and views of the church are fundamental to its historical significance. Similarly the Church forms the heart and centre of the Conservation Area and is of crucial importance to its character and appearance. The harm caused to these heritage assets is therefore also increased in importance and weight. The NPPF identifies that the significance of a heritage asset is crucial to any assessment of development and its impact. Clearly the Church of St Michael is of great significance and in this context every effort should be made to minimise harm and detrimental impact if development is to be approved.

The character and design of this dwelling is not considered to reflect the historic form and character of dwellings in the locality i.e. Cotswold villages and certainly not those which sit in the context of and close proximity to the Church itself. The scale, form, bulk and massing and use of materials are wholly different. The proposal is resolutely that of a new build dwelling that could be found in a great many locations and new developments throughout Wiltshire and indeed the Country as a whole. It is wholly unclear from the submitted information in the design and access statement how the proposal seeks to respond to the constraints and characteristics of the site or how it has been designed to reflect local vernacular.

### Drainage and Flooding

The Council's Drainage Engineers have reviewed the proposals and the submitted supporting information. Based on their local knowledge and experience and evidence they have collected themselves and which has been submitted by third parties Officers do not consider that it has been satisfactorily demonstrated that the development is not at risk of flooding. The applicant and the architect team have submitted a flood appendix to the Design and Access Statement. This identifies that the "culvert" is obstructed further downstream by a sewer pipe. The applicant considers that this is the cause of local flooding and has been in liaison with Wessex Water to identify that works are planned to take corrective action. Further the applicant considers that detritus can build up adjacent a stock proof fence in the adjacent agricultural land and this can cause flooding. They identify that effective maintenance can address this cause of flooding. The applicant considers that the maximum water level at times of flooding is 86.02AD and that Finished Floor Levels will be at 86.75 AD. The Council's engineer identifies that the Ordnance Survey datum for the site is 87.01 AOD and that photographic evidence clearly demonstrates flooding above this level.

The applicant disputes the findings of the Flood Risk Assessment of Cole Easdon (Civil Engineers) submitted in support of the previous application and states that this was flawed. It is unclear on the basis of what evidence this assertion is made. Indeed it is unclear from the applicant's submission the status of the assessment undertaken, whether this meets required standards and the qualifications or even name of those that prepared the statement. It is unclear from the information contained therein how the assessment concludes that the development will have a finished floor level of 86.75 AOD when the proposals incorporate a basement. This element of the proposal is

not detailed specifically within the flood risk assessment and the relationship to flood risk is not referenced or assessed in any way.

In this context it is important to note that the approved scheme incorporated a range of measures that arose from the disputed flood risk assessment of Cole Easdon. Finished Floor levels were set 1 metre above the adjacent water course level at 86.80 AOD; the proposals did not include a basement; on site water attenuation measures include a cellular storage system underneath the patio of the property (adjacent the side/south elevation); the inclusion of a flow control device from the storage to the watercourse (Garastor Orifice); and a green roof would be installed. Whilst in and of itself the green roof would not be sufficient to address flood risk and surface water drainage requirements at the site the combination of measures does achieve the necessary control. The current scheme proposals and submitted flood risk appendix make no such provisions.

It is essential to note that Wessex Water do not have responsibilities relating to surface water drainage and are the authority that provides water services i.e. sewage disposal and treatment; and provision of water for consumption and use. The consultation response of Wessex Water in relation to the application proposals make no reference to consultations with the applicant or to flood risk and surface water attenuation measures in support of the development. The Council's Drainage Engineer specifically identifies that on the basis of the current submissions Officers cannot recommend approval as it has not been adequately demonstrated that the development is not at risk of flooding. This contrasts with the consideration of the previous application where the Council's Drainage Engineers reviewed the submitted evidence and Flood Risk Assessment in detail and considered it appropriate and adequate such that consent could be granted. This was in the context of significant submissions and representations of objection from various parties including the Parish Council.

Officers have not sought to put the applicant to the expense of preparing and submitting additional Flood Risk Assessment and Surface Water Drainage Strategy proposals given the other objections that relate to this proposal. Also Officers are aware from Members that the applicant has sought for the proposals to be reported to Committee at the earliest opportunity.

### Nature Conservation

The applicant has made no submissions in respect of the Ecology of the site or any receptors (species and their habitats) that could be affected by the development. The public record including the previous application files and the data of the Swindon and Wiltshire Biological Records Centre as well as the current application online record all highlight the potential for development of the site to affect protected species and their habitat. In particular water vole have been recorded in the adjacent stream. The Water Vole is a protected species and are known to live in burrows up to 5 metres in depth from the riverbank. The proposed block plan submitted with the application shows the edge of the building within this 5 metre zone. Given the construction of a basement there is potential to cause disruption and harm to the habitat of a protected species. The proposed site layout shown on the block plan is therefore in conflict with the recommended condition of the Council's ecologist in that it would allow development including construction of a basement within the 5 metre exclusion zone which is sought. Certainly without supporting Ecological Survey and Assessment to demonstrate that there are no water vole burrows affecting this section of the stream riverbank it would not be safe to issue a consent for the scheme proposals on the basis of the proposed layout. The Council's Ecologist has confirmed that an updated Ecological survey would be required as the previous survey dated May 2011 is two years old and Water Voles are highly mobile and regularly relocate.

The key difference with the approved scheme in this respect is that the approved dwelling did not incorporate a basement.

### Section 106/Planning obligation

The Council's Environment Services (Open Spaces) and New Housing (Affordable Housing) teams have in accordance with adopted NWLP policies CF3 and H6 identified requirements for off-

site financial contributions to meet open space and affordable housing needs. This is entirely consistent with the input to and comment on the previous application submissions. It should be noted that this is a matter of public record. The previous applicant entered into a Section 106 agreement in this regard and this was registered as a local land charge which the applicant would have been informed of at the point of purchase. The applicant has not entered into a Section 106 agreement or submitted draft heads of terms with their application. Indeed at no point in the submission documentation is any reference made to S.106 requirements or the agreement of the applicant to meeting those requirements. The Design and Access Statement does refer to the policy context for the proposals but specifically excludes reference to these adopted Local Plan policies. Officers have not raised this matter further with the applicant or his agents given the other fundamental objections to the scheme proposals.

## **10. Conclusion**

The proposed demolition of unsightly and slightly decayed vehicular garaging from within the Conservation Area and the setting of the Grade II \* Listed Church will result in an enhancement. This does not automatically mean that any replacement structure of any form, scale and character will also result in an enhancement. The site is the subject of well established and clearly defined characteristics and constraints. These include its low lying nature, the open and rising character of surrounding land, the Heritage importance of the locality, flood risk and surface water drainage issues and Ecological interests. Officers have identified how a design for new development must respond to these constraints and the form and character of development that would not address these matters. It is recognised that the approved scheme is not universally welcomed and officers do acknowledge that there may be other design solutions appropriate to this site. However, the current scheme proposals resolutely do not respond to the identified site constraints and characteristics. Instead the development aspirations and accommodation requirements of the applicant are the driving force behind the scheme design and scant regard is paid to site constraints including, heritage, drainage and ecological matters. The design character of the proposed dwelling is more appropriate and akin to a modern housing estate and could be readily identified and seen in such locations throughout the country. The proposals are not supported by detailed assessment of their impact in relation to flood risk and surface water drainage or ecology. The inclusion of a basement floor is of particular concern in both respects and requires such specific detailed assessment. Without this information in place planning permission cannot safely be granted. No provision is made for addressing public open space and affordable housing requirements via a Planning Obligation/S.106 agreement.

## **11. Recommendation**

Planning Permission be REFUSED for the following reasons:

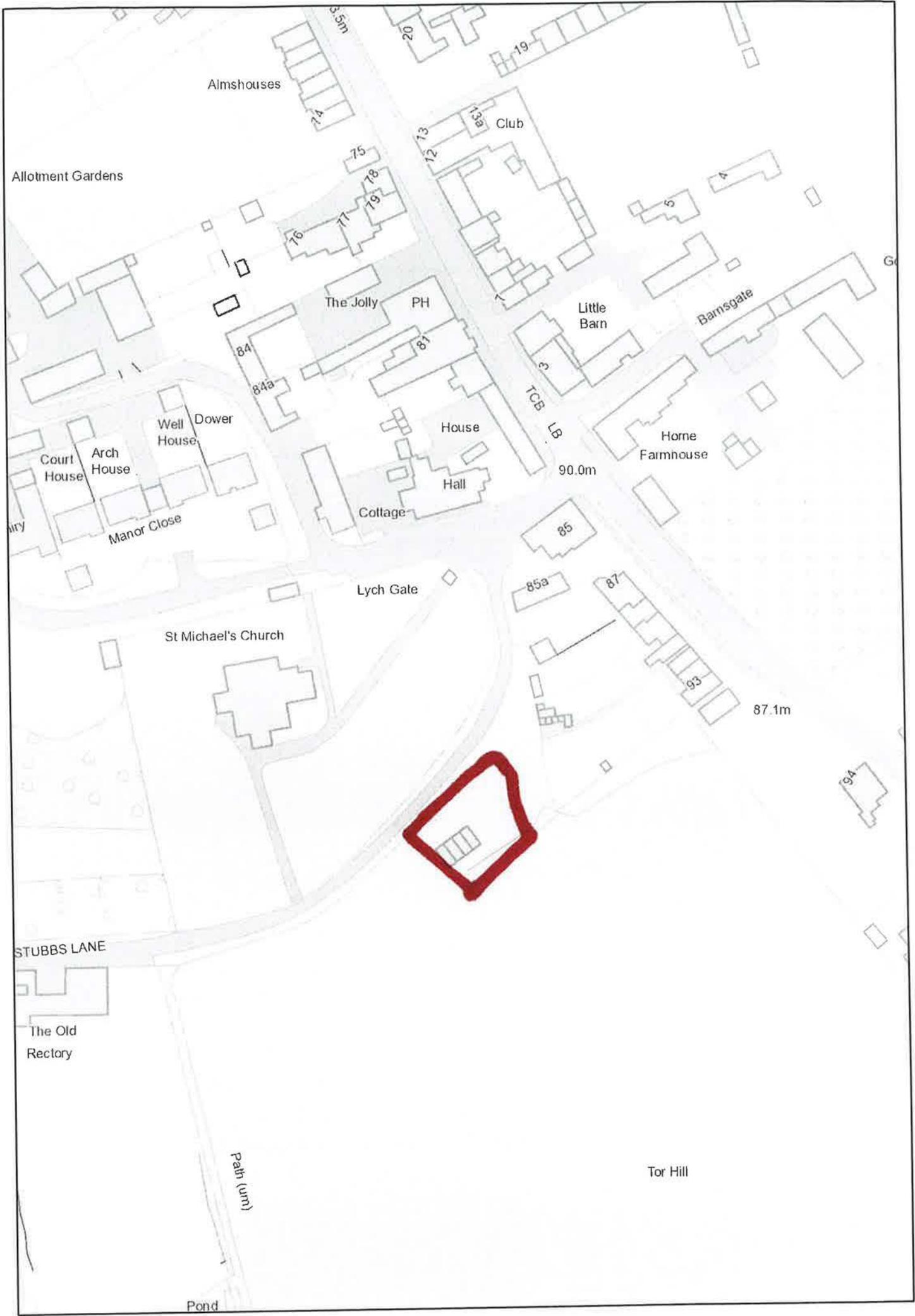
In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

The application is not supported or accompanied by sufficient evidence and information in respect of Flood Risk, Surface Water Drainage and Ecology (protected Species and their habitats – Water Vole) to allow a full and thorough assessment of the scheme proposals. Consequently it is not possible to issue a grant of planning permission as the risk of flooding to the proposed dwelling and potential harm to water vole habitats is not known. The proposal is contrary to policies C3 NE9 NE11 of the NWLP and Paragraph 7; Section 10 and paragraph 102; Section 11 of the NPPF.

The development by virtue of its scale, form, layout; massing, use of materials and design character does not respect and reflect the character of the locality or preserve the character and appearance of the Conservation Area and will have a harmful impact on the setting of the Grade II\* Listed Church of St Michael and its Grade II Listed Lychgate. The proposal conflicts with

policies C3, H3, HE1 and HE4 of the Adopted NWLP 2011 and Paragraph 7 and sections 7 and 12 of the NPPF.

The proposed development does not make provision for affordable housing and open space requirements arising as a result of the proposals contrary to policies CF3 and H6 of the adopted NWLP 2011 and paragraph 7 of the NPPF.



Almshouses

Allotment Gardens

The Jolly PH

Little Barn

Barnsgate

Home Farmhouse

Well Dower House

Court House

Arch House

Manor Close

Collage

House

Hall

TCB LB

90.0m

Lych Gate

St Michael's Church

87.1m

STUBBS LANE

The Old Rectory

Path (urn)

Pond

Tor Hill

