

Regulatory Committee
January 8th 2009
List of Applications for Consideration

1. **K/59525/F** (page 6)
Full planning application for: Change of use of existing agricultural buildings to bus storage depot
At: Wilds Farm, Hilcott, PEWSEY SN9 6LE
RECOMMENDATION: Grant planning permission
2. **K/59631/F** (page 13)
Full planning application for: Change of Use of stable building to office/workshop (B1) accommodation; alterations to building associated with this change of use, and the provision of car parking.
At: outbuilding at Avoncourt House, MILTON LILBOURNE SN9 5LQ
RECOMMENDATION: Grant planning permission
3. **K/59770/F** (page 19)
Full planning application for: Erection of hay store/general purpose building.
At: Knights Leaze Farm, URCHFONT SN10 4RA
RECOMMENDATION: Grant planning permission
4. **K/59016/F** (page 26)
Full planning application for: Retention of two holiday let cabins, shed and fencing, and erection of one further holiday let cabin
At: Former Piggery Rendells Farm ALL CANNINGS SN10 3PA
RECOMMENDATION: Grant planning permission
5. **K/59428/F** (page 38)
Full planning application for: Conversion of existing end of terrace residential house into 2 apartments with associated parking and amenity
At: 81, High Street, PEWSEY SN9
RECOMMENDATION: Grant planning permission
6. **K/59778/F** (page 44)
Full planning application for: The erection of a detached dwelling; provision of access to existing and proposed dwelling; associated works (Amendment to K/58533/F).
At: 5, The Crescent, BROMHAM SN15 2HQ
RECOMMENDATION: Grant planning permission
7. **K/59707/F** (page 48)
Full planning application for: Erection of a 4 bed detached house, with attached garage, including all other associated works. (Amendment to K/57892/F).
At: Plot 1 Halstead Farm Kings Road EASTERTON SN10 4PS
RECOMMENDATION: Refuse planning permission
8. **K/59799/LBC** (page 53)
Listed building consent for: Erection of Entrance Porch; Alterations to Courtyard Walls; Removal of Curtilage Outbuilding
At: West Lavington Manor, Church Street, WEST LAVINGTON SN10 4LA
RECOMMENDATION: Refuse listed building consent.
9. **K/59773/F** (page 59)
Planning permission for: Building of detached garage and store room with gymnasium underneath
At: The Hop house, Tankard Lane, RAMSBURY SN8 2PJ.
RECOMMENDATION: Grant planning permission
10. **K/59666/F** (page 65)
Planning permission for: Creation of access track to house
At: Orchard House, Eastcott, EASTERTON SN10 4PH
RECOMMENDATION: Refuse planning permission

Item 1

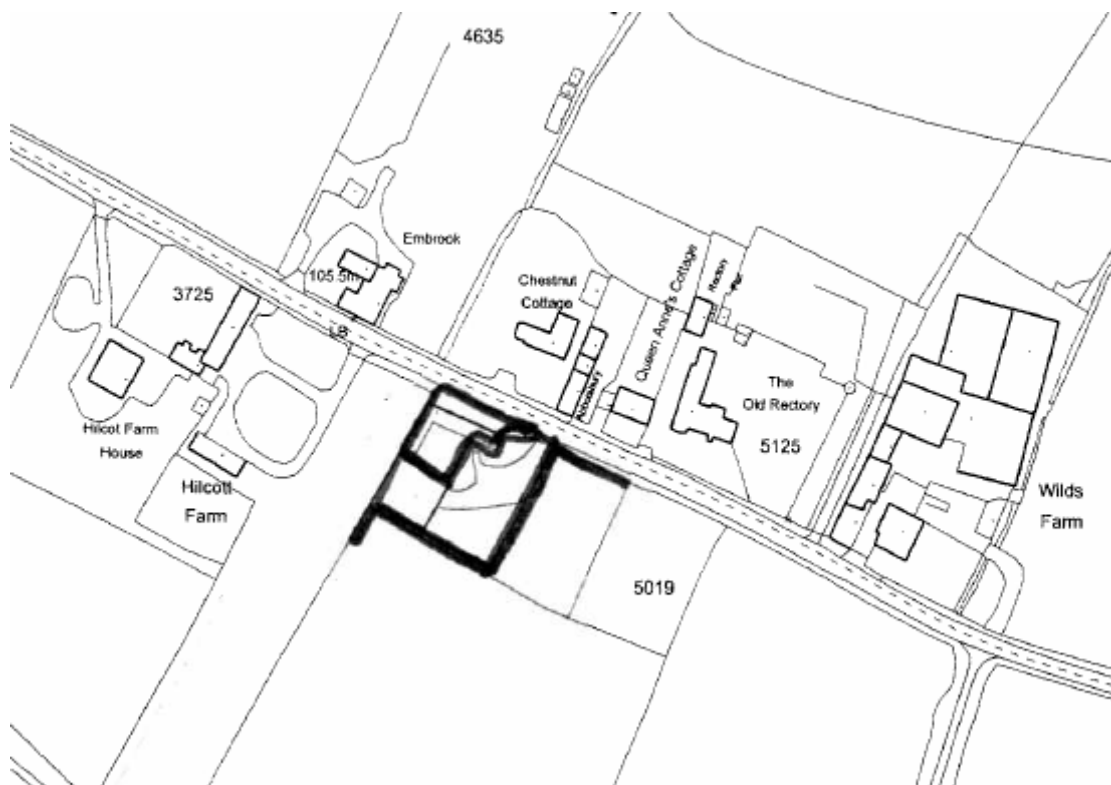
APPLICATION NO:	K/59525/F
PARISH:	NORTH NEWNTON
APPLICATION TYPE:	Full Planning
PROPOSAL:	Change of use of existing agricultural building to bus storage depot
SITE:	Wilds Farm, Hilcott, Pewsey, Wiltshire, SN9 6LE
GRID REF:	411607 158245
APPLICANT:	Hatts Coaches
AGENT:	Michael Fowler Architects
DATE REGISTERED:	30/09/2008
CASE OFFICER:	Gill Salisbury

SITE & LOCATION

The site is located at the eastern end of Hilcott on the southern side of the road through the village. The site is comprised of an existing square shaped farm building together with associated yard and hardstanding.

The site is bound by open countryside to the south and east, Hilcott Farm and Farmhouse to the west and residential dwellings to the north.

The site is within the North Wessex Downs Area of Outstanding Natural Beauty and the designated Hilcott Conservation Area.



Site location

SITE HISTORY

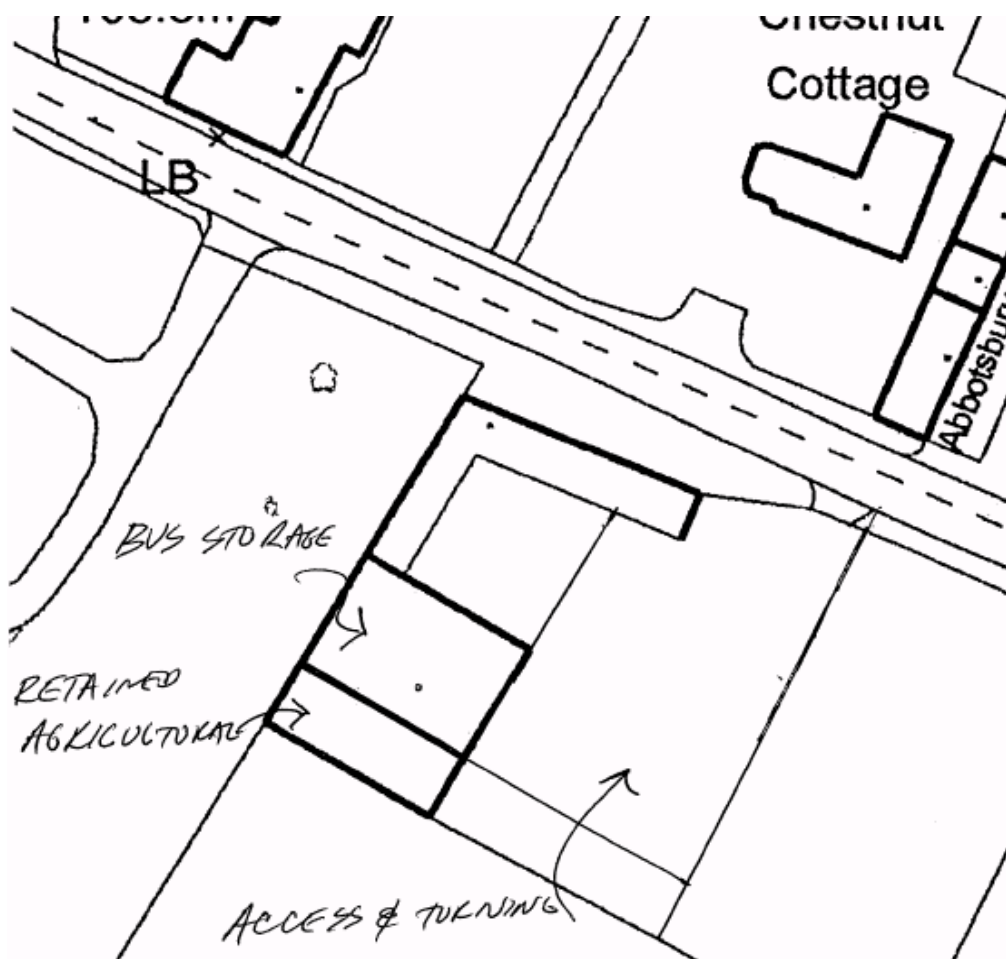
There is no relevant site history.

DESCRIPTION OF DEVELOPMENT

This is a retrospective planning application to change the use of part of an existing agricultural building at Wilds Farm to a bus storage depot. The application has been made following an enforcement investigation.

The buses are stored in the open-fronted barn on the site. The use started in September 2006. A total of six buses are kept on site with three of the buses leaving the site at 6am and returning at approx. 6pm and one running from 6pm until approx. midnight. Two spare buses are also kept on site, and bus drivers park their cars on the adjacent yard. No repair works or cleaning is carried out at the site.

No external alterations are proposed to the building.



ADDITIONAL STATEMENT BY THE APPLICANT

A Design and Access Statement has been submitted in support of the application which specifies the following;

- Hatts Coaches have used the building, which is the subject of this planning application, for the past two years as a bus storage depot for 'Connect2Wiltshire'.
- 'Connect2Wiltshire' replaced the Wiggly bus and offers door to door transport into and from many areas of Wiltshire for people living in or visiting the county. Wiltshire County Council sponsors the public transport system.
- Hatts Coaches main depot is in Foxham, near Chippenham. This is too far from the Pewsey area from a financial and sustainability point of view.

The full document is available to view on the working file.

The applicant has also submitted the following additional information in response to the consultation responses received;

- The 'Connect2Wiltshire' buses that operate from the barn, although in low number, fulfil a local need. For example, one bus that leaves early in the morning picks up eleven children from eight houses within the first half a mile and takes them to the local school.
- The evening bus finishes its run at 11pm. There are no buses on a Sunday.
- The previous use of the site was as hay storage and implement storage. This farming operation stopped when the 'Connect2Wiltshire' buses were stored on the site. With this previous use, activity commenced often very early in the morning and often late into the night, especially during the haymaking season.
- It has been confirmed that the buses have their reversing beepers demobilised when they are on the site and they are only implemented when buses are on a public highway or car park. There is no objection to this being a planning condition.
- The buses used to be washed on site. They are now washed off site at the petrol station in Pewsey.

CONSULTATIONS

North Newnton Parish Council strongly object to this application on the following grounds;

- They consider it unacceptable to allow a change to general industrial use in an Area of Outstanding Natural Beauty and since the site is within a Conservation Area.
- To permit such a change appears to run contrary to the Conservation Area Statement for Hilcott which states that "development will not normally be allowed except in the interest of agriculture, forestry or some overriding special need".
- The proposed development is adjacent several listed buildings.
- The proposed development is already causing significant noise pollution, particularly between 0600 and 0700 which is disturbing local residents.

County highways – No objection subject to the condition that the site shall not be used for the parking and storage of buses or coaches with an overall length greater than 9.5 metres. This is because the access is unsuitable in width and radii for use by larger coaches and buses.

District Ecologist – No comment

CPRE – Object to this application. Of particular relevance are policies PD1, AT1, PPG15 and supplementary guidance in the Hilcott Conservation Area Statement.

- The development is contrary to PD1. The change of use would add several bus movements to the continuing agricultural traffic. No information is provided on the combined total of movements which is essential to judge the potential increase in noise and disturbance.
- There is no information about possible alternative depots.
- The proposal is contrary to the Conservation Area Statement. No case has been made for an over-riding special need for buses to be housed in Hilcott.
- The development would have an adverse impact on the Conservation Area. The scene for people passing and the outlook for neighbours is ill-fitting in a conservation area.
- The use of a fleet of six buses inevitably entails journeys to and from a depot. We have not been told where the buses were housed before and therefore are unable to judge whether the travel involved would increase, decrease or keep about the same to and from their previous depot.

REPRESENTATIONS

Nine letters of support have been received to the application, three from neighbouring properties, three from within the wider village and three from nearby villages. Their grounds of support are as follows;

- The community bus is a worthwhile enterprise and very much valued by many who live in the Pewsey Vale. They are used as school buses, by the elderly and all ages in between. The buses have given life to the older generation so they can now go places.
- The buses taking children to school reduces the amount of cars that would be needed if parents took each child themselves. This would increase road traffic and consume fuel unnecessarily. The route to Devizes collects and returns 16 children each day saving 9 families the journey to and from Devizes. This amounts to a daily reduction of 18 vehicle movements within the Vale.
- In providing this public service the use meets local needs and helps sustain rural communities within the Vale, thereby meeting the Key Principles of PPS1 and the Objectives of PPG13.
- The drivers are very conscious of driving slowly through the village.
- There is access and road safety concerns but assuming there is no increase in use and considering the service to the community, the benefits out-weigh the negatives. No objection provided the proposed use mirrors the current use.
- Concerns about noise at anti-social times have been addressed.
- It has given local people jobs driving the buses
- Of the buses that are garaged at Hilcott two would operate their routes through Hilcott regardless of the location of the garaging.

Five letters of objection have also been received, including three neighbouring properties, one from within the village and one from Bottlesford. Their grounds of objection are as follows;

- The provision of the bus service is not in question. The value of the bus service to the community is recognised. The real issue is not whether Hatts provide a valuable service to the community but whether a bus depot is an appropriate development in a rural Conservation Area which is in the open countryside and an Area of Outstanding Natural Beauty.
- The use is very intrusive from the sound of the buses at anti social times. The depot causes noise pollution. From around 6.15am cars arrive, doors are slammed, headlights/neon signs/security lights blaze, reversing warning alarms beep and loud conversations complete with the often long warming-up of engines of the buses. They return throughout the day, are washed down and the last is finally put away as late as 11.30pm. This is particularly serious in the winter months. The enjoyment of our property is seriously impaired.
- Road safety. This is a narrow rural lane with no pavements and frequent agricultural, equestrian and pedestrian traffic. Traffic has increased as buses come and go throughout the day. They are mini-coaches and pass through the village which has many school children, horse riders, walkers, runners and cyclists.
- Increased use will provide additional hazard to an already overused local road. It will encourage more heavy vehicle traffic with subsequent congestion and air and noise pollution. The extra traffic is not appropriate.
- If the number of buses/coaches increase it becomes very dangerous to other road users as resident's park on the road.
- The implication from the application is that the buses do not use the site between 6am and 6pm. This is not the case as they come and go all day. Other large vehicles pass through but not as often as the Wiggly's seem to.
- Hilcott is a small hamlet and a bus garage is not appropriate.
- This is a conservation area and in an Area of Outstanding Natural Beauty. The presence of the buses collecting on the gravel area in the early morning and throughout the day is a blot on the landscape. A bus depot detracts from the character, appearance and amenity of this small mainly agricultural conservation area. There is no overriding special need for the buses to be parked in Hilcott Conservation Area. There are far more suitable places for this depot, such as the Salisbury Road Commercial Estate, Pewsey.

- The appearance of a bus depot in this small community could only be described as an eyesore. The change of use needs to sort out the dangerous mess on site.
- There is no mention within the planning application about fuel storage, high pressure hosing or powerful lighting, the barn and hardstanding are not well screened, most bus activity takes place in front of the barn.

POLICY CONSIDERATIONS

Kennet Local Plan - policy PD1 (Development and Design) and Central Government planning guidance contained in PPS7 (Sustainable Development) in Rural Areas are relevant to the consideration of this application.

PLANNING OFFICERS COMMENTS

The main issues to be considered in this case are, firstly, the principle of the use, and then (assuming the principle is established) its impact on visual and residential amenity, and highway safety. The site lies within a conservation area and an area of outstanding natural beauty

Principle of the use

Objections have been received to this application on the grounds that a bus depot is inappropriate within this small rural hamlet, not being justified in the interests of agriculture, forestry or any other overriding special need.

According to PPS7 (Sustainable Development in Rural Areas), the diversification of the rural economy should be supported including through the re-use of existing buildings where this would meet sustainable development objectives and where the location is suitable. In this case the proposed depot provides a local base for the 'Connect2Wiltshire' bus service. This provides a flexible, demand responsive local bus service offering transport in and around the Wiltshire area. By its nature a bus service helps to meet sustainable development objectives by offering an alternative to the car, thereby reducing the number of vehicular movements. It also helps achieve social inclusion, by offering a transport solution to those who may not have access to a private car.

The proposed use is, therefore, considered to satisfy the sustainability 'test' set out in PPS7. The location is also considered to be acceptable for the detailed reasons set out below. In terms of principle, the proposal is, therefore, considered to be appropriate.

Residential amenity

Objections have been received to this application on the grounds that the use has an unacceptable impact on neighbour amenity as a result of noise and disturbance. It is inevitable that the use generates some noise early in the morning and late at night from the arrival/departure of the bus drivers, the starting of engines, and from vehicles exiting and returning to the site. However, only three of the six buses actually leave the site at 6am and only one returning late at night. This is not considered to be significant, particularly having regard to the short duration of these disturbances. On balance it is not considered that the use has such an adverse impact to warrant a refusal decision for this reason.

It is understood that problems have arisen in the past with noise from vehicles reversing 'beepers'. These can, however, be switched-off, and this could be controlled by a planning condition. It is also understood that in the past noise has been a problem from pressure washers. The applicant has confirmed that the buses are now washed off site. Again, it can be conditioned that no activities other than the storage of buses takes place on the site.

The previous use of the site must also be considered. Until the 'Connect2Wiltshire' buses were stored at the site the site was used as hay storage and implement storage associated with the farm. With this use it is understood that activity started

very early in the morning and late into the evening, especially during the hay-making season with the potential to generate considerable noise and disturbance from the comings and goings of large agricultural vehicles. It is not considered that the proposed use, generating three outward movements at 6am (returning at 6pm) and one outward movement at 6pm (returning no later than midnight) would result in any greater level of disturbance than the previous use.

Highway safety

In terms of highway safety, concern has been raised about an increase in heavy vehicle traffic on the hamlets' narrow rural roads. No objection however has been received to the application from the local highway authority which considers the application to be acceptable subject to a restriction on the size of the buses stored at the site. The development should not create more than a modest growth in the daily vehicle movements to and from the site in comparison to the former use of the site and should result in a reduction in overall vehicle movements throughout the County as a result of the service that the operation run from the site provides.

Conservation area and AONB

Finally, concern has been raised that the development is harmful to the conservation area and North Wessex Downs Area of Outstanding Natural Beauty. Six buses are stored on this site but during the day when the site is most visible only two buses remain on site within the existing storage barn. Although bus storage is not commonly seen in rural agricultural areas, the storage of buses on this site inside the barn is not considered harmful to the character and appearance of the area.

Finally, much of the justification for permitting this use relies on the sustainability argument for allowing buses providing a local public service to be located close to the source of that demand. However, the contract for the service expires in 2012 and there is no guarantee that it will be renewed beyond this date. In these circumstances, it is appropriate to consider a temporary planning permission for no more than 5 years. This will permit the situation to be reviewed once the contract has been reconsidered.

RECOMMENDATION

Approve with Conditions

- 1 The site shall cease to be used as a bus storage depot with all buses removed from the site on or before 31st December 2013 unless before that date application has been made and permission granted for an extension of the planning permission for the use of this site as a bus storage depot.

REASON:

The permission is justified by the need for a local storage area for buses required to run specific local contracts. These contracts come up for renewal in 2012 and the need for the site can then be re-evaluated.

- 2 The site shall not at any time be used for the parking and storage of buses or coaches of overall length greater than 9.5 metres.

REASON:

In the interests of highway safety.

- 3 There shall be no more than six buses stored at, or operating from, the site at any one time.

REASON:

To protect the amenities of neighbouring residential properties and the character of the area.

4. The site shall only be used for the storage of buses and the parking of bus drivers' cars, and for no other purpose (including the pressure washing of buses).

REASON:

To protect the amenities of neighbouring residential properties.

5. Any reversing beepers fitted to buses stored at, and operating from, the site shall be switched off when the buses are on the site.

REASON:

To protect the amenities of neighbouring residential properties.

6. No buses shall enter or exit the site between the hours of midnight and 6.00am Monday to Saturday (inclusive) nor at any time on Sundays, unless otherwise first agreed in writing by the local planning authority.

REASON:

To protect the amenities of the neighbouring residential properties.

7. **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 Central Government planning guidance contained in PPS7.

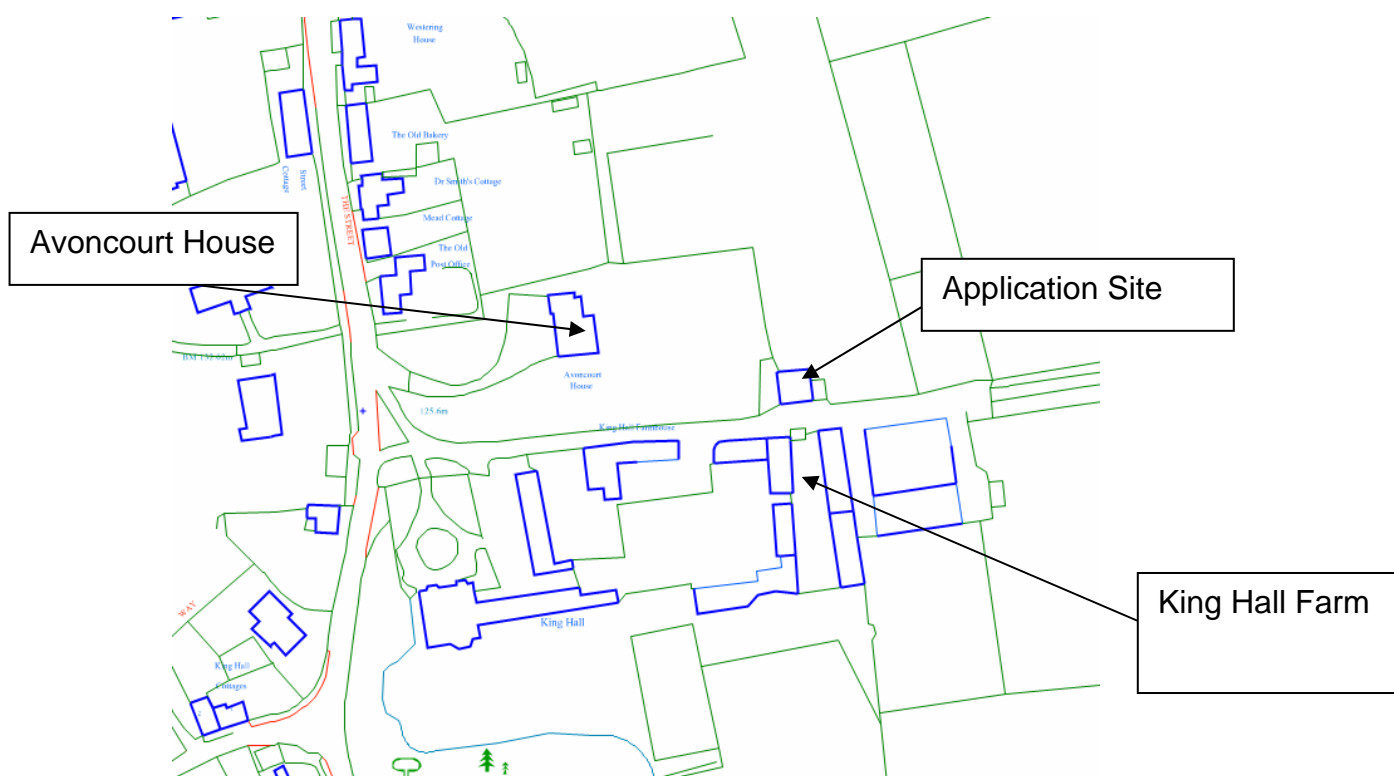
Item 2

APPLICATION NO: K/59631/F
PARISH: MILTON LILBOURNE
APPLICATION TYPE: Full Planning
PROPOSAL: Change of Use of stable building to office/workshop (B1) accommodation; alterations to building associated with this change of use, and the provision of car parking.
SITE: Avoncourt House Milton Lilbourne Wiltshire SN9 5LQ
GRID REF: 419081 160437
APPLICANT: Mr P Crofton-Atkins
AGENT: Mr P Oakley , Oakley Planning & Conservation
DATE REGISTERED: 22/10/2008
CASE OFFICER: Victoria Cains

SITE & LOCATION

This application relates to a vacant stable at Avoncourt House in Milton Lilbourne. Although the stable is within the ownership of Avoncourt House, it is located to the south-east of the property beyond the main garden area of the house and adjacent to a track/bridleway to its side.

The stable can be accessed by taking the left hand turn off of The Street (when heading in a southerly direction) just past Avoncourt House. This is the bridleway/track that also serves King Hall Farm. The site is on the north side of the track, opposite the farmyard.



Location plan (not to scale)

The building itself is largely constructed of concrete blockwork with some boarding. To its west side is an area of open land which would be utilised to create two parking spaces. To the north, east and west the site abuts garden and agricultural land within the ownership of Avoncourt House, and to the south on the other side of the track are farm buildings.



Photograph of the application site



View from the application site along the bridleway back down to The Street

SITE HISTORY

K/57679 – a planning application for the conversion of the building into ancillary residential accommodation was withdrawn in January of this year in response to officer objection to the scheme. These objections related to the principle of a new dwelling in this location, impact upon the horse chestnut tree to the east and the new dwelling being contrary to advice contained within Planning Policy Guidance Note 13: Transport.

DESCRIPTION OF DEVELOPMENT

This application seeks permission to convert the building to 'Class B1' use (that is, business use). The building would not be extended, but externally it would be clad in boarding, the roof changed to slate, and a slight re-arrangement and upgrading of windows and doors. Land to the west of the building provides two parking spaces.

PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The scheme has been amended during its consideration to (a) include the parking area to the side and (b) to include a tree survey of the two trees to the west of the building.

ADDITIONAL STATEMENT BY THE APPLICANT

No additional statement has been submitted.

PARISH COUNCIL COMMENTS

The Parish Council have objected on the following grounds:

1. The application is contrary to ED14 in that it will increase vehicular movements.
2. Parking would always need to be off-road (bridleway) else a parking hazard will be created.
3. The scheme is contrary to PD1, specifically parts A and B4, this requires permission via a 3rd party for access over the bridleway used.
4. The scheme is contrary to HC24 in that the site is outside of the village building line and change of use from agriculture is required.
5. Parking on the bridleway will cause congestion and obstruction for farm vehicles.
6. If permission is granted, it should be conditioned so that no work vehicles are parked on the bridleway.

CONSULTATIONS

County highways, Mr Wiltshire: No objection.

KDC Landscape and Countryside Officer: No objection to the scheme but recommends further construction details are sought by means of a condition as the no-dig method as submitted cannot be fully achieved because of the bank.

KDC Conservation Officer: No objection.

REPRESENTATIONS

Three letters of objection to the application have been received. These are summarised below:

- (a) King Hall which shares the bridleway is a working farm which needs large vehicles to pass down the track. The track is narrow and the usage of this building for B1 and regular vehicle access will be dangerous.
- (b) The farm also re-trains difficult horses which can be unpredictable. The entrance to the yard is opposite the building in question and regular use of the building would create an unsafe environment for both parties.
- (c) There is already a new outbuilding in the garden – why can this not be used as an office?
- (d) The access is a bridleway which should be kept as such for the village to enjoy. The bridleway is currently safe for children, dog walkers and horse riders and used extensively by members of the public. The change of use and all of the associated vehicular movements would make this unsafe for other users.
- (e) The property lies within a conservation area and a large oak tree stands directly next to the property. The canopy overhangs the building in question and any works at ground level would cause harm to its roots.
- (f) The building was built during the Second World War for the farm and remained in such a use until the farm was sold in 1972 and the building was included within the ownership of Avoncourt House. The building remains its original size with minor amendments.
- (g) Any change of use would be contrary to the interests of the community.
- (h) A smaller building used for storage for the applicant would be considered acceptable.
- (i) The users of the building would suffer from smell and noise nuisances from the nearby farms.

POLICY CONSIDERATIONS

Planning Policy Statement 7: Sustainable Development in Rural Areas is pertinent to the determination of this application because it provides advice and guidance on the rural economy. In addition, Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance Note 15: Planning and the Historic Environment are also relevant considerations. Alongside this national planning policy,

the following policies of the Kennet Local Plan are pertinent to the consideration of this application- PD1 regarding general development and design principles, ED10 regarding employment development within and on the edge of villages as well as NR6 and NR7 regarding protection of the countryside and landscape.

PLANNING OFFICERS COMMENTS

It is considered that the main issues in determining this application are the principle of the development; the design and relationship with the conservation area and wider landscape; highway safety; impact on trees; and neighbour amenity.

Principle of the development

The application site lies on the edge of the village of Milton Lilbourne where policy ED10 of the local plan permits small scale business uses adjacent to the built up area. The local plan specifically states in the supporting text to the policy that “... *the Council attaches a high priority to the economic well-being of the area and the need to create additional employment. In addition to the land allocated for larger scale employment needs, the Plan makes provision for smaller premises and advocates the conversion of under-used property for employment purposes where this is environmentally acceptable*”. This advice follows that of Planning Policy Statement 7, and the conversion of this building to a Class B1 use is, therefore, considered acceptable in principle.

Design and relationship with historic setting

The vacant building is constructed of blockwork with some boarding with corrugated sheet roofing. Whilst such buildings are not uncommon in rural farming locations, it is nonetheless not particularly attractive. This application seeks to bring the building back into an active use and improve its external appearance by adding timber boarding to the external walls and changing the roof to slate. The result would be a building of simple and traditional rural appearance in keeping with its countryside location adjacent to a working farm.

The building lies just outside of the Conservation Area and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The impact upon both its historic and special landscape setting must therefore be considered. It is considered that this application would significantly improve the appearance of the building and, as such, there would be no adverse impact on either the character or appearance of the Conservation Area or the wider landscape of the AONB. The two parking spaces are also considered visually acceptable.

Highway safety and parking provision

A number of objections to the scheme have been received on the grounds that the building would be accessed along a bridleway. Concerns over pedestrian and other users safety have been raised alongside objections to the fact that the increase in vehicular movements may cause inconvenience to other users particularly those of King Hall Farm opposite.

Although the site is accessed along a bridleway this is currently used by the farm and was formerly used by the previous occupiers of the building when it was in stable use. The building to be converted is relatively small and it is not considered that the vehicle movements would differ significantly from those of a stable. Any issues relating to vehicles parking on the bridleway, blocking the route for the farm or being respectful of other users (such as walkers, horse riders) would be the same if the building were to be used as a stable. There is no reason to assume that the bridleway would be blocked because the building is to be changed to a business use. The highway authority has considered the application and it is its opinion that the change of use would not change vehicle movements to any measurable degree. It recommends a condition that the two parking spaces be kept available for this purpose at all times. It is therefore considered unreasonable to refuse the application on the grounds of highway safety.

Impact upon trees

Although the tree survey submitted with the application incorrectly identifies the tree specimens (the eastern most tree is a cherry and the western most tree is a hawthorn) it nonetheless correctly identifies their size and location. These trees fall within the Conservation Area.

The Landscape and Countryside Officer has no objection to the scheme and just requires clarification of the construction methodology. This can be achieved by means of a condition.

Neighbour amenity

The building is far enough away from neighbouring residential properties so as not to give rise to an adverse impact in amenity terms. In any case, the use of the buildings for Class B1 business use is considered acceptable in terms of the impact upon the reasonable living conditions of the occupiers of neighbouring properties. A B1 use by definition is a business/light industrial use that can be carried in a residential area without detriment to the amenities of residents in the area.

The nearest neighbour is King Hall Farm and whilst concern has been raised about the impact of the conversion upon their business (such as the bridleway being blocked and the presence of difficult horses being re-trained) these are issues that would have to be addressed (should they arise) if the building were to be used as a stable and must also arise currently with public access past the farm and horses being re-trained. It is not considered that the change of use to B1 would significantly alter the relationship to a degree justifying refusal.

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 supplemented by the tree survey plan received on the 4th December 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 No development shall take place until details of the timber and stain to be used for the external walls and the slate for the roof 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.

- 4 The windows and doors hereby approved shall be constructed of timber and shall be maintained as such thereafter.

REASON:

In the interests of visual amenity.

- 5 Notwithstanding the submitted details, no development shall commence until construction details for the two parking spaces and the method of tree protection during the construction phase have 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:

In the interests of visual amenity and to ensure the retention of trees adjacent to the site which are important in the interests of visual amenity.

- 6 No part of the development hereby approved shall be occupied until the external improvements to the building shown on the approved plans have been implemented and the two parking spaces shown on the submitted plans have been constructed in accordance with details approved under condition 05 of this permission. The parking area shall thereafter be maintained and remain available for this use at all times.

REASON:

To ensure that adequate provision is made for parking within the site in the interests of highway safety and amenity.

- 7 The premises to which this permission relate shall be used solely for purposes within Class B1 of the Schedule to the Town and Country Planning (Use Classes Amendment) Order 2005, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON:

The proposed use is acceptable but the local planning authority wish to consider any future proposal for a change of use, other than a use within the same Class(es), having regard to the circumstances of the case.

- 8 **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:

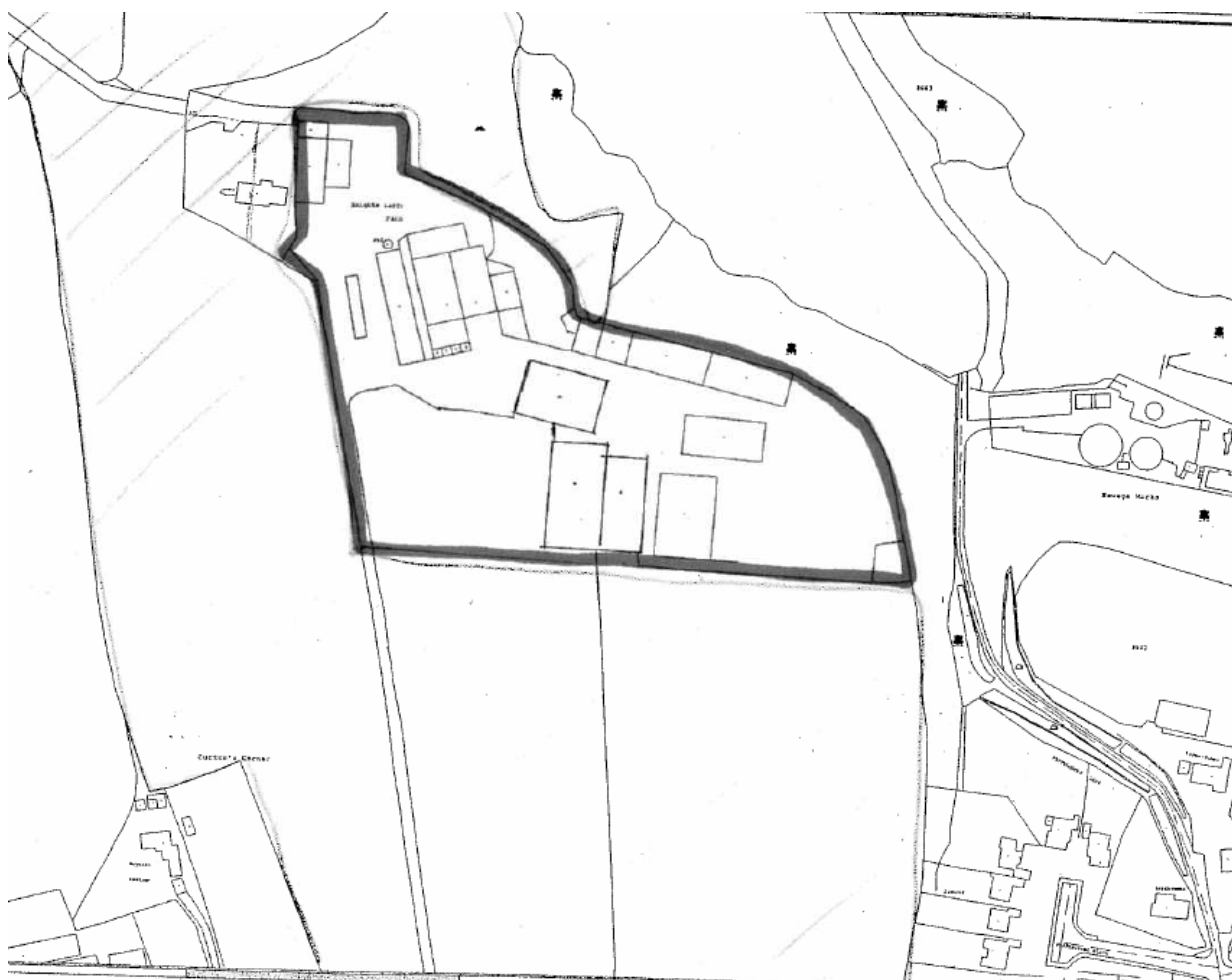
The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1 regarding general development and design principles, ED10 regarding employment development within and on the edge of villages as well as NR6 and NR7 regarding protection of the countryside and landscape. In addition, advice and guidance contained within Planning Policy Statement 7: Sustainable Development in Rural Areas, Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance Note 15: Planning and the Historic Environment are also relevant considerations.

Item 3

APPLICATION NO: K/59770/F
PARISH: URCHFONT
APPLICATION TYPE: Full Planning
PROPOSAL: Erection of hay store/general purpose building.
SITE: Knights Leaze Farm, Urchfont, Wiltshire SN10 4RA
GRID REF: 403636 157592
APPLICANT: J & M Bodman Ltd.
AGENT: Mr Christopher Sault
DATE REGISTERED: 18/11/2008
CASE OFFICER: Rob Parker

SITE LOCATION

This application relates to Knights Leaze Farm in Urchfont. When starting from The Green take the road towards Potterne Wick. Approximately 150 metres from The Green the road bends sharply to the left (immediately before the entrance to the primary school) and the access to Knights Leaze Farm lies on the right hand side, on the outside radius of the bend.



Location of Knights Leaze Farm on north-west side of Urchfont

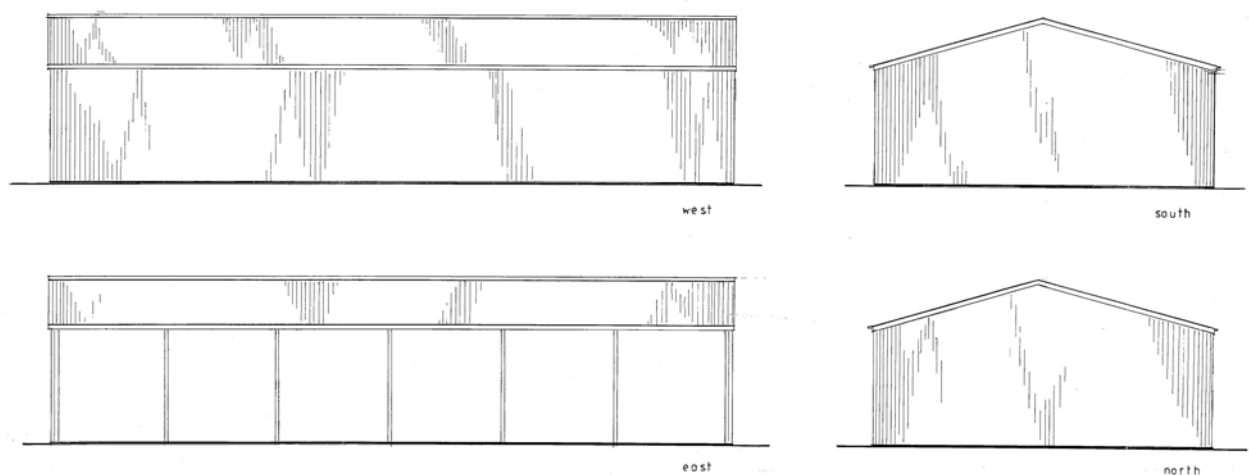
SITE HISTORY

K/58427/F Change of use of agricultural building to retail, planning permission granted on 23rd May 2008.

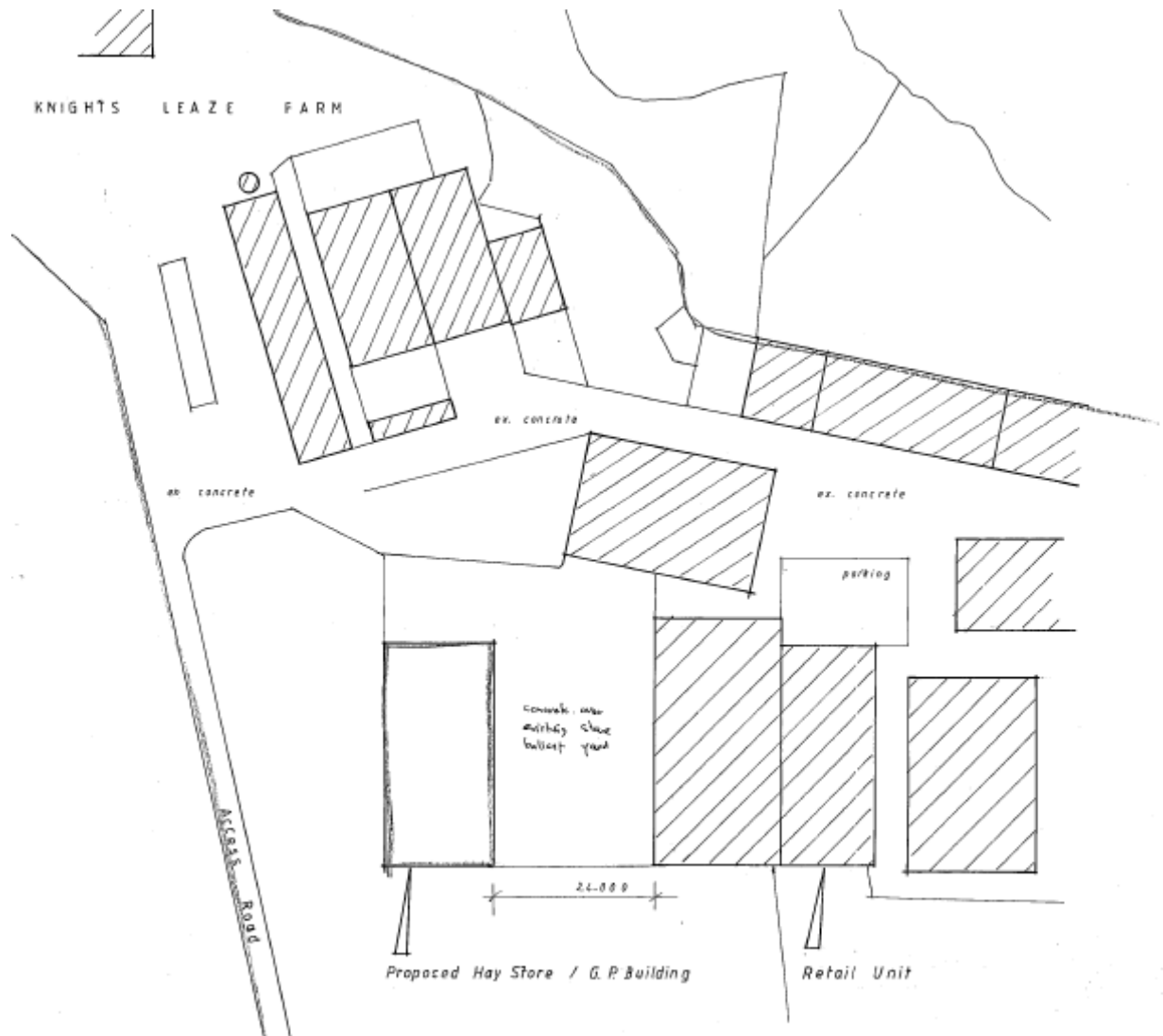
- K/50549/F** Replacement hay store, planning permission granted on 24th August 2004.
- K/42349** Erection of new general purpose farm building, planning permission granted on 4th February 2002.
- K/38775** New hay & straw store (14m x 30m), planning permission granted on 24th March 2000.
- K/36881** Erection of new straw store to replace outside storage, planning permission granted on 19th March 1999.
- K/35596** New implement shed, planning permission granted on 1st May 1998.
- K/33083** Erection of replacement milking parlour and dairy building, planning permission granted on 5th August 1996.
- K/32702** Erection of hay store, planning permission granted on 20th May 1996.
- K/31538** Steel framed agricultural building for storage of hay and straw, planning permission granted on 13th June 1995.

DESCRIPTION OF DEVELOPMENT

The proposal is to construct a new hay store / general purpose agricultural building. The building would measure 18.75m wide by 36.30m long (6 x 6.05m bays) with an eaves height of 6.30m and a roof pitch of 15 degrees. The building would be open on its eastern side and clad on the remaining three sides with brown plastic coated steel box profile sheeting. The roof would be constructed using fibre cement sheeting.



Elevations of proposed building



Location of new building in relation to existing farm buildings

PARISH COUNCIL COMMENTS

Urchfont Parish Council objects to the proposal. It makes the following comments:

“The Parish Council supports the growth of employment as a matter of policy, but there is concern at the scale of the complex at Knights Leaze Farm, and members objected unanimously on the grounds of increased generation of traffic, which is having a detrimental effect on the Conservation Area.”

CONSULTATIONS

KDC Agricultural Consultant – The proposed building is warranted by the current agricultural practice.

KDC Landscape & Countryside Officer – no objections in principle subject to the coloration matching that of the existing buildings and the boundaries with the adjacent field being hedged with native species and a few trees.

Wiltshire County Highways – no objection.

REPRESENTATIONS

One letter of objection has been received from the occupier of Walnut House which sits adjacent to the access to Knights Leaze Farm. The following detailed objections are raised:

a) The uncontrolled and ongoing industrialisation of Knights Leaze Farm

The agricultural questionnaire submitted with the planning application suggests that Knights Leaze Farm is a small farm of under 200 acres in size. An additional 770 acres is rented. What the applicant does not make clear is that his business involves transport and distribution of hay and straw from all over the West Country. In addition, he runs a construction, demolition and site clearance/groundworks business. The objector believes that Knights Leaze Farm has developed well beyond a local farming business.

The objector believes that the Knights Leaze Farm site is being developed to serve around 1000 acres of farmland **and** provide a regional storage and distribution hub for a hay and straw business significantly in excess of the natural requirements of this farmland, the site's reasonable capacity and its access/location within Urchfont village.

The latest application represents uncontrolled industrialisation using agricultural premises as a cover. The objector feels that the time has come for the local planning authority to "get a grip", provide some support to local residents and reassert a degree of control.

b) Access from the public road

The proposal to increase storage capacity at Knights Leaze Farm implies an increase in heavy commercial traffic over and above that already serving J&M Bodman's construction, retail and agricultural businesses operating from this site. Any further increase in commercial traffic around Cuckoo Corner is extremely undesirable and potentially dangerous given the proximity of the local primary school. This is already a hazardous junction which is unsuitable for the heavy traffic of the type used by Knights Leaze Farm. There have already been several near misses between residential and commercial traffic.

Knights Leaze Farm makes by far the largest contribution to heavy traffic passing through the centre of Urchfont. The damage to the road surface through the village is significant and the rate of deterioration has increased significantly over the last 1-2 years. The road surface at the turning point for heavy traffic entering Knights Leaze Farm from the village is heavily rutted and the road drain is permanently blocked. As a result cars now generally navigate this corner in the middle of the road.

c) Impact on the objector's property

The objector's property (Walnut House) has shared right of access over the top part of the farm access road. The access road is not sufficiently wide for vehicles to pass one another.

Living on the side of a 200 acre farm the objector expected to see a reasonable and proportionate volume of farm traffic. The situation now, after 5 years is that, for 6 months of the year, he endures constant commercial heavy traffic from dawn to around 11pm which impacts on his peace and quiet. The traffic volume has expanded disproportionately as the industrialisation of Knights Leaze Farm has increased. If approved, this application will lead to a further increase.

The Knights Leaze Farm access road passes very close to Walnut House, just 3.0 metres from the objector's dining room window and 5.0 metres from his kitchen window. Increased traffic will cause additional intrusive noise levels and impact on the objector's privacy which will adversely affect his ability to enjoy the house and garden. There should be a time restriction on commercial traffic accessing this site to protect the interests of local residents.

d) Type of building proposed

The building proposed is (yet another) unsightly modern steel clad barn to add to the sprawling industrial mess that this site has become. This application proposes that the building is located closer to the objector's house than the existing buildings. The application proposes an unsightly blot on the landscape which will detract from views of Etchilhampton Hill and from plans appears to be at least as high (if not higher) than the adjacent buildings.

POLICY CONSIDERATIONS

Kennet Local Plan - the site lies outside of the Limits of Development defined for Urchfont in the plan. Policies PD1, NR6 & NR7 are relevant to the consideration of this planning application.

PLANNING OFFICERS COMMENTS

The proposed building is well related to the main farm development at Knights Lease Farm and in visual terms it would be seen in conjunction with the existing barns. The proposed materials would be very similar to those used on adjacent structures and the landscaping requested by the Landscape & Countryside Officer would further mitigate any visual impact.

The objector raises concerns regarding the appearance of the building and its impact upon views. Firstly it should be stated that the protection of private views is not a material planning consideration. Secondly it should be noted that the proposed building would be over 200 metres away from the objector's property. It would be seen against a background of agricultural buildings and would have an almost identical appearance to the existing barns. It is not considered that the proposal would appear out of place in this context and there would be no harm to the objector's amenities.

Both the parish council and the objector raise concerns regarding the nature of the applicant's business and the impact of additional traffic on the village and its conservation area. In response to these concerns members are reminded that the proposal is for an agricultural building on an operational farm. The existing agricultural use is lawful and therefore it would be difficult to substantiate a refusal of planning permission on highway safety grounds, particularly where there is no Highway Authority objection.

It is not possible to impose time restrictions on commercial traffic (as requested by the objector) because such controls would be impossible to enforce and it would be unreasonable to impose them on existing uses.

The objector raises concerns regarding the impact of additional traffic upon his residential amenities. It is not considered that the proposal would result in a material increase in vehicle movements over and above the existing situation. On this basis it would be difficult to justify a refusal of planning permission on neighbour amenity grounds.

The Council's agricultural consultant has confirmed that the building is warranted by the current agricultural practice. He advises as follows:

"The applicant's freehold ownership extends to approximately 71 hectares (175 acres), with a further 312 hectares (770 acres) held under informal arrangements from third parties ...

"The applicant's farming operation is divided between a hay and straw business and a beef enterprise. For the hay and straw business the applicant bales some 100 hectares (250 acres) of ryegrass hay; 809 hectares (2,000 acres) of downland hay is baled, along with 1,620 hectares (4,000 acres) of

straw. All the hay is made into small bales and brought back to the farm buildings for storage and trade across the UK. The straw is part sold straight off the field and part traded ...

"The applicant runs an agricultural contracting business, which is used as part of the hay and straw trade, so that the land used which is not under his control is baled under contract ...

"The applicant has stated that the proposed building will be used to provide covered storage for ryegrass hay. Ryegrass hay is the most valuable of the baled products, trading for over £200 per tonne to horseracing yards and other high value customers. It is essential that the product is stored under cover. The provision of the proposed building will enable a greater ease of access to load the transport lorries; it will also increase overall capacity to store hay and straw.

"The proposed building is of an appropriate size and design for its intended purpose ... the proposed building is warranted by the current agricultural practice."

The concerns raised by the objector have prompted officers to make further enquiries regarding the nature of the business. The applicant states categorically that he does not buy in baled hay and straw to Knights Leaze Farm and then trade it on from the premises. All the hay and straw stored at Knights Leaze Farm is product that has been baled by the applicant's business and then stored for later sale. This is a bona fide agricultural use.

The applicant has stated that during spring, when supplies of hay and straw run low, the business will on occasion purchase baled product from third parties and then deliver it for sale to others. However, the applicant has explained that such trading is both infrequent and does not involve bringing the baled product onto the holding at Knights Leaze Farm.

On the basis of the above officers are satisfied that the proposed building is acceptable in principle. The proposed siting, design and materials are appropriate and overall it is considered that there are no valid planning grounds on which to object. The recommendation is therefore for a grant of planning permission.

RECOMMENDATION

Approve 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 No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall make provision for the boundaries with the adjacent field to the south and west of the building to be planted with a native hedge and trees. The submitted details shall include all species, planting sizes and planting densities.

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

- 3 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 the building or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected

from damage by vermin and stock. Any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON:

To ensure a satisfactory landscaped setting for the development.

4 INFORMATIVE TO APPLICANT:

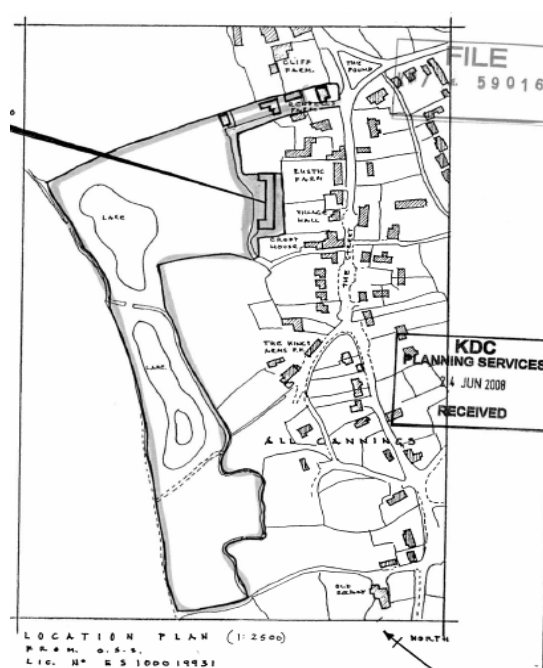
The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

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: policies PD1, NR6 & NR7.

APPLICATION NO:	K/59016/F
PARISH:	ALL CANNINGS
APPLICATION TYPE:	Full Planning
PROPOSAL:	Retention of two holiday let cabins, shed and fencing, and erection of one further holiday let cabin
SITE:	Former Piggery Rendells Farm All Cannings SN10 3PA
GRID REF:	407215 161984
APPLICANT:	Mr Keith Baron
AGENT:	Dolman Building Surveyors
DATE REGISTERED:	30/06/2008
CASE OFFICER:	Rebecca Hughes

Planning permission was granted by the Regulatory Committee in 2007 for the construction of three holiday log cabins for holiday letting accommodation at the former piggery buildings, Rendells Farm (application ref: K/56724/F). The development has not been carried out in accordance with the approved plans and a shed and fencing have been erected without permission. This application seeks to regularise the situation.

This application relates to the site of the former piggery buildings which form part of Rendell's Farm. Rendell's Farm is located on and behind the western side of The Street, All Cannings.



The buildings lie just outside the defined settlement boundaries on the western side of the village. The site is located within the North Wessex Downs Area of Outstanding Natural Beauty and falls just outside All Cannings Conservation Area. To the eastern aspect gardens of residential properties and the grounds of the Village Hall back onto the site. The remaining aspects border open countryside.

K/56724/F – an application to ‘construct three log cabins for holiday letting accommodation’ was approved in November 2007.

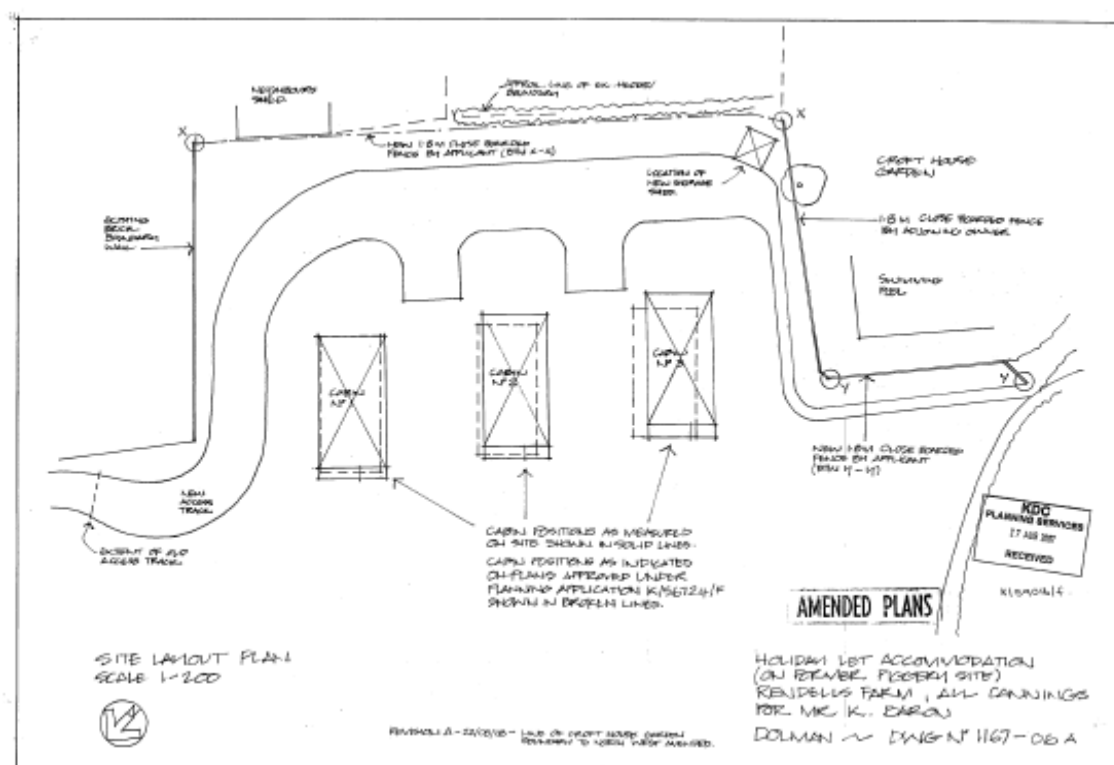
K/41762/F – an application for ‘demolition of piggeries and associated buildings and erection of a single dwelling in the form of a barn’ was refused in September 2001

K/38614 – an application for the ‘conversion of piggeries to five holiday cottages’ was approved in May 2000

This proposal relates to a full application for the retention of two holiday let cabins, a shed and fencing, and the erection of a third holiday let cabin. The log cabins are located on the site of the former piggery buildings and are laid out in a staggered, linear fashion. The cabins are timber clad with a metro tiled roof.

Vehicular access to the site is via the existing access track leading onto The Street. The driveway and parking facilities serving the development are located to the rear of the cabins, towards the south eastern site boundary. A pedestrian only access runs from the south of the site and joins onto the existing public right of way footpath running to the south west of Croft House.

Proposed Site Plan (not to scale)



The main differences between this application and that approved in 2007 are that the location, design and size of the cabins have changed. The footprint of each cabin has been increased from approximately 14 x 6.1 metres to approximately 15.2 x 6.7 metres (including veranda area and steps). The height of the cabins has increased by approximately 0.15 metres to a maximum ridge height of approximately 4.15 metres (measured from adjacent ground level) and the fenestration pattern has been altered with an increase in the number and size of window openings.

The architectural drawings include four elevation views and a detailed floor plan for a proposed building.

Elevation Views:

- South East Elevation:** Shows a gabled roof with a peak height of 3.9m above ground level (AGL). The elevation is labeled "SOUTH EAST ELEVATION".
- North East Elevation:** Shows a long, low profile with a flat roof. The elevation is labeled "NORTH EAST ELEVATION".
- North West Elevation:** Shows a gabled roof with a peak height of 4.07m above ground level (AGL). The elevation is labeled "NORTH WEST ELEVATION".
- South West Elevation:** Shows a long, low profile with a flat roof. The elevation is labeled "SOUTH WEST ELEVATION".

Floor Plan:

The floor plan is labeled "AMENDED PLANS" and "K10901614". It shows a rectangular layout with various rooms and corridors. Key features include:

- Rooms and Areas:** A1 900/2050, A2 1500/1050, A3 500/900, A4 1800/2100, VU 1500/2100, VU 900/2050, VU 800/2100, SU 700/2080, SU 900/2080, SU 1500/1050, SU 1800/2100, SU 200/2080, SU 250/2080, SU 300/2080, SU 350/2080, SU 400/2080, SU 450/2080, SU 500/2080, SU 550/2080, SU 600/2080, SU 650/2080, SU 700/2080, SU 750/2080, SU 800/2080, SU 850/2080, SU 900/2080, SU 950/2080, SU 1000/2080, SU 1050/2080, SU 1100/2080, SU 1150/2080, SU 1200/2080, SU 1250/2080, SU 1300/2080, SU 1350/2080, SU 1400/2080, SU 1450/2080, SU 1500/2080, SU 1550/2080, SU 1600/2080, SU 1650/2080, SU 1700/2080, SU 1750/2080, SU 1800/2080, SU 1850/2080, SU 1900/2080, SU 1950/2080, SU 2000/2080, SU 2050/2080, SU 2100/2080, SU 2150/2080, SU 2200/2080, SU 2250/2080, SU 2300/2080, SU 2350/2080, SU 2400/2080, SU 2450/2080, SU 2500/2080, SU 2550/2080, SU 2600/2080, SU 2650/2080, SU 2700/2080, SU 2750/2080, SU 2800/2080, SU 2850/2080, SU 2900/2080, SU 2950/2080, SU 3000/2080, SU 3050/2080, SU 3100/2080, SU 3150/2080, SU 3200/2080, SU 3250/2080, SU 3300/2080, SU 3350/2080, SU 3400/2080, SU 3450/2080, SU 3500/2080, SU 3550/2080, SU 3600/2080, SU 3650/2080, SU 3700/2080, SU 3750/2080, SU 3800/2080, SU 3850/2080, SU 3900/2080, SU 3950/2080, SU 4000/2080, SU 4050/2080, SU 4100/2080, SU 4150/2080, SU 4200/2080, SU 4250/2080, SU 4300/2080, SU 4350/2080, SU 4400/2080, SU 4450/2080, SU 4500/2080, SU 4550/2080, SU 4600/2080, SU 4650/2080, SU 4700/2080, SU 4750/2080, SU 4800/2080, SU 4850/2080, SU 4900/2080, SU 4950/2080, SU 5000/2080, SU 5050/2080, SU 5100/2080, SU 5150/2080, SU 5200/2080, SU 5250/2080, SU 5300/2080, SU 5350/2080, SU 5400/2080, SU 5450/2080, SU 5500/2080, SU 5550/2080, SU 5600/2080, SU 5650/2080, SU 5700/2080, SU 5750/2080, SU 5800/2080, SU 5850/2080, SU 5900/2080, SU 5950/2080, SU 6000/2080, SU 6050/2080, SU 6100/2080, SU 6150/2080, SU 6200/2080, SU 6250/2080, SU 6300/2080, SU 6350/2080, SU 6400/2080, SU 6450/2080, SU 6500/2080, SU 6550/2080, SU 6600/2080, SU 6650/2080, SU 6700/2080, SU 6750/2080, SU 6800/2080, SU 6850/2080, SU 6900/2080, SU 6950/2080, SU 7000/2080, SU 7050/2080, SU 7100/2080, SU 7150/2080, SU 7200/2080, SU 7250/2080, SU 7300/2080, SU 7350/2080, SU 7400/2080, SU 7450/2080, SU 7500/2080, SU 7550/2080, SU 7600/2080, SU 7650/2080, SU 7700/2080, SU 7750/2080, SU 7800/2080, SU 7850/2080, SU 7900/2080, SU 7950/2080, SU 8000/2080, SU 8050/2080, SU 8100/2080, SU 8150/2080, SU 8200/2080, SU 8250/2080, SU 8300/2080, SU 8350/2080, SU 8400/2080, SU 8450/2080, SU 8500/2080, SU 8550/2080, SU 8600/2080, SU 8650/2080, SU 8700/2080, SU 8750/2080, SU 8800/2080, SU 8850/2080, SU 8900/2080, SU 8950/2080, SU 9000/2080, SU 9050/2080, SU 9100/2080, SU 9150/2080, SU 9200/2080, SU 9250/2080, SU 9300/2080, SU 9350/2080, SU 9400/2080, SU 9450/2080, SU 9500/2080, SU 9550/2080, SU 9600/2080, SU 9650/2080, SU 9700/2080, SU 9750/2080, SU 9800/2080, SU 9850/2080, SU 9900/2080, SU 9950/2080, SU 10000/2080, SU 10050/2080, SU 10100/2080, SU 10150/2080, SU 10200/2080, SU 10250/2080, SU 10300/2080, SU 10350/2080, SU 10400/2080, SU 10450/2080, SU 10500/2080, SU 10550/2080, SU 10600/2080, SU 10650/2080, SU 10700/2080, SU 10750/2080, SU 10800/2080, SU 10850/2080, SU 10900/2080, SU 10950/2080, SU 11000/2080, SU 11050/2080, SU 11100/2080, SU 11150/2080, SU 11200/2080, SU 11250/2080, SU 11300/2080, SU 11350/2080, SU 11400/2080, SU 11450/2080, SU 11500/2080, SU 11550/2080, SU 11600/2080, SU 11650/2080, SU 11700/2080, SU 11750/2080, SU 11800/2080, SU 11850/2080, SU 11900/2080, SU 11950/2080, SU 12000/2080, SU 12050/2080, SU 12100/2080, SU 12150/2080, SU 12200/2080, SU 12250/2080, SU 12300/2080, SU 12350/2080, SU 12400/2080, SU 12450/2080, SU 12500/2080, SU 12550/2080, SU 12600/2080, SU 12650/2080, SU 12700/2080, SU 12750/2080, SU 12800/2080, SU 12850/2080, SU 12900/2080, SU 12950/2080, SU 13000/2080, SU 13050/2080, SU 13100/2080, SU 13150/2080, SU 13200/2080, SU 13250/2080, SU 13300/2080, SU 13350/2080, SU 13400/2080, SU 13450/2080, SU 13500/2080, SU 13550/2080, SU 13600/2080, SU 13650/2080, SU 13700/2080, SU 13750/2080, SU 13800/2080, SU 13850/2080, SU 13900/2080, SU 13950/2080, SU 14000/2080, SU 14050/2080, SU 14100/2080, SU 14150/2080, SU 14200/2080, SU 14250/2080, SU 14300/2080, SU 14350/2080, SU 14400/2080, SU 14450/2080, SU 14500/2080, SU 14550/2080, SU 14600/2080, SU 14650/2080, SU 14700/2080, SU 14750/2080, SU 14800/2080, SU 14850/2080, SU 14900/2080, SU 14950/2080, SU 15000/2080, SU 15050/2

The shed is located in the south eastern corner of the site close to the boundary with Croft House and the Village Hall. It is constructed of timber with a felt roof. The dimensions of the shed are approximately 3.0 metres x 3.6 metres with a pitched roof approximately 2.2 metres high to the ridge.

Shed



Fencing and parking

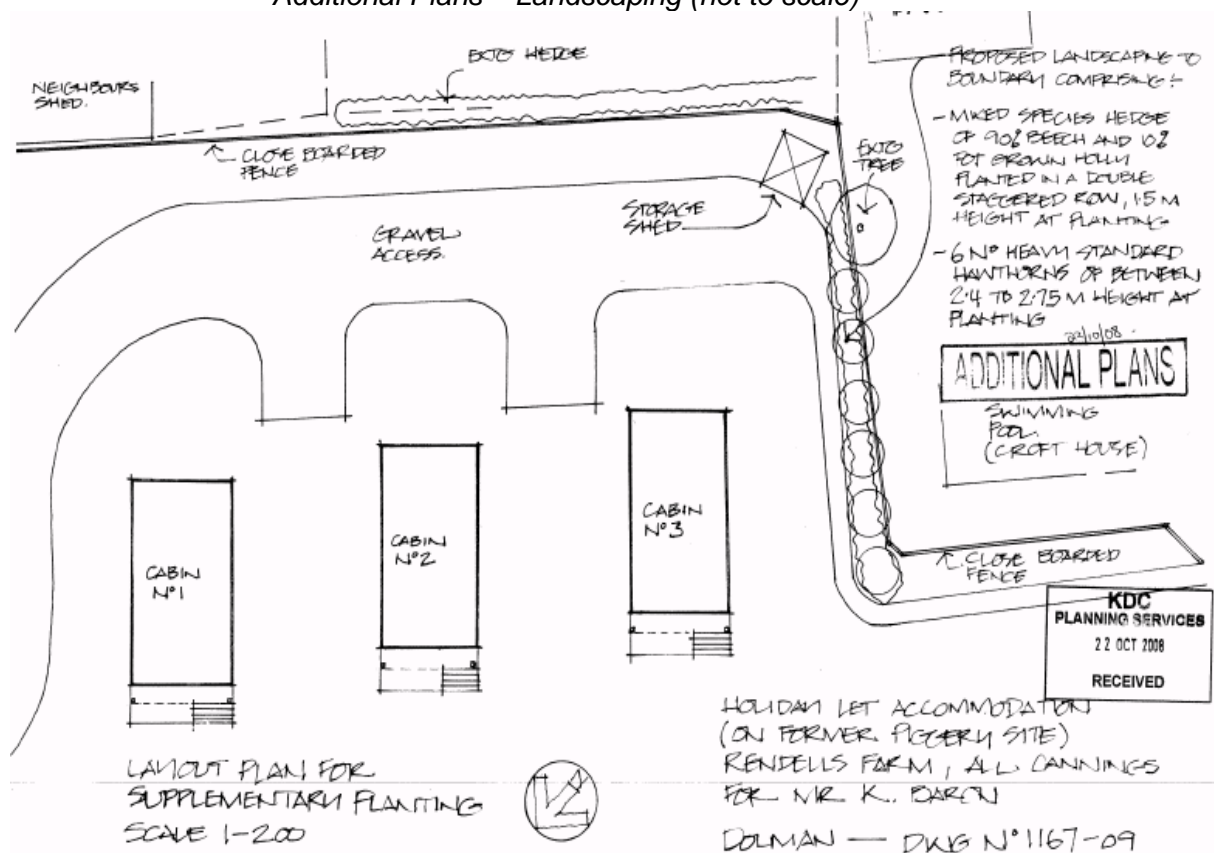


PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The application has been amended during the course of its consideration to show the extent of land belonging to Croft House extending from the rear of the site in a north westerly direction. As a result, the boundary in question has been extended approximately 2.6m towards the north west.

Additional landscaping information has also been submitted in the form of a planting scheme along the boundary with Croft House.

Additional Plans – Landscaping (not to scale)



ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted additional statements in support of the application in the design and access statement, summarised below. A full copy is available to view on the planning file or internet.

- The applicant has done much since the acquisition of the site to clear the unsightly buildings and overgrown vegetation. The locality lies within an area of outstanding natural beauty and the clearance of the site has done much to improve the appearance of the site and surrounding area.
- The previous planning application drawings indicated an anticipated design for the cabins in terms of appearance and layout; the actual buildings as obtained from a specialist supplier differ. However, the principle of the design in terms of fundamental concept accords with the original scheme.
- Any discrepancies (regarding layout) can be attributed to slight variations in measuring on site, together with 'creep' arising from the variations in actual cabin size. However, bearing in mind the size of the site and distances to any nearby properties, the difference is not considered to be material nor fundamental to the setting.
- The new fencing merely completes and compliments that installed by the adjoining owner.
- The shed is required for the servicing of the holiday let cabins and has been purposely located in an unobtrusive position whilst also allowing convenient access. The shed is of a size that is typical of many equivalent domestic installations and is well screened from neighbours view by surrounding planting and fencing.
- The proposals will provide a valued local resource while enhancing the visual appearance of the site and surrounds. Where amendments of differences have occurred, relative to the scheme approved previously, these are not considered controversial and should not represent an obstacle to the completion of the development.

CONSULTATIONS

All Canning's Parish Council: object to the application on the grounds of the visual amenity in the AONB and the effect on neighbouring properties

KDC Landscape and Countryside Officer: no objections subject to the planting being carried out before the end of the 2008/2009 planting season (i.e. end of March 2009)

County archaeologist: states that although the proposed development lies potentially within an area of archaeological interest, as the new scheme is very similar to the existing approved scheme, no objection is raised.

KDC Conservation Officer: principle of the development is established, alternative sitings will have no additional impact on the character or appearance of the conservation area.

KDC Engineering and Design Manager: no adverse comments

County highways (Mr Wiltshire): no objections subject to condition requiring closure of site access to and from driveway which runs past Croft House.

Wiltshire Fire and Rescue Service: recommend informative.

REPRESENTATIONS

Ten letters supporting the application have been received and can be viewed on the working file or online. Comments made in support of the application can be summarised as follows:

- Application varies only slightly from the original and having viewed the site and area it is clear that it has greatly improved the area and will bring trade and tourists

to the village

- Fencing has no detrimental impacts on neighbours and if anything will ensure privacy and once the hedge has grown will blend in nicely
- Only place in the village where less able bodied people can stay for a holiday
- The development, including the shed cannot be seen from The Street, the village hall or shop, therefore unlike the farm buildings which were there before it has no detrimental visual impact
- Can't see what the fuss is about with this development, previous huge two storey black corrugated iron building and single storey plain pig sheds stood in place of the cabins and were eyesore when viewed from footpath and village hall in The Street
- Smell from pig sheds was insufferable and everyone in village must be pleased this has disappeared
- The wooden holiday homes blend in well, are unobtrusive and provide extra income for local shops, pubs in the area and also jobs
- They enhance the attractiveness of the village which has won the Best Kept Village Contest
- They are an asset to the village and do not affect anyone's privacy
- Fantastic idea, brings tourism to the village and surely is a better sight and smell than a shed full of pigs
- No significant difference to that which has already been approved
- Nothing in current planning policy to refuse this application
- Enterprise is an asset for the surrounding countryside
- Cabins have been beautifully built and fit in well in the village
- Cabins will be good for the village community as will bring in holiday makers to use shop, church and pub.

Fourteen letters of objection have been received and can be viewed on the working file or online. The key concerns can be summarised as follows:

- The buildings bear little relation to the terms by which they were described (under approval ref: K/56724/F) They are pre-fabricated mobile homes of a larger size in footprint and height, not rustic log cabins
- The size, shape and appearance of the cabins are not an accident but a deliberate attempt to flout the approved scheme, views of local people, elected representatives and members of the Council.
- Buildings show a blatant disregard for their negative impact on the surrounding AONB
- Record of breaches of planning permission on the site
- Original application made some effort to ensure the buildings fitted into the environment but what has been built bears little resemblance to the original application.
- Ground was raised by trailer loads of earth and cabins have been built higher.
- Style is different to original application with shallow pitched roofs, softwood planking rather than logs and more window space (increase in number and size of openings). Consequently they are more intrusive by day and night and out of keeping with the village architectural style which is characterised by steeper roofs
- Scheme is materially different from that previously approved and contrary to public interest
- Cabin 3 is more elevated and closer to the swimming pool and boundary with Croft House. It encroaches on their residential privacy as overlooks the swimming pool and part of the garden and there is no justification or need for this on this large site
- The scheme causes harm to the AONB (which national policy guidance says should be given greatest weight), character of the settlement, it is in the grounds of a listed building and will be readily seen from a much used local public footpath
- Permitting the scheme would send out the message that the Council is inclined to disregard breaches of planning control and will set a precedent for other

unacceptable development in the AONB.

- If approved a condition or 106 agreement should be imposed to control any further development of the site and limit business or other commercial uses
- The approved position of the cabins on the site plan is deceptive particularly when considering proximity and effect on privacy of Croft House. The approved position should be shown in relation to the boundary with Croft House as the change in position is much more significant and far more than can be regarded as creep
- It is deceptive to mark ground level on the section plans without indicating whether it is the original ground level that existed before the building works or the new finished ground level
- The slope now partially covering the brick foundation is a landscaping addition following the erection of the cabins. The cabin foundation slabs were built on top of the original ground level from which the new heights should be measured and quoted.
- The original plans bear little resemblance to the buildings which now stand in the aonb. The buildings are higher than the approved plans, creating an eyesore for home owners in the village and a blot on the landscape.
- The materials used are not stated and there are massive changes to the windows and their size.
- The fencing and shed have been put up without any permission
- The buildings have a poor, inappropriate design and should not be allowed in an aonb..
- Do not object to holiday accommodation in principle however think conditions placed on original application should have been complied with and not ignored.
- The design, size, height, materials and position of the huts are not as originally planned and are not in keeping with the aonb. They are inappropriate, uncharacteristic and unsympathetic for their situation
- Concerned that if application is passed this would set precedent for further development in the area regardless of decisions taken by Council.
- It would be useful to understand why the applicant was unable to adhere to the original consent and would have dispelled the idea that the original scheme was attractive enough to gain planning permission but was not in the applicant's commercial interest and that there was no real intention by the applicant to implement the original consent
- The amount of glazing on the cabins has increased nearly threefold and the veranda is level with the cabin floor but now elevated three steps above ground floor level which represents a substantial and significant lowering of privacy for surrounding landowners
- A similar cabin provided by the same manufacturer as provided the plan of the cabins is described as a mobile home which may account for the increase in height of the development as presumably log cabins have foundations set into the ground whereas a mobile home stands on its under frame.
- The dimensions of the cabins are greater and thus gives a larger floor area than the previous permission which might lend itself to a four bedroom as opposed to a three bedroom layout
- The finished height of the cabins is higher and the resulting bulk more intrusive when viewed from adjacent gardens and private land
- Lack of justification for this embellished scheme
- Benefits to the village from the principle of the development are not in doubt but this is a benefit of the original application for which there is no argument.
- Allowing the application could eventually lead to a field full of mobile homes
- The site's position is important, being an aonb, on the edge of the conservation area and has a big impact on the setting of the village
- Due to the proximity and size of the cabins, on balance the detriment to occupiers of the Croft outweighs the benefit to the applicant

POLICY CONSIDERATIONS

Kennet Local plan - policies PD1, NR6 and NR7 are relevant to the consideration of this application as is Central Government guidance contained in PPS 1: Delivering Sustainable Development, PPS 7: Sustainable Development in Rural Areas and PPG 13: Transport. Supplementary planning guidance contained in the Department for Communities and Local Government Good Practice Guide for Tourism (May 2006) is also relevant to the consideration of the application

PLANNING OFFICERS COMMENTS

The retention of the shed and fencing are considered acceptable on all grounds. It is therefore considered that the key issues in the determination of this application are the design of the cabins and any impacts on the surrounding area, and neighbour amenity.

Design of cabins and impacts on surrounding area

In terms of scale the cabins are considered to be relatively unobtrusive. Having regard to the development previously granted permission, the additional footprint and height of the cabins is not excessive and can be easily accommodated within the large site without adverse visual impacts.

The holiday cabins are of a simple timber construction. The stained timber cladding and bronze colour metro roof tiles are considered acceptable for the external treatment of the cabins and are as approved under condition no.3 attached to permission ref: K/56724/F. The amount of glazing does not appear excessive and the implementation of the landscaping scheme will ensure the cabins will not be unduly prominent within the surrounding area.

View of cabin no.3 from west



View of cabin no.2 from west



Neighbour amenity

The neighbouring property which is most directly affected by the proposal is Croft House. The swimming pool area belonging to Croft House borders the south western site boundary. Therefore, the revisions to the approved scheme and in particular to the design, size and location of cabin no.3 have implications for the occupiers of Croft House.

As outlined earlier in the report, in relation to the previous approval cabin no.3 will be approximately 1.75 metres closer to the boundary with the swimming pool area of Croft House. The majority of the side elevation of this cabin will also directly align with the swimming pool area of Croft House, due to the increase in size and repositioning of the cabin. The ridge height of the cabin has increased by approximately 0.15 metres in comparison with the approved scheme and the amount of glazing in the south western elevation of the cabin has increased from two windows approximately 1m deep, to two full height windows, one narrow window approximately 0.9 metres deep and a half glazed door.

View towards cabin no. 3 from pool area of Croft House



View from inside cabin no.3 towards pool area of Croft House



View from inside cabin no.3 towards pool area of Croft House



Openings in south western elevation of cabin no.3 (facing towards Croft House)



It could not be disputed that the amendments to cabin no.3 increase the impact of the development on the occupiers of Croft House. It is considered unfortunate that the development has 'moved' further towards the boundary with Croft House, particularly given the spacious nature of the site. However, on balance, it is not considered that the additional impacts on the amenity of the occupiers of Croft House in comparison with the previously approved scheme are sufficient to warrant refusal of the application on residential amenity grounds.

The development will retain a minimum separation distance of approximately 10 metres between the nearside of cabin no.3 and the close boarded fence forming the boundary treatment with the pool area of Croft House. Although regard should be given to the rural nature of the surroundings, this separation distance would normally be considered adequate to protect residential amenities. Furthermore it should be noted that the swimming pool area of Croft House is bounded to its south western aspect by a right of way footpath, which would have some impact on the existing degree of amenity afforded to the pool area. Critically, a comprehensive planting scheme has been proposed along the south western boundary with Croft House. This includes a mixed species hedge which after 3 – 4 years would be expected to grow to approx 3 metres in height. 6 heavy standard hawthorn trees are also proposed and being evergreen trees with a low crown, will offer immediate mitigation to the swimming pool area of Croft House.

Furthermore, if approved, the robust landscaping scheme will screen the views between cabin no.3 and the swimming pool area of Croft House, further reducing any perceived loss of privacy that may result from the amended cabin size, position and fenestration pattern. As such it is not considered that any significant adverse impact on the amenity of Croft House would arise.

RECOMMENDATION

Approve with Conditions

- 1 This permission relates only to the scheme of development shown on the revised plans 1167/06A and drawings Section-A revn 1, Section B revn 1, Section C revn 1 and Section D revn 1 received on the 27/8/08 and the landscaping scheme shown on plan number 1167-09 received on the 22/10/08.

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.

- 2 Within one month of the date of this decision a full hard and soft landscaping scheme shall be submitted to the local planning authority and 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. Details shall also include species, sizes at planting, densities, location and numbers. Once approved in writing by the local planning authority, the landscaping details shall be carried out within two months of the written approval, unless otherwise agreed in writing with the local planning authority.

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

- 3 All soft landscaping comprised in the submitted landscaping details shown on drawing number 1167-09 shall be carried out within two months of the date of this decision unless otherwise agreed in writing with the local planning authority. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON:

To ensure a satisfactory landscaping setting for the development.

- 4 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of three years from the first occupation or the completion of the development, whichever is the earlier.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) All retained trees shall before any equipment, machinery or materials are brought on to the site for the purpose of the development, be enclosed in accordance with British Standard 5837 (2005) Trees in Relation to Construction at the outer edge of the overhang of their branches by a chestnut paling fence (or other type of fencing agreed in writing by the local planning authority). The exact position of this fencing shall be first agreed in writing with the local planning authority. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or

placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON:

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

- 5 Before any part of the development hereby permitted is first occupied the access 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.

- 6 Within one month of this date of approval, any existing vehicular access route from the site to the driveway which runs past Croft House shall be permanently closed in accordance with the details shown on drawing number 1167/5 received on the 18/12/07 unless otherwise agreed in writing by the local planning authority.

REASON:

In the interests of highway safety

- 7 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 gates, wall, fence, or other means of enclosure other than those shown on the approved plans shall be erected or placed within the application site.

REASON: In the interests of visual amenity

- 8 The accommodation hereby approved shall not be occupied by any person for a period exceeding 8 weeks in any one-year, nor for a period exceeding 4 weeks at a time, with no return within 4 weeks. A register of occupiers shall be available for inspection by the local planning authority at all reasonable times.

REASON:

The site lies within an area where permanent accommodation without a special agricultural, or other essential local need would not be approved.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (or any order revoking or re-enacting that order with or without modification) no windows or other openings shall be inserted in any elevation of the shed hereby approved unless otherwise agreed in writing by the local planning authority.

REASON:

In the interests of the amenities of the surrounding area.

- 10 **INFORMATIVE TO APPLICANT:**
The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire and Rescue received on the 14/07/08.

- 11 **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, namely: policies PD1, NR6 and NR7 of the Kennet Local Plan 2011 and government guidance contained in PPS 1: Delivering Sustainable Development, PPS 7: Sustainable Development in Rural Areas and PPG 13: Transport.

Item 5

APPLICATION NO: K/59428/F
PARISH: PEWSEY
APPLICATION TYPE: Full Planning
PROPOSAL: Conversion of existing end of terrace residential house into 2 apartments with associated parking and amenity
SITE: 81 High Street Pewsey Wilts
GRID REF: 416688 160178
APPLICANT: Mr M Gibbens, Spire Property
AGENT: PJM Architectural Services Ltd
DATE REGISTERED: 10/09/2008
CASE OFFICER: Victoria Cains

SITE & LOCATION

This application relates to no.81, High St, Pewsey. The property is an end of terrace house located on the northern side of the High Street, just to the east of Brunkards Lane. The house 'sits' almost directly on the road edge with a low boundary wall and small section of path separating the two. The property is circa 19th century and has modern extensions to the side with a car port and two storey extensions. The garden is to the side of the house with the front section of garden being at a lower height facing the street with the higher garden being set behind a high brick wall.

The property is located within the Pewsey Conservation Area and to its east side is a grade II listed building. To the rear (north) lies residential properties and their parking and garden land as well as land relating to the application site.



Location plan (not to scale).



Application site
(eastern end of
terrace)



Photographs showing the site in relation to the High Street.

SITE HISTORY

K/11031-this permission approved alterations and extensions to form a separate flat with this additional residential accommodation being tied to the main house by means of condition. It appears as if this permission was either never implemented or the house has now reverted back to 1 unit.

K/35632 – planning permission for a replacement garage was approved but never carried out.

DESCRIPTION OF DEVELOPMENT

This application seeks to alter the property and carry out some extension works to facilitate its conversion from one dwelling to two flats.



Existing elevations (not to scale).



Proposed elevations showing the extent of the external alterations (not to scale)

PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The scheme has been amended during its consideration as set out below:

- (a) Further plans were submitted correcting mistakes regarding the current garden area, oil tank and boundary wall as well as clarifying the extent of works to the site as a whole.
- (b) The parking bay originally made provision for 2 parking spaces but in response to an objection from the highway authority to the increased use of an unsuitable access the plan was amended so that the parking bay reverted back to serving only one car.

ADDITIONAL STATEMENT BY THE APPLICANT

No additional statement has been submitted.

PARISH COUNCIL COMMENTS

Pewsey Parish Council: No objection was raised to the original submission. However, the Parish Council have objected to the amended plans in view of the loss of one of the parking spaces. The PC considers that two spaces should be provided.

CONSULTATIONS

County highways Officer (Mr Wiltshire): No objection to the amended plans.

KDC Conservation Officer: No objection in principle to the proposal.

Wiltshire Fire & Rescue Service: No objection in principle to the scheme, a standard response letter was received setting out general advice.

REPRESENTATIONS

There have been no representations received at the time of writing this report to either the original or amended plans. Any which are subsequently received will be reported verbally at the committee meeting.

POLICY CONSIDERATIONS

Because of the site's location within the Conservation Area and proximity to a Grade II listed building, advice and guidance contained within both Planning Policy Statement 1: Delivering Sustainable Development and Planning Policy Guidance Note 15: Planning and the Historic Environment are relevant to the determination of this application. Planning Policy Statement 3: Housing and Planning Policy Guidance Note 13: Transport are also relevant considerations in respect of new residential development in central locations. Alongside this national policy guidance, the following policies of the Kennet Local Plan are pertinent to the consideration of this application - PD1 regarding general development and design principles and AT9 regarding parking standards.

PLANNING OFFICERS COMMENTS

It is considered that the main issues in determining this application are the principle of the development; design and relationship with the conservation area and the adjacent listed building; highway safety and parking provision; and neighbour amenity.

Principal of the development

The application site lies within the centre of Pewsey - a village with a wide range of facilities including a railway station. In both national and local planning policy terms, this centrally located site is a sustainable location for new residential development.

Design and relationship with historic setting

Essentially, the dwelling and its parking and garden area would remain very similar in appearance to the existing situation. The external alterations, which include a new door, window and infilling of an existing window, mainly effect the modern extension rather than interfering with the original building. Although the front of the property is highly visible within the Conservation Area, the alterations are relatively minor and, as such, are considered to have a neutral impact on the character and appearance of the Conservation Area. Likewise, the physical alterations would have no significant impact upon the setting of the neighbouring listed building.

There are no proposals to alter the parking or garden area to the side.

Highway safety and parking provision

When originally submitted the proposal was to widen the existing driveway at the site to make provision for two parking spaces (one for each of the proposed flats). WCC

Highways raised objection to this in view of the sub-standard nature of the access and the resulting increased use which would be prejudicial to both highway and pedestrian safety. Given this objection and the site's sustainable location at the centre of Pewsey, it is considered appropriate for the existing parking arrangement to be retained – that is, only one space – this addressing the concerns of WCC. This approach is in line with both national planning guidance and that set out in the Council's local plan (policy AT9) which seek to reduce car dependence and encourage the use of alternative forms of transport, particularly in central locations with good public transport links. The application site is well located for public transport routes which include the railway station within walking distance, and in addition there is a significant amount of off-street parking within the vicinity. In policy terms there are therefore no grounds for refusal on the basis of lack of parking provision.

Neighbour amenity

To facilitate the conversion of the property to two flats there are a number of changes to the window and door arrangements. None of these alterations would cause an adverse loss of privacy to the occupiers of neighbouring properties, particularly when viewed in the context of the existing window/door arrangement. However, it is recommended that the new first floor window in the rear (north) elevation be obscurely glazed in the interests of neighbour privacy.

In all other respects the scheme would not give rise to an adverse impact on neighbour amenity.

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 amended plans received on the 27th October 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 bricks to be used on the development have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved details.

REASON:

To secure harmonious architectural treatment.

- 4 The new window at first floor level shown on the approved plans on the rear gable elevation shall be glazed with obscured glass and shall be so maintained.

REASON:

In the interests of the privacy of neighbouring properties.

- 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 the following policies and proposals in the Kennet Local Plan 2011 namely: PD1 regarding general development and design principles and AT9 regarding parking standards as well as advice and guidance contained within Planning Policy Statement 1: Delivering Sustainable Development; Planning Policy Guidance Note 15: Planning and the Historic Environment; Planning Policy Statement 3: Housing and Planning Policy Guidance Note 13: Transport.

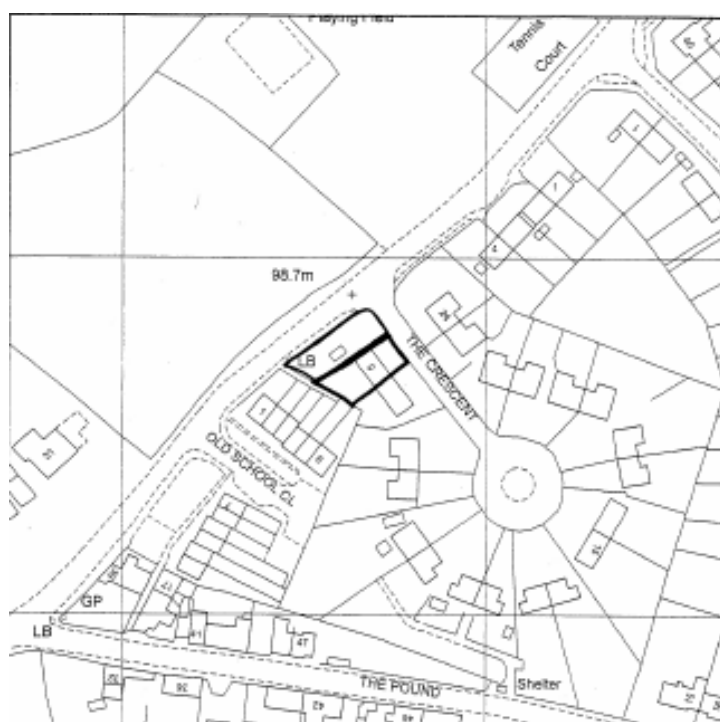
Item 6

APPLICATION NO: K/59778/F
PARISH: BROMHAM
APPLICATION TYPE: Full Planning
PROPOSAL: The erection of a detached dwelling; provision of access to existing and proposed dwelling; associated works (Amendment to K/58533/F).
SITE: 5 The Crescent Bromham SN15 2HQ
GRID REF: 397067 165471
APPLICANT: Mr Andrew Bashford
AGENT: Monarch Building
DATE REGISTERED: 19/11/2008
CASE OFFICER: Rachel Yeomans

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.



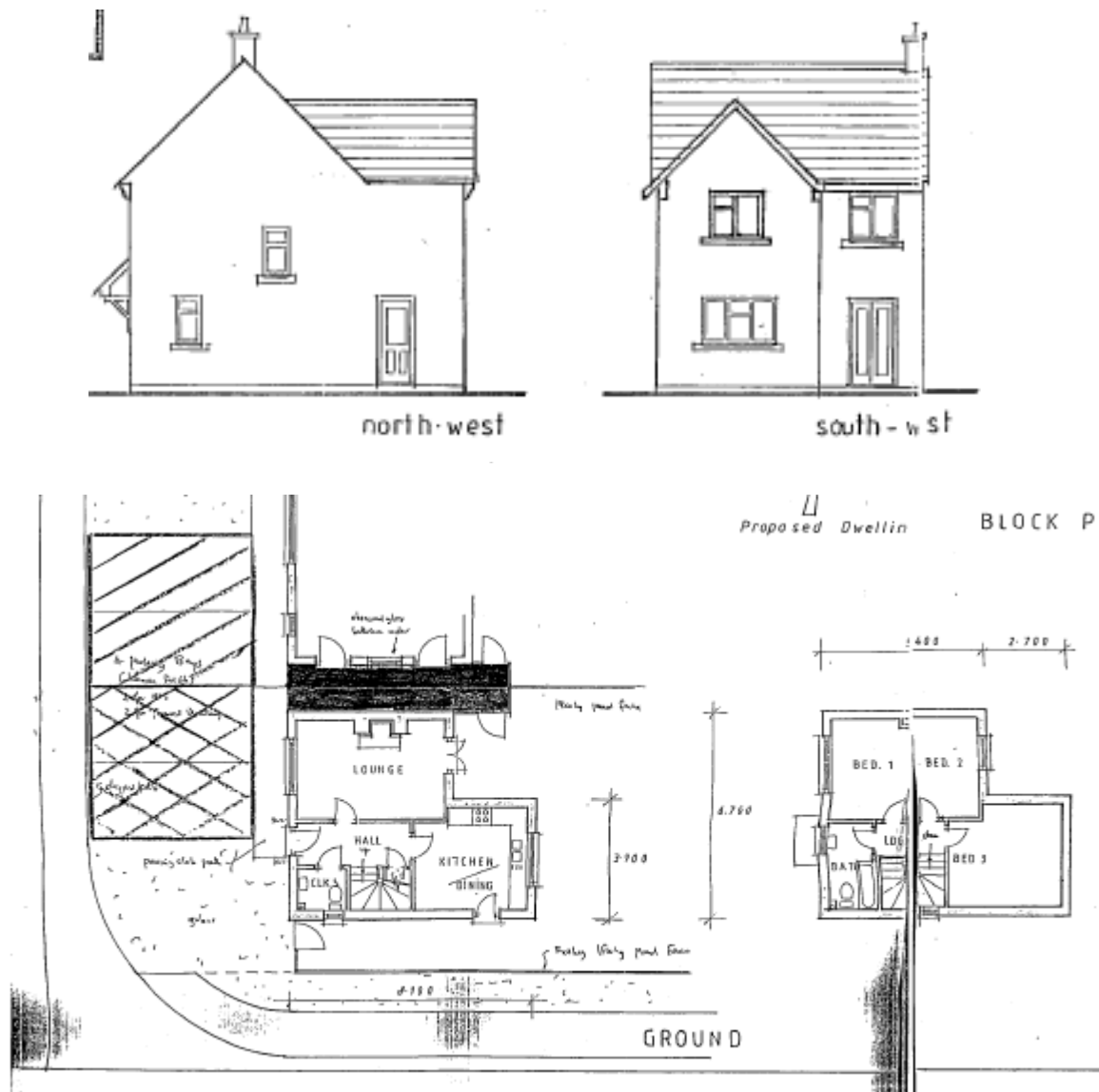
Site location

SITE HISTORY

K/58533/F – Detached dwelling – approved on the 26th June 2008.

DESCRIPTION OF DEVELOPMENT

The application proposes the construction of a new detached dwelling to the north west of the existing dwelling, similar to that previously approved in June of this year but with additional floor space at first floor level in the rear projection.



CONSULTATIONS:

County Highways – No objection with conditions recommended in line with previous planning permission.

PARISH COUNCIL COMMENTS

Bromham Parish Council has objected to the scheme on the basis that the dwelling would result in loss of privacy, the design of the property which is not in keeping with other properties in The Crescent. They have also expressed concerns about the scale, height, massing and density of the development.

REPRESENTATIONS:

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

1. The property would result in loss of privacy and direct overlooking of neighbouring properties.
2. The plot is not large enough to accommodate a dwelling of this size.
3. The design of the property is not fitting with the surrounding architectural styles.
4. The alteration is for purely financial gains with no consideration given to the relationship between the properties.

POLICY CONSIDERATIONS

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

PLANNING OFFICER COMMENTS

Planning permission was recently granted for a detached dwelling on the site. The site lies within the limits of development for Bromham, where limited additional housing is acceptable in principle. The suitability of this site to accommodate a single dwelling has also already been established through the granting of the previous planning permission. The dwelling remains the same in all respects except the addition of a full height gable on the rear projection rather than the continuation of the roof pitch. This provides some further accommodation at first floor level. The parking and access situation, height of the proposed dwelling and all other circumstances remain the same. The issues for consideration are therefore the additional impact of this rear gable projection and its conventional first floor rear window on neighbour and visual amenity.

The application site does not occupy an especially sensitive position, although it is sited in a relatively prominent end plot. The alterations to the design do not mirror existing properties within The Crescent but are conventional and similar to other design features in the locality. The rear projection proposed is modest and thus the resulting side elevation is not so bulky as to be harmful to visual amenity. The remainder of the design is as previously approved and raises no further visual amenity concerns.

The dwelling is proposed to be constructed on the same footprint as the previously approved house, but instead of having a sloping roof to the first floor rear bedroom and two rooflight windows, this would be a full height room with a single vertical window. This would effectively be 1.8 metres closer to the neighbours to the rear than the bottom of the previously approved rooflights. The proposed projection would result in a garden depth of between 12 and 13 metres, followed by a >1m access path and hedge, and a resulting back to back distance of just over 21 metres between the furthest rear wall of the proposed dwelling and the nearest principle rear wall of the houses to the rear. Whilst this is less than the previously approved scheme, this distance is in accordance with advice contained in adopted Supplementary Planning Guidance: Community Benefits from Planning. In view of these distances and the modest 3.9 metre span of the rear projection, it is not considered that the proposed alterations would result in significant harm to neighbour amenity in terms of loss of privacy or overbearing impact.

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 7

APPLICATION NO: K/59707/F
PARISH: EASTERTON
APPLICATION TYPE: Full Planning
PROPOSAL: Erection of a 4 bed detached house, with attached garage, including all other associated works. (Amendment to K/57892/F).
SITE: Plot 1 Halstead Farm Kings Road Easterton SN10 4PS
GRID REF: 402069 155180
APPLICANT: Danish Homes UK Ltd
AGENT: Mr Keith Bennett
Bennett Architectural Designs
DATE REGISTERED: 06/11/2008
CASE OFFICER: Rachel Yeomans

SITE & LOCATION

The site can be accessed by proceeding south west out of Devizes on the A342 towards Urchfont. Take the right turn towards Urchfont along the B3098 and proceed through Urchfont and Eastcott. Upon entering the village of Easterton, take the first right turning into Kings Road and the site can be found just over the stream on the left hand side.



Site location

RELEVANT SITE HISTORY

K/84/0520/F – Erection of 2 houses – Approved on 29th November 1984

K/14874/F – Renewal of permission K/84/0520/F for the erection of 2 dwellings – approved on 24th October 1989

K/30719/F – Erection of detached dwelling (as per approved as part of K/84/0520/F and K/14874/F – approved on 28th November 1994

K/33995/F – Erection of two detached bungalows – refused on 16th April 1997

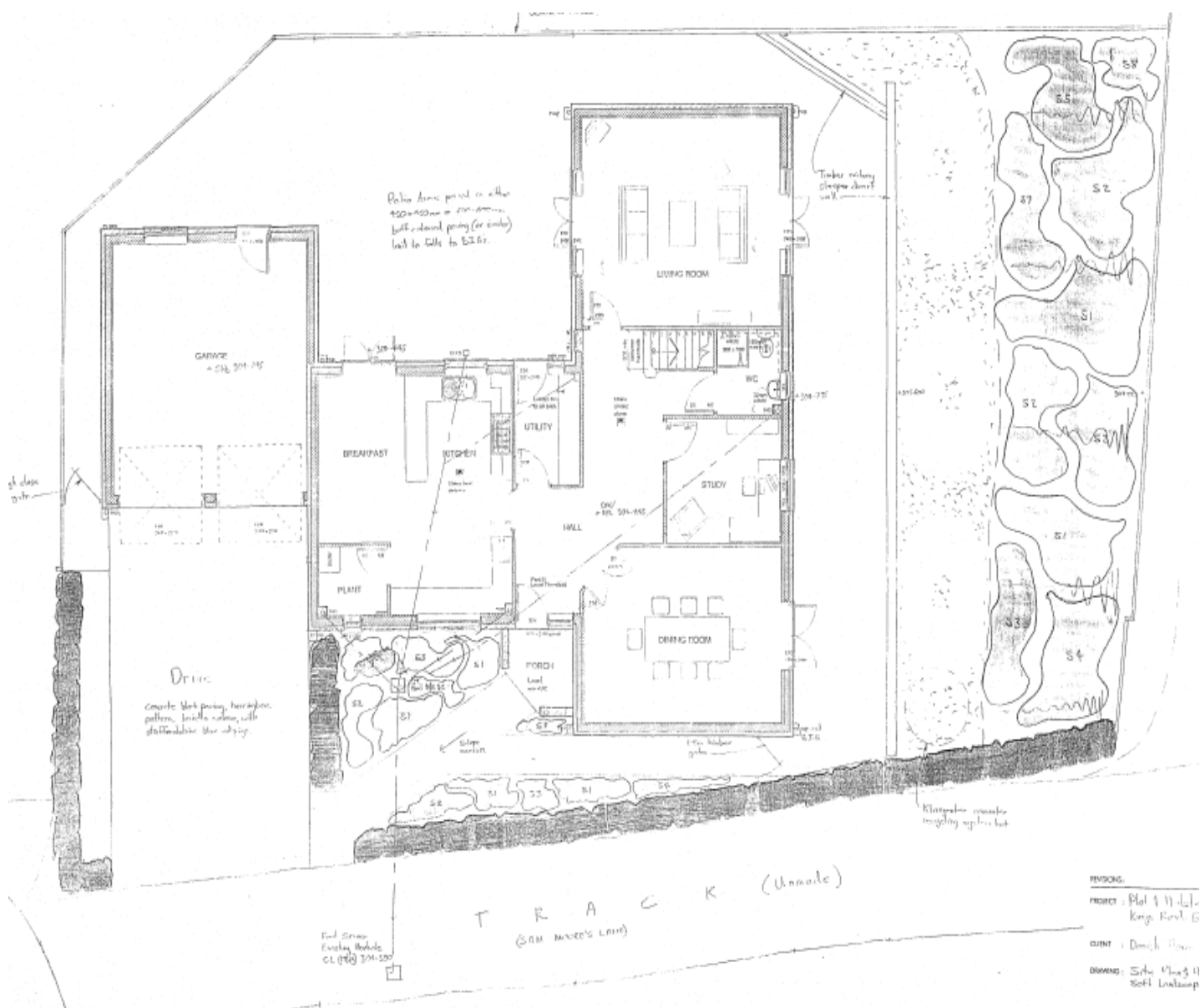
K/38420/F – Renewal of K/30719/F for a detached house – approved on 10th February 2000.

K/51322/F – Renewal of K/38420/F for the erection of a detached dwelling – approved on the 17th February 2005.

K/57892/F - Erection of detached dwelling, garage and associated works (amended house type) – approved on the 11th February 2008

DESCRIPTION OF DEVELOPMENT

The current application seeks to regularise the erection of a four-bed detached house, with attached garage and associated works, which has been constructed in a different position to that proposed under previous planning permission K/57892/F.



Layout now submitted by agent

PRINCIPAL AMENDMENTS

Since the submission of the application, it has become apparent that drawings do not properly show the building as it would be built. This is because the applicant is required to incorporate a 50mm cavity between the internal timber frame structure

already constructed and the external facing brick wall, which has not yet been constructed. The original plans did also not show clearly the relationship between Plots 1 & 2 Halstead Farm; Plot 2 being the main fixed point from which the position of plot 1 can be taken. Amended plans have been requested to update this discrepancy, to be submitted prior to Committee.

PARISH COUNCIL COMMENTS

Easterton Parish Council: Consider that the property as built encroaches onto the byway (The Drove) and for this reason, they object. They also comment that the northern featureless high wall is overbearing.

CONSULTATIONS:

Wiltshire County Highways: (C Manns) No objection

Wiltshire County Rights of Way: Indicated on previous application that they have no definitive plan to show the extent of the byway. At time of writing, no further comments had been received; any that are received shall be reported verbally at committee.

REPRESENTATIONS:

Two letters of objection have been received in relation to the application - one from the 'Trail Riders Fellowship' and one from the 'Wiltshire Bridleways Association'. Both object on the basis of encroachment onto Byway 5, also known as 'The Drove'. Wiltshire Bridleways Association have stated the byway is registered as 4.3 metres at this end, and that the drawn position of the plot will result in a 5-6 feet encroachment.

One further letter has been received from a neighbour. This makes reference to the lack of a condition on the previous planning permission relating to the surfacing of the first 15 metres back of the byway from Kings Road, which was recommended by Wiltshire County Council. The letter recommends that this condition is imposed in line with this recommendation. Members should however, be aware that no such condition was imposed on the previous (extant) consents for a single dwelling at the site and the condition was therefore not imposed as this was not considered reasonable given the fallback position.

POLICY CONSIDERATIONS

Kennet Local Plan – policies PD1 & HC24 and national guidance contained in Planning Policy Guidance Notes 15: Planning and the Historic Environment are relevant to the consideration of this application.

PLANNING OFFICER COMMENTS

The principle of a dwelling on the site has already been well-established through a number of historical applications, including the most recent for a dwelling of this design but in a different position. The dwelling is further away from neighbouring properties than the previously approved house and there is not considered to be any significant harm to neighbour amenity resulting from the application, over and above the most recently approved dwelling, the consent for which remains extant. The key issues are therefore the impact on visual amenity and the conservation area and the impact on rights of way.

The original planning permission incorporating this site and the neighbouring property was for two dwellings and this was approved in 1984. Planning permission for this original dwelling remains extant. Prior to the last application for an amended house type on the site (K/57892/F) being submitted, your officers engaged in extensive pre-application correspondence with the agent. A significant issue at that stage was the need to move the proposed dwelling further into the site so that it was sufficiently far enough away from The Drove. This was to make sure that the dwelling was not visually dominant in views along The Drove and so that it would not appear

overbearing when viewed from the adjacent part of The Drove. It was also imperative that sufficient space was provided for landscaping to take place along this boundary to help mitigate and soften the impact of the dwelling.

When the agent submitted a landscaping scheme, with a view to discharging the landscaping condition on this consent, it was apparent that there was insufficient space for a full depth hedgerow to be planted along The Drove Boundary. It appeared that the dwelling had been constructed in a different position and that the site boundaries had changed. A site visit and measurements taken from Plot 2 to the dwelling at Plot 1 and various other measurements taken at this time, confirmed this concern. A subsequent site visit has been carried out since the application came in to confirm these measurements.

From these measurements, the dwelling has been built approximately 0.5 metres closer to The Drove running to the north of the site. This seems likely to have resulted from the originally boundaries of the site not being demarcated on site and an alteration to its assumed position was subsequently agreed with the neighbouring landowner. In effect, this means that the boundary with The Drove has also been moved approximately 0.5 metres further north, although the area between the rear of the dwelling and The Drove has been narrowed slightly, meaning that this boundary is shown to be a further c. 34cm north (larger). The space remaining in this area is now only 1.66 metres at its narrowest as opposed to 2 metres.

Taking the position of the dwelling, Members should note that the nearest part of the previously proposed dwelling to The Drove, was slightly nearer to The Drove than the originally approved scheme but not so close as the dwelling as built. The current application proposes this dwelling a further 0.5 metres closer to the byway than the most recently approved scheme. Your officers consider that this distance, within this sensitive and prominent position, within the conservation area and directly adjacent the byway, is not insignificant. Indeed it is felt that the dwelling would project excessively into the byway and would appear visually oppressive. The dwelling in its constructed position is harmful to visual amenity and will have a detrimental impact on the appearance of the conservation area. It is not considered that these impacts can be adequately mitigated to an acceptable level through the carrying out of a landscaping scheme on the very limited remaining available space.

With regard to the alterations to the boundary and the proposed landscaping, it is not clear exactly where the applicants' boundary lies. Notwithstanding this, taking the measurements from the submitted plan it appears that the suggested boundary represents an encroachment onto The Drove, especially to the north east of the dwelling. It is therefore questionable as to whether there is sufficient remaining room available within the applicant's control for adequate landscaping. Even if that shown on the plan is controlled by the applicant, the landscaping would have the appearance of protruding out onto the byway, and this in itself would be harmful to the character of the byway and the visual amenities of the area.

Quite separate from the position of the dwelling, the submitted landscaping scheme is also considered insufficient. The applicant has tried to incorporate space for a path to the north of the dwelling and this has left very little space for hedging to mature. A 2m high close boarded fence is has been shown to the western boundary which would be visible from public viewpoints along the bridleway. This fence has a very suburban appearance and is not appropriate for this rural location.

Conclusion

The proposed dwelling is unacceptable and the application should be refused. Members should note that if the application is refused, this would result in the council pursuing enforcement action. The Council's legal department has indicated that it may be possible for the Council to under enforce and only seek the removal of 0.5m in length from the northern gable projection, together with the removal of the existing

close boarded fence and securing the appropriate landscaping. This would be preferable to the alternative which would be to require the demolition of the whole dwelling and rebuilding it in the correct position.

RECOMMENDATION

Refuse

- 1 The dwelling, by virtue of its scale, bulk and prominent position directly adjacent to a public byway, would be oppressive and would be harmful to the visual amenities of the area and the appearance of the conservation area. Furthermore, the local planning authority is not satisfied that the northern boundary of the site has been accurately shown on the submitted plans; this gives rise to concerns that the necessary landscaping cannot be achieved on land in the applicant's control, without encroaching onto the public byway.

The proposal to retain the dwelling in its present position is therefore contrary to policy PD1 of the adopted Kennet Local Plan 2011 and Government guidance contained within Planning Policy Guidance Note 15: Planning and the Historic Environment.

Item 8

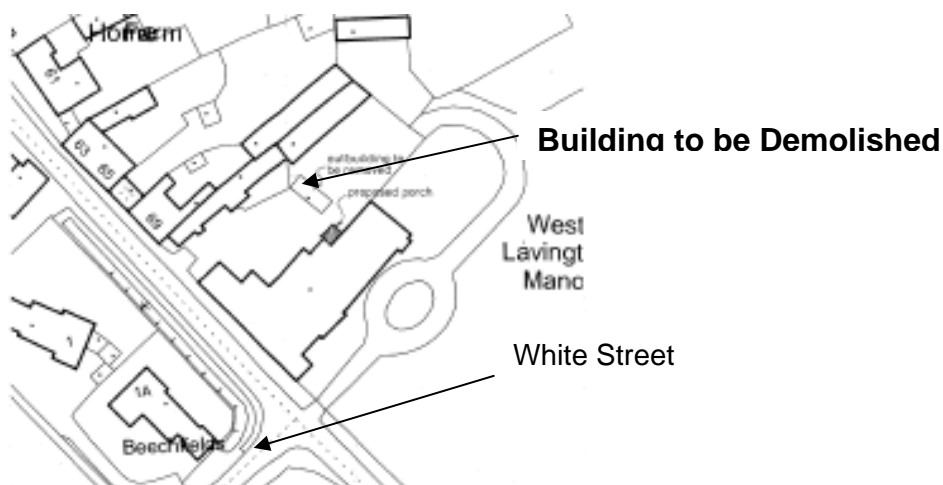
APPLICATION NO: K/59799/LBC
PARISH: WEST LAVINGTON
APPLICATION TYPE: Listed Building Consent
PROPOSAL: Erection of Entrance Porch; Alterations to Courtyard Walls; Removal of Curtilage Outbuilding
SITE: West Lavington Manor, Church Street, West Lavington, Wiltshire SN10 4LA
GRID REF: 400558 153262
APPLICANT: Mr A Doman
AGENT: Mr P Oakley, Oakley Planning & Conservation
DATE REGISTERED: 25/11/2008
CASE OFFICER: Rob Parker

BACKGROUND

This application has been brought to committee at the request of the local ward member.

SITE LOCATION

This application relates to West Lavington Manor which fronts onto the main A360, opposite its junction with White Street. The part of the site to which the application relates lies immediately to the north-west of the building (to the left when viewed from the road).



RELEVANT SITE HISTORY

K/59798/F – There is a counterpart planning application for the erection of an entrance porch, a new courtyard wall and alterations to courtyard walls. This application has not yet been determined.

K/58180/F – Erection of entrance porch, new courtyard wall and alterations to courtyard walls, planning permission refused on 4th April 2008. The reasons for refusal were as follows:

1. The demolition of the game store building, for which inadequate justification has been put forward, would be detrimental to both the setting of the grade 2 listed building and to the character and appearance of West Lavington Conservation Area. As such the proposal would be contrary to policy PD1 of the Kennet Local Plan and to government advice in PPG15 'Planning & The Historic Environment'.

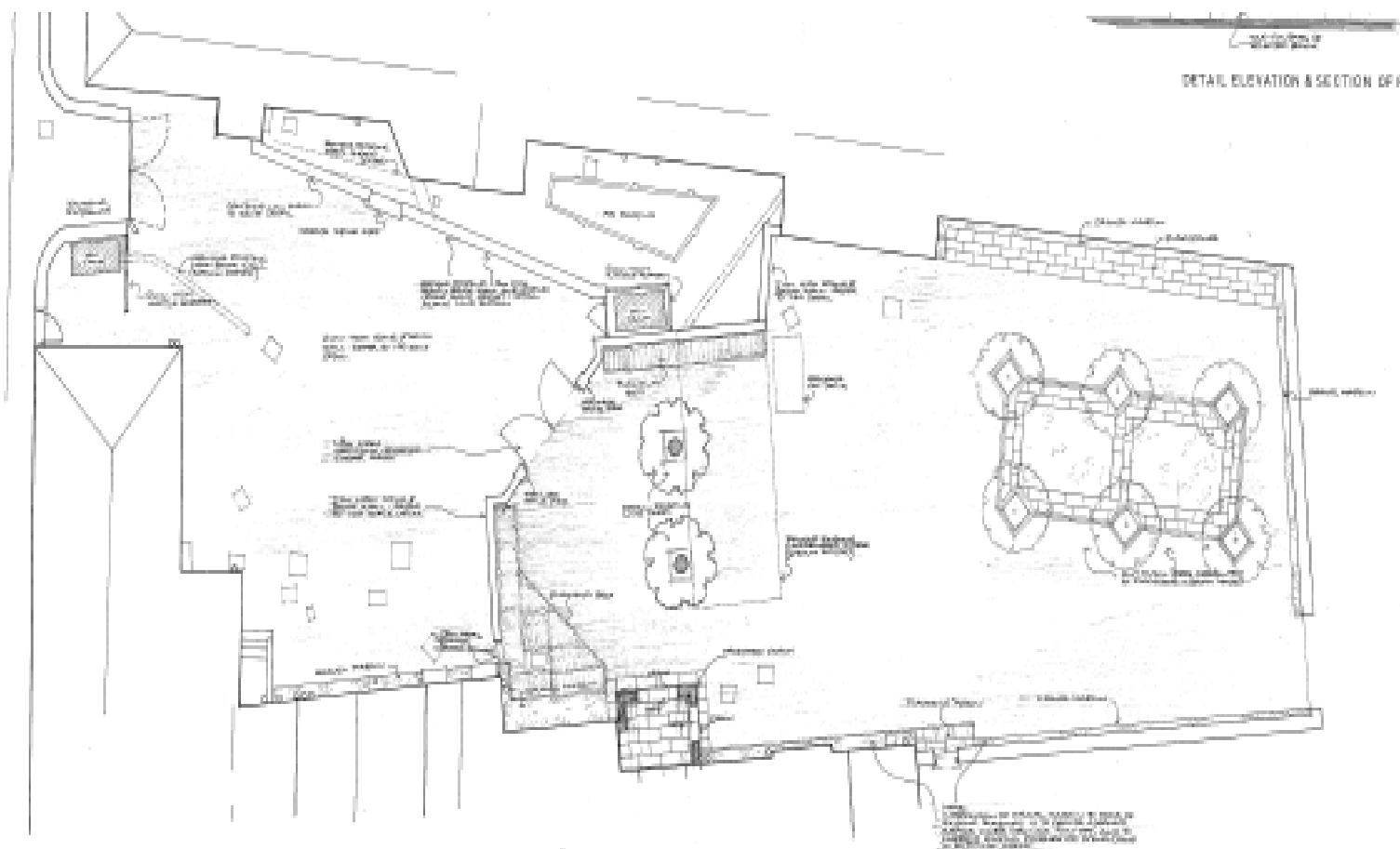
2. The construction of the proposed 2.0m high wall would fail to comply with the provisions of B.S. 5837 2005 for 'Trees in Relation to Construction', thereby jeopardising the health of these visually significant trees within the curtilage of a grade 2 listed building. As such the proposal is contrary to policy PD1 of the Kennet Local Plan.

K/58179/LBC - Erection of entrance porch, new courtyard wall, alterations to courtyard walls and removal of curtilage outbuilding (former game store), listed building consent refused on 4th April 2008. The reason for refusal was as follows:

1. The demolition of the game store building, for which inadequate justification has been put forward, would be detrimental to the setting of the grade 2 listed building. As such the proposal would be contrary to government advice in PPG15 'Planning & The Historic Environment'.

DESCRIPTION OF DEVELOPMENT

The proposal is for the erection of an entrance porch, alterations to courtyard walls and removal of a curtilage outbuilding.



ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted a statement in support of the proposals. This can be viewed on the working file.

PARISH COUNCIL COMMENTS

West Lavington Parish Council – no objection.

CONSULTATIONS

KDC Landscape & Countryside Officer – no objections subject to protection of the lime trees during the demolition process.

KDC Conservation Officer – Objects on the grounds that the demolition of the outbuilding cannot be justified. No objections to the porch and courtyard wall elements of the scheme.

The Conservation Officer's detailed comments are directly relevant to the consideration of this application and therefore they have been reproduced in full below:

West Lavington Manor is a substantial former Manor House dating from the 16th century and located at the heart of the village and conservation area, opposite the church. It is not, however, prominent to public view as much of the property is screened by high walls adjacent to the road. The current application relates largely to the rear of the building and the adjoining service yards. These are of some interest, containing a generally good quality assemblage of buildings which contribute to the character and interest of the property as a whole as well providing potentially useful ancillary accommodation.

From the point of view of the historic environment a primary consideration is the duty placed on the Council under sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

PPG 15 outlines government policy towards the historic environment. Para.3.4 also states that applicants for listed building consent should be able to justify their proposals and will need to show why works which would affect the character of a listed building are desirable or necessary.

The property is located within the West Lavington & Littleton Panell Conservation Area and Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Areas.

The current application proposes various applications within the courtyard including the addition of a new porch entrance to the rear of the house, alterations to the courtyard walls and the demolition of a curtilage listed outbuilding located within the centre of the yard. Pre-application advice was provided in December 2007 which incorporated comments on some of these proposals. The current application follows the refusal of a similar application earlier this year.

Proposals for a new porch are uncontroversial. The works should not impact on historic fabric and the materials and loosely vernacular style proposed are not inappropriate in this context. There is therefore no particular objection to this aspect of the scheme.

The proposed demolition of the outbuilding is, however, more contentious. This proposal was raised at pre-application stage when my comments were as follows: "With regard to the central building itself – this is obviously an historic structure and an integral element within this assemblage of service buildings. The internal finishes etc. bear out the gardener's comment that it

was formerly used as a game larder. It is well built and appears to be in good condition. The dressed stone elevation facing the house is attractive. Listed building consent would be required for the demolition of the building and, as with any proposal for the alteration of a listed building, this would need to be carefully justified and would be judged against the criteria set out in PPG 15 (para.3.19). In my opinion, unless there are circumstances of which I am unaware, it would be difficult to make an objective justification for the removal of the building.”

PPG15 para 3.19 (as referred to at pre-app) makes it clear that the demolition of a listed building should only be considered in exceptional circumstances and recommends that proposals to demolish should be supported by sufficient information to allow assessment against a number of other considerations, including the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use; the adequacy of efforts to maintain the building in use and; the merits of alternative proposals for the site.

On this occasion an additional supporting statement has been added to the application. However, this is general in nature and offers little in the way of objective assessment of the situation.

It is argued that the proposals, including the construction of the porch and demolition of the outbuilding, will unify the rear elevation, providing “a greater legibility to this side of the building, and to create a degree of cohesion between the older elements of the Manor and the more recent and larger scale additions”. Also, that the removal of the outbuilding will assist in “opening up” the elevation. However, whilst the proposed porch is generally acceptable in the context of this elevation of mixed architectural precedent, it would be difficult to argue that this is the only solution or that the new structure will make an essential or even significant contribution to the composition as a whole. Its unifying role in particular can be seen as limited in view of the fact that the outbuilding is to be replaced by a two metre high stone wall which far more effectively subdivides the rear of the building than the current situation.

It is accepted that the new owners will have their own thoughts about how they wish to use the building and do not question their intention for works to be implemented to a high standard. However, it is also suggested that the current scheme provides an “opportunity to restore this side of the building”. This has clearly always been very much a secondary, service, aspect of the building and It is confusing as to which aspect of the proposal is considered to constitute a ‘restoration’. Whilst landscaping works within the spaces to the rear of the building can largely be carried out without consent, major architectural changes to the rear of the building to denote this as the “primary entrance to the house” would be, architecturally, confusing and out of the character with the building as a whole and would be resisted. I

As noted in the pre-application comments, the existing outbuilding is historic, appropriate to the context in terms of its material and workmanship, appears to be in use and is seemingly in good condition. It does not appear to me that the retention of the building would preclude proposals for the construction of a new porch to the rear of the house or for the owner’s desire to create a more attractive courtyard area with some separation from the vehicular access, nor yet does it appear to me that the potential architectural contribution made by the new structure would be so enhanced by the removal of the outbuilding that it would, in itself, justify the demolition of the building.

Elsewhere within the scheme, there is no objection in principle to the various proposals for the alteration of existing boundary walls and relocation of the oil tank within the area.

Overall, therefore, it appears that (due to the demolition proposal of the outbuilding) the present application does not comply with the tests imposed by current legislation and government policy (as originally advised at pre-application stage) and I must recommend refusal.

REPRESENTATIONS

No representations had been received at the time this report was prepared. Any that are received subsequently will be reported verbally to members at committee.

POLICY CONSIDERATIONS

Government guidance contained in PPG15 is relevant to the consideration of this application.

PLANNING OFFICERS COMMENTS

This application is effectively a resubmission of K/58179/LBC. The plans have been amended to move the proposed courtyard wall and introduce a set of 1.8m high vertically boarded timber gates. This addresses refusal reason no.2 attached to K/58180/F, in respect of the impact on the lime trees.

The main issue for consideration is the proposal to demolish the curtilage outbuilding. The previous application was refused on the grounds that (i) inadequate justification had been put forward for demolition and (ii) the building's removal would be detrimental to the setting of the grade 2 listed building. The applicant has submitted a statement with the latest application which attempts to justify the proposals.

Government guidance contained in PPG 15 makes clear that applicants for listed building consent should be able to justify their proposals and show why works which would affect the character of a listed building are desirable or necessary.

The outbuilding in question has the same level of protection as the principal listed building. PPG 15 makes it clear that the demolition of a listed building should only be considered in exceptional circumstances and recommends that proposals to demolish should be supported by sufficient information to allow assessment against a number of other considerations, including the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use; the adequacy of efforts to maintain the building in use and; the merits of alternative proposals for the site.

The Council's Conservation Officer has examined the building and found it to be a historic structure which is well built and in good condition. In her assessment the building forms an integral element within this assemblage of service buildings. She has considered the contents of the applicant's supporting statement but maintains her view that it would be difficult to make an objective justification for the demolition of the building.

The applicant puts forward the following arguments for demolition:

- The outbuilding is not listed in its own right and is not mentioned within the list description for the Manor.
- The outbuilding is a small and generally unremarkable building, despite being of some limited interest in terms of its pleasant appearance and historic context.
- The outbuilding is not required for its original use as a game larder and has lost much of its original context with the range of buildings within which it was originally set having been replaced by the 1908 wing of the house, or simply

being demolished.

- The other improvements proposed as part of the scheme outweigh the importance of retaining the building.
- This side of the Manor has evolved over many years with the requirement for buildings such as stabling, carriage houses, game larders, etc. diminishing, and the area around the house altering accordingly.
- The works will add a new layer to the evolution of the Manor, illustrating how its use has altered to reflect changes in how the house and land around has been occupied.
- West Lavington Manor has been in secure and committed long term ownership of the applicants, and this is effectively a minor change.

The fact that the building is not listed in its own right does not give it any less protection than the principal listed building. The building may in the applicant's eyes be unremarkable; nevertheless, it forms an integral part of the site's development and evolution. The fact that other outbuildings have already been demolished (prior to listing) gives the building even greater significance. The fact that there is no modern day requirement for a game larder does not, in itself, justify demolition of the building. It is structurally sound, adds to the setting and history of the main building and is still in use. Fundamentally, the removal of the outbuilding is not necessary in order to carry out the remainder of the proposals.

PPG 15 does state that "cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted". The applicant relies upon this guidance to justify the proposal, referring in particular to the fact that the Manor has been in the secure and committed long term ownership of the applicants. This statement is somewhat misleading because it implies that the applicants have lived in the property for a considerable period. In fact, information suggests that they have owned the property for less than two years; it would be difficult to describe this as a period of "secure and long-term ownership".

Overall, it is considered that the applicant has failed to justify the proposals and show why demolition of the outbuilding is desirable or necessary. Demolition of the building would be detrimental to the setting of the listed building and would remove an important part of its historical evolution. Furthermore, it is simply not necessary as the applicant's proposals for the new porch extension can be carried out without demolishing this building.

RECOMMENDATION

Refuse listed building consent for the following reason:

1. The demolition of the game store building, for which inadequate justification has been put forward, would be detrimental to the setting and the historical character of this grade 2 listed building. As such the proposal would be contrary to government advice in PPG15 'Planning & The Historic Environment'.

Item 9

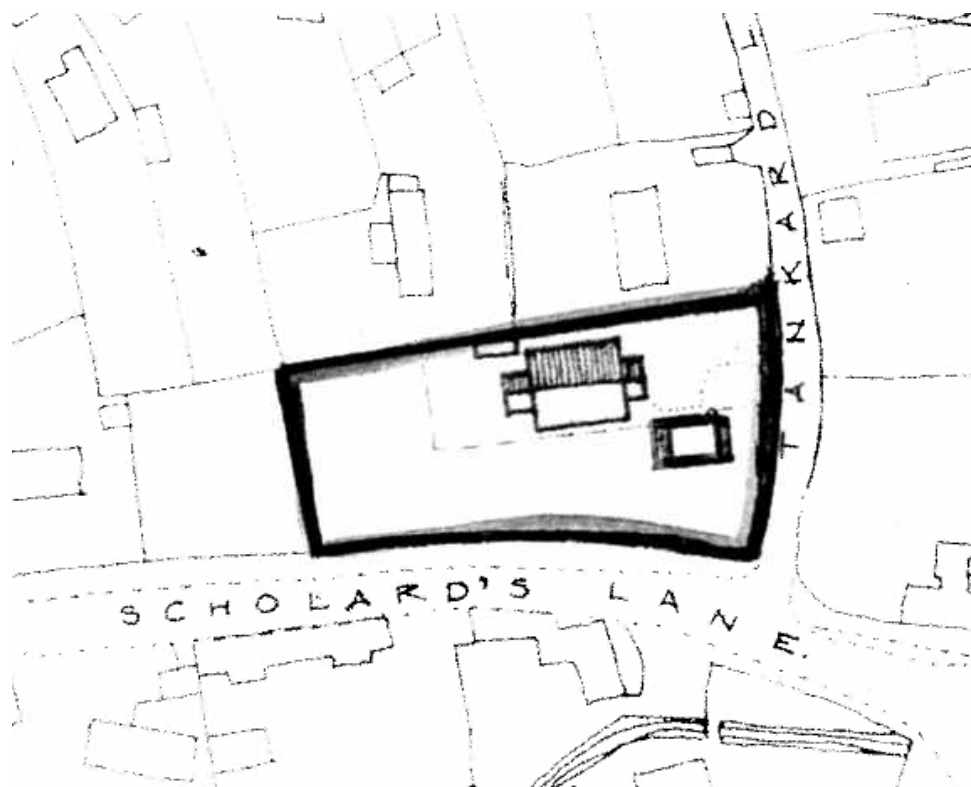
APPLICATION NO: K/59773/F
PARISH: RAMSBURY
APPLICATION TYPE: Full Planning
PROPOSAL: Building of detached garage and store room with gymnasium underneath
SITE: The Hop House Tankard Lane Ramsbury SN8 2PJ
GRID REF: 427727 171631
APPLICANT: Mr Julian Cockwell
AGENT: n/a
DATE REGISTERED: 19/11/2008
CASE OFFICER: Andrew Guest

BACKGROUND

This application is before the Committee at the request of the local ward member, Cllr Mrs Findlay.

SITE LOCATION

The application site forms part of the garden of 'The Hop House' – a large, contemporary dwelling on a corner plot fronting Scholards Lane and Tankard Lane. Ground levels rise steeply away from Scholards Lane, 'The Hop House' therefore standing on raised ground relative to the lane. The boundaries of the 'The Hop House' with the lanes are defined by hedges and/or mature trees (mainly deciduous specimens with Scholards Lane and evergreens with Tankard Lane). 'The Hop House' can be glimpsed through these trees.



Location Plan

The application site lies within a primarily residential area, with a number of nearby listed buildings. It also falls within the Ramsbury Limits of Development, the Ramsbury Conservation Area and the Area of Outstanding Natural Beauty. The trees on the application site are subject to a tree preservation order.

RELEVANT HISTORY

K/58056/F – Erection of car port and store room with gymnasium underneath – refused 13 March 2008

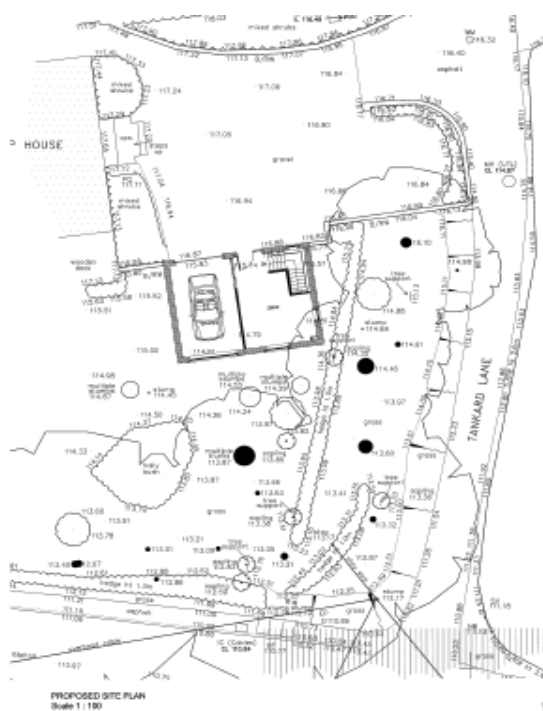
[This application was refused for the following reason – *The proposed development, by reason of its siting and design, would result in the loss of amenity trees protected by a Woodland Tree Preservation Order. The loss of the trees themselves, and the related opening up of the site to views of the proposed development, would be detrimental to the character and appearance of the Ramsbury Conservation Area. This is contrary to Policy PD1 of the Kennet Local Plan 2011 and Central Government policy set out in Planning Policy Guidance Note no. 15: Planning and the Historic Environment*].

K/55926/TR2 – The felling to ground level of a fir tree in the rear garden of the property – approved 28 February 2007

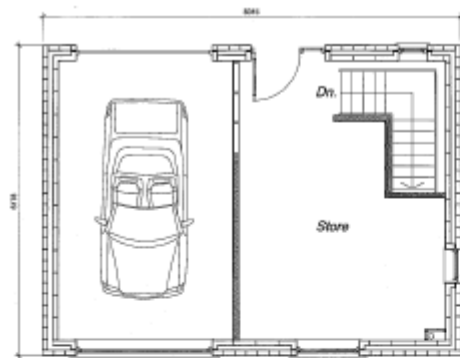
DESCRIPTION OF DEVELOPMENT

This application seeks planning permission to erect a detached garage and store room with gymnasium underneath. The new building would be sited in front and to the side of the existing house, approximately 9m from Tankard Lane and 15m from Scholar's Lane. Its two storey design takes advantage of the sloping nature of the site – the ground floor providing garaging accessed from the existing gravelled parking/turning area in front of the house, and the basement being set into the sloping ground to the rear. As a consequence of this design approach the building would 'read' as single storey when viewed from the parking/turning area and two storeys when viewed from the garden to the rear.

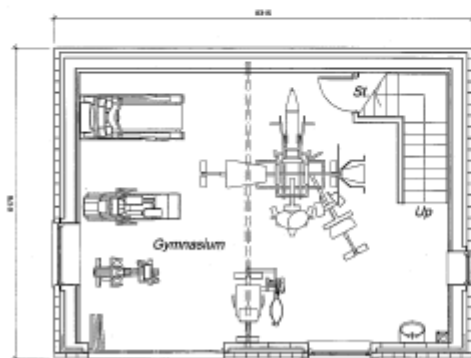
The styling of the building follows that of 'The Hop House' with traditional materials and contemporary detailing, including a shallow pitched roof.



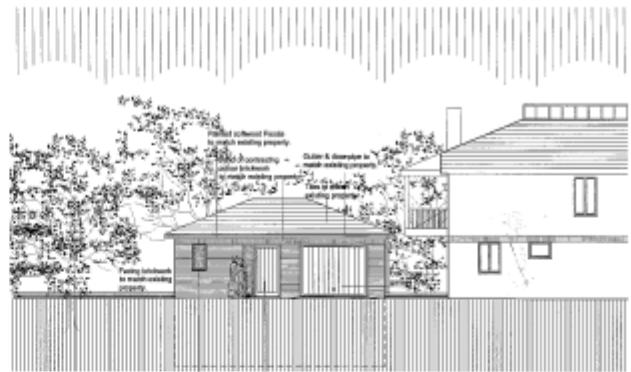
Block Plan



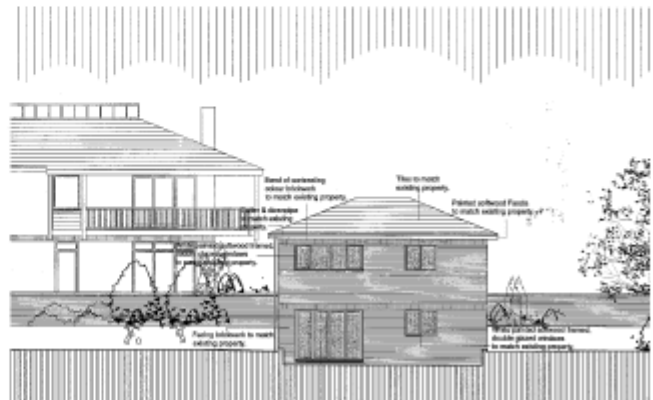
PROPOSED GROUND FLOOR PLAN
Scale 1 : 50



PROPOSED LOWER GROUND FLOOR PLAN
Scale 1 : 50



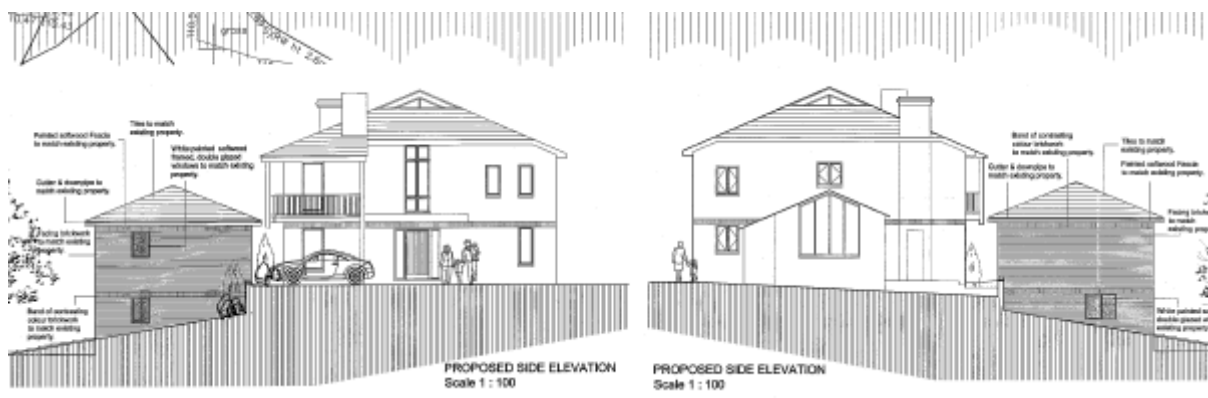
PROPOSED FRONT ELEVATION
Scale 1 : 100



PROPOSED REAR ELEVATION
Scale 1 : 100



Floor Plans & Front/Rear Elevations



Side Elevations

ADDITIONAL STATEMENT BY THE APPLICANT

The application is accompanied by a detailed Arboricultural Report which incorporates a landscaping scheme, and a Design and Access Statement. These documents are available to view on the working file and Planning Explorer.

CONSULTATIONS

Ramsbury Parish Council: No objection. The PC bases the no objection on a requirement that the new building should be adequately screened along the Scholards Lane boundary. This condition is felt to be vital to preserve the outlook from both Scholards Lane and the approach to the village from Springs Hill/The Knap. The PC considers that members of the Regulatory Committee should visit the site to fully appreciate the need for this condition.

KDC Landscape & Countryside Officer: Following the previous refusal a site visit was carried out with the applicant and his arboricultural consultant. A solution was proposed which ensured that the majority of the boundary vegetation could be retained in-situ and would be unaffected by the proposals. The only significant tree which would be affected in the tree preservation order is in poor condition and would be removed and replaced. A comprehensive landscaping scheme and tree protection details have been submitted with the application and, if followed, would ensure that the proposed garage does not affect the boundary vegetation, and therefore the character of the area, on a long-term basis.

Therefore, subject to the conditioning of the tree protection measures detailed in the Certhia Consulting Arboricultural Report and the implementation of the landscaping scheme accompanying the report, no objections to the proposals.

Wiltshire Fire & Rescue Service: recommends informatives.

REPRESENTATIONS

The application has generated four letters of objection (including from the Ramsbury Amenity Group) and one letter of support. The objections are summarised as follows:

- The design, size, scale, function and location of the proposed building are inappropriate in this context which is an AONB and conservation area with nearby listed buildings. The proposal represents urbanisation and a visual intrusion in a sensitive part of the conservation area. There are no changes in circumstances since the last refusal of planning permission for a similar proposal;
- The drawings are misleading in that they do not show the level of the site relative to Scholars Lane. The building would be 8m above the current southern building line. Because of the elevated position the development would dominate views like the bow of a ship. There is ample, less intrusive space elsewhere on the site to accommodate a building;
- The Design Statement says that the building would be in-keeping with The Hop House. However, The Hop House is of non-vernacular style and does not harmonise with the historic buildings around it;
- The proposed building would not be hidden within trees as suggested by the drawings. Trees and shrubs have been progressively thinned, this opening up views of the site and The Hop House. The proposed landscaping should be established before any development is allowed to commence;
- The proposal is likely to affect the root systems of nearby trees, this resulting in their demise. Development of this site should be limited to the footprint of the existing building;
- Immediate neighbours were not asked by the applicant whether or not they support/object to the development;
- The building is close to the public roads and so would not necessarily give the secure storage suggested by the design statement.

The letter of support is summarised as follows:

- The Hop House is an interesting modernist structure built in compliance with the Village Design Statement. The proposal would compliment it;
- The new building would be sufficiently distanced from neighbouring properties to allay fears of oversight;
- Being set well back in a woodland garden the sensibilities of anti-modernists should be mollified. It is in any event surrounded by modern developments (including garages) within the grounds of historic buildings;
- Ramsbury is not a museum – it is a thriving community which will only remain so whilst we continue to endorse and embrace thoughtful progress.

POLICY CONSIDERATIONS

Policy PD1 of the Kennet Local Plan 2011 is relevant to the consideration of this application. Also, Central Government planning policy set out in PPG15 is a material consideration.

PLANNING OFFICER'S COMMENTS

The main considerations in this case are the impact of the proposed development on the character and appearance of the Ramsbury Conservation Area (including the impact on preserved trees), and the impact on residential amenity.

Regarding the conservation area, the application site lies within a particularly sensitive part of Ramsbury, with Scholards Lane in particular supporting a number of important historic listed buildings. The view from Scholards Lane looking west is quintessentially 'Wiltshire', and largely unspoilt. This view includes the application site rising away to the north, with its belts of mature deciduous and evergreen trees and shrubs, and glimpsed views of The Hop House.

The proposal is to erect a detached garage and gymnasium to the front/side of The Hop House. Although at the front, this proposed building would be largely screened by the existing belts of trees and shrubs. As with The Hop House, glimpsed views of the building would be possible from Scholards Lane and Tankard Lane. However, as these would be glimpsed only and largely 'read' against The Hop House, it is not considered that any harm would be caused to the amenities of the conservation area. Generous gaps between the building and the boundaries of the site would be maintained, and the existing tree/shrub belt enhanced with new planting to further soften the impact of the glimpsed views. The building itself has been designed to reflect the style of The Hop House with modest proportions and a low roof line. As a consequence of these measures no detriment would be caused to the conservation area.

The application is accompanied by a comprehensive arboricultural report which demonstrates that the building can be constructed without causing damage to the important amenity trees within the site. The likely loss of these trees and the resulting opening-up of the site were the reasons for the objection to the previous planning application for similar development at the site. Now that it has been demonstrated that these trees would be retained and protected during the construction phase, there can be no objection to the development based on loss of trees.

In terms of residential amenity, the proposed building is sufficiently distanced from neighbouring properties to ensure no loss of privacy.

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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in colour and texture those used in The Hop House.

REASON: To secure harmonious architectural treatment.

- 3 All soft landscaping comprised in the submitted landscaping scheme hereby approved (appendix 3 of the Certhia Consulting report dated November 2008) shall be carried out in the first planting and seeding season following the first use of the building or the completion of the development, whichever is the sooner; any trees or plants which, within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced 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.

- 4 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of three years from the first occupation or the completion of the development, whichever is the earlier.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and the Certhia Consulting report dated November 2008, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) All retained trees shall before any equipment, machinery or materials are brought on to the site for the purpose of the development, be enclosed in accordance with British Standard 5837 (2005) Tress in Relation to Construction and Appendix 2 of the Certhia Consulting report dated November 2008. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON:

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

- 5 The development hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and for no other purpose.

REASON:

To protect the amenities of this primarily residential 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: policy PD1; and Central Government planning policy set out in PPG15.

Item 10

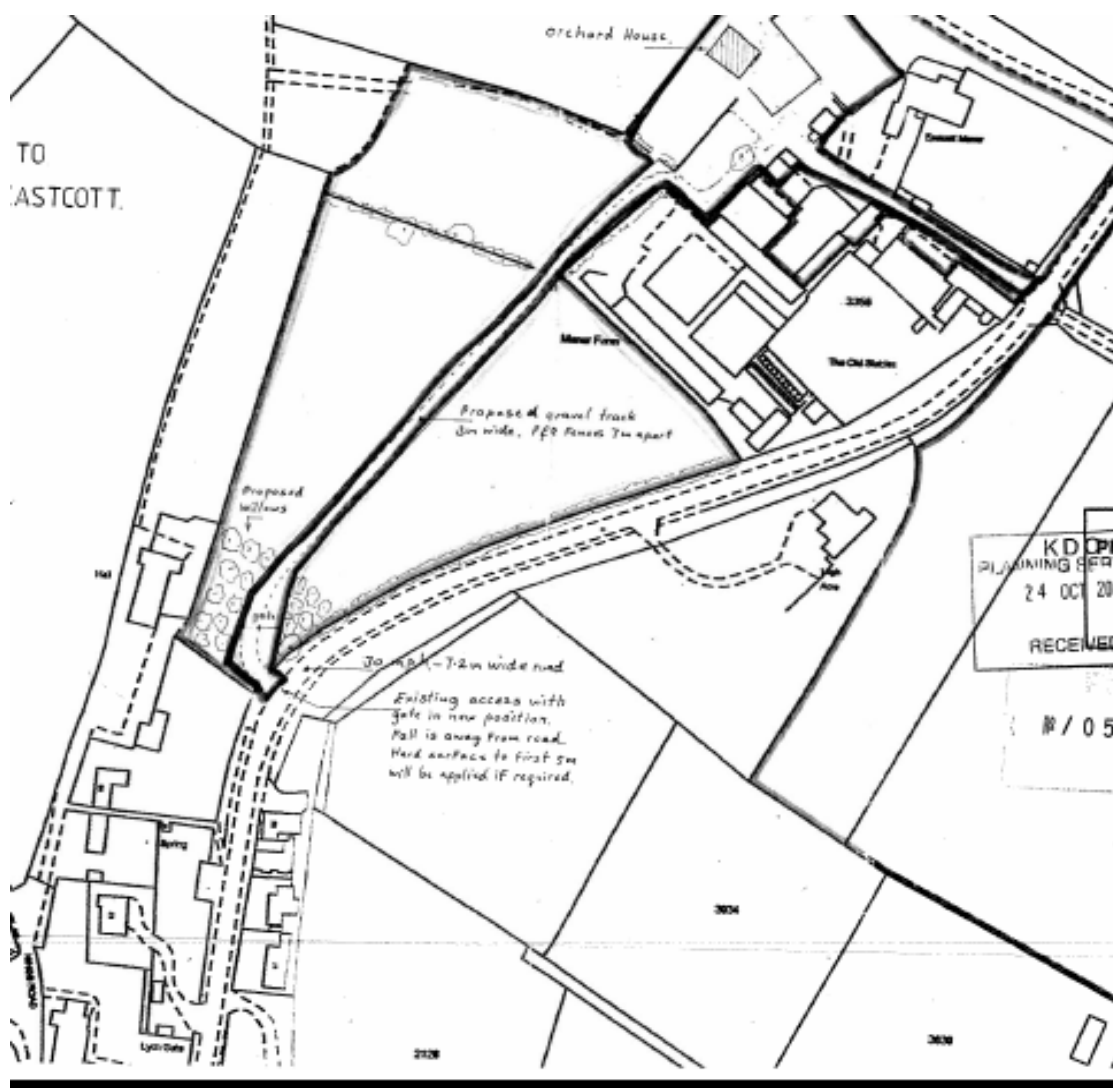
APPLICATION NO: K/59666/F
PARISH: EASTERTON
APPLICATION TYPE: Full Planning
PROPOSAL: Creation of access track to house
SITE: Orchard House Eastcott, Easterton SN10 4PH
GRID REF: 402301 155613
APPLICANT: Mr Richard Firth
DATE REGISTERED: 28/10/2008
CASE OFFICER: Karen Guest

BACKGROUND

The application has been brought to committee at the request of the local ward member.

SITE LOCATION

The site lies in the centre of the hamlet of Eastcott, on the northern side of the C590 road. Orchard House lies immediately to the rear of Eastcott Manor and currently shares its access. The proposal relates to the paddock that lies to the south-west of the property. The land in question rises slightly from the south-western edge of the field up towards Orchard House.



Route of proposed access

RELEVANT SITE HISTORY

K/59070/F - planning permission was refused in August 2007 for the creation of an access track to Orchard House. This was on the ground that the proposed drive makes no reference to existing landscape character and appearance and would create an incongruous and unacceptable intrusion into the open countryside.

DESCRIPTION OF DEVELOPMENT

The proposal is to create a 200 metre gravelled access track across the field, with post and rail fencing either side. The latter has already been erected. The access track would serve Orchard House and is intended to be its main access. The applicant proposes to plant willow trees at the south-western end of the field, either side of the access track.

ADDITIONAL STATEMENT BY APPLICANT

The applicant has submitted a statement in support of the application, which raises the following key points:

1. Access – Access from the field to the B3098 is already in place and was created by Kennet District Council in order to carry out works approximately 20 years ago. The application has the support of the County Highways Department.
2. Safety - The access point onto the B3098 from the fields is significantly safer than the access from Eastcott Manor drive. It is within the 30 mph limit and is also on the corner coming out of Easterton, thus making traffic speeds a lot slower. Also, the visibility from the point of access is greater in both directions without the added hazard of having to drive out onto the road before being able to see properly.
3. Character - We contest your opinion that the access through the fields is out of keeping with the area and that it would 'create an incongruous and unacceptable intrusion into open countryside'. For many years since the creation of an access onto the road, a route through the fields has been used. Only in the last three years has the entrance been overgrown.
4. Interpretation - We feel that the policies contained under PD1 and NR7 are too nebulous for realistic policy formulation and therefore give Kennet District Council too much leeway for subjective interpretation. The area in question is neither in the Easterton Conservation Area or an SSSI. We also contest the view that this is open countryside, as it is between the B3098 and the playing fields, which we understand will be upgraded once work at the old Jam Factory is completed. We believe we are enhancing the character of the area in accordance with Policy PD1, by tidying the fields, planting trees and removing unsightly barbed wire. We feel that we also meet the directives of Policy NR7 since the proposed access does not have an adverse effect on the landscape in any way. In fact, the access will enhance the quality of the landscape.
5. Visual Impact – The refusal on visual impact grounds will be countered by screening the track from view. A number of indigenous trees and hedging plants would be planted by the entrance and along the road for 50 metres. This process has already started and once completed will ensure that the access is only visible from a limited number of houses and not from the road.
6. Privacy - The granting of planning permission for the access will result in greater privacy for the owners of Eastcott Manor and The Old Stables.
7. Precedence - We believe this application should be considered in the light of other similar projects which have been granted permission in Worton and at Potterne Wick, more specifically at Walnut Farm, Eastcott and the stables close to the Church of St Barnabas, both of which are very close to the proposed site and have access from the highway through fields.
8. Objections - We note that you only had two objections to our plans. We appreciate the points made by Mr and Mrs Dodds at 65 High Street,

Easterton, however, we do not have a horse box and the horse trailer is used less than once a week. We would not seek to compromise their property as, even at the present time, we are unable to see into their garden. The second was from Jill Horowitz at The Stables, who admitted that she did not fully understand the application. She and her husband have since sold the house and moved to London. It is understood that no other objections were received.

PARISH COUNCIL COMMENTS

Easterton Parish Council has raised no objections to the proposal.

CONSULTATIONS

KDC Landscape and Countryside Officer – the proposed drive makes no reference to existing landscape character and appearance and will form an incongruous intrusion into the countryside. The domestication of the field is totally unacceptable and against the principles contained in the Landscape Conservation Supplementary Planning Guidance, which clearly states that the spring line settlements at the base of the Salisbury Plain scarp should not be allowed to coalesce. It also falls foul of the Council's general development and landscape protection policies.

County Highways – no objection is raised subject to conditions requiring the setting back of any gates to a position at least 5 metres from the carriageway edge; the surfacing of the first 5 metres of the access in a well-bound consolidated material; the gradient of the access over the first 4.5 metres to not exceed 1 in 15; and the sides of the access having a radii 4.5 metres back to the carriageway edge.

REPRESENTATIONS

No letters of representation have been received. Any that are subsequently received shall be reported verbally at the committee meeting.

POLICY CONSIDERATIONS

Kennet Local Plan - policies PD1 and NR7 in the local plan and the principles contained within the Kennet Landscape Conservation Strategy are relevant to the consideration of the application.

PLANNING OFFICER'S COMMENTS

The key issues to consider are whether the proposal is acceptable in visual terms and if it would have a detrimental impact on highway safety. These will be considered in turn.

Visual Impact

It is considered that the formation of a gravel drive of this length across the middle of the field would represent an incongruous and unacceptable intrusion into the countryside. It is noted that since the last application was refused, post-and-rail fencing has been erected to mark the extent of the proposed drive. Although this fencing is highly visible, it is typically found in rural locations and therefore, is not incongruous in appearance. In contrast, the lengthy gravel drive would have an urban appearance, which would be out of character with the rural surroundings. I

Impact on Highway Safety

The proposal is considered to be acceptable in highway safety terms, as it affords greater visibility than the existing access. For this reason, the highway authority has raised no objections to the proposal.

Conclusion

The proposal is considered to be unacceptable in its impact on the character and appearance of the open countryside in this prominent location and accordingly, the refusal of planning permission is recommended.

RECOMMENDATION

Refuse

- 1 The proposed drive makes no reference to existing landscape character and appearance and would create an incongruous and unacceptable intrusion into the open countryside. This would conflict with policies PD1 and NR7 in the Kennet Local Plan and the principles contained within the Kennet Conservation Strategy.