

**Regulatory Committee**

**October 30th 2008**

**List of Applications for Consideration**

1. K/59355/VAR (page 6)

Full planning application for: Removal of condition no. 1 of K/55086/F (temporary planning permission) to allow permanent use of grain store and associated buildings as aircraft hangars.

At: Lower Upham Farm Airfield Ogbourne St George ALDBOURNE SN8 1SZ

RECOMMENDATION: Approve with conditions

2. K/59353/VAR (page 12)

Full planning application for: Removal of condition no. 2 of K/58740/F (temporary planning permission) to allow permanent use of approved fertiliser store as an aircraft hangar.

At: Lower Upham Farm Airfield Ogbourne St George ALDBOURNE SN8 1SZ

RECOMMENDATION: Approve with conditions

3. K/59421/F (page 14)

Full planning application for: Erection of dwelling.

At: Land adjacent 106 High Street, GREAT CHEVERELL, SN10 5XW

RECOMMENDATION: Approve with conditions

4. K/59367ADV (page 23)

Advertisement consent for: Two non-illuminated business signs on entrance walls

At: West Office Smiths Barn West Street ALDBOURNE SN8 2BS

RECOMMENDATION: Approve with conditions

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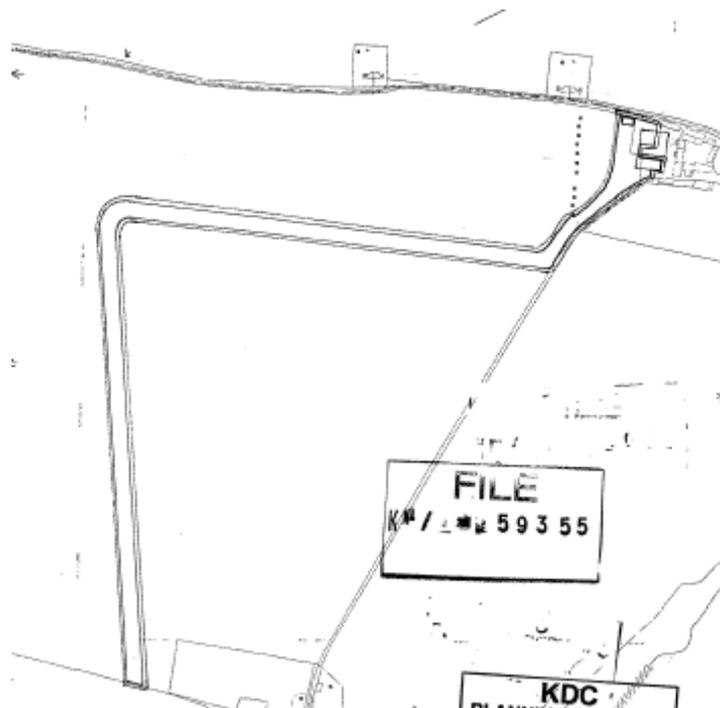
Item 1

**APPLICATION NO:** K/59355/VAR  
**PARISH:** ALDBOURNE  
**APPLICATION TYPE:** Variation of Condition  
**PROPOSAL:** Removal of condition no. 1 of K/55086/F (temporary planning permission) to allow permanent use of grain store and associated buildings as aircraft hangars.  
**SITE:** Lower Upham Farm Airfield Ogbourne St George Wiltshire SN8 1SZ  
**GRID REF:** 420673 177614  
**APPLICANT:** JHP Farming Ltd  
**AGENT:** clivepattison@tiscali.co.uk  
Mr Clive Pattison  
**DATE REGISTERED:** 26/08/2008  
**CASE OFFICER:** Andrew Guest

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### SITE LOCATION

The application site comprises part of a remote farm yard and adjacent field located approximately 1km to the east of the A346 Marlborough to Swindon road. The site and its surroundings lie within the Area of Outstanding Natural Beauty.



*Site Plan*

To locate the site, travel north along the A346 from Marlborough. Approximately 3.5km beyond the Ogbourne St George bypass (and beyond the district boundary) turn right, (there is no road sign, but there is a name sign for Lower Upham Farm). Follow this single track road for approximately 1km until reaching the Lower Upham Farm farmyard. The site is on the right hand side (that is, to the west of the farm buildings).

## **RELEVANT HISTORY**

K/034326 – Part time use of grain store as hangarage for aircraft. Part time use of adjacent agricultural land for take off and landing strip – approved 28/07/97

*This permanent planning permission is subject to a number of conditions including a restriction requiring no more than four aircraft to be stored on the site at any one time, and a personal use restriction to the applicant, J H P Farming.*

K/55086/F – Use of grain store and associated buildings as hangarage for aircraft – approved 26/10/06

K/55353/F – Retention of polytunnel hangar for light aircraft – approved 12/12/06

*These two applications were made following an enforcement investigation. They grant temporary planning permission for the developments proposed, expiring on 31 October 2011. They are also personal to the applicant, J H P Farming, and limit the number of aircraft stored at the site to 10 aircraft and 12 microlights, to be stored inside.*

*The reason given for the temporary permission is to enable the local planning authority to review the situation at the end of the temporary period (or to effectively 'test' the suitability of the more intensive use of the site as a private landing strip and aircraft store).*

K/58740/F – Demolition of derelict farm building and erection of a dual purpose hangar/fertiliser store – approved 27/06/08

*This planning permission allows the permanent erection of an agricultural building, but its temporary use only as a hangar, expiring on 31 October 2011. The reason given for the temporary permission is to again test the suitability of the more intensive use of the site as a private landing strip and aircraft store. This application has not yet been implemented in view of the applicant's reluctance to invest in a costly new building which may later fail to gain permanent planning permission for part use as an aircraft hangar.*

## **DESCRIPTION OF DEVELOPMENT**

This application (and the following application on the agenda) seeks planning permission to remove the condition restricting the use of the site to temporary use only. To this end this application seeks removal of condition no. 1 of K/55086/F. The condition states the following –

This permission is for a temporary period expiring on 31 October 2011 on or before which date the use shall cease and the buildings shall revert to the previous use lawful under the Planning Acts.

Reason: To enable the local planning authority to review the situation at the end of the temporary period specified, given that the scale and nature of the aviation use has changed and increased substantially since planning permission was originally granted and also given that the site lies within an otherwise tranquil part of the North Wessex Downs Area of Outstanding Natural Beauty.

The application is supported by an Assessment of Environmental Noise which can be viewed on the working file or on-line.

## **AMENDMENTS MADE FOLLOWING SUBMISSION**

There have been no amendments.

## **CONSULTATIONS**

Aldbourne Parish Council: would prefer to see the condition for temporary planning permission to 2011 retained in each case so that the volume of traffic on site can be monitored and re-assessed at a later date.

County highways (Mr Wiltshire): no objection.

KDC Environmental Health Officer: no objection. The EHO has received no complaints relating to the use of the site as a landing strip.

## **REPRESENTATIONS**

There have been no third party representations.

## **POLICY CONSIDERATIONS**

Kennet Local Plan – policies PD1 and NR7.

Central Government policies contained in PPS7 and PPG24 are also relevant.

## **PLANNING OFFICERS COMMENTS**

The main issue to be considered in this case is the appropriateness of allowing permanent use of the site as a more intensive landing strip and related aircraft store having regard to its' location in the countryside and the potential impact of the use on visual and residential amenity in general.

The site already has permanent planning permission to be used as a landing strip and related aircraft store, limited to four aircraft only. This remains the 'fall back' scenario in the event of planning permission being refused for the current applications and the extant temporary planning permissions running their course and expiring. The extant temporary planning permissions allow more intensive use of the site – namely 10 aircraft and 22 microlights, operated by the applicant and others – until 31 October 2011.

The reason for granting a temporary planning permission for the more intensive use was to essentially allow its appropriateness to be tested having regard to the potential greater impact of additional aircraft taking-off from, and landing at, the air strip, in particular resulting from engine noise. So far the temporary planning permission has run its course for some two years. Approximately three years remain.

### Noise

During the first two years of the authorised, more intensive use of the site there have been no complaints received by either the Planning Services Manager or the Environmental Health Officer relating to noise generated by aircraft. This reflects the remote location of the site and the considerable distance to the nearest neighbouring residential properties.

The application is supported by an Assessment of Environmental Noise prepared by a noise consultant. This document sets out the results of an acoustic assessment carried out to determine noise levels arising from the use of the site, and the resulting impact on the closest residents. The assessment takes into account the level of usage of the site during a 12 month period between July 2007 and July 2008 (that is,

when the site was being used at the permitted, more intensive level). Noise generated by actual aircraft kept at the site was recorded, and this information used to predict 16 hour daytime noise levels (that is, between 0700hrs and 2300 hrs) taking into account average and typical aircraft movements over this 12 month period. The air strip is not used at night (that is, between 2300hrs and 0700hrs), other than in an emergency.

The results of the aircraft surveys is as follows –

Activity	Robin Light Aircraft			Ikarus Micro-light		
	L <sub>Aeq</sub> dB(A)	L <sub>Amax</sub> dB(A)	Duration Secs	L <sub>Aeq</sub> dB(A)	L <sub>Amax</sub> dB(A)	Duration Secs
Start-up, taxi to runway	46.0	55.5	151	42.8	59.9	100
Take off south, circuit to east, landing from north	45.0	52.1	184	37.2	52.1	266
Take off noise, circuit to west, landing from west	46.5	59.4	135	40.2	54.1	261
Taxi back to hangers, shut down	48.3	57.8	100	42.7	50.0	40

From these results the predicted 16 hour daytime noise levels are as follows –

Aircraft Movements	L <sub>Aeq, 16 hrs</sub> dB(A)
Average number of movements per day (3)	29.9
Typical number of movements on a Saturday/Sunday (8)	33.4
Maximum number of movements in any day (36)	39.9
Number of movements on next busiest day (11)	35.0

Planning Policy Guidance Note no. 24 (“Planning and Noise”) sets out the circumstances when noise should be considered a planning issue in relation to new dwellings. The PPG sets out four ‘noise categories’ - A, B, C and D – where noise levels falling into category A “... need not be considered a determining factor in granting planning permission, although noise level at the high end of the category should not be regarded as a desirable level”.

The noise bands are as follows –

Noise Levels Corresponding To The Noise Exposure Categories For New Dwellings L <sub>Aeq,T</sub> dB				
	Noise Exposure Category			
Noise Source	A	B	C	D
Aircraft				
07.00 - 23.00	<57	57 – 66	66 – 72	>72
23.00 - 07.00	<48	48 – 57	57 – 66	>66

Having regard to the survey results it is evident that the worst case noise scenario at the nearest residential properties would be within noise exposure category A. It, therefore, follows noise need not be a determining factor in this case.

The Assessment of Environmental Noise concludes the following –

“The assessment of noise has looked in detail at the use of the airstrip and Lower Upham.

Measurements have been taken with different aircraft undertaking exaggerated circuits over the airfield.

Taking the busiest day from the last 12 month operations log (with 3 times more movements than the next busiest day), the predicted noise arising from the use of the airfield falls into Noise Exposure Category A, as defined in PPG24.

Further assessment of predicted noise levels indicates that the resulting noise levels at adjacent residential properties would lie within British Standards guidance for such areas.

It is therefore concluded that the use of the airstrip will not cause any significant adverse impact on adjacent occupiers”.

These conclusions are agreed and consequently it is not considered that the more intensive use of the site has resulted in noise nuisance to neighbouring residential properties.

#### Visual Impact

The aircraft at the site are kept in buildings or next to buildings. Their visual impact is, therefore, limited, and there is no resulting harm to the Area of Outstanding Natural Beauty. In the event of this application receiving planning permission the requirement for the aircraft to be kept inside would remain.

The airstrip ‘reads’ as part of an open field. Again, its impact on the AONB is limited. The airstrip in any event benefits from the original permanent planning permission for an airstrip and aircraft storage at the site.

#### Highway Safety

The local highway authority raise no objection in view of the low levels of vehicular traffic and the adequacy of the existing infrastructure to accommodate this.

#### Conclusion

Although only two years of the five year temporary planning permission have passed, it is considered that the applicant has adequately demonstrated that the more intensive use of the site is acceptable – in particular, as a consequence of the submission of the comprehensive noise assessment. The conclusions of the assessment are supported by the lack of any complaints being made to the local planning authority or environmental health officer during the last two years. The development has no harmful impact on visual amenity or highway safety. For these reasons removal of the temporary use condition is recommended, to allow permanent use of the site by 22 aircraft.

## **RECOMMENDATION**

Approve with Conditions

- 1 The classes of aircraft operating from the site shall be limited to light aircraft operating on a Certificate of Airworthiness, light aircraft operating on a Permit to Fly, and microlight aircraft operating on a Permit to Fly only. No other classes of aircraft shall be permitted to operate from the site unless in the event of an emergency.

### **REASON:**

To enable the local planning authority to retain control over the classes of aircraft operating from the site in the interests of safeguarding the amenities of the locality which is an Area of Outstanding Natural Beauty.

- 2 With the exception of the one day of the "annual club barbecue", the total number of take-offs and landings of aircraft and microlights at the airstrip shall not exceed 22 in any single day, except in the event of an emergency. On the day of the "annual club barbecue" the total number of take-offs and landings from the airstrip shall not exceed 72, except in the event of an emergency. In any event, no aircraft shall take-off or land between the hours of 2300 and 0700 on any day. A log of all take-offs and landings, including dates and times, shall be kept and made available for inspection by the local planning authority at any reasonable time.

### **REASON:**

To limit possible noise disturbance in the interests of safeguarding the amenities of the locality.

- 3 The airstrip shall be used for the taking-off and landing of aircraft and microlights used for leisure purposes only and shall not be used for the taking-off or landing of aircraft or microlights carrying either cargo or passengers for gain, except in the event of an emergency.

### **REASON:**

To ensure the development remains limited in scale having regard to its remote location in an Area of Outstanding Natural Beauty.

- 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.

- 5 **INFORMATIVE TO APPLICANT:**  
The applicant is reminded that all other conditions attached to planning permission K/55086/F remain applicable, in particular condition no. 3 which restricts the total number aircraft stored at the overall site to 10 aircraft and 12 microlights.

Item 2

**APPLICATION NO:** K/59353/VAR  
**PARISH:** ALDBOURNE  
**APPLICATION TYPE:** Variation of Condition  
**PROPOSAL:** Removal of condition no. 2 of K/58740/F (temporary planning permission) to allow permanent use of approved fertiliser store as an aircraft hangar.

**SITE:** Lower Upham Farm Airfield Ogbourne St George Wiltshire SN8 1SZ

**GRID REF:** 420673 177614

**APPLICANT:** JHP Farming Ltd

**AGENT:** clivepattison@tiscali.co.uk  
Mr Clive Pattison

**DATE REGISTERED:** 26/08/2008

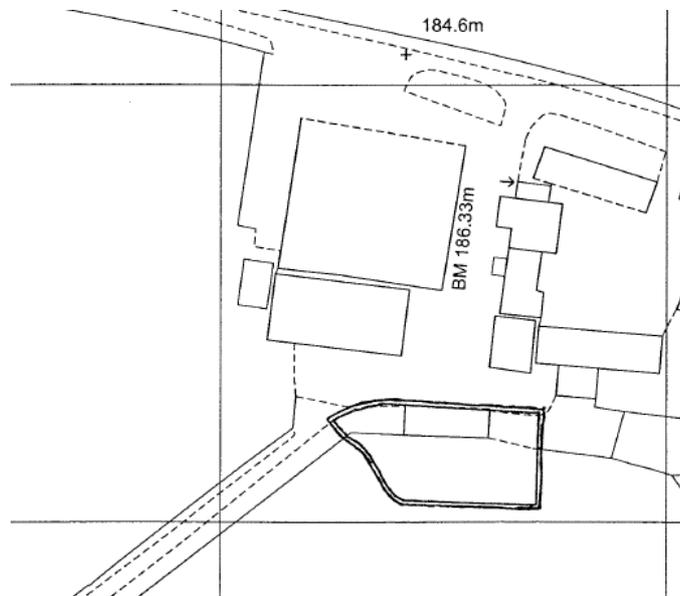
**CASE OFFICER:** Andrew Guest

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### BACKGROUND

This application relates to the same airstrip and aircraft stores referred to in the previous item on the agenda. The Site Location, Relevant History, Amendments Made Following Submission, Additional Statement by the Applicant, Consultations, Representations and Policy Considerations are, therefore, the same as in the previous item.

The specific location of the proposed development is shown in the following site plan. As noted below, the building has yet to be erected.



*Site Plan*

### DESCRIPTION OF DEVELOPMENT

This application seeks planning permission to remove the condition restricting the dual use of the approved fertiliser store/aircraft hangar to temporary hangar use only. The condition states the following –

*This permission insofar as it relates to the hangar use of the approved building is for a temporary period expiring on 31 October 2011 on or before which date the hangar use shall cease and the building shall thereafter be used exclusively as an agricultural building.*

*Reason: To accord with the terms of planning permission K/55086/F and to enable the local planning authority to review the situation at the end of the period specified, given that the scale and nature of the aviation use has changed and increased substantially since planning permission was originally granted and also given that the site lies within an otherwise tranquil part of the North Wessex Downs Area of Outstanding Natural Beauty.*

Planning permission K/55086/F, therefore, allows the permanent erection of an agricultural building, but its temporary use only as hangar, expiring on 31 October 2011. The reason given for the temporary permission is to test the suitability of the more intensive use of the site. This planning permission has not yet been implemented in view of the applicant's reluctance to invest in a costly new building where there are no guarantees that permanent planning permission for part use as an aircraft hangar will be forthcoming.

#### **PLANNING OFFICERS COMMENTS**

The main issue in this case is the same as in the previous agenda item – that is, the appropriateness of allowing permanent use of this building as part of the overall more intensive use of the site as an airstrip and aircraft store.

Because the issues are the same, this application is accompanied by the same Assessment of Environmental Noise as in the previous application, and so the conclusions are the same. These conclusions are agreed, and consequently the application is also recommended for approval to allow permanent use of the building for mixed hangarage and agricultural use.

#### **RECOMMENDATION**

Approve with Conditions

- 1 The classes of aircraft stored in the aircraft hangar shall be limited to light aircraft operating on a Certificate of Airworthiness, light aircraft operating on a Permit to Fly, and microlight aircraft operating on a Permit to Fly.

REASON: To enable the local planning authority to retain control over the classes of aircraft operating from the site in the interests of safeguarding the amenities of the locality which is an Area of Outstanding Natural Beauty.

- 2 **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 PD1 and NR7; and Central Government Policy set out in PPS7 and PPG24.
- 3 **INFORMATIVE TO APPLICANT:**  
The applicant is reminded that all other conditions attached to planning permission K/58740/F remain applicable.

Item 3

**APPLICATION NO:** K/59421/F  
**PARISH:** GREAT CHEVERELL  
**APPLICATION TYPE:** Full Planning  
**PROPOSAL:** Proposed dwelling  
**SITE:** Land adjacent 106 High Street, Great Cheverell, Wilts  
**GRID REF:** 398476 154439  
**APPLICANT:** JR Overton & BW Wheeler  
**AGENT:** Mathewson Waters Architects  
**DATE REGISTERED:** 10/09/2008  
**CASE OFFICER:** Rob Parker

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**SITE LOCATION**

This application relates to a site on the north-eastern edge of Great Cheverell. When entering the village from the direction of the A360 at Littleton Panell the site lies on the left hand side, immediately after the entrance to Weavers Mead. The site is currently undeveloped and fenced with post and rail on the public boundaries. It is bounded to the south by a pair of semi-detached properties in Weavers Mead, to the north by the road, to the west by a bungalow (behind an existing hedge) and to the east by an area of amenity land for the Weavers Mead development.



*Location plan*

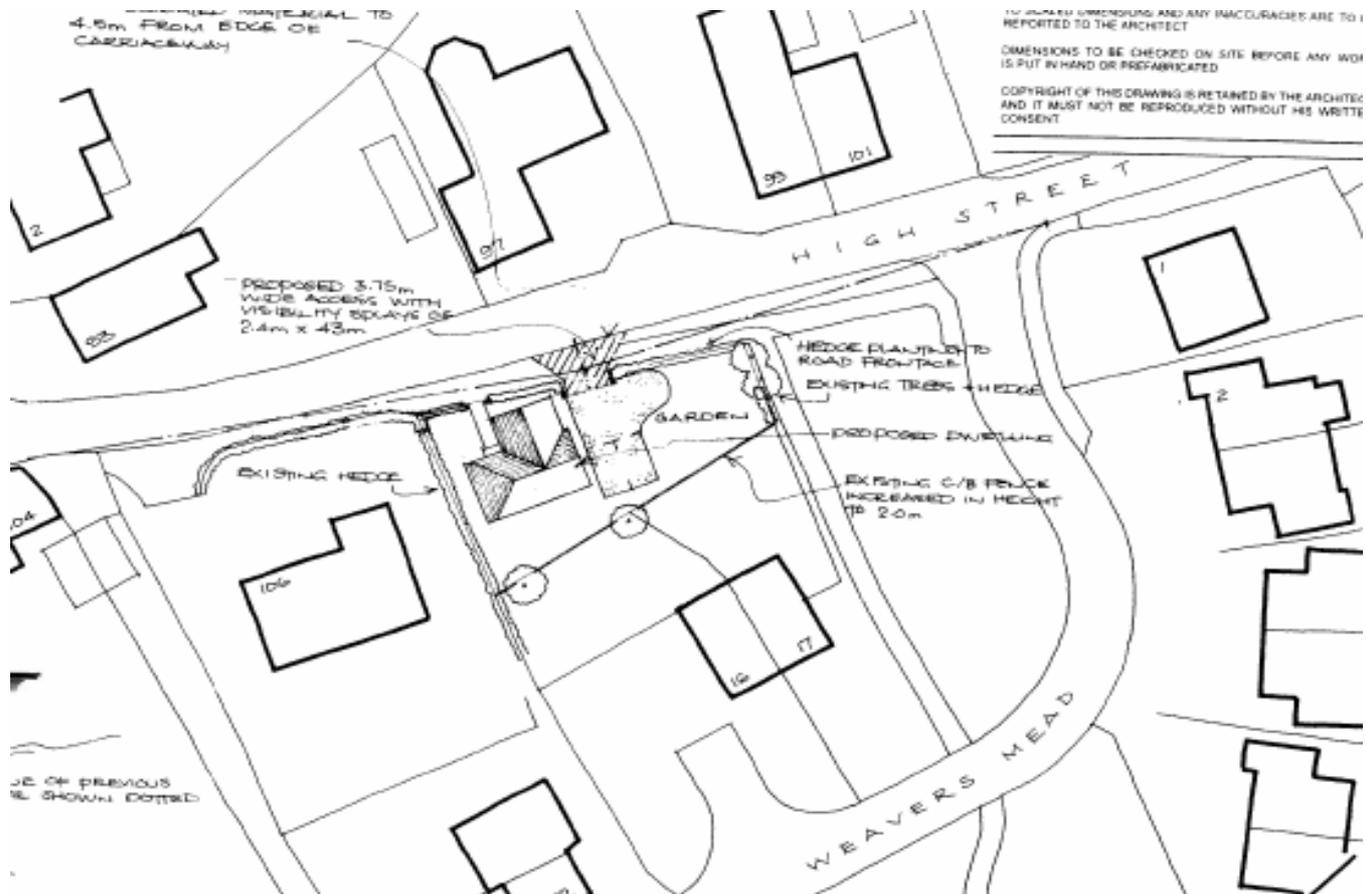
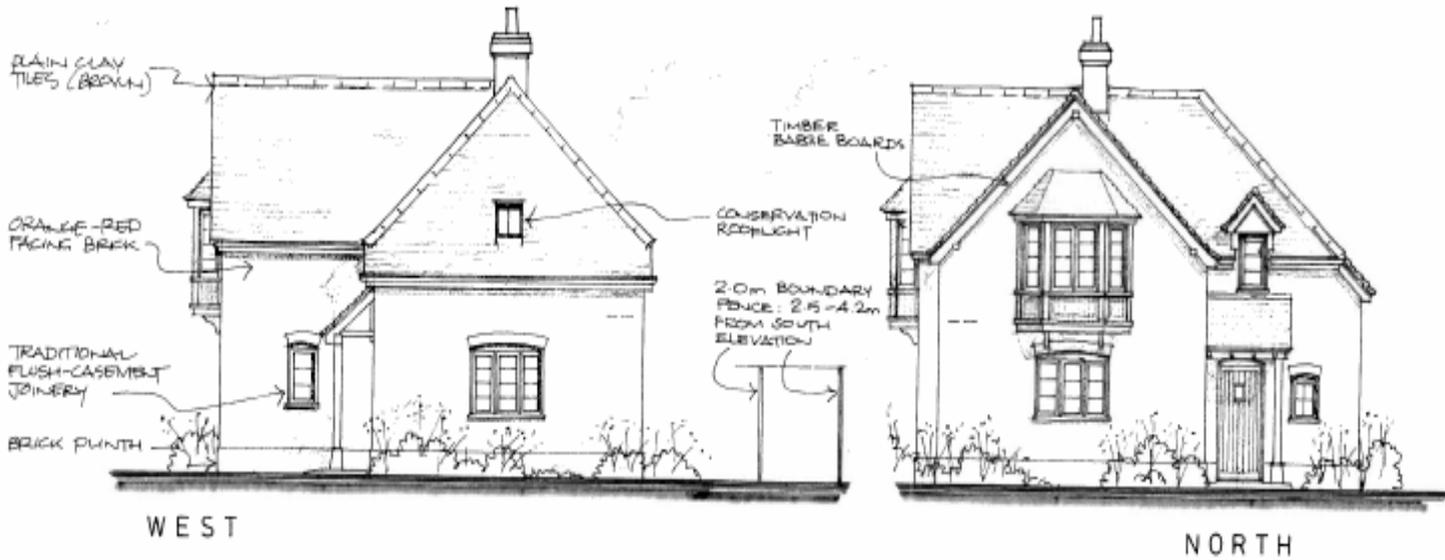
**SITE HISTORY**

**K/59009/F** – Planning permission for a single detached dwelling on the site was refused under officer delegated powers on 12<sup>th</sup> August 2008 for the following reason:

“The proposed dwelling would, by virtue of its siting, scale and massing, have an overbearing impact on neighbouring occupiers, adversely affecting their residential amenities. As such the proposals would be contrary to Policy PD1 of the Kennet Local Plan 2011.”

## DESCRIPTION OF DEVELOPMENT

The proposal is for a single detached dwelling, positioned at the western end of the plot with a new vehicular access onto the highway midway along the site frontage.



Site plan and elevations

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

The applicant has submitted a Design & Access Statement which is available to view on the working file.

### **PARISH COUNCIL COMMENTS**

Cheverell Magna Parish Council objects on the grounds of access, impairment of line of sight from Weavers Mead and impact of the dwelling on that part of the High Street.

### **CONSULTATIONS**

KDC Landscape & Countryside Officer – no objections subject to submission of a landscaping scheme and the removal of permitted development rights for fencing and garden paraphernalia.

County archaeologist – no objections subject to the imposition of a condition requiring an archaeological watching brief.

County highways – no objection subject to appropriate conditions.

Wessex Water – no objection.

Wiltshire Fire Brigade – standard guidance letter regarding fire appliance/firefighting access, water supplies for firefighting and domestic sprinkler protection.

### **REPRESENTATIONS**

Four third party objections have been received from the occupiers of the following properties:

- 17 Weavers Mead
- 97 High Street
- 99 High Street
- 101 High Street

Concerns are raised in relation to:

1. Impact on neighbour amenity - The proposed dwelling would overlook 97 & 99 High Street and result in loss of privacy and loss of view for adjacent properties in Weavers Mead. There is no need for a 2m high fence on the boundary with 16 & 17 Weavers Mead when a 1.8m (6ft) high fence would be sufficient.
2. Impact on highway safety - Particularly in relation to the lack of pavement, narrowness of carriageway, proximity to a hazardous blind bend on a busy road and poor visibility for householders exiting their driveways. There is a history of accidents on this stretch of road.
3. Loss of important archaeology
4. Disturbance during construction and danger to playing children from construction vehicles
5. The lack of public transport

6. Increased CO<sub>2</sub> emissions and noise pollution
7. The need to achieve zero carbon emissions and use the best practical environmental means.
8. The need for a dwelling in the village – there has been a recent development at Greysmere, there are still properties for sale in the village and the credit crunch has further suppressed the housing market.

### **POLICY CONSIDERATIONS**

Kennet Local Plan - policies HC22 & PD1 are relevant to the consideration of this application. Supplementary Planning Guidance contained in “*Community Benefits from Planning*” is also relevant.

Government guidance contained in PPS1, PPS3, PPG15 and PPG16 is a material consideration.

### **PLANNING OFFICERS COMMENTS**

The application site lies within the Limits of Development defined for Great Cheverell in the Kennet Local Plan 2011. Policy HC22 of the local plan would permit, in principle, infilling or small groups of houses within the defined Limits of Development provided that the development is in harmony with the village in terms of its scale and character. The term “infilling” is defined in the local plan glossary as “the filling of small gaps within a small group of houses”. Small gaps are interpreted as “sites which are not sufficiently large for more than one dwelling”.

The current proposal constitutes an infill site within the local plan’s definition. The main considerations, therefore, are whether the proposal would be in harmony with the village in terms of its scale and character and whether the proposals would comply with the requirements of policy PD1 in relation to issues such as design, neighbour amenity and highway safety. It is also relevant to consider the impact of development upon the setting of the conservation area, given that the site lies immediately outside of the designated conservation area boundary.

In design terms the proposed dwelling is attractive, responding to the local vernacular and employing traditional proportions and materials. The projecting first floor oriel windows in particular take their cue from nearby 104 High Street (The Croft) which is an important focal building on entry to the village. Overall it is not considered that the proposals would be harmful to the setting of the conservation area.

Local residents and the parish council have raised serious concerns regarding the development’s implications for highway safety. However, the highway authority raises no objections to the proposals and on this basis it is not considered that a refusal of planning permission on highway grounds could be substantiated at appeal. The development can achieve the necessary visibility splays.

An earlier application for the site was refused on the grounds that the proposed dwelling would be harmful to the amenities of neighbouring occupiers. The principal impacts were upon the occupiers of 16 & 17 Weavers Mead immediately to the south of the site.

The current proposals satisfactorily address the previous reason for refusal by moving the dwelling westwards on the plot, relocating it away from the boundary with 16 & 17 Weavers Mead and reducing its height by a metre to 6.95m. The relationship between the proposed dwelling and adjacent properties is now deemed

to be acceptable and it is not considered that the dwelling would be overbearing for neighbouring occupiers.

The occupier of 17 Weavers Mead has expressed concerns regarding the proposals for a 2m high fence along her rear garden boundary; she considers that a 1.8m (6ft) fence would be sufficient. The applicants have confirmed that they would be prepared to make this change to the scheme. This matter may be made the subject of a planning condition.

Neighbours to the north have objected on the basis that the proposed dwelling would overlook 97 & 99 High Street. The relationships with these properties on the opposite side of the road are considered to be acceptable. The proposed dwelling would be a minimum of 26 metres from 99 High Street and 21 metres from 97 High Street (excluding its garage). These distances meet the 21 metre minimum standard for window-window overlooking laid down in the Council's Supplementary Planning Guidance "*Community Benefits from Planning*".

With regard to the other issues raised by objectors:

1. Concern is expressed that the development would result in the loss of important archaeology. However, the County Archaeologist raises no objections in principle to development, recommending imposition of a condition to secure an archaeological watching brief.
2. Disturbance and danger to playing children during construction is not a material planning consideration.
3. Policy HC22 of the Kennet Local Plan would permit housing development in the village and therefore the limitations of public transport provision cannot be used as grounds to resist development in principle.
4. The issue of increased CO<sub>2</sub> emissions and noise pollution from one dwelling would not justify a refusal of planning permission.
5. The objective of zero carbon housing is a laudable one. However, the Council has no policy means of securing this objective and its policy for on-site renewable energy only applies to major residential schemes (i.e. 10 dwellings or more).
6. The existence of other properties for sale in the village cannot be used as grounds to resist further housing development, if that housing development complies with the requirements of local plan policy.

## **RECOMMENDATION**

Approve with 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 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 and neighbour amenity.

- 3 No development shall take place until samples of the bricks and plain clay tiles to be used for the external walls and roofs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the setting of the conservation area.

- 4 The windows to be installed in the dwelling hereby approved shall be traditional painted timber flush casements with horizontal glazing bars as per the approved plans. Each window shall be installed such that its outside face is a minimum of 90mm from the external face of the brickwork. No development shall take place until full joinery details have been submitted to and approved in writing by the local planning authority. Elevations shall be provided 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:

To secure harmonious architectural treatment, in the interests of preserving the setting of the conservation area.

- 5 The front door to be installed on the north elevation of the dwelling hereby permitted shall be constructed of painted timber, and shall be maintained as such thereafter.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the setting of the conservation area.

- 6 No development shall commence until detailed working drawings of the eaves, verges and first floor oriel windows 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, in the interests of preserving the setting of the conservation area.

- 7 The fascias, barge boards, windows and external doors shall be constructed of painted timber. No development shall take place until details of the proposed paint colour for these elements of the scheme have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the setting of the conservation area.

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

REASON:

To ensure a satisfactory landscaped setting for the development.

- 9 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 dwelling 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. All hard landscaping (including any fencing or other boundary treatments) 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.

- 10 Notwithstanding the details shown on the submitted plans, the development hereby permitted shall not be occupied until a 1.8m high close boarded fence has been erected along the entire southern boundary of the site (adjacent to the gardens for 16 & 17 Weavers Mead). The fence shall be retained thereafter, unless otherwise agreed in writing by the local planning authority.

REASON:

In the interests of neighbour amenity.

- 11 No development shall take place within 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.

- 12 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 dwelling hereby approved shall be erected.

REASON:

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

- 13 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 north and east elevations of the dwelling or above ground floor ceiling level in the south and west elevations of the dwelling.
- REASON:  
In the interests of the amenities of the area and the privacy of neighbouring occupiers.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting or amending that Order) no buildings, or structure, or wall, fence, or other means of enclosure (other than the fence required by condition 10 and any other means of enclosure agreed as part of the landscaping scheme) shall be erected or placed on the site.
- REASON: In the interests of visual amenity.
- 15 The east facing pane of the first floor window serving bedroom 1 on the east elevation (as identified on drawing no. 7020.03A) shall be glazed with obscured glass and permanently fixed shut and shall be maintained as such thereafter.
- REASON: In the interests of the privacy of neighbouring occupiers.
- 16 The roof lights in the south and west elevation of the dwelling hereby permitted shall be obscurely glazed and installed such that the distance between the first floor level and the sill is a minimum of 1700 millimetres.
- REASON:  
In the interests of the privacy of neighbouring occupiers.
- 17 Before the dwelling 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.
- 18 Before the dwelling hereby permitted is first occupied the highway visibility area shall be cleared and kept free of all obstructions to sight above 1 metre above the adjoining carriageway over a strip 2.0 metres wide parallel and adjacent to the road edge between the centre-line of the access and the western end of the site frontage.
- REASON.  
In the interests of highway safety.
- 19 Before the dwelling hereby permitted is first occupied the highway visibility area shall be cleared and kept free of all obstructions to sight above 1 metre above the adjoining carriageway level between the carriageway edge and a line drawn from a point 2.0 metres back along the centre line of the access from the carriageway edge, to a point on the nearside carriageway edge at the eastern end of the site frontage.
- REASON. In the interests of highway safety.

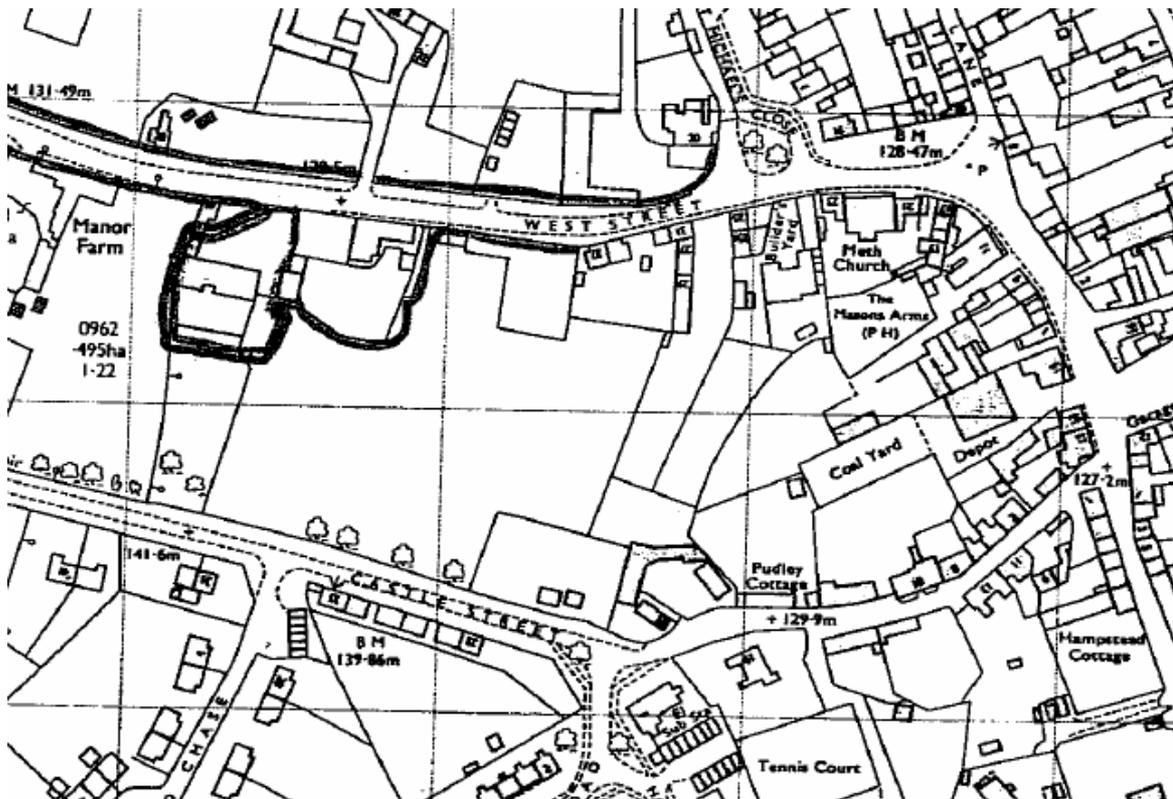
- 20 Before the dwelling hereby permitted is occupied the first 4.5m of driveway, measured back from the edge of the carriageway, shall be surfaced in a well bound consolidated material (not loose stone or gravel) and maintained as such thereafter.
- REASON:  
In the interests of highway safety.
- 21 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.
- REASON:  
In the interests of highway safety.
- 22 Before the dwelling hereby permitted is first occupied a channel cut-off drain shall be provided 2.4 metres back from the edge of the carriageway (or as otherwise agreed in writing by the local planning authority) and retained as such thereafter.
- REASON:  
To ensure that surface water is not discharged onto the highway, in the interests of highway safety.
- 23 INFORMATIVE TO APPLICANT  
The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire & Rescue Service and dated the 18th September 2008.
- 24 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 PD1 & HC22.

Item 4

**APPLICATION NO:** K/59367/ADV  
**PARISH:** ALDBOURNE  
**APPLICATION TYPE:** Advertisement Consent  
**PROPOSAL:** Two non-illuminated business signs on entrance walls  
**SITE:** West Office Smiths Barn West Street Aldbourne Wilts SN8 2BS  
**GRID REF:** 426120 175643  
**APPLICANT:** Mr Allister Freeman  
**DATE REGISTERED:** 28/08/2008  
**CASE OFFICER:** Julie Matthews

## SITE LOCATION

West Office forms part of Smiths Barn, a recently built replacement 'barn' accessed off West Street in Aldbourne. It is situated on the south side of the B4192, approximately 325m to the west of the centre of Aldbourne. It comprises a 'barn' providing nursery school facilities ('Sixpenny') on the ground floor and office/storage use on the first floor. The timber clad, one and a half storey building is readily visible from the road, set back from it with a parking area to the front. The entrance is demarcated by sarsen stone and brick walling leading into the site with Sixpenny Day Care signs on either side.



*Site Location*

## SITE HISTORY

K/43406 - demolition of remainder of collapsed barn and construction of a Day Care Nursery, including staff accommodation with associated external works and improvements to road access. Approve with Conditions 08/07/2002

K/45763 - the change of use of part of the building to staff accommodation. Approve with Conditions 01/08/2003

K/50573/VAR – variation of condition No. 11 of application K/43406 and condition No. 2 of K/45763 (occupancy restrictions), to allow occupation of staff accommodation by persons other than day care nursery staff. Refused 08/07/05; appeal dismissed 22/03/06

K/54741/F - change of use of first floor from staff accommodation to office/storage use (Class B1/B8). Formation of enlarged car parking area. Approve with Conditions 21/09/2006

## DESCRIPTION OF DEVELOPMENT

Two signs, each measuring 1m by 0.2m, are proposed beneath each of the existing Sixpenny Day Care nursery signs on the walls either side of the site entrance. The signs are both identical, made from 4mm aluminium composite with cut vinyl graphics and text. The predominant colours would be green and white.



*Detail of sign and proposed position below existing 'Sixpenny' signs*

## **ADDITIONAL STATEMENT BY THE APPLICANT**

Allister Freeman Photography understands that the original conversion of Smith's Barn was for the purposes of a day nursery but also understands that the latest planning permission granted for this development was for the change of use of the two staff flats to B1/B8 commercial use thus creating a small industrial development - K/54741/F, approved with conditions [21.09.06](#). One of the conditions was to add visitors' parking and include a turning circle created at the front by relocating the entrance walls and creating a new area at the side of the development for staff parking. There are 6 visitors' spaces (2 immediately in front of the nursery) for visitors to all 3 commercial units and is not exclusively Sixpenny's car park. Condition 4 of K/54741/F states that 'before the office/storage use hereby approved is commenced 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' - 'in the interest of highway safety'.

The change of use was granted based on 4 extra employees (two for each office) and 10 other (say 5 each office) and the expected vehicular movements of between 30 and 35 per day between the 2 extra units, excluding workers going to/from work. I work on my own with occasional help (one day a week) as a photographer, primarily weddings. I do 50 weddings a year so there is not much vehicular movement associated with that; almost all meetings are held during evenings or weekends so Sixpenny are closed when this activity occurs therefore there is absolutely no risk to the children attending nursery.

Allister Freeman Photography appreciates that Sixpenny is the principal occupier of Smiths Barn but West Office was let to it as a commercial unit and is paying business rates to that effect. With this type of business, advertising is a substantial part of the budget and advertising its location is extremely important for the health of the business. Allister Freeman Photography is a small business in its infancy and not being able to make people aware of its whereabouts could be the tipping point during an economic down turn. I can absolutely assure that AFP will not create vehicular movements beyond that which has already been approved and I feel strongly that my business will contribute to the well being of Aldbourne particularly from a financial point of view.

## **CONSULTATIONS**

Aldbourn Parish Council – we do not wish to see a proliferation of signs on this attractive wall in the Conservation Area. In fact, we would prefer that there was one sign only for 'Smiths Barn' which would be adequate for the purpose of the occupants at this location.

County highways – the comments of the local highway authority are awaited and will be reported at the meeting.

## **REPRESENTATIONS**

One letter has been received raising the following concerns:

- a) the additional signage would make the area more commercialised in an AONB;
- b) the signage would be distracting to drivers at such a critical point on the edge of the village;
- c) the additional signage would invite passing traffic into the site and cause a safety risk to the children attending the day care nursery.

## **POLICY CONSIDERATIONS**

The Town and Country Planning (Control of Advertisements) Regulations 2007 requires that in determining an application of this type the Council is required to act in the interests of amenity and public safety, taking into account, among other factors, the general characteristics of the area and the safety of persons using the highway.

Advice contained in PPG19: Outdoor Advertisements Control, in particular paragraphs 11 to 14, is also of relevance.

## **PLANNING OFFICERS COMMENTS**

### Visual amenity

The sign would be sited in a prominent location on a village lane and within a conservation area. A key consideration is the impact the proposal would have on the visual amenity of the surrounding area.

West Lane is occupied by predominantly residential properties, most of them fronting the road and of an attractive, traditional design. There is very little commercial signage along this part of West Lane. The parish council have objected to what they consider to be a proliferation of signs on this attractive wall in the conservation area.

The barn houses a nursery on the ground floor with an office/storage use above and the signage would not be excessive for a site of this size and type. The proposed signs would be relatively unobtrusive, located directly below existing signs and would have low-key design/colouring. They would not be illuminated. It is therefore considered that the signs would not have a harmful impact on the visual amenity of the area. Furthermore due to the low number of businesses operating from the premises it is considered unlikely that the signs would set a precedent for excessive signage resulting in a cluttered appearance.

### Public safety

Concern has been raised over the potential for the proposed advertisements to distract drivers of passing vehicles. Whilst the views of the local highway authority are awaited, this type of signage is common throughout the district and should not give rise to any undue hazard.

Concern has also been raised over the potential for the signs to generate additional traffic which would in turn create a safety hazard for the children attending the day care centre. However, the potential levels of traffic likely to be generated by the B1/B8 use of the tenant of West Barn were considered as part of the previous application for change of use of the top floor to office/storage use. The level of traffic stated on the application form was 30-35 cars per day an additional 6 car parking spaces were approved to accommodate this. This level of traffic movement and parking allocation was considered appropriate by the local highway authority at the time. The applicant for the current proposal has confirmed that the actual vehicular movements would be much less than this. It is therefore considered that the level of vehicular generation resulting from the sign would not result in harm to public safety.

## **CONCLUSION**

It is considered that the advertisements, by virtue of their positioning, style and size, would have no adverse impact on the visual amenity of the area. They would be appropriate to the site and given the small number of businesses operating from the premises, the signs are unlikely to set an undesirable precedent for the proliferation of signage on the site.

## **RECOMMENDATION**

Approve with the following Conditions

- 1 The display of the advertisements hereby approved shall be for a period of five years from the date of this consent.

**REASON:**

To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

**REASON:**

To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

- 3 No advertisement shall be sited or displayed so as to -
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

**REASON:**

To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

- 4 Any advertisements displayed, and any site used for the display of the advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

**REASON:**

To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

**REASON:**

To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

- 6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**REASON:**

To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

