

**Regulatory Committee**

**26th June 2008**

**List of Applications for Consideration**

1. K/57186/F (page 6)

Full planning application for: Proposed replacement dwelling.

'Brambledown', Pewsey Road, RUSHALL SN9 6EN

RECOMMENDATION: Grant planning permission

2. K/58395/F (page 12)

Full planning application for: Change of use of former liberal club to 2 dwellings and erection of 1 new dwelling

Former Liberal Club St Johns Court DEVIZES SN10 1BW

RECOMMENDATION: Grant planning permission

3. K/58533/F (page 23)

Full planning application for: The erection of a detached dwelling; provision of access to existing and proposed dwelling; associated works

5 The Crescent BROMHAM SN15 2HQ

RECOMMENDATION: Grant planning permission

4. K/58599/F (page 28)

Full planning application for: Proposed 2 flats

Land adjacent to 20 Nursteed Close DEVIZES SN10 3EU

RECOMMENDATION: Grant planning permission

5. K/58576/F (page 33)

Demolish existing stable and build a similar size replacement

Shalbourne Manor Kingston Road SHALBOURNE Wilts SN8 3QD

RECOMMENDATION: Grant planning permission

Item 1

**APPLICATION NO:** K/57186/F  
**PARISH:** RUSHALL  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Proposed replacement dwelling.  
**SITE:** Brambledown Pewsey Road Rushall Pewsey SN9 6EN  
**GRID REF:** 4124360 1559220  
**APPLICANT:** Rushall Farms  
**AGENT:** Humberts  
**DATE REGISTERED:** 16/08/2007  
**CASE OFFICER:** Mrs Karen Guest

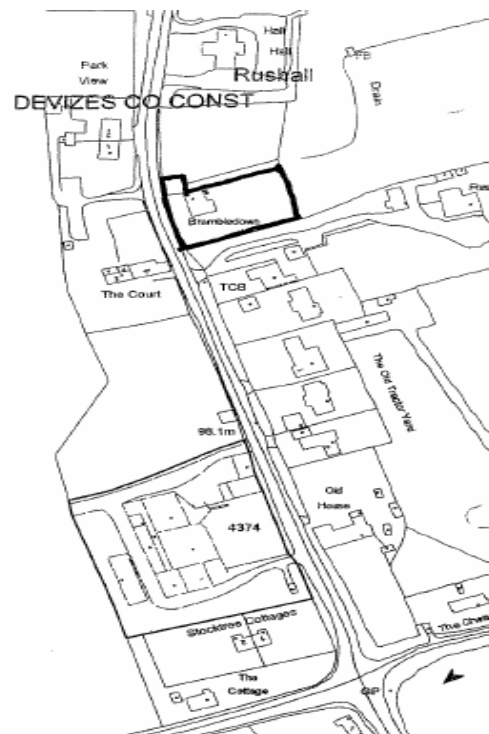
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## BACKGROUND

Consideration of this application has been delayed at the request of the parish council to allow for a decision by the Secretary of State as to whether the thatched dwelling ('Brambledown') that is proposed for demolition should be listed. English Heritage have now advised that the criteria for listing are not met, as the building has undergone extensive alterations and although the early 19th century roof survives, all other internal features have been lost. In addition, the building has been unsympathetically extended in the past. They conclude that the building has not survived sufficiently intact and does not show the level and quality of architectural detailing needed in order to merit designation on a national level. Nevertheless, in following the local vernacular building traditions, they add that it makes a positive contribution to the local streetscene. As the building is not listed and does not lie within a conservation area, the Council is not able to insist on its retention.

## SITE LOCATION

Brambledown is a two-storey thatched dwelling situated on the eastern side of Pewsey Road within the settlement of Rushall. Rushall consists of a mixture of building types, containing both traditional thatched houses and brick and tile dwellings. The recent redevelopment of the former farmyard site on the opposite side of the road and to the south contains a mix of both of these styles.



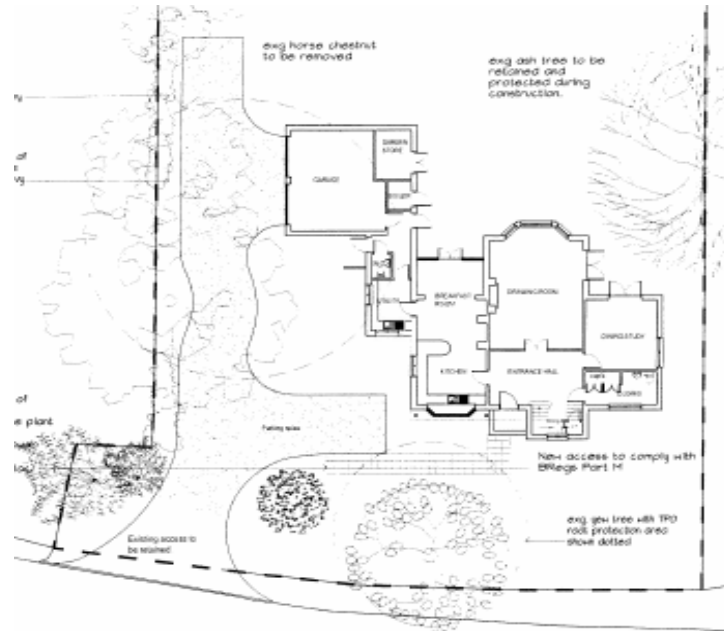
*Site Location*

**SITE HISTORY**

K/53359/O – an application for two dwellings on the site was withdrawn in January 2006.

**DESCRIPTION OF DEVELOPMENT**

This is a full application for the demolition of the existing thatched dwelling and the erection of a brick and tile dwelling in its place. The existing Yew Tree (protected by a Tree Preservation Order) to the front will be retained, together with an existing Ash tree on the southern boundary. The existing Horse Chestnut on the northern side of the plot will be removed, as it is diseased.

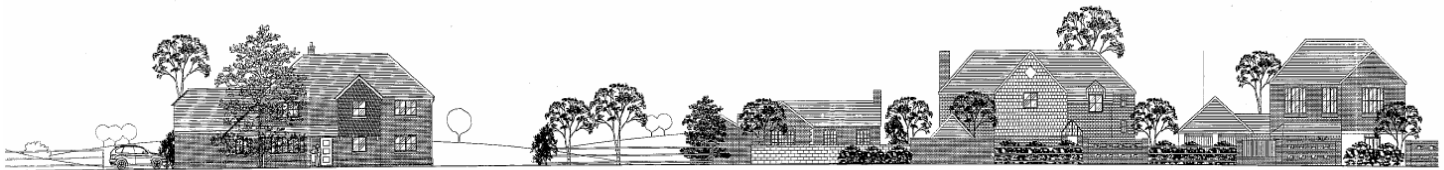


*Block Plan*



WEST ELEVATION.

*Front elevation*



STREET SCENE @ 1:200

BREMBLEDOWN

### ***Street scene***

#### **PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION**

The plans have been amended since submission, redesigning the staircase block on the front elevation and changing the position of parking to avoid damage to the protected tree. A protected species report has also been submitted.

Following representations from the parish council and local residents, the agents have been requested by officers to consider a redesign of the house to incorporate a thatched roof, but following consultation with their client have concluded that putting a thatched roof on a modern house is not a legitimate design statement in this case. They have asked for the application for the tiled roof to proceed.

#### **ADDITIONAL STATEMENT BY APPLICANT**

The agent has submitted a Design and Access Statement that states that the design, detailing and materials are based on the three dwellings in the Old Tractor Yard to the south of the site, on the same side of the road. The frontage massing, scale and ridge height are similar to the existing and the same access from Pewsey Road that serves the current dwelling will serve its replacement. It is stated that the existing building to be demolished is beyond economic repair.

#### **CONSULTATIONS (Latest plans)**

Rushall Parish Council object to the proposal on the following grounds:

- Despite the welcome re-design of the staircase block, the appearance of the front elevation is still too suburban and unacceptable. It is not in keeping with the village and should be re-designed to give it a more traditional and sympathetic look, more in keeping with the existing building. Further examples of more acceptable designs are to be found in the recently completed development of 'The Old Barnyard' (the new development on the opposite side of the road), specifically houses 1 and 4. Here the sympathetic use of timber cladding, white painted and small panel wooden windows, cream painted elevations (to No.1), heavy oak pillars and traditional front doors have achieved the desired effect.
- The majority of Rushall PC, supported by many Rushall residents, deeply regret that the roof is to be clay tiled and not thatched. The arguments against thatch are clearly not sustainable on these counts:
  1. Aesthetic and historic - Rushall now has 70 houses (60 prior to 'The Old Barnyard' in 2007). Of these, 23 are thatched. The more historic southern end of the village, with Brambledown at the top, has 35 houses, of which 20 are thatched. These aesthetically pleasing features of Rushall should be conserved, not destroyed. The architects of Colburn Homes, developers of The Old Barnyard conceded this point when agreeing to thatch the building next to the street and one other.
  2. Structural and architectural - new large detached 4/5 bedroomed houses can carry a thatched roof successfully. Proof is shown by nos 1 and 4 The Old Barnyard.
  3. Commercial - arguments that thatch on new buildings is too expensive to build and deter sales are untrue. It is a fact that of the 7 private houses put up for sale in the Old Barnyard in 2007, the two thatched houses were the first and third to sell and at close to their asking price.

- Since we are of the belief that Kennet Planning have already advised the owner that the original design was not a suitable design, changing a single window is not a significant enough change to make the design acceptable.
- There is no evidence to substantiate the owners claim that the current Brambledown is beyond economic repair.
- The original drawing shows the entrance of the road as a single entrance to the house only. This is incorrect as it is a shared access to the field as well.
- The loss of the tree could be avoided if the garage was sited alongside the house facing the road.

County highways – No objection subject to the turning space being provided and retained and the garage retained for the domestic and private needs of the occupier.

KDC Landscape and Forestry Officer – The protected species survey carried out is acceptable. Following an inspection, bats are not considered to be a material consideration on this site. The Horse chestnut tree is suffering badly from bleeding canker and is declining rapidly, therefore no objection to its removal.

### **REPRESENTATIONS**

Letters of objection to the proposal have been received from 14 households in Rushall. Although some of the objections relate to the loss of the Horse Chestnut tree and question the claim concerning the economic viability of retaining the existing house, the vast majority are concerned with the external appearance of the new house.

The main criticism is that the design of the house is more akin to a suburban or town house and is inappropriate in the village setting. The objectors call for the replacement dwelling to be roofed in thatch, with rendered walls, taking its cue from the vernacular appearance of the existing building. They point out that the development at The Old Barnyard included two thatched cottages and that therefore there should be no problem with the principle of a thatched building on this site to be in keeping with the character of the village.

### **POLICY CONSIDERATIONS**

Kennet Local Plan - the site lies within the built-up area of Rushall and the replacement of a single dwelling with another single dwelling is acceptable in principle. Policy PD1 is relevant to the consideration of this application. The village, including the site, lies within the area of outstanding natural beauty. The Yew tree at the front is protected by a Tree Preservation Order.

### **PLANNING OFFICERS COMMENTS**

The central issue in this case is the acceptability of the design proposed by the applicant. The principle of the replacement of the existing dwelling is difficult to argue with as it is not listed and does not lie within a conservation area, thereby removing any control that the Council could realistically exercise to prevent demolition.

The parish council and local residents clearly feel strongly that any replacement dwelling should follow the older local tradition and be thatched. They correctly point out that two of the private houses in the recent development on the opposite side of the road at The Old Barnyard were thatched. Because of this strong local concern officers have approached the agents to see whether they would be willing to redesign the dwelling as a thatched property. However, they have declined and wish the application to be considered in its current form.

The agents are right to draw attention to the fact that there are other recent developments, such as The Old Tractor Yard to the south that have been designed using brick and tile, and their approach follows this design format. This is a legitimate approach.

This may be a case where either approach - the traditional thatched form or the more modern brick and tile design put forward - are equally acceptable ways of replacing the existing house. However, if members consider that it is necessary and reasonable to insist on any replacement house on this site being thatched and consider that the design put forward would not make a positive contribution to the street scene, then refusal of the proposal is the only way forward. If members consider that the design is acceptable in this location, taking account of the similar houses in The Old Tractor Yard to the south, then the application should be approved.

In the view of officers, the matter is closely balanced and the loss of Brambledown and its contribution to the street scene is to be regretted. However, given that the design approach put forward is not dissimilar to the houses in The Old Tractor Yard, it is considered that the brick and tile design will be acceptable in this location.

## **RECOMMENDATION**

Grant planning permission, subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 This permission relates to the scheme of development as submitted except insofar as amended by the revised plans number 3318-02 Rev B received on 9th October 2007 and 3318 PO1 received on the 107/03/2008.

### **REASON:**

For the avoidance of doubt as to the development authorised since the proposal originally submitted has been amended during the course of its consideration.

- 3 The development hereby permitted shall not be commenced until details of the external materials for the windows; walls; roof and access/parking area to be used on the development have been submitted to and approved by the local planning authority in writing. the development shall be carried out in accordance with the approved details.

### **REASON:**

To secure harmonious architectural treatment.

- 4 No development shall take place until there has been submitted to and approved by the local planning authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

### **REASON:**

To ensure a satisfactory landscaped setting for the development.

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development whichever is the sooner; 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.

- 6 No development shall commence until details of the method of tree protection during the construction phase has been submitted to and approved in writing by the local planning authority. No vehicle, plant, temporary buildings or materials, including stacking of soil shall be allowed within the approved protection area. Development shall be carried out in accordance with the approved details.

**REASON:**

To ensure the retention of trees on the site which are important in the interests of visual amenity.

- 7 The building shall not be occupied until the turning space for vehicles has been constructed within the curtilage of its site in accordance with the approved plans, and such turning space shall be retained and kept clear of obstruction at all times.

**REASON:**

To enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

- 8 **INFORMATIVE TO APPLICANT**

The attention of the applicant is drawn to the contents of the attached survey report from Chalkhill Environmental Consultants drawing attention to the need for any clearance works/tree works on site to avoid the nesting season for birds and dated the 9th October 2007.

- 9 **INFORMATIVE TO APPLICANT:**

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1.

Item 2

**APPLICATION NO:** K/58395/F  
**PARISH:** DEVIZES  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Change of use of former liberal club to 2 dwellings and erection of 1 new dwelling  
**SITE:** Former Liberal Club St Johns Court Devizes Wiltshire SN10 1BW  
**GRID REF:** 400420 161269  
**APPLICANT:** Awdry Bailey Douglas  
**AGENT:** Mr Howard Waters, Mathewson Waters Architects  
**DATE REGISTERED:** 28/03/2008  
**CASE OFFICER:** Richard Cosker

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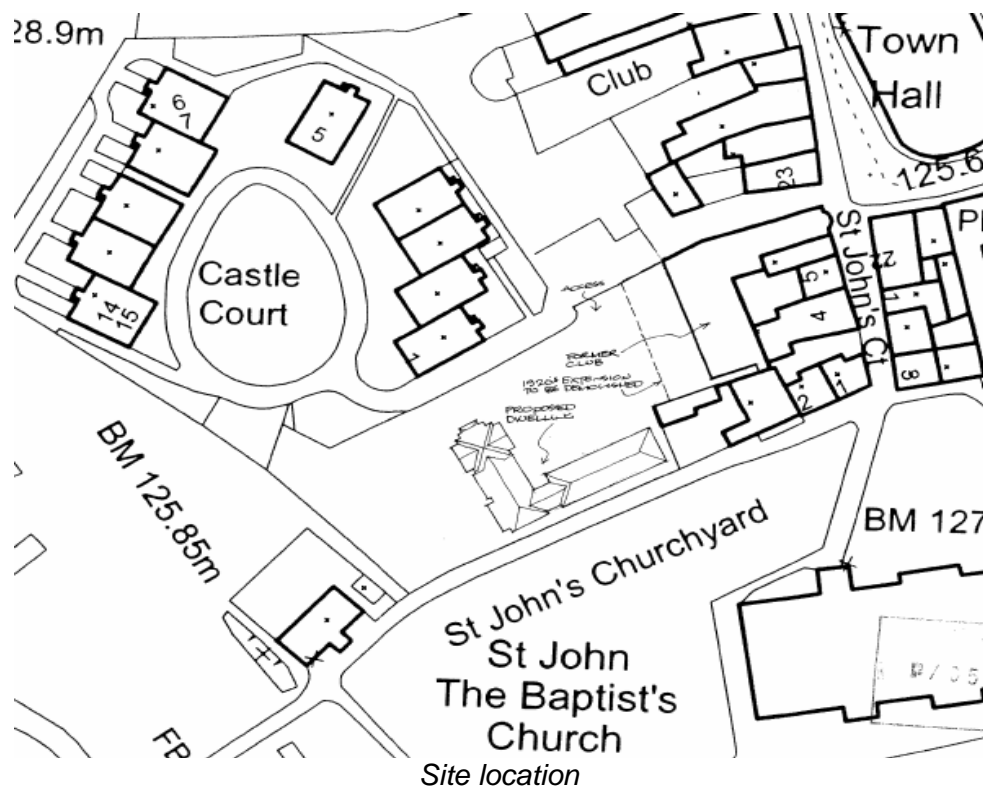
## BACKGROUND

This is a planning application for the conversion of the existing building on this site to 2 dwellings and the erection of 1 new dwelling on the land to the rear. The conversion of the existing building is subject to a further listed building consent application which has been considered under delegated powers as it relates solely to work to the fabric of the listed building. No objections have been received to those works.

## SITE LOCATION

The former Liberal Club is also known as 5, St John's Court. The frontage of this building is at the northern end of St John's Court opposite the Town Hall at the entrance to Castle Court. The front section of the building is in the applicant's ownership but is not part of this application, having previously been granted change of use from residential to offices.

If members proceed down Castle Court they will be able to view the rear part of the building, known as Westview House. This is the part of the existing building subject to the proposal for the conversion to 2 dwellings. The vacant land to the rear of the building is where it is proposed to erect a single dwelling. The site can also be seen from within the adjacent churchyard.





## **SITE HISTORY**

There is extensive planning history on this site and the most relevant of these are listed below;

**K/35949** - Approve with Conditions 03/09/1998

Change of use and associated alterations to former club premises to form two dwellings.

**K/35996/LBC** - Approve with Conditions 03/09/1998

Restoration & alterations to facilitate conversion of building to two dwellings.

**K/40884** – Approve with Conditions 05/09/2003

Enlargement of existing single storey extension and removing of part of brick boundary wall to accommodate new timber gates and ramped drive.

**K/40885/LBC** - Approve with Conditions 05/09/2003

Enlargement of existing single storey extension, replacement sash windows, internal alterations and removing of part of brick boundary wall to accommodate new timber gates and ramped drive.

**K/46771/O** - Refuse 06/02/2004

This application was submitted in outline form and proposed the erection of three single storey sheltered bungalows. The application was refused due to the lack of information to allow a full assessment of the proposal but from the information submitted it was considered that the proposed bungalows would be out of keeping with the surrounding development.

## **DESCRIPTION OF DEVELOPMENT**

The application proposes the removal of the 20<sup>th</sup> Century single storey rear extension at this grade II listed building and the conversion of the remaining part of the rear building into 2 dwellings. The applicant then further proposes to erect a single dwelling on the vacant land to the rear.

The land to the rear is extensive and it gently slopes away to the western boundary where a large Sycamore tree, subject of a Tree Preservation Order, is located. The site is surrounded by a mixture of walls including the one which forms the boundary with the churchyard of St John's Church. This wall, together with the one along Castle Court, is a retaining wall with the site sat at a much lower level than the surrounding land. The churchyard is approximately 2.4 metres higher than the site.

The proposed dwelling is mainly single storey with a small one and a half storey element and it has an 'L-shaped' plan with the long arm of the 'L' running parallel with the 'churchyard' wall. That long arm would include three open fronted car ports which would provide 2 parking spaces for each of the dwellings being proposed. A formal courtyard, with four feature trees, would be formed between the dwellings. Vehicular access would be off Castle Court where there is an existing gap in the boundary wall.



gates made to open inwards.

County Archaeologist – The proposal is of archaeological interest and a previous evaluation on this site has produced some evidence of probable medieval activity. An archaeological watching brief should therefore be secured by a planning condition.

## **REPRESENTATIONS**

A total of 12 letters of representations have been received, including one from the Trust For Devizes and Devizes and District Housing Society Ltd, owners of Castle Court. The comments made have been summarised below;

1. Pleased to see owners bring the unoccupied and deteriorating property back into use but it is inconceivable that, having previously turned down a scheme for a more modest development in 2003, permission would now be granted for the erection of a large 4 bedroom family dwelling with garage and car parking for 6 cars. This would completely alter the character of the listed building in a conservation area.
2. The architect makes no reference to the need for such a large building or the impact on the other two dwellings proposed.
3. Planning permission was granted in 2001 for a pedestrian gate to be replaced by garage doors but this was subject to strict listed building requirements. In 2004 the then owner demolished the pedestrian gate and wall leaving the wall in a dangerous state and made compliance with the provision of the planning authority impossible. The best approach now, as the planning application was not complied with, and in light of the current government advice on care in the community would be for the wall and pedestrian access to be re-instated.
4. Any vehicular access would be impractical and dangerous for the residents of Castle Court. The exit onto St John's Street, where both vehicles and pedestrians have to use the same narrow restricted entrance is the real problem, not whether additional vehicular traffic can be accommodated.
5. Since the last application government policy has changed with the elderly being directed away from hospitals and concentrated at home. This means more and more frail and elderly people need to be accommodated at Castle Court. This results in increased traffic from doctors, carers and other health workers to an almost unacceptable level. The possibility of a further source of vehicle activity would be a nightmare and a dangerous scenario.
6. Most listed properties in the vicinity have no car parking but enjoy, as this property does, a walled garden.

## **POLICY CONSIDERATIONS**

Kennet Local Plan - policy PD1 and AT9 are relevant to the consideration of this application together with Planning Policy Guidance Note 15 – Planning and the Historic Environment. The site lies within the Devizes Conservation Area.

## **PLANNING OFFICERS COMMENTS**

This planning application raises a number of issues, the main ones of which are; the principle of residential development on this site; the impact on the character and appearance of the conservation area (including the impact on the setting of adjacent listed buildings); the impact of the proposal on highway safety and convenience; and the impact on the amenities of the occupiers of the existing

adjacent dwellings. Each of these issues will be considered in turn in this report.

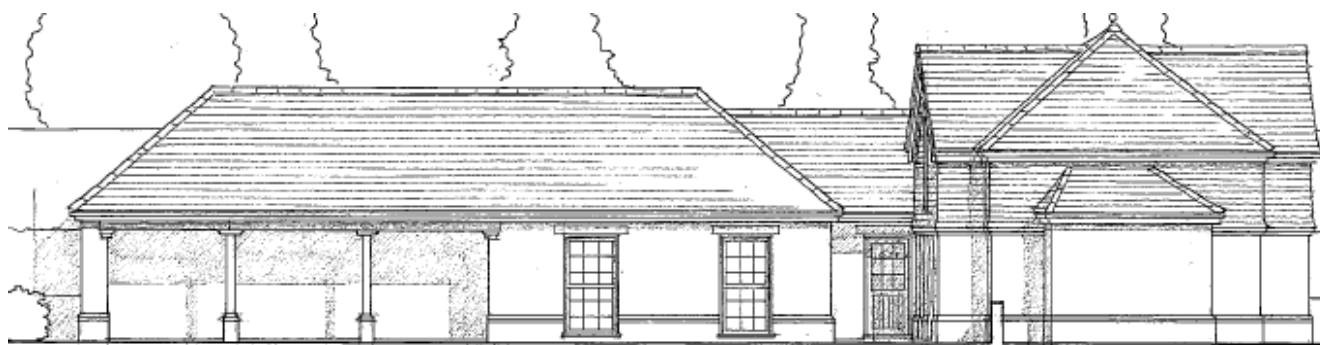
#### Principle of residential development

The site lies within the Limits of Development of Devizes where the planning policies of the local plan accept the principle of residential development. Whilst the site may lie outside the original historic pattern of built development within the town, the development of the adjacent Castle Court in the past has extended the built development to the rear of St John's Street and St John's Court. It is therefore considered that the main issue relating to whether the new dwelling is acceptable in principle on this site is whether it would preserve or enhance the character or appearance of the conservation area.

#### Impact on the character and appearance of the conservation area

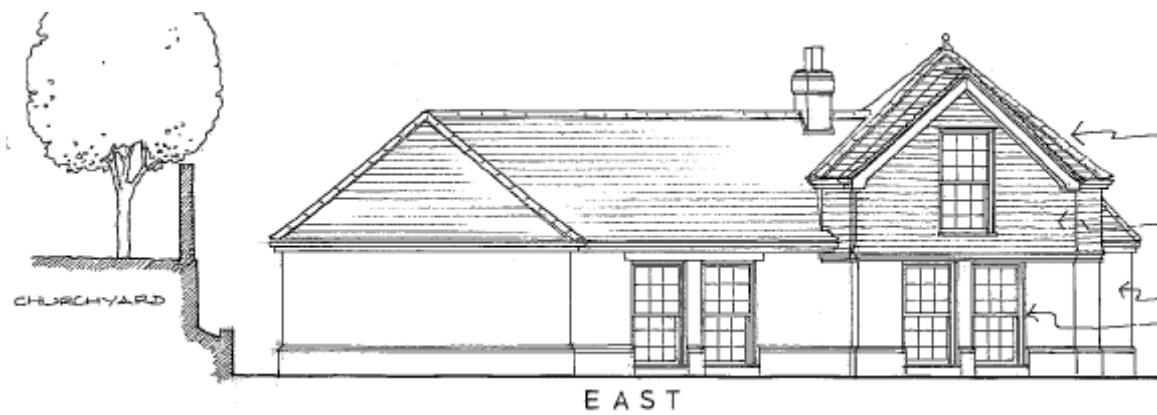
The site lies within the Devizes Conservation Area and as such the Council need to consider whether the proposal preserves or enhances the character or appearance of the conservation area. The Council also needs to ensure the development preserves the setting of the listed buildings, both on this site and adjacent to it.

The application property is a grade II listed building and the site for the proposed dwelling is part of its setting. Currently the building, which is an attractive listed building with a considerable presence, is partially masked by the early 20<sup>th</sup> century rear extension. The proposed removal of this extension and the conversion to residential use will, it is considered, enhance the protected building. It is also essential that as part of this proposal the building is provided with an appropriate setting. Currently the area of land is unkempt and has a poor appearance doing little for the area. Officers considered that the layout of the proposed new dwelling, and the formal courtyard created between the two elements, provides that appropriate and attractive setting for the listed building. The layout proposed also has the benefit in screening a large part of the churchyard retaining wall which is dominated by concrete blocks. With regard to the design of the proposed dwelling, officers consider that the informal design, and the mainly single storey scale, of the proposed new dwelling ensures that it is seen as subordinate to the main building and would appear harmonious in its context. Officers therefore consider the proposed dwelling, and the associated works to create the courtyard area, would enhance the immediate character and appearance of the conservation area and the setting of the listed building.



*North elevation*

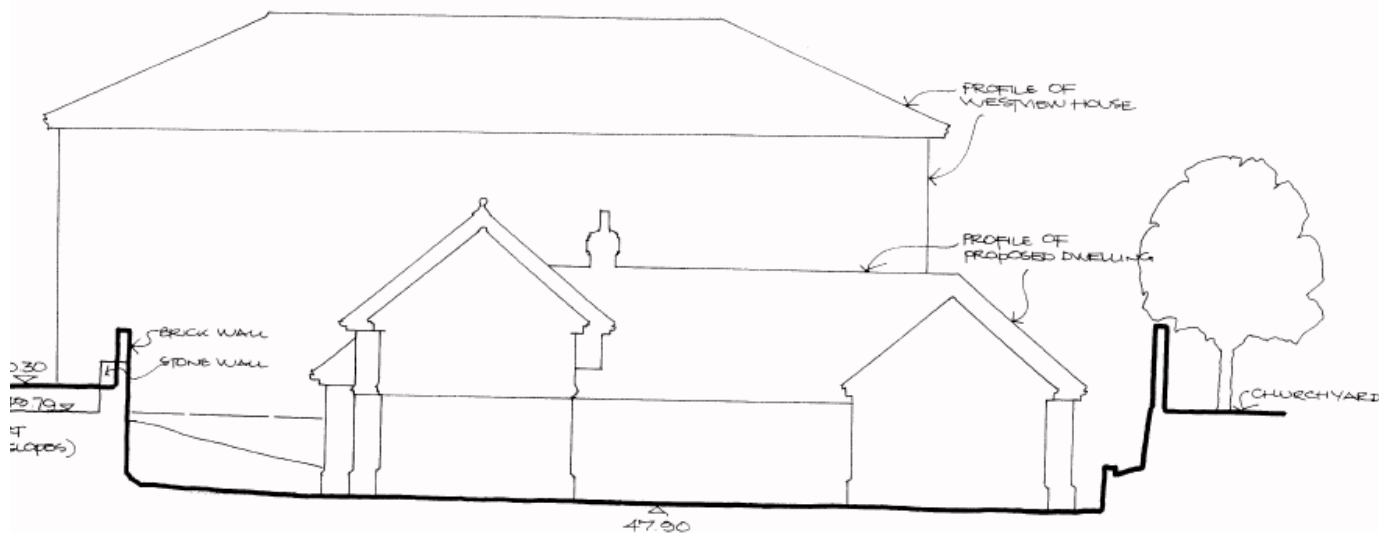
NORTH



*East elevation – showing level compared to churchyard footpath to left of plan*

With regard to the issues of the impact of this proposal on the wider conservation area and the settings of other listed buildings, the adjacent churchyard constitutes a setting of exceptional historic sensitivity and quality to the grade I listed St John the Baptist's Church and the surrounding listed buildings and structures. The views between the church and churchyard and the castle and its earthworks to the north west are amongst the most important within Devizes and it is essential that these are not harmed.

Views looking out from within the churchyard are mixed with some dwellings forming the boundary to the churchyard, mainly to the north and east of the church, whilst to the south the roof tops of the more recent development in 'The Ark' are visible. The view to the north west over this site towards the castle is however the most open, although trees in the churchyard screen many viewpoints. The dwellings in Castle Court are however clearly visible in the foreground where there are views of the castle. The main single storey roof of the proposed dwelling would be 1 metre above the top of the boundary wall, but the ridge of that section would be at least 4.5 metres into the site from the boundary wall. The one a half storey element would be 2.5 metres above the top of the wall, however this element relates to only a modest element of the building and would be some 13 metres from the boundary wall.



*Cross-section of proposed dwelling and existing building*

It can therefore be seen that the provision of a mostly single storey dwelling, together with the low level of this site compared with the churchyard, ensures that the views of the dwelling from the churchyard have been kept to a minimum. The dwelling (mainly the roofscape) would be visible in the views from the churchyard but your officers do not consider that this in itself should make the proposal unacceptable. It is not considered that the test for whether the proposal preserves the setting of the church and the character and appearance of the wider conservation area is whether the house will be visible or not.

Officers consider that the proposal would result in only minimal views of the tops of the roofs and would have no materially greater impact than the dwellings in Castle Court. Furthermore, it would preserve the key view of the castle and the setting of the church. Indeed it is considered that these limited views of an interesting and varied roofscape would add interest to the view and actually help screen some of the dwellings in Castle Court.

It is therefore concluded that the proposal would, at minimum preserve the setting of the church, the other associated listed buildings and the wider conservation area.

#### Impact on highway safety and convenience

The vehicular access off St John's street is somewhat restricted with the access road being only single width. That access does however already serve the 15 dwellings in Castle Court and the rear parking area for the offices, which has a capacity for some 20 cars, together with a further smaller area marked out for 'residential parking'. The level of traffic movement to be associated with the converted dwellings and the new dwelling is likely to be a small percentage of that already using the access. As such it is considered that the increase in vehicles using this access would cause no material harm to the safety or convenience of other users of the access, or those pedestrians walking along St John's street. The actual access from the site onto the access road would have sub-standard visibility but this is not an unusual situation in such historic streets where buildings and boundary walls are built close to the road. The size and nature of the access road also ensures that vehicular speeds along the access road are very low thus reducing any safety concerns about the use of the access.

Members should also note that the previous approval in 1998 accepted the principle of the existing building being converted into two dwellings and the approval in 2003 allowed a vehicular access to be created onto the site in the position currently proposed.

It is on this basis of the above that no highway objection has been raised by the highway authority or by your officers.

#### Impact of the amenities of occupiers of existing adjacent dwellings

The building is quite well separated from nearby dwellings with 'Tower Lee' and 1 Castle Court being the nearest. The former is the black and white timber frame property that is accessed from the churchyard but whose garden abuts this site. Currently the end wall of the 20<sup>th</sup> century extension, which is to be removed, forms part of the shared boundary and some concern was raised about the future treatment of that boundary. The applicant has now submitted amended plans confirming that a replacement 2 metres high wall will be constructed along that boundary. The windows shown in the end elevation of house 'B' facing 'Tower Lee', serving a kitchen/dining room at ground floor level and en-suite at first floor level, are existing windows being re-used. As such no material loss of privacy is caused by them.

With regard to the relationship with 1 Castle Court, the end wall of the proposed dwelling (which contains no windows) would be some 10 metres away from the blank gable wall of that property. This relationship would cause no material harm to the occupiers of that property.

The impact of the proposal on the amenities of nearby occupiers by introducing dwellings that would attract families into an area where homes for elderly people exist has also been raised. Whilst this is an area dominated by such housing this issue is not considered to be a justifiable reason for refusing the planning application.

### **RECOMMENDATION**

Approve with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 This permission relates only to the scheme of development shown on the revised plans 6082.05 Rev B and 6082.06 Rev C received on the 7th May 2008 and 6082.07 received on 4th June 2008.

REASON:

For the avoidance of doubt as to the development authorised since the proposal originally submitted has been amended during the course of its consideration.

- 3 Before any work commences on site the ground floor slab levels shall be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

In the interests of visual amenity.

- 4 No development shall take place until details of the materials to be used for the external walls and roofs (including samples) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To secure harmonious architectural treatment.

- 5 Before the construction of any boundary walls (including retaining walls), railings or fences is commenced details of the design, height, position and materials of which they are to be constructed shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

In the interests of visual amenity.

- 6 Prior to the first occupation of any of the dwellings hereby permitted the replacement boundary wall along the boundary with the garden of 'Tower Lee' shall be completed fully in accordance with the details shown on the approved drawing 6082.06 Rev C. The wall shall be constructed along the line of the 20th Century extension to be demolished so that it immediately abuts the adjacent low wall and shall be 2 metres high when measured from the ground level adjacent to it in the garden of Tower Lee so that it is the same height as the current wall at the western end of the garden.

REASON:

In the interests of the amenities of the occupiers of the adjacent dwelling.

- 7 The brickwork for the dwelling, the making good of the walls and the new walls at the existing vehicular access and the boundary wall with 'Tower Lee' hereby permitted shall be faced using a Flemish bond.

Reason: To secure a harmonious architectural treatment.

- 8 Prior to the first occupation of the dwellings hereby approved the improvements to the boundary wall at the proposed vehicular access including; the making good of the ends of the broken wall, any piers proposed and the return of the wall proposed at the eastern side of the access, shall be fully completed in accordance with the details first submitted to and approved in writing by the local planning authority.

REASON:

In the interests of the character and appearance of the conservation area and the setting of the listed building.

- 9 Before development commences on site, architectural details (and samples as necessary) of eaves, verges, barge boards, rainwater goods chimneys, window heads and cills shall be submitted to and approved in writing by the local planning authority. Works shall be carried out and maintained in accordance with the approved details.

REASON:

In the interests of the character and appearance of the conservation area and the setting of the listed building.

- 10 No development shall take place until full joinery details for all windows and doors, together with the surface finishes and reveal depths of those windows and doors, have been submitted to and approved in writing by the local planning authority. Elevations shall be at a scale of not less than 1:10 and frame sections and glazing bars etc at not less than 1:2. Development shall be carried out in accordance with the approved details and maintained as such thereafter.

REASON:

In the interests of the character and appearance of the conservation area and the setting of the listed building.

- 11 Prior to their installation, details of any external lighting proposed to illuminate the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

In the interests of the character and appearance of the conservation area and the setting of the listed buildings.

- 12 No development shall take place until there has been submitted to and approved by in writing by the local planning authority a scheme of hard and soft landscaping. Details shall include species, sizes at planting, densities, location and numbers.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 13 All soft landscaping comprised in the approved details of the landscaping shall be carried out in the first planting and seeding season following the occupation of any of the dwellings or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which within a period



of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species , unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the local planning authority.

**REASON:**

To ensure a satisfactory landscaped setting for the development.

- 14 The tree on the site which is protected by a Tree Preservation Order shall, before any work commences, be enclosed in accordance with British Standard 5837 (2005) Tress in Relation to Construction by braced Heras fencing (or other type of fencing to be agreed in writing by the local planning authority). Before the fence is erected its position shall be agreed with the local planning authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including stacking of soil, shall be allowed within it.

**REASON:**

To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity

- 15 The three open fronted car port structure shall be maintained as open structures and no doors, gates or other means of enclosure shall be fitted. The car ports shall also be retained for the garaging of private motor vehicles associated with the dwellings and for no other use.

**REASON:**

To retain adequate off-street car parking provision and in the interest of the appearance of the building.

- 16 Before any part of the development hereby permitted is first occupied the access, turning area and parking spaces shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained for these purposes.

**REASON:**

In the interests of highway safety.

- 17 No development shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

**REASON:**

To safeguard the site of archaeological interest.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no additions to, or extensions or enlargements of, the dwellings hereby approved shall be erected and no outbuildings or structures shall be erected on the site.

**REASON:**

To enable the local planning authority to retain control over further development associated with the dwellings in the interests of the proper planning and amenity area.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any other Order revoking and re-enacting or amending that Order with or without modification), no fences, gates or walls or other means of enclosure shall be erected, or placed within the site, unless otherwise agreed by the details approved under condition 5.

**REASON:**

In the interests of the character and appearance of the conservation area and the setting of the listed building.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted in the southern elevation of the covered dwelling (house 'B') or above ground floor level (including the roofslope) in the northern elevation of the 'new build' dwelling hereby permitted.

**REASON:**

In the interests of the privacy of the neighbouring properties

- 21 **INFORMATIVE TO APPLICANT:**

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1 and AT9 together with PPG15.

Item 3

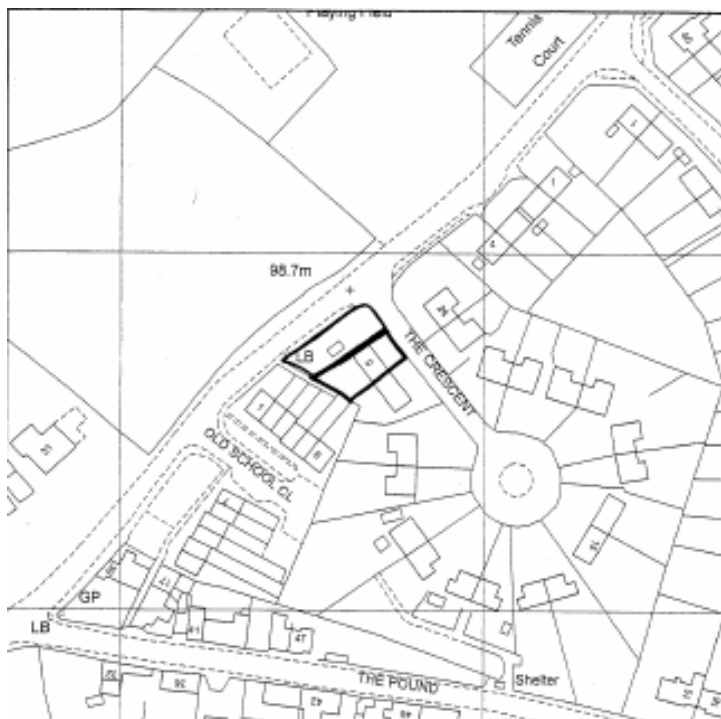
**APPLICATION NO:** K/58533/F  
**PARISH:** BROMHAM  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** The erection of a detached dwelling; provision of access to existing and proposed dwelling; associated works  
**SITE:** 5 The Crescent Bromham Devizes Wilts SN15 2HQ  
**GRID REF:** 397067 165471  
**APPLICANT:** Mr A Bashford  
**AGENT:** Mr P Oakley Oakley Planning & Conservation  
**DATE REGISTERED:** 17/04/2008  
**CASE OFFICER:** Rachel Yeomans

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**SITE & LOCATION**

From Devizes, proceed along the A342 north towards Chippenham and Calne. Proceed through the villages of Rowde and St Ediths Marsh, past the first left turn signed to Bromham and take the second turning left to Bromham. The application site can be found just after the second turning on the left, on the corner of The Crescent.

The site occupies a relatively prominent and level position, within an existing residential area within the limits of development for Bromham.



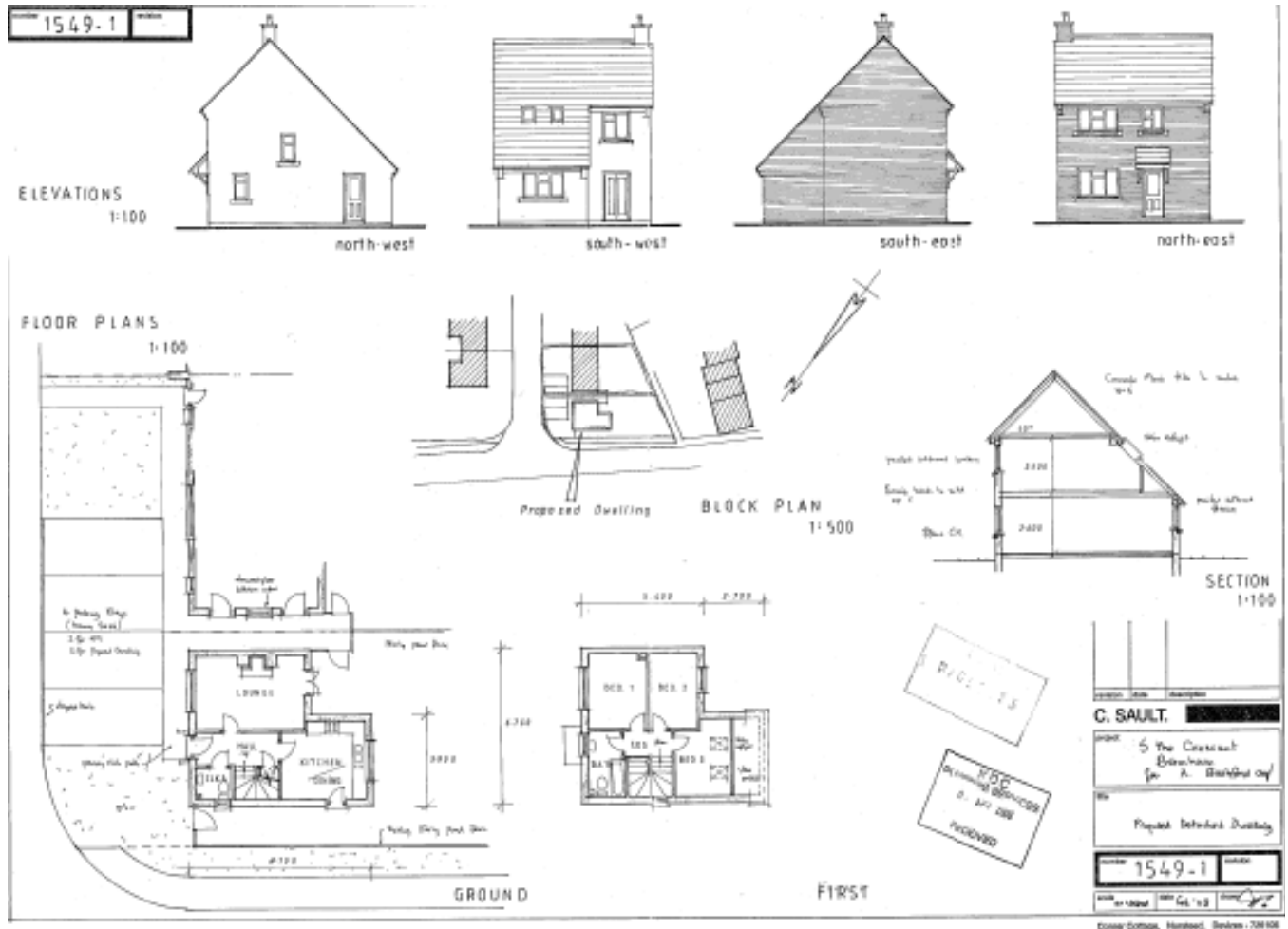
*Location Plan*

**SITE HISTORY**

There is no site history relevant to this site.

## DESCRIPTION OF DEVELOPMENT

The application proposes the construction of a new detached dwelling to the north west of the existing dwelling in the curtilage of the property, between the existing house and the road.



*Elevations and siting*

## CONSULTATIONS:

County Highways – No objection subject to a condition requiring the permanent stopping up of the existing access concurrently with the provision of the new access.

## PARISH COUNCIL COMMENTS

Bromham Parish Council has raised no objection to the application.

## REPRESENTATIONS:

Five letters of objection have been received from nearby residents. Their concerns can be summarised as follows;

1. The property would result in loss of light to rooms at the rear of the property.
2. The proposal would be a totally unwelcome view from adjacent properties and their gardens, boxing existing properties in.
3. The proposal detracts from the original design of the residential development which is architecturally complete. Existing large gardens for these family houses should be preserved.
4. The proposal is unsympathetic to the surroundings and would detract from the balance in the locality.
5. The proposal would look cramped and at odds with the character of the streetscene.

6. The proposed house is half the width of other houses in the crescent and its scale, size and design would not readily assimilate into the urban landscape of this part of the village. Its size and design will result in a negative impact on the appearance of the area.
7. The proposed parking is not similar to that found elsewhere on the Crescent.
8. The proposed parking arrangements would cause risk to pedestrian safety.
9. The proposed dwelling would result in loss of privacy to properties and gardens in Old School Close.
10. There are concerns that further extensions would result in unacceptable harm.
11. The materials of the new dwelling would not match those used in other properties in The Crescent and the property would stand out, adversely affecting the surrounding area.

## POLICY CONSIDERATIONS

Kennet Local Plan - policies HC22 and PD1 of the adopted Kennet Local Plan 2011 are relevant to the consideration of this application.

## PLANNING OFFICER COMMENTS

The key issues for consideration are the principle of residential development, the impact of the new dwelling on highway safety, residential amenity and the visual impact of the proposal.

Regarding the principle of residential development, the site lies within the Limits of Development for Bromham where policy HC22 of the adopted Kennet Local Plan 2011 is applicable. This policy permits limited additional housing in locations such as this, including 'infilling'. The site meets the definition of an infill plot as defined in the Local Plan, and the principle of the site being used for a new dwelling is therefore acceptable.

Policy PD1 sets out more general development and design criteria. These include;

### Residential Amenity

The relationship of the proposed property to number 40 The Crescent is considered acceptable, as this property is located across the road from the application site, and there would be approximately 21 metres between the respective front walls of these properties. Similarly, there would not be any significant harm to the amenities of the adjacent properties at numbers 5 & 6 The Crescent, due to the positioning of the property and its design.

In terms of the impact on properties in Old School Close whose gardens back onto the application site, a distance of approximately 23 metres would be maintained between the first floor element of the proposed dwelling and the rear of properties in Old School Close. These properties are also at a slight angle from the proposed new dwelling. A distance of some 13.5 metres of rear garden would be maintained between the two storey elements of the proposed dwelling and the rear boundary. This relationship would be no worse than the existing relationships between numbers 5 & 6 The Crescent and existing dwellings in Old School Close. In view of these factors, the distances and the proposed design of the proposed dwelling, although there would be a modest degree of mutual overlooking, the proposal would not result in any significant harm to residential amenity in terms of loss of privacy, loss of light or overbearing impact.

### Visual Amenity

Although the proposed dwelling is detached, and other properties within The Crescent are semi-detached properties, the width of the proposed plot would be approximately 9 metres which is similar to the width of many other plots of properties in the Crescent, which, with the exception of the properties closest to the entrance, vary between 9 and 11 metres. The dwelling is of an appropriate scale, would not appear cramped and its design reflects the style of the semi-detached properties in the crescent; with a catslide roof and matching eaves and ridge heights and narrow span. Materials

are proposed to match existing and if Members are minded to grant planning permission, this can be controlled by condition.

The proposed dwelling would be nearer to the road than the existing property, however the small verge and 1.8m close boarded fence would be maintained to this boundary, and it would not be any nearer to the road than the existing property at 1, Old School Close.

#### Other Issues

In terms of highway safety, County Highways have raised no objection to the scheme subject to the blocking up of the existing access. Two parking spaces are considered sufficient and regard must be had to the existing access situation and the fact that the creation of the proposed spaces and access would currently be permitted development.

Concerns have been raised regarding loss of views, however this is not a material planning consideration

#### Conclusion

The principle of the site being used for a single dwelling is acceptable and there would be no significant harm to visual or neighbour amenity, nor would the proposal adversely affect highway safety. Approval of planning permission is therefore recommended.

#### **RECOMMENDATION**

Approve with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 No development shall take place until details of the materials to be used for the external walls and roofs (including samples) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

- 3 Prior to the first occupation of the dwelling, the four parking bays shall be completed in accordance with the approved details in a properly consolidated material (not loose stone or gravel) and shall thereafter be maintained as such. The area shown on the grass to the front of the dwelling hereby approved shall be grass seeded in the first planting season following the occupation of the dwelling.

**REASON:**

In the interests of highway safety and visual amenity.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted above ground floor ceiling level in the southeast elevation of the building hereby permitted.

**REASON:**

In the interests of the privacy of the neighbouring properties

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no additions to, or extensions or enlargements of, the building hereby approved shall be erected.

**REASON:**

To enable the local planning authority to retain control over the enlargement of the building in the interests of the proper planning and amenity area.

- 6 **INFORMATIVE TO APPLICANT:**

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policies HC22 & PD1.

Item 4

**APPLICATION NO:** K/58599/F  
**PARISH:** DEVIZES  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Proposed 2 no. flats on land adjacent to 20 Nursteed Close  
**SITE:** Land adjacent to 20 Nursteed Close Devizes Wilts SN10 3EU  
**GRID REF:** 401738 160696  
**APPLICANT:** Mr Ian Taylor  
**AGENT:** Mathewson Waters Architects  
**DATE REGISTERED:** 24/04/2008  
**CASE OFFICER:** Rachel Yeomans

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#### SITE & LOCATION

When travelling out of Devizes on the A342 Nursteed Road turn left at the first roundabout (adjacent to TH White) and then left at the next roundabout into Alan Cobham Road. Follow the road as it bends sharply to the right and then sharply to the left. Take the first left turn and Nursteed Close is straight ahead, approximately 120 metres further on. The application site lies on the right hand side.



*Site Location*

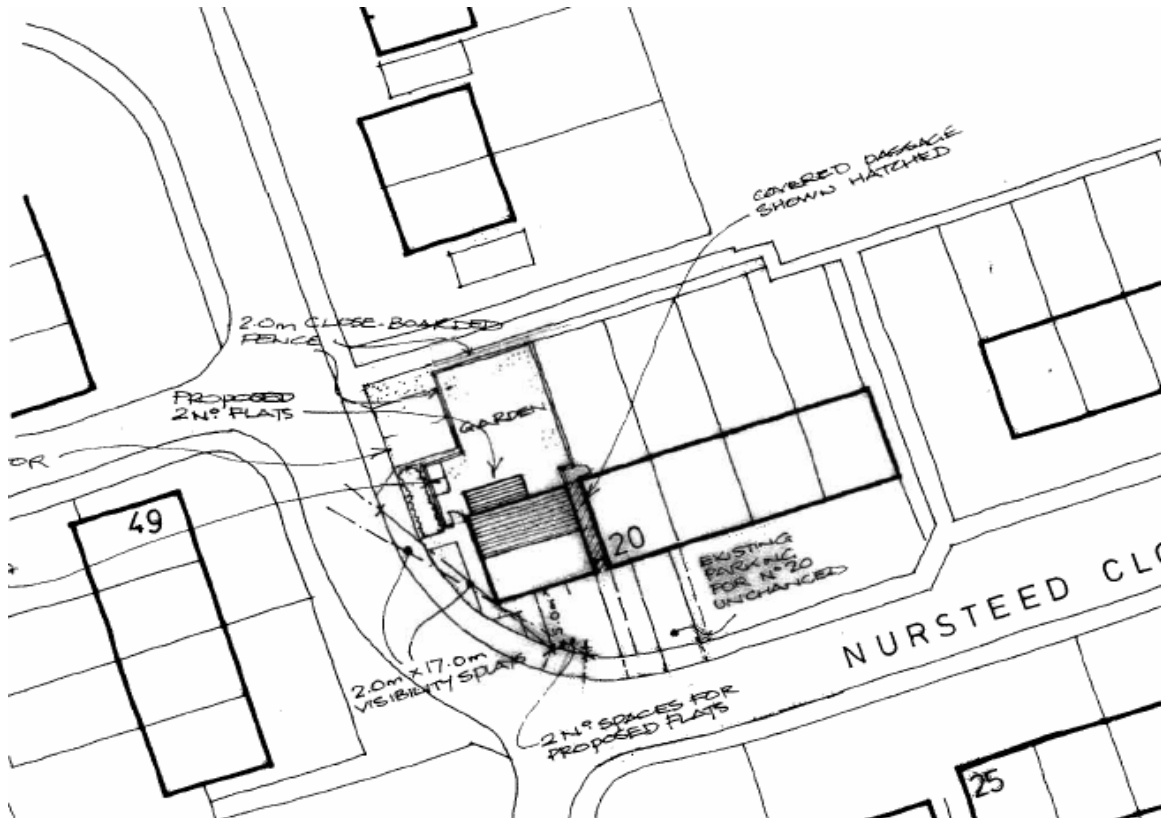
#### SITE HISTORY

K/57434/F - Planning permission was granted on the 3<sup>rd</sup> December 2007 for a single two-storey dwelling on a similar footprint to the currently proposed scheme.

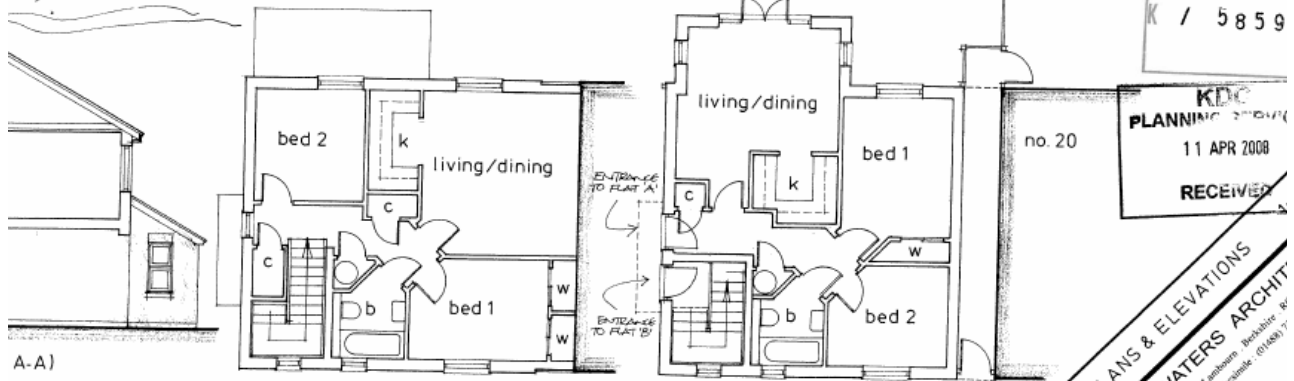
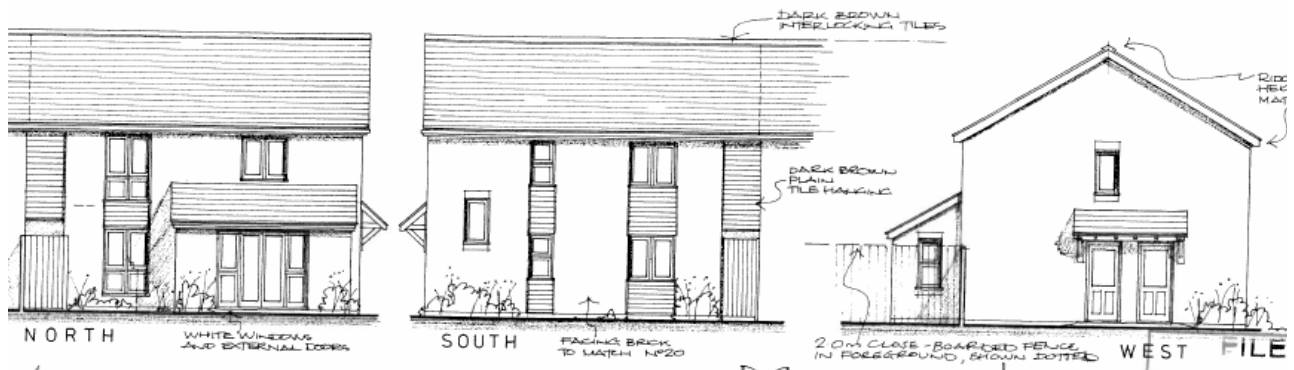
#### DESCRIPTION OF DEVELOPMENT

The current application proposes 2 residential flats.





Block Plan



KDC  
PLANNING DEPT  
11 APR 2008  
RECEIVED

PROPOSED PLANS & ELEVATIONS  
WSON WATERS ARCHITECTS  
117 George Road, Leithburn, Brisbane, QLD  
(07) 4881 7311, Fax: (07) 4881 7312

Elevations and Floor plans

## TOWN COUNCIL COMMENTS

No response to date

## CONSULTATIONS:

County Highways – No objection subject to a condition requiring parking to be maintained and appropriate visibility splays.

## REPRESENTATIONS:

Three letters of neighbour objection have been received to date and their comments can be summarised as follows;

1. The proposed development would use up important green space, become too built-up, crowded and noisy and the estate would lose its sense of space.
2. The area already suffers from traffic congestion, with inadequate parking and this would exacerbate the existing safety issue for drivers and pedestrians. The development would also impact on the access to and use of neighbouring allocated parking
3. The construction of two flats as opposed to a single dwelling would double the increase in noise and flow through of people / traffic
4. The corner position of the development, which is already dangerous, will be exacerbated by an additional 2 parking spaces over and above the previous application, making it even more of a blind corner.
5. The proposal is not in keeping with the residential layout in this road, which are all uniform, with similar space around them.
6. The proposal would decrease privacy and result in loss of light and would infill a space opposite existing houses

## POLICY CONSIDERATIONS

Kennet Local Plan – policy PD1 is relevant. National Guidance contained in Planning Policy Statement 3: Housing is also applicable.

## PLANNING OFFICER COMMENTS

The application site is situated within an existing residential cul-de-sac, and occupies a relatively prominent corner position within it. The original layout consisted of rows of terraces, with end properties having large gardens to the side.

The application site was previously enclosed as part of the domestic curtilage of number 20 Nursteed Road. The current application follows a previous application at the site for a single 3-bedroom dwelling which was approved on 3<sup>rd</sup> December 2007.

In terms of the principle of the site being used for new housing, this has already been agreed with the approval of the earlier application for a single dwelling on the site in December 2007. The site lies within the Limits of Development for Devizes, where sites such as this are acceptable in principle for new residential development, in accordance with national policy contained in Planning Policy Statement 3. The proposed flats would take on a similar form to the neighbouring dwellings and are also similar in appearance to the previously approved scheme. In terms of impact on residential amenity, the width and height and depth of the proposed flats are the same as the previously approved building with the exception of ground floor level, where an additional single storey element has been included in the rear. This additional element would not cause any loss of privacy nor would it be overbearing on the nearest neighbour. Overall, the proposed flats would have a similar impact to the previously approved scheme. It is not considered that there would be any significant harm to neighbour amenity over and above this fallback situation.

Similarly, in terms of visual amenity, the design concept and materials are all in keeping with the existing area and match those on the previously approved scheme. Although the new flats would be much closer to the road than the end of the existing dwelling, the previous approval already sets a precedent for this and no significant harm to visual amenity would result subject to same conditions.

The application proposes the inclusion of the provision of four car parking spaces – two to the front and two to the side. County Highways consider this level of provision adequate and have raised no objection to the scheme subject to appropriate visibility splays. Some neighbours have raised concerns about the addition to existing traffic levels and the safety of the proposed accesses. However, the site lies approximately halfway along a residential cul-de-sac where traffic levels are limited. Although situated on a bend, County Highways consider this acceptable subject to the maintenance of appropriate visibility splays.

Consequently, approval of planning permission is recommended.

## **RECOMMENDATION**

Approve with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 No development shall take place until details of the materials to be used for the external walls and roofs (including samples if requested) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

- 3 Prior to either of the flats being occupied, the parking spaces and visibility splays shown on the approved drawings shall be provided. The parking spaces shall thereafter be maintained for the parking of vehicles in connection with the development and the highway visibility area shall be kept free of all obstructions to sight above 600 millimetres above the adjoining carriageway level.

**REASON:**

In the interests of highway safety.

- 4 The attention is draw to the contents of the attached letters from Wessex Water and Wiltshire Fire and Rescue Service received on the 28th September 2007 and the 17th October 2007, respectively, in relation to the previous application, which remain relevant.

- 5 **INFORMATIVE TO APPLICANT:**

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

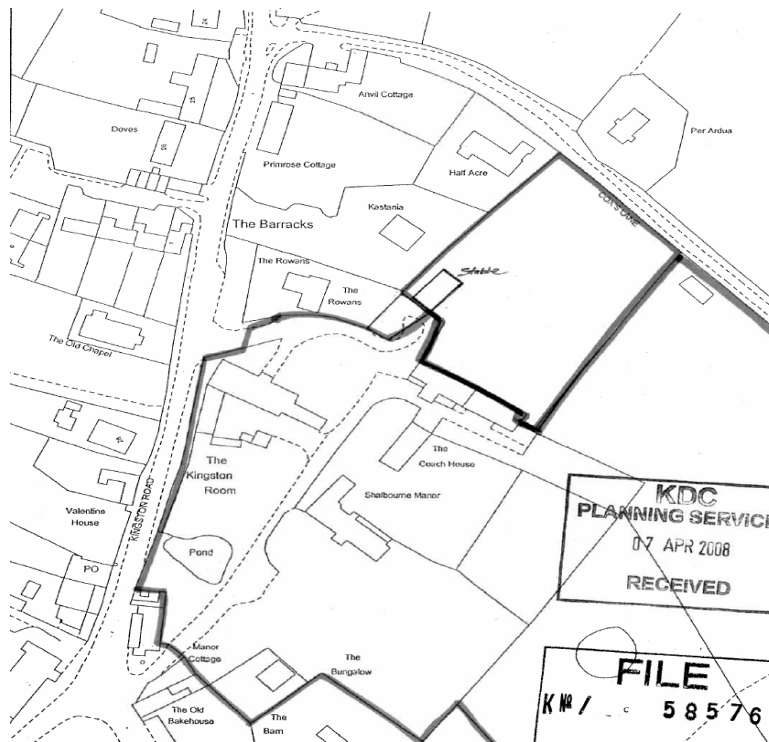
The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to national guidance contained in Planning Policy Statement 3: Housing and the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1.

Item 5

**APPLICATION NO:** K/58576/F  
**PARISH:** SHALBOURNE  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Demolish existing stable and build a similar size replacement  
**SITE:** Shalbourne Manor Kingston Road Shalbourne Wilts SN8 3QD  
**GRID REF:** 431434 162913  
**APPLICANT:** Mrs D Scott  
**AGENT:** Mr Richard Springford  
**DATE REGISTERED:** 23/04/2008  
**CASE OFFICER:** Julie Matthews

## SITE LOCATION

Shalbourne Manor lies to the eastern side of Kingston Road in Shalbourne and is served by two driveways. The application site lies to the north of the main house and is accessed via the northern most entrance from Kingston Road which lies between the Rowans and The Kingston Room. Once on this track continue straight ahead bearing left when the track forks and the stable should be directly in front of you, situated on the edge of a horse paddock.



**Location Plan**

## RELEVANT SITE HISTORY

**K/56276/F** - Refuse 18/05/2007

Dismantle an existing metal barn and erect timber stabling: Refused for the following reasons:

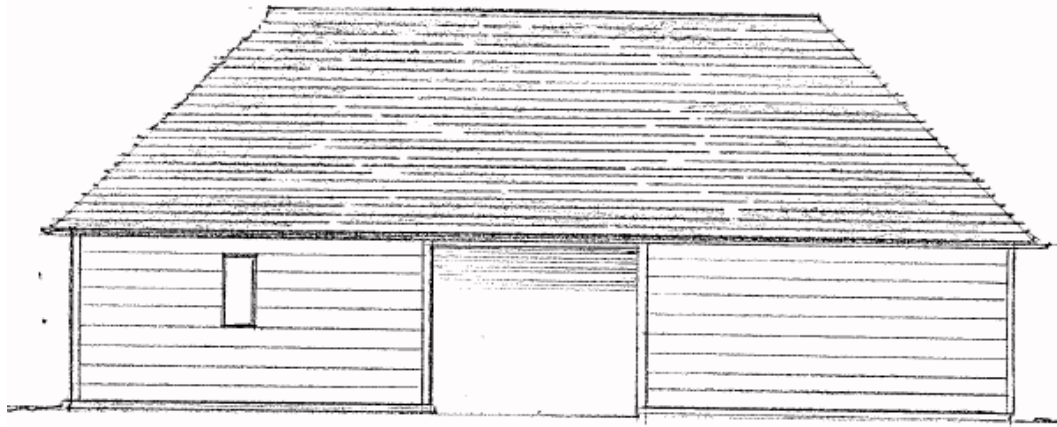
*The proposed stable building, by reason of its scale, siting and design, would be unduly prominent in the landscape and hence detrimental to the character and appearance of the area which is a designated AONB, and also detrimental to the setting of the adjacent Conservation Area.*

*The proposed stable building, by reason of its scale, siting and design, would have an adverse impact on the reasonable living conditions of the occupiers of the property known as Kastania.*

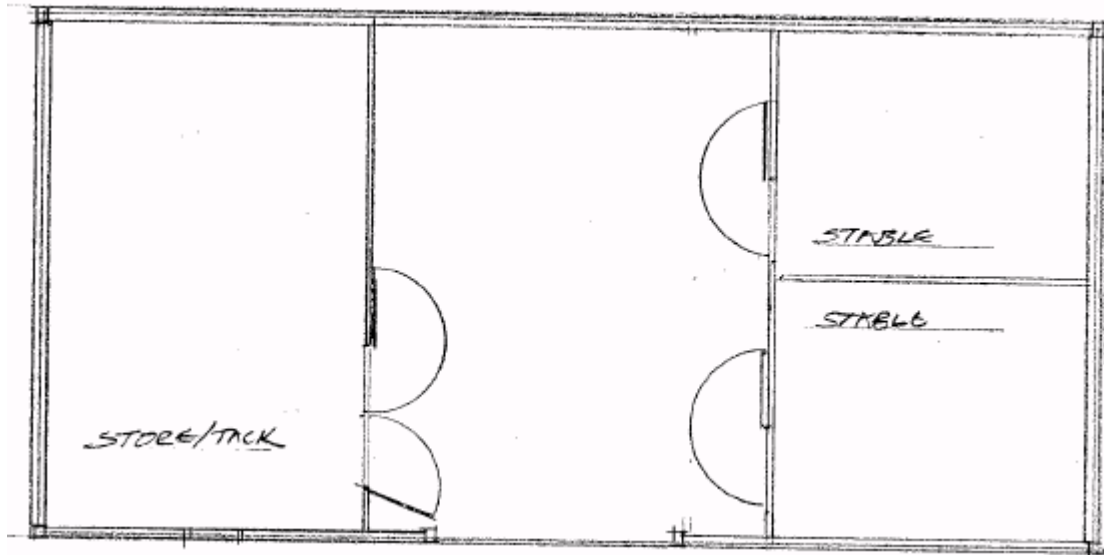
**DESCRIPTION OF DEVELOPMENT**

A previous application, (ref. K/56276/F) was refused in 2007 for the reasons outlined above, for a much larger, U-shaped stable block which was sited closer to the north western boundary.

This application is for a replacement stable in the field to the north east of the main Manor House. The existing building is an old tin clad steel framed barn which currently shelters horses. The proposal is for a replacement structure to provide stabling for two horses and a store/tack room. It would have a pitched hipped roof covered in cedar shingles and the walls would be clad with larch boarding. The stables would have the same siting and footprint as the existing.



*South East Elevation (not to scale)*



*Floor Plan*

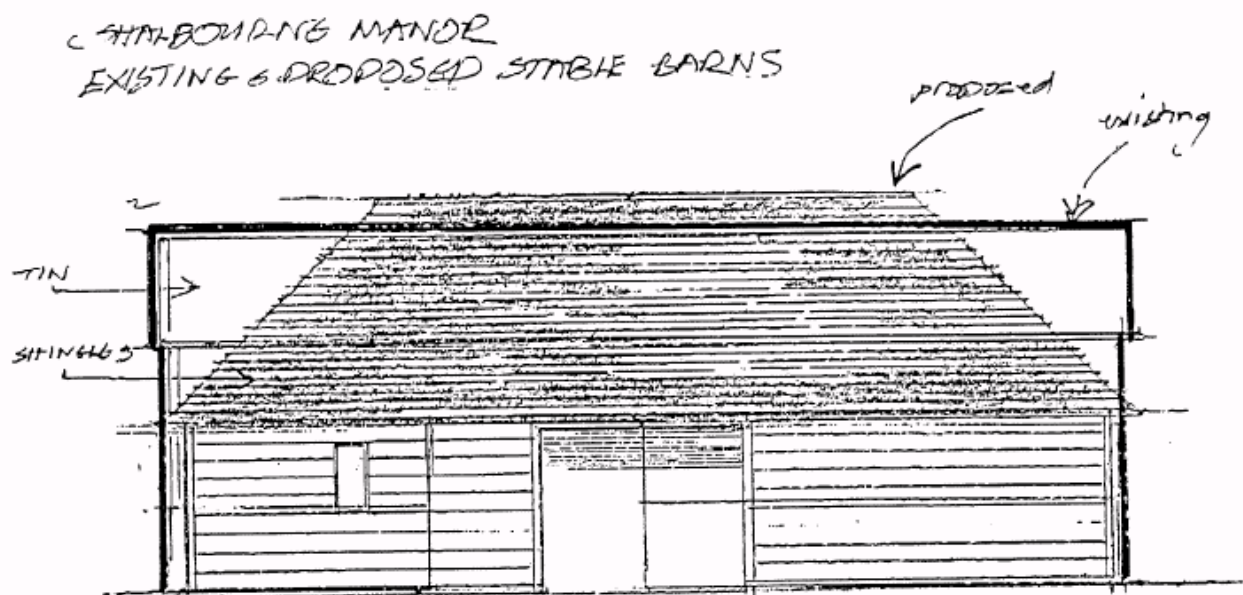
## ADDITIONAL STATEMENT BY THE APPLICANT

The applicant's agent states the following –

“The clients would like to be able to replace the existing building. The replacement would have a similar, but not larger, plan area. The eaves would be lower, though the ridge would be approx 300mm higher. Overall, and particularly for neighbours the new roof would be better, as the hipped ends with lower eaves block the outlook from their properties less than the straight gables”.

And –

“The stable building is old and dated from the time of Miss de Beaumont as the owner of the Manor. The next owner sold off the parcels of land that now provide the plots for Rowan Tree House and Kastania to the immediate north of the stable. When the houses were built it was in the full knowledge of the barn being well in their field of view. The barn has been used as a stable for at least 12 years, so that is the established use”.



*Existing (heavy black line) and proposed stable (not to scale)*

## CONSULTATIONS

Shalbourne Parish Council – have objections on the grounds of height of the proposed building and the lack of a clear design and access statement giving an explanation as to why a stable needs to be so high. The Council also felt that there was a change of use from agricultural use as a barn to an equine use, stable and thought this should have been clarified in the application.

Landscape and Countryside Officer – no objections to the proposals subject to reinforcing of the hedges to the north west and south west boundaries with native species.

Environment Health Officer – no adverse comments.

County Rights of Way Technician – no rights of way comments on this application.

County Archaeologist – The Wiltshire Sites and Monuments Record shows that although the

proposed development area does fall within an area of archaeological interest, the size, scope and nature of the proposal, i.e the demolition of the existing stable and its rebuild on the same footprint, is unlikely to have a significant impact upon any surviving archaeological features or deposits. On this basis, there are no archaeological recommendations being made on this planning application.

## **REPRESENTATIONS**

One objection letter has been received raising the following concerns:

- a) most of the reasons for refusal on the previous application (K/56276/F) must also apply to this revised proposal;
- b) the existing barn was never built to be used as stables, its current use causes problems with vermin, flies, smells and waste;
- c) the stables should be sited elsewhere on the Manor estate, well away from private dwellings.

Two letters of support and one letter of comment have also been received.

## **POLICY CONSIDERATIONS**

Kennet Local Plan 2011 – Policy PD1 Development and Design is relevant to the consideration of this application, as is government guidance contained within Planning Policy Statements 1, 7 and 15. The site lies within the area of outstanding natural beauty.

## **PLANNING OFFICERS COMMENTS**

### Design

An important consideration when assessing this application is the additional impact the proposal will have over and above the existing barn. The proposal would have the same footprint, a hipped roof, slightly reduced bulk and more attractive external materials than the existing. The overall visual appearance of the stables would be an improvement on the existing and as such the design is considered acceptable.

### Visual impact on AONB

The site lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). However, as the design and overall bulk would be an improvement on the existing, it is considered that the proposal would not unduly harm the character and quality of the AONB.

### Visual impact on Conservation Area

The site lies on the edge of the Conservation Area and the design of the proposal would be in-keeping with the existing recently converted barn on the estate and the materials traditional. As such the proposal would not detract from the character and appearance of the area.

### Residential amenity

The barn would be sited in close proximity to three residential properties to the north and west; The Rowans, Kastania and Half Acre. Although the stables would be approximately 0.3m higher than the existing barn, due to the hipped ends the overall size and bulk of the proposal would be less. Therefore it would have no significant overbearing or overshadowing impact on the neighbours, over and above that which exists already.

An objection has been received from Kastania with regard to the use of the stables which currently result in piles of manure being created along the boundary attracting flies, rats and other vermin into the property. A condition can be put in place to ensure that the manure is stored and disposed of in a manner which minimises any adverse impact on the neighbours.



### Public footpath

A public footpath runs along Coxs Lane to the north of the site. The lane is sunken and the northern edge of the field bounded with vegetation, partially screening the shed from the lane. The shed is some distance from the footpath and the Rights of Way Officer has no objection to the proposal.

### **CONCLUSION**

The main consideration is the additional impact of this proposal in comparison to the existing shed. The proposed stabling would be of an appropriate design, an improvement on the existing and sympathetic to the character of the nearby Conservation Area. It would not harm the quality of the AONB, the amenities of the neighbours or have a significant impact on the archaeological importance of the area. Therefore, taking all of the above into account, it is considered that the proposal would be in accordance with Policy PD1 of the Local Plan and government guidance contained within PPS1, PPS7 and PPG15.

### **RECOMMENDATION**

Approve with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 This permission relates to the scheme of development as submitted except insofar as amended by the revised details, plan of the existing building and letter from the agent received on the 19th of May 2008.

**REASON:**

For the avoidance of doubt as to the development authorised since the proposal originally submitted has been amended during the course of its consideration.

- 3 Prior to the commencement of works of site, details of the method by which horse manure is to be stored and disposed of shall be submitted to and approved in writing by the local planning authority. The agreed means of disposal shall thereafter be adhered to unless otherwise agreed in writing by the local planning authority.

**REASON:**

In the interests of the reasonable living conditions of the nearby residential properties.

- 4 **INFORMATIVE TO APPLICANT:**

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1 and government guidance contained within PPS1, PPS7 and PPG15.

