

# PLANNING COMMITTEE

31 July 2008

## Planning Applications for Determination

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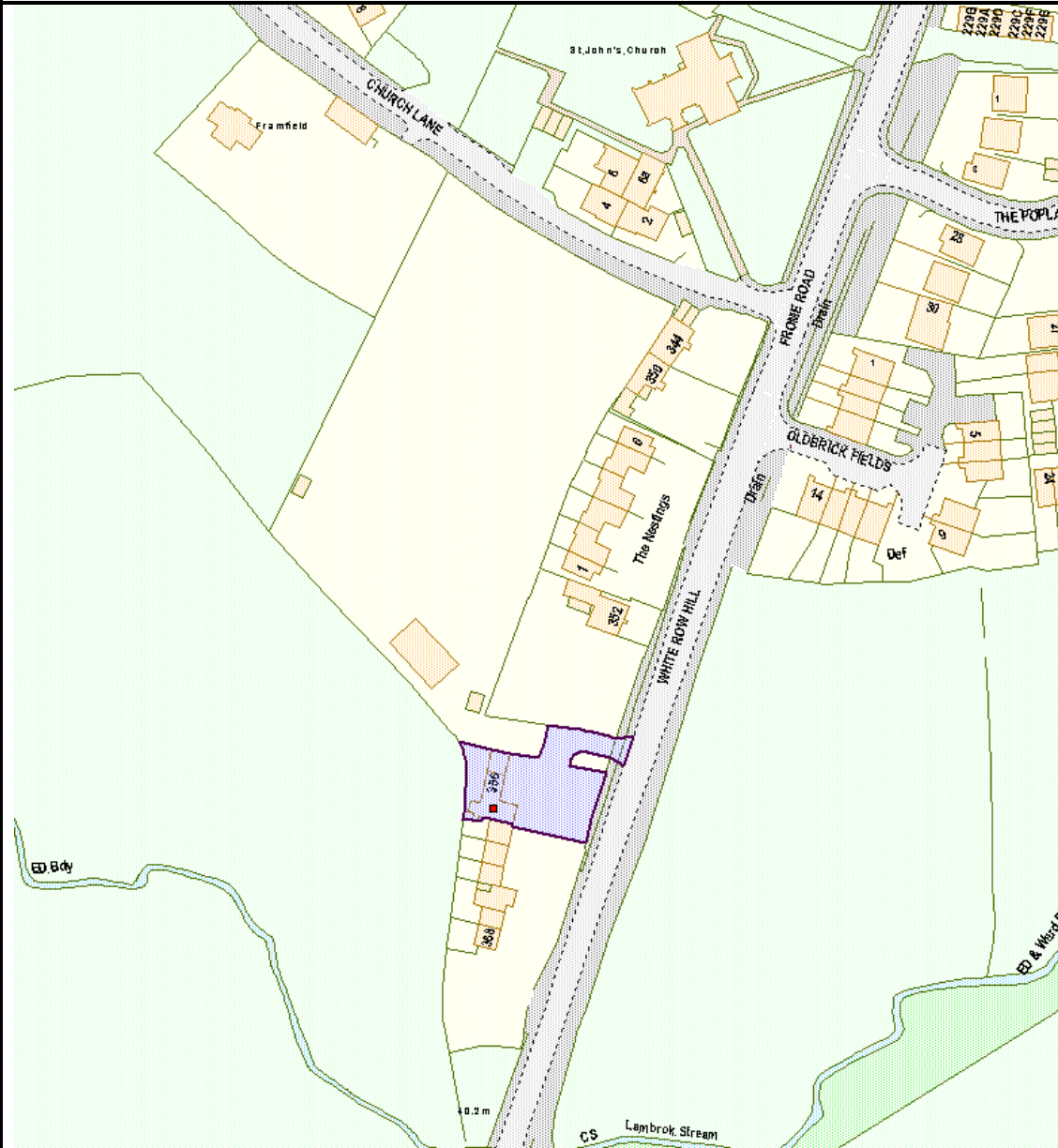
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 01

APPLICATION NO: 08/00633/FUL

LOCATION: 356 Frome Road Trowbridge Wiltshire BA14 0EF



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SLA: 100022961

**01 Application: 08/00633/FUL**

**Site Address: 356 Frome Road Trowbridge Wiltshire BA14 0EF**

Parish: Trowbridge Ward: Trowbridge And Southwick

Grid Reference 384209 156169

Application Type: Full Plan

Development: Conversion of dwelling into four residential units (revised applications)

Applicant Details: Keylock Homes Limited  
C/o Willis & Co 30 The Causeway Chippenham Wiltshire SN15 3DB

Agent Details: Willis & Co  
30 The Causeway Chippenham Wiltshire SN15 3DB

Case Officer: Miss Julia Evans

Date Received: 04.03.2008 Expiry Date: 29.04.2008

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 Policy H19 of the West Wiltshire District Plan - 1st Alteration, 2004 states that new dwellings in the countryside will not be permitted unless justified in connection with the essential needs of agriculture or forestry. The proposed conversion involves substantial extension that means it is tantamount to creating new dwellings in the open countryside. The proposal has not been justified by any agricultural or forestry need, and is therefore contrary to this policy.
- 2 Policy C38 of the West Wiltshire District Plan - 1st Alteration, 2004 states that proposals will not be permitted which would detract from the amenities enjoyed by, or cause nuisance to, neighbouring properties and uses. The proposal by reason of the size, height and location of the proposed two storey extensions would result in a loss of privacy and overshadowing of both neighbouring properties and to the occupiers of the proposed dwellings. The proposal is therefore considered contrary to Policy C38 of the West Wiltshire District Plan - 1st Alteration, 2004.

**Note(s) to Applicant:**

- 1 You are advised that the plot of land to the rear of No 356 is an unauthorised change of use, which will be investigated by the Council's Enforcement Section.
- 2 You are advised that the change of use and renovation of an agricultural building to the north of the site will require planning permission. Any unauthorised works will be investigated by the Council's Enforcement Section.

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application has been brought before the Planning Committee at the request of Councillors Payne & Phillips and was deferred by Committee on 10 July 2008 for a site visit.

This is a full application for the conversion of one dwelling into four at 356 Frome Road, Trowbridge. This is the third application for the conversion into four units and it seeks to address the reasons for refusal on 07/02803/FUL, which was refused for creating new dwellings in the open countryside and amenity matters.

The site area includes the use of the existing shared access leading into the house's front garden, which has been laid to gravel to provide seven car parking spaces and a turning area. The proposal would be to convert one dwelling to four, although the Design & Access statement says the existing dwelling is two, despite this contradicting the information provided on the drawings.

The proposal is for the conversion and extension of No 356 from one to four dwellings. The property would be sub-divided vertically to create the four houses, with new extensions to the property on the eastern elevation (single storey) and two separate two storey extensions to the rear. These extensions would result in the provision of two one-bedroomed houses, and two two-bedroomed ones. A new driveway would be created linking the property to Frome Road by use of an existing agricultural access.

## **SITE VISIT / STATUTORY SITE NOTICES**

No 356 is an end-of-terrace property in the open countryside between Trowbridge and Southwick. It forms the northernmost property in a terrace of seven houses in total. The house is constructed of red brick with stone detailing, and has a new roof of concrete tiles. At the time of the site inspection all the extensions had been started and were up to first floor level. The internal sub-division has taken place with each of the four units having been created and fitted out.

The dwelling forms an L-shape. The property has a very small garden to the rear, to which has been added a fenced-off area. This unauthorised garden area has been dug over and fenced-off but has not been included for consideration within the site area. To the front of the property lies a recently levelled and gravelled area, again enclosed with timber post and rail fencing. To the north of the site lies access to agricultural buildings to the northwest of the house, whilst to the east the site is bounded by Frome Road, beyond which is agricultural grassland. The terrace of houses attached to No 356 runs to the south, whilst to the east lies the agricultural grassland of Southwick Country Park.

The application has been advertised with a Site Notice.

## **CONSULTATIONS**

*Parish/Town Council* : TROWBRIDGE TOWN COUNCIL have "No objection".

*External* : HIGHWAY AUTHORITY state: "The submitted plans appear to show minimal changes from previous application W/07/2803. There is an addition of a parking space but the turning space has been moved to allow for this. As such, I refer to the previous highway recommendations on applications W/07/2803.

"I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:

"The driveway, parking and turning areas shall be a properly consolidated and surfaced access (not loose stone or gravel) in accordance with details which shall have been submitted to and approved by the Local Planning Authority. Reason : In the interests of highway safety.

"The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted. Reason : In the interests of amenity and road safety."

ENVIRONMENT AGENCY "have no comment to make on this application".

WESSEX WATER state: "The development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

"The developer has proposed to dispose of surface water to 'existing.' As there are no existing public/separate surface water sewers in the vicinity of the site, it is advised that the developer investigate alternative methods for the satisfactory disposal of surface water from the site (e.g. soakaways). Surface water should not be discharged to the foul sewer. Your Council should be satisfied with any suitable arrangement for the disposal of surface water.

"With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

"It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.

"The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus."

*Internal* : HOUSING SERVICES state: " I confirm that we would regard this as a rural scheme and therefore would seek 50% affordable housing. As one dwelling already existed on the site and the applicant is proposing a total of four dwellings the AH contribution would be based on the three additional dwellings giving a AH contribution of 1.5 dwellings.

"One of these dwellings should be provided on site, preferably rented, on a nil subsidy basis, in perpetuity and managed by an RSL which is a member of the Council's Preferred Development Partnership. For the 'half a house', we will take a commuted sum in lieu.

"There are 31 households in priority need in Southwick and 726 households in priority need in Trowbridge, making a total of 757 households in priority need. The needs are supported from the waiting list and the housing needs survey. The WL indicates that the majority of these households require 2 bedroom accommodation. The Housing needs Survey confirms that the greatest need is for 2 beds across all tenures.

"We would therefore be seeking 50% of a commuted sum based on a 2 bed house. In Southwick this figure would be in the region of £36,919, however, this is an indicative sum and we would encourage the applicant to contact us to discuss the commuted sum in more detail. Of course, if the applicant is unable to afford to make a contribution due to the viability of the scheme, provision exists for the applicant to enter into an open book appraisal which will test whether the viability of the scheme is prejudiced by the contribution and, if so, enables a reduced commuted sum to be made.

"However, in the absence of an agreement with the applicant as to the amount of the commuted sum, the application should be refused on the follow grounds:- The application fails to meet the requirements of policy H2 Housing in that no contribution towards the provision of affordable housing has been included within the application, nor has an open book exercise been undertaken which might justify a reduction of policy requirements."

*Neighbours* : No comments have been received.

## **NEGOTIATIONS / DISCUSSIONS**

N/A.

## **CONSTRAINTS**

- \* Open countryside;
- \* Amenity;
- \* Design;
- \* Highways matters;
- \* The water environment; and
- \* Affordable housing.

## **POLICIES**

### Wiltshire Structure Plan 2016

- DP1 Priorities for sustainable development
- DP8 Affordable housing
- DP9 Reuse of land and buildings
- DP14 Housing, employment and related development in the open countryside
- T6 Demand management
- C5 The water environment
- C12 Agriculture.

### West Wiltshire District Plan - 1st Alteration 2004

- C1 Countryside protection
- C31A Design
- C32 Landscaping
- C38 Nuisance
- H2 Affordable housing within towns and villages
- H16 Flat conversions
- H19 Development in open countryside
- H21 Conversions of rural buildings
- H24 New housing design
- T10 Car parking
- U1A Foul water disposal
- U2 Surface water disposal
- U4 Groundwater Source Protection Area.

### Supplementary Planning Guidance

- Design Guidance - Principles (Adopted July 2004)
- Residential Design Guide (Adopted November 2005)
- House Alterations & Extensions (Adopted July 2004)

### National Guidance

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS7 Sustainable Development in Rural Areas
- PPG13 Transport

## **RELEVANT PLANNING HISTORY**

07/01378/FUL – Conversion of dwelling into four residential units – Refused 15/vi/07.

07/02803/FUL – Conversion of dwelling into four residential units (revised application) – Refused 24/10/2007.

## KEY ISSUES

This application raises the following planning matters:

- planning history;
- the conversion and extension of the house to four dwellings;
- design and landscaping;
- amenity of neighbouring residents;
- parking, access and highways matters;
- the water environment;
- quality of the submission; and
- affordable housing.

## OFFICER APPRAISAL

The existing L-shaped building lies within the open countryside, and has been subdivided into four units in accordance with the current application. The proposal is for the conversion of this one unit into four houses: to do this, three extensions have been added to the property, two of which are two storey. Policy H19 of the West Wiltshire District Plan - 1st Alteration, 2004 states that new dwellings in the countryside will not be permitted unless justified in connection with the essential needs of agriculture or forestry. The level of extension to the property is such that the proposal cannot be considered as a conversion of an existing building: to enable four units to be created a substantial amount of extension to the property has to occur. The proposed two, two storey extensions provide habitable rooms that if not provided would prevent the conversion of the building into four units as shown. It is not considered, therefore, that the proposal is a conversion of any existing property, as the extent of new build that has been proposed renders it contrary to Policies H19, H16 & H21. Apart from the change in access arrangements, no other alterations to address the previous reason for refusal have been made to this application. This forms the first reason for refusal.

In addition to the caveats in the policies referenced above, Policy C38 also reiterates the protection of neighbouring amenity. The proposed rear extensions are not only detrimental to the amenities of neighbouring residents, but also for the proposed occupiers of the dwellings. Although with this submission the applicant has removed one of the existing ground floor windows and proposed obscure glazing with the first floor bathroom, the proximity of the proposed two storey extensions is considered to result in an overbearing mass which is detrimental to the amenity of neighbouring and proposed occupiers, and forms a further reason for refusal.

The refused application was submitted with both inconsistent information between the drawings and Design and Access statement. The plans show the existing as being one house, whilst the statement says it is two. These are inconsistencies that occurred with the previous applications. This time however, the applicant has altered the access and the Highway Authority has no objection to the proposal subject to conditions. It is felt that further conditions could restrict the use of the turning and parking areas so that it does not become a residential parking area.

The Environment Agency have not commented on the application, and Wessex Water have highlighted that there are no existing surface water sewers, and that points of connection onto their apparatus needs to be agreed by them. These matters could be conditioned.

The application does not include the area of land to the rear of the property as within the red application site area. Nor is the agricultural building to the north of the site included which is proposed for renovation. Both of these works have not received planning permission. At the time of the site inspection, this area to the rear of the house was being used as a garden: with the previous application it was being used for storage of building materials. As there is no planning history for either the change of use or renovation works, an informative has been attached advising that an application is needed.

Within this application the Housing Services Section have recommended refusal for the absence of affordable housing provision. With the two previous reasons for refusal, no comments were received from Housing Services, so the lack of contribution did not form a reason for refusal. It is also questioned as to the appropriateness of applying Policy H2 to the open countryside when it specifically refers to the District's towns and villages.

## **CONCLUSION**

The proposal is considered contrary to development plan policy on several accounts. It is not felt that conditions could address the fundamental policy objections to the proposal or address the inaccuracies of the submitted information .

## **RECOMMENDATION**

Refuse.

## **RELATED PLANS**

Drawing : 1919/03/A received on 25.02.2008  
Drawing : 1919/01/A received on 25.02.2008  
Drawing : 1919/02/AB received on 25.02.2008





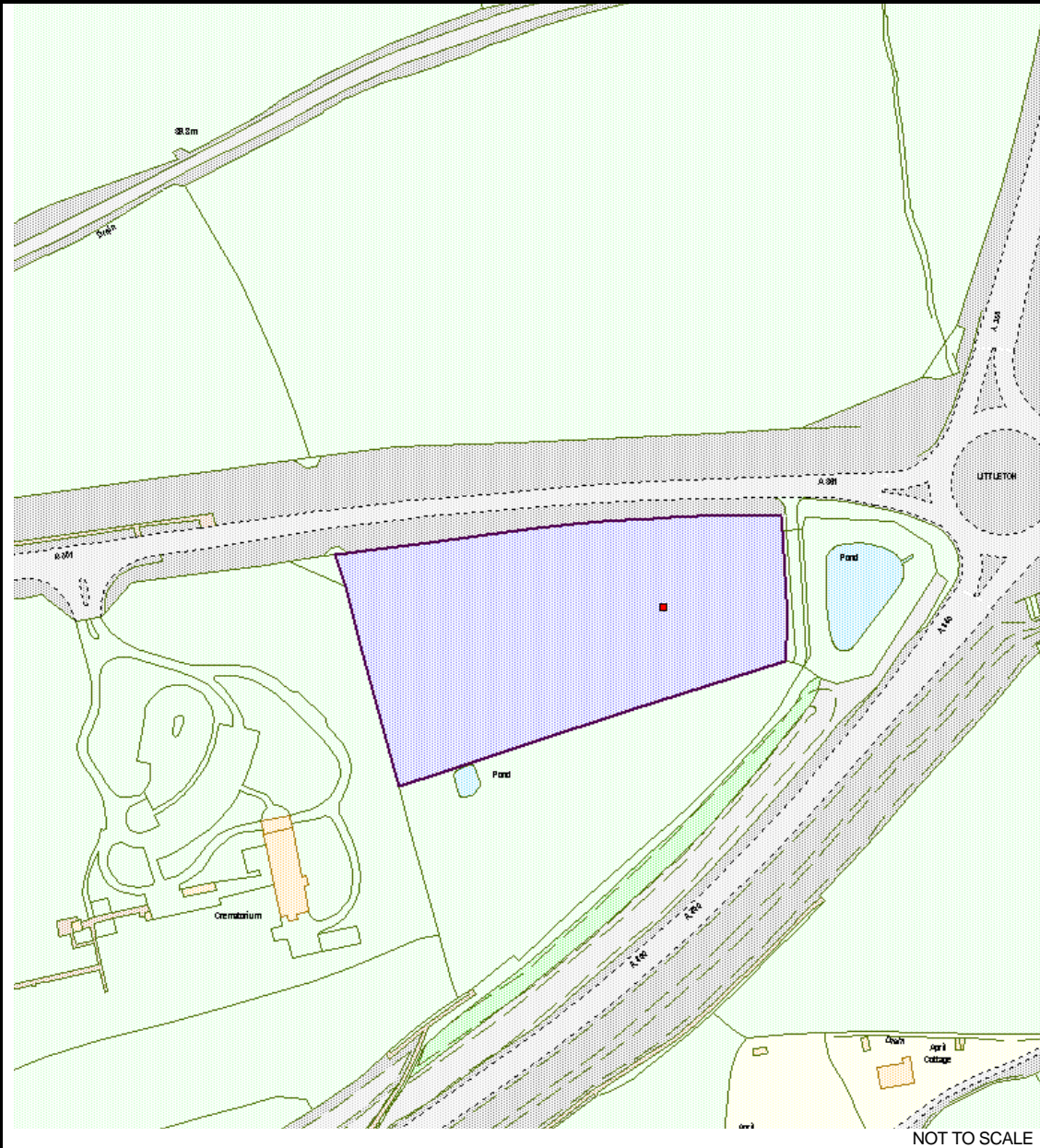
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 02

APPLICATION NO: 07/03870/FUL

LOCATION: Land Adjacent West Wiltshire Crematorium Littleton  
Semington Wiltshire



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SLA: 100022961

**02 Application: 07/03870/FUL**

**Site Address: Land Adjacent West Wiltshire Crematorium Littleton Semington Wiltshire**

Parish: Semington Ward: Summerham

Grid Reference 390246 160130

Application Type: Full Plan

Development: Change of use to private caravan site for three pitches, eight caravans for single extended family with associated works (hardstanding, drainage, fencing and utility buildings) and associated keeping of horses, for occupation by travellers (part retrospective)

Applicant Details: Mr Patrick Ward  
C/o Mrs Alison Heine Heine Planning Consultancy 10 Whitehall Drive Hartford Northwich

Agent Details: Heine Planning Consultancy  
Mrs Alison Heine 10 Whitehall Drive Northwich Cheshire CW8 1SJ

Case Officer: Mr Rudolf Liebenberg

Date Received: 11.12.2007 Expiry Date: 05.02.2008

**JUSTIFICATION FOR RECOMMENDATION:**

**The proposed development would meet the short term unmet needs of the occupants of the site in accordance with the Regional Spatial Strategy, Development Plan Document and Local Development Framework addresses Gypsy and Traveller needs in the district and identifies and allocates sites to meet that identified need. Planning conditions will mitigate any objections on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall be discontinued and the land restored to its former condition on or before 31 July 2011, in accordance with a scheme of work to be submitted and approved in writing by the local planning authority.

REASON: Because this is a form of development which would not be appropriate on a permanent basis

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy CF12

- 2 The occupation of the site shall be limited to the applicant and his family only.

REASON: Because this permission is only granted having regard to the particular circumstances of need advanced in support of the development for the named applicants.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy CF12

- 3 The development shall be carried out strictly in accordance with the approved plans, including any approved by the local planning authority in compliance with the attached conditions.

REASON: In order to define the terms of this permission

- 4 Within three months of the date of this permission details of landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

\* The approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive, following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;

\* all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;

\* the scheme shall be properly maintained for the lifetime of the development, and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and

\* the whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies C32 and C40.

- 5 Within three months of the date of this permission, a plan indicating the positions, of design, materials, and type of boundary treatments to be erected. The boundary treatments shall be erected within three months of approval of these details by the local planning authority.

REASON: To ensure the appearance of the development is satisfactory

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32

- 6 Details of drawings of the new western access and access track to the site, including visibility splays and sight lines, construction, surfacing and drainage, shall be submitted to and approved in writing by the local planning authority within three months of the date of this decision. The works shall be undertaken and completed within three months of the date of their approval, and shall be maintained as approved thereafter.

REASON: In the interests of highway safety

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy CF12

- 7 Within three months of the opening up of the western access required by condition 6 of this planning permission, the use of the eastern access shall cease and shall be permanently blocked in accordance with details submitted to and approved in writing by the local planning authority. The works shall be undertaken within three months of the approval of these details, and shall be maintained as approved thereafter.

REASON: In the interests of highway safety

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy CF12

- 8 Within three months of the date of this permission, details of the works for the disposal of sewage and foul drainage works to serve the site hereby permitted, shall be submitted to and approved in writing by the local planning authority. The works shall be undertaken within three months of the approval of these details and shall be maintained as approved thereafter.

REASON: to ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U1A

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

Permission is sought for the change of use of this land in open countryside to a private caravan site for three pitches and eight caravans for a single extended family including associated works (hard standing, drainage, fencing and utility buildings). The proposals include the associated keeping of horses on land not used for the caravans.

The caravan site is partly laid to hard standing (crushed concrete topped with hardcore with a loose shingle/ gravel surface) and this will be extended if planning permission is granted. Small sheds will provide storage/ utility rooms for storage and bathroom/washing facilities, measures approximately 4m x 5m and 4.4m high.

The application has been submitted retrospectively. The occupiers moved onto the site in late 2007. The Council initially served a temporary stop notice to contain the work done at the site and the level of occupation. A full stop notice followed together with its accompanying enforcement notice. An appeal hearing against the enforcement notice is scheduled for 22nd of September.

The caravan site occupies half of a field between the crematorium and the A350. It measures approximately 65m x 60 metres and would be subdivided into three plots. The remainder of the land is to be used for the keeping of horses. An existing access from the A361 close to the roundabout with the A350 is currently being used. Following objections to the use of this access from the Highway Authority a new access point is proposed at the western end of the field close to the crematorium. A driveway across the remaining paddock will link the caravan site to the new proposed access.

The lawful use of the site is farmland which has been severed by the A360 and A361 from other associated farm land. The field is enclosed by mature hedgerows, some hedgerow trees and post and rail fencing.

The site is already connected to a water supply. Details of foul drainage arrangements are not specified. Portable WCs are being used at present.

A supporting statement was submitted with this application.

The Council has carried out a welfare assessment with the occupiers of the site

### **CONSULTATIONS**

*Parish/Town Council* : SEMINGTON PARISH COUNCIL objected to the planning application on the following grounds:

“a. Retrospective

Significant work had been undertaken on the site before the planning application was submitted to WWDC. The agent employed by the applicant has a history of submitted similar retrospective applications for developments of this nature.

“b. Location of Site.

The proposed site is too close to the crematorium and is an alien feature on a landscape that is predominantly rural and agricultural. It invades the peace and dignity of the crematorium.

“The proposed development is inappropriate development in countryside, outside the Village Policy Limits and in close proximity to the crematorium. There is already an existing traveller’s site to the west of the proposed development.

“A recent study into possible permanent travellers’ sites investigated the Corsely and Semington rural areas. Semington was rejected because of the lack of amenities. The position with respect to the lack of amenities is unchanged.

“c. South West Regional Authority Gypsy and Travellers Needs Assessment.

A recent study by the South West Regional Authority into Gypsy and Travellers needs concluded that only one new pitch (equalling two living units) was required in West Wiltshire.

The proposed development introduces three pitches and eight caravans. There is no justification for this additional ‘housing’ development.

“d. Biodiversity.

A full biodiversity assessment of the development site must be undertaken before WWDC is in a position to consider this application. Such assessments and subsequent works to protect the biodiversity were a requirement for sites contiguous with the development site – the crematorium and the A350 Bypass road. The development site is directly adjacent to the ‘Balancing Pond’ that is likely to contain protected species (e.g. the great crested newt).

“e. Environmental.

The deposition of hardcore/aggregate/material of unknown origin and processing could lead to significant contamination of the ‘Balancing Pond’ and the Semington Brook.

“f. Sewage disposal/pollution

It is unlawful to discharge any sewage or treated sewage materials into a watercourse without a consent to discharge being in place allowing this activity. The planning application does not show clearly how such waste is to be disposed.

“g. Boundary Fence.

The boundary fence is greater than the permitted 1.8m in height and the supporting struts (currently in use trespass on Wiltshire County Council (WCC) land. Soft Landscaping should be employed (trees, hedges etc) with a requirement for its maintenance by the applicant for a five year period.

“h. Planning Application Details.

There are a number of false statements in the planning application thus:

“The answer ‘NO’ is given to the question ‘Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)’. It is within 20 metres!

“In respect of ‘Biodiversity and Geological Conservation’, the answers to (a), (b) and (c) are given as ‘NO’. There are protected and priority species present.

“In respect of ‘Vehicle Parking’, 6 cars are indicated. There is currently evidence of vans and light goods vehicles up to 3.5t.

“Under ‘Vehicle access and hard standing’ the existing materials are described as ‘Hardcore topped with stone chippings’. Prior to the occupation of the development site the field was purely agricultural and unspoiled. The hardcore and stone chippings have only been imported and laid by the applicant prior to this planning application being submitted. The answer given by the applicant suggests that the hardcore and stone chippings were already there prior to the applicant occupying the site.

“i. Highways/Access.

The proposed (existing) access on to the A361 road is very dangerous and is within 50m of a busy roundabout. Vehicles exiting the site and turning right on to the A361 block the carriageway and present an additional danger to existing road users. There is no footpath/footway to the development site.”

ENGLISH NATURE: Have no comments to make.

HIGHWAY AUTHORITY:

Initially recommended refusal for the following reasons:

1. The proposal will involve access directly onto the A361, which forms part of the Primary Route Network in Wiltshire, and therefore is contrary to Policy T8 of the Wiltshire and Swindon Structure Plan 2016, which states that development should be resisted outside built up areas and where over-riding need cannot be demonstrated. New residential occupation of land in this rural location close to the junction of the A350 and A361, which are both Primary Routes should therefore be resisted.
2. The access point is close to the roundabout junction of the A350 with the A361, where both roads are subject to the National speed limit of 60mph and where visibility of approaching vehicles from the direction of the roundabout is restricted. Therefore, any additional vehicular turning movements at the existing access are likely to create a serious road safety hazard due to right turning, signalling vehicles stopping before the roundabout where this manoeuvre will be unexpected by following fast moving vehicles and where visibility at the access point is restricted in the direction of the roundabout. Slower moving commercial or HGV vehicles associated with the development site will only add the safety hazard at this location.
3. The proposal is located remote from services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of PPG 13 which seeks to reduce growth in the length and number of motorised journeys. The development is therefore located in an unsustainable location and should be resisted.

Additionally the HA noted from the submission that the access point was identified as possibly being unacceptable (without explanation) and that a second access point might be considered. Clearly any new access point would continue to be at variance with the Structure Plan Policy laid down in ground 1 above. Any new access would also need to be designed to a reasonable standard and the existing second access is not considered to be designed to an acceptable standard for new residential development served off an "A" class road subject to the National speed limit.

Comments on revised plans for access:

The statement provides a detailed response to the highway recommendation and the measurement of the sight lines at the two alternative access points is welcomed and not disputed except that I note summer growth of existing hedges and planting in and adjacent to the verge may well affect these measurements. I can confirm that the design changes to the existing access in the field to the west of the site meet the recommendations that I laid down in my email dated 18th February 2008. Therefore, I am of the view that a safe access can be provided at this position subject to the maintenance of clear unobstructed visibility of 2.4m x 215m in the westerly direction (plant overgrowth may require cutting back to ensure the sight line remains unobstructed).

Two issues arise if the proposal now shows access from this westerly access point;

1. The access point must include a surfaced track leading to the fenced off area to the east of the site where the caravans are located. I note the submission includes a plan showing this arrangement in sketch form and I would recommend that a detailed scheme, also showing the improved access, should be submitted to ensure that the proposal is clear. I would also wish the sight line to the west to be maintained as described above and this should also be indicated on any new drawing.

2. This Authority must remain opposed to any new development which proposes access directly onto the primary route network under Policy T8 of the Structure Plan. It is for your Authority to consider whether there is an over-riding need for this development. This Authority cannot support development on this policy ground.

I also reconfirm that the site location does not meet the sustainable aims of the Structure Plan and the third refusal ground of my recommendation remains. The second ground of my recommendation is removed provided the access is shown to the improved standard, access track shown and visibility splay to the west.

### Publicity

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press.

Twenty eight letters of objection were received raising the following planning concerns:

- Disturbance to the village of Semington;
- Increased traffic on the A road and danger to vehicles coming off the roundabout;
- Land is agricultural and open countryside;
- Repair and maintenance work to equipment will create a noise nuisance;
- Visual impact of the development would detract from open countryside contrary to Local Plan Policy C12;
- Site is outside of Village Policy Limits;
- Highway safety grounds;
- Were the application to be considered for permission a speed restriction on Devizes Road would be required or re-siting of the bus stop;
- The proposal is not appropriate when considering Policy CF12;
- Accidents have taken place on Devizes Road previously;
- Works have already commenced on site in disregard of Planning Policy;
- The site is in open countryside and the proposal is contrary to Structure Plan policy DP3 and policy C10 and CF12 of the West Wiltshire District Plan First Alteration June 2004;
- Application is unsustainable;
- What would stop high fencing being put in place for security?
- Lighting on site will cause light pollution;
- The public footpath bisects turning areas and this will be a concern for safety;
- Proposal will potentially block wildlife corridors;
- Need more details of surface water runoff due to topography of the site?
- Also runoff of oils lubricants potential pollutants;
- What would stop further expansion of the site?
- What effort has been made to find alternative suitable sites for the travellers?
- Lack of community facilities;

The agent has submitted a statement in support of the application.



## **CONSTRAINTS**

- Open Countryside
- Access off A361
- Protected species
- Amenity

## **POLICIES**

Wiltshire and Swindon Structure Plan 2016

- DP1 Sustainable development
- DP3 Development Strategy
- DP14 Housing, employment and related development in the open countryside

West Wiltshire District Plan First Alteration (June 2004)

- CF12 Gypsy Caravan Sites
- C1 Countryside protection
- C32 Landscaping
- C38 Nuisance
- R11 Footpaths and rights of way
- H19 Development in open countryside
- T10 Car parking
- U1a Foul water disposal
- U2 Surface water disposal

- PPS 1 Delivering Sustainable Development
- PPS 7 Sustainable Development in Rural Areas

ODPM Circular 01/2006 Planning for Gypsy and Traveller Caravan sites;

## **RELEVANT PLANNING HISTORY**

The application site as a whole has the following planning history:

02/01602/ALT - Extension of crematorium, garden of rest, arboretum of remembrance - Refused 12.05.2003;

89/01857/ADV - Direction sign - Refused 12.12.1989;

## **KEY ISSUES**

The key issues to consider in this case are policy matters, highway safety, neighbouring amenity, need to safeguard the countryside and planning history.

## **OFFICER APPRAISAL**

Planning Policy

ODPM Circular 01/2006 – Planning for Gypsy and Traveller Caravan Sites - is the latest government advice relevant to this proposal. As it is more recent than the District plan, it carries significant weight in the decision making process and district plan policies should be interpreted in a way which takes into account the circular.

The Circular requires local planning authorities to carry out Gypsy and Traveller Needs Assessments to identify the need for new sites and pitches and to inform the Regional Spatial Strategy and Development Plan Document and Local Development Framework processes. In other words the needs assessment identifies the number of site and pitches need. These are checked at modified at the Regional Spatial Strategy. The Development Plan Document and Local Development Framework identify and allocate sites.

A needs assessment has been carried out in Wiltshire. It identified a need for 7 further pitches (each suitable for two caravans) in the district and 24 transit pitches to cover Wiltshire and Swindon. The needs assessment has been considered by the examination in public of the Regional Spatial Strategy which has recommended an increase in the number of additional pitches in the district to 14 residential pitches and 5 transit pitches. Work to identify and allocate sites in the Development Plan Document and Local Development Framework will follow.

Policy CF12 states that proposals to provide caravan sites for gypsies will be permitted in appropriate locations having regarded:

“A Potential nuisance to adjoining land uses, in particular, residential areas;  
B Encroachment into open countryside;  
C The needs and safety of future occupants & their children;  
D Highway safety, access, pedestrian safety, the impact of traffic on local roads & access to public transport;  
E Availability and adequacy of infrastructure e.g. electricity, drinking water, sewerage or on-site treatment or storage of effluent;  
F The proximity of local services and facilities e.g. shops; refuse collection, hospitals, medical services & schools;  
G The need to protect the best and most versatile agricultural land;  
H Potential flood risk and any unacceptable increased flood risk to other riparian owners arising from the development.

“Proposals will not be permitted in the Western Wiltshire Green Belt, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, Sites of Nature Conservation Importance, Areas of High Ecological Value, Scheduled Ancient Monuments or where inappropriate to the character or appearance of a Conservation Area or the setting of a Listed Building.

“All schemes should be well screened by landscaping and/or fencing.

The District Plan continues commenting:

“The District Council recognises proposals for caravan sites for gypsies need special consideration by virtue of the particular needs of gypsies consistent with their nomadic lifestyle. The Council notes the advice expressed in Circular 1/94 and 01/2006. Gypsy Sites and Planning and defines gypsies as ‘persons of a nomadic habit of life, whatever their race or origin’. The gypsy community for the purposes of Policy CF12 includes long distance travellers. There are two permanent gypsy caravan sites in West Wiltshire at Bratton (10 pitches) and Fairhaven, Dilton Marsh (7 pitches). The Council will monitor the need for further pitches and seek to ensure adequate provision is made for gypsies residing in, or resorting to, West Wiltshire and permit appropriate schemes for additional caravan sites for gypsies in accordance with Policy CF12.”

The proposal are now consider against the criteria set out in Policy CF12 and advice given in Circular 1/2006

1 Potential nuisance to adjoining land uses, in particular, residential areas

The closest neighbouring properties are some distance from the site to the west of the site towards Semington Village. The movements of vehicles to and from the site on the A361 will not materially affect amenity, particularly in view of the busy nature of the road network in this area.

The nearest sensitive use is the crematorium but again this is some distance away and tree planting and fencing will serve to screen the part of the site being occupied by caravans from the crematorium.

## 2 Encroachment into open countryside

The site is in open countryside. However it needs to be noted that open countryside is not an unusual location for this particular use. The site is not in the Green Belt or on land with any specific landscape designation. Circular 1/2006 comments that rural settings, where not subject to special planning constraints, are acceptable in principle.

The site was formerly very open. Positioning caravans on the site clearly affects its appearance. Part of the unauthorised work which has occurred at the site has included the erection of fencing in excess of two metres in height which while screening the caravans has added to the impact of the site. In the event of permission being granted the screening of the site will need to be conditioned and a more appropriate combination of fencing and planting achieved.

An objection was received that the proposal may potentially block wildlife corridors. English Nature have been consulted and raise no objections to the proposals.

## 3 The needs and safety of future occupants & their children

The site is capable of meeting the needs and safety of the occupants and their children. It is level and well suited to the stationing of caravans. Subject to the access arrangements being revised in line with the amended plans it is capable of being safely accessed.

## 4 Highway safety, access, pedestrian safety, the impact of traffic on local roads & access to public transport

The existing access arrangements to the site – on the inside of a bend close to the roundabout at the junction of the A361 and A350 – are not acceptable in highway safety terms. Amended plans showing an access at the western edge of the land owned by the applicant with a driveway across the 'horse paddock' between the crematorium and the caravan site have been submitted and are acceptable in highway safety terms and offer safe access and egress to and from the site.

Wide verges and footways along the A361 offer reasonable facilities for walking.

The site is on a bus route.

Circular 1/2006 comments that in assessing the suitability of sites in the countryside for this use local planning authorities should be realistic about the availability or likely availability of alternatives to the car in accessing local services. The highway authority concerns on point of principle about a new access to a principal road and sustainability need to be considered in the light of this comment in the circular.

Comments have been received suggesting measures to improve highway safety which include speed restrictions on the A361 and the re-siting of the bus stop. These proposals do not however form part of the application.

## 5 Availability and adequacy of infrastructure e.g. electricity, drinking water, sewerage or on-site treatment or storage of effluent

Electricity and drinking water supplies are available at the site. Foul sewage arrangements can be controlled by condition.

## 6 The proximity of local services and facilities e.g. shops; refuse collection, hospitals, medical services & schools;

Local services – primary school, shop, church, public house are available at Semington. Further facilities are available in Trowbridge and Melksham. Refuse collection is available.

## 7 The need to protect the best and most versatile agricultural land

The site was previously used for grazing and has been severed from associated farmland in recent years by the Semington by pass.

## 8 Potential flood risk and any unacceptable increased flood risk to other riparian owners arising from the development.

The use of the site in the manner proposed is acceptable in terms of flood risk both on and off site.

Wessex Water have been consulted on the application and they note that water supply, and foul sewerage can be achieved.

### Other issues

An objection has been received questioning what would stop the site being expanded in the future. Any expansion would require a change of use application and therefore the planning department would retain control over the situation. Clearly this remains an area of concern given that this is a retrospective application but what may potentially happen in the future is not a material planning consideration.

### Conclusion

The council is at an early stage in its work to establish future needs and to identify sites for gypsy and traveller needs in the district. An initial assessment of need has been made and may require further work before being agreed as part of the Regional Spatial Strategy. Until need has been established work on identifying sites in the Development Plan Document and Local Development Framework cannot proceed.

Other councils up and down the country have found themselves in this position in recent times. Where planning permission has been refused and applicants have appealed, there have been several cases where inspectors have granted temporary planning permission pending the completion of needs assessment and site identification work as outlined above. Indeed Circular 1/2006 comments that in such circumstances local planning authorities are expected to give substantial weight to the unmet need of the applicants in considering whether a temporary planning permission is justified. The circular goes on to add such a temporary planning permission should not be seen as a precedent for a future permission.

The application site fits reasonably well the criteria set out in the Policy CF12 but not so well that the long term need for the site as a gypsy / traveller caravan site should not be tested against other possible sites in the district as part of a process of identifying need and sites for gypsy and traveller caravan sites.

It is recommended therefore that planning permission should be granted for a temporary period of three years. Such a permission would need to include conditions relating to boundary treatment (mainly to secure less intrusive boundary fencing), the closure of the existing access and the creation of a new access as soon as possible and details of foul drainage provisions.

The proposal would with the limited provisions of the Local Plan only impact on the open character of the countryside. A three year temporary permission is recommended given the projected timetable for the adoption of a development plan document allocating specific sites and the personal circumstances of the applicant. This highlights the need for the Council to expedite the identification of sites. Refusing planning permission just because of a sole reliance on harm to the open countryside is not justified especially where personal needs are significant as well as the shortage of suitable alternatives.

## **RECOMMENDATION**

Temporary permission for 3 years.

## **RELATED PLANS**

Drawing : A1 received on 11.12.2008

Drawing : A2 received on 11.12.2008

Drawing : A3 received on 11.12.2008

Drawing : 18310/100 Rev 0 received on 15.04.2008

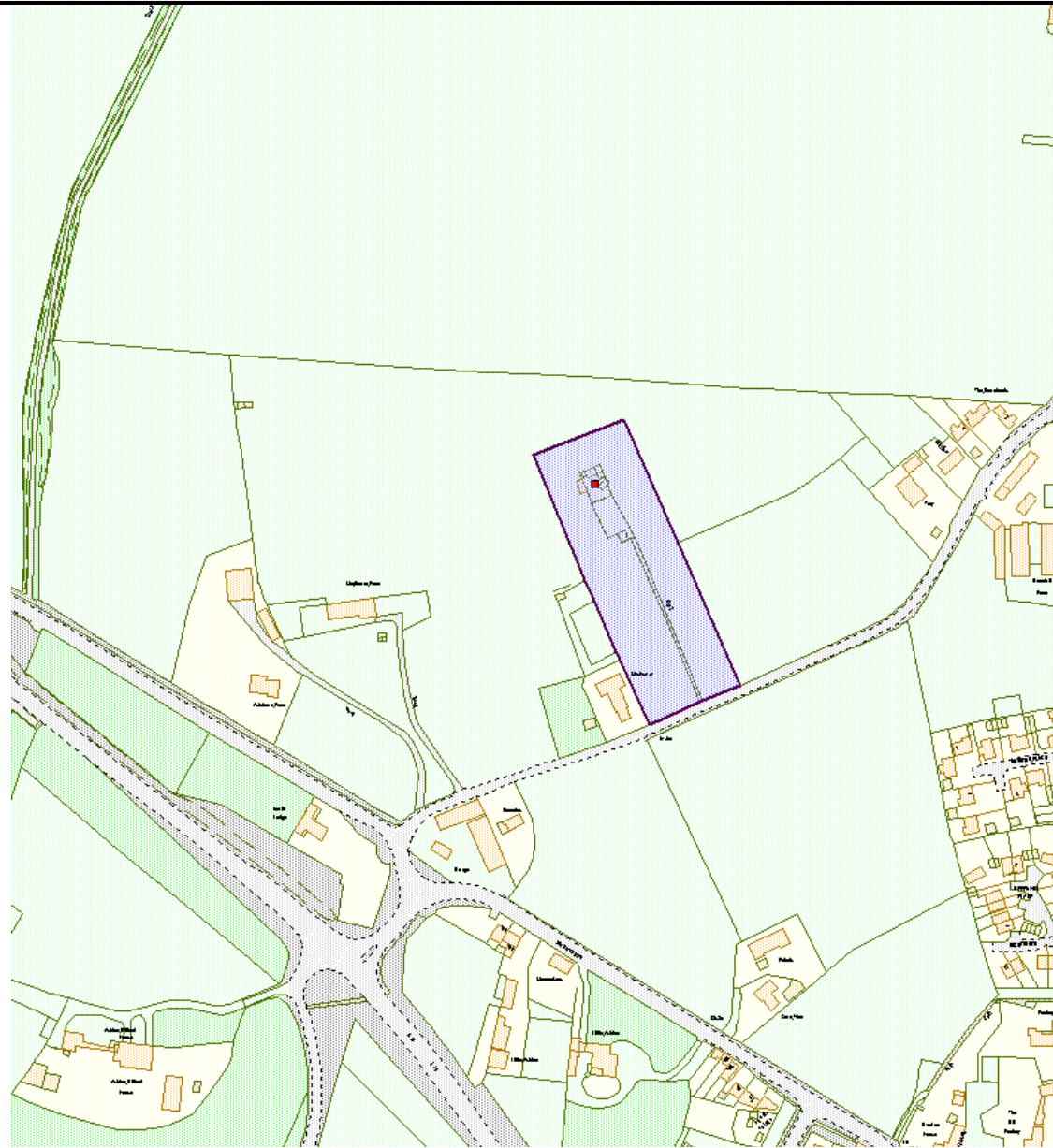
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 03

APPLICATION NO: 08/01638/FUL

LOCATION: Land At Mayflower New Road Codford Wiltshire



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SLA: 100022961

**03 Application: 08/01638/FUL**

**Site Address: Land At Mayflower New Road Codford Wiltshire**

Parish: Codford Ward: Mid Wylve Valley  
Grid Reference 396349 140335  
Application Type: Full Plan  
Development: Demolition of redundant farm buildings, change of use and erection of new veterinary surgery  
Applicant Details: Mrs M Collins  
Manor Farm Veterinary Surgery Green Lane Codford Warminster Wiltshire  
Agent Details: Cousins Thomas Rose  
F A O Mr M Rose 10 Church Walk Trowbridge Wilts BA14 8DX  
Case Officer: Mrs Rosie MacGregor  
Date Received: 30.05.2008 Expiry Date: 25.07.2008

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 Visibility for emerging vehicles is restricted in both directions along the rural C class public highway and therefore presents a road safety hazard to all users of the public highway. The lack of footways and street lighting together with the restricted width of the carriageway also present a hazard to users of the public highway, particularly staff or customers arriving and departing the application site on foot or by cycle. The proposal as such is contrary to Policy E6 of the West Wiltshire District Plan - 1st Alteration 2004.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application has been called to Committee by Councillor Newbury.

This is a full planning application for the demolition of redundant farm buildings and erection of a new veterinary surgery and change of use of land.

The site is located in open countryside on the edge of Codford entirely within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

The application proposes the redevelopment of the site in the form of an 'L' shaped building on one and a half storeys constructed from brick under a natural slate roof. The first floor of the building would be accommodated within the roofspace. The building would comprise a reception/waiting area, 3 consulting rooms, a sterile theatre, dental theatre, diagnostic room and small animal wards, staff facilities and storage at ground floor level and further staff facilities, an office and storage at first floor level.

The sloping site on which the building and parking would be accommodated would be levelled and the resulting embankment would be landscaped. Further landscaping would screen the parking area and the building would be approached by a tree lined driveway following the approximate route of the existing access track.

The existing buildings are in a very poor state of repair being constructed from a mix of brick and block work together with timber and corrugated metal sheeting. The site is approached by way of an unmade up track, little more than an indentation in the ground, leading from the public highway across a field.

A Design and Access Statement has been submitted with the application which states that these buildings were formerly a dairy but are now disused. The applicant is an established local vet with her own practice employing 8 vets and lay staff both full and part time who live locally with approximately 2500 clients in the local community.

An ecology survey has been submitted with the application which concludes that Blackbirds and Barn Swallows are using the dairy as a nesting site. No evidence of roosting bats was found in the building but Common Pipistrelles commute in the vicinity of the buildings. Mitigation in the form of a bat box is recommended and informatives with regard to bats and nesting birds.

## **SITE VISIT / STATUTORY SITE NOTICES**

*Date of Site Visit* : 05.06.08

*Date Site Notice Posted* : 05.06.08

## **CONSULTATIONS**

*Parish/Town Council* :

CODFORD PARISH COUNCIL: Fully supports this application on the following grounds:

The existing surgery is a flourishing rural business which has outgrown its present site. It has proved its sustainability over many years and it is a valuable facility to Codford and the wider community.

It offers services and work opportunities in the rural environs. This is precisely the form of development needed in a village such as Codford. It supports local business, is sensitively designed and is of an appropriate scale for the site.

The proposed site is on a redundant and derelict old dairy which is falling into further decay as the years go by. The present proposal will greatly enhance the landscape of the AONB and could in no way be detrimental to the appearance of the area.

The proposal to sink the building by cutting into the soil and therefore lower the apparent height of the building combined with the sympathetic design will ensure that it does not become a blot on the landscape as has been the case with previous planning consents.

Setting the proposed building into the ground and using traditional building materials will also have a far lesser impact on the surrounding countryside than the Sound Post which has now been allowed to extend beyond its original footprint.

The nearby Sound Post replaced a derelict farm building in very much the same state as the old dairy. This could be said to set precedence for utilising derelict farm buildings to enhance the landscape of an AONB, to provide work opportunities, to support local services and to follow guidelines to support rural businesses integral to keeping communities vibrant.

The plans provide more than adequate car parking with scope for more, if needed. New Road offers good highway access and is used by heavy goods vehicles en route to Lyons Seafood and West Country Fine Foods. The site is closer to the village than the present surgery.

The use of mature specimens to screen the new development and set it into the landscape will also, in time, provide and enhanced wildlife habitat.

The derelict building was surrounded predominantly by brambles and elder with a few hawthorn and sycamore and no trees as such.

The mix of residential and commercial uses along Green lane is part often character of this part of the village. This development will help maintain a balance with the ever increasing number of residential developments.



Finally, the Parish Council would like to conclude that the Surgery is a valuable facility that has proved its sustainability and is universally supported. It is of the view that the plans show a sympathetic and imaginative design that can only enhance the appearance of the village.

*External :*

HIGHWAY AUTHORITY: 'I am concerned that the proposal is located outside the policy boundary for the village, and is located at a point where visibility is restricted along this section of rural road, where traffic is subject to the National speed limit of 60 mph. Whilst I would not expect traffic to be travelling at or near this speed due the restricted nature of the road, I would at least expect visibility to meet the criterion for traffic travelling at or around 40mph, i.e. visibility splays of at least 2.4m x 120m should be obtainable from any new lightly trafficked access point. From OS plans, measurements of 2.4m x 35-40m are available at the access point across the field fronting the application site with hedgerows obstructing visibility in both directions.

I therefore recommend refusal on the following grounds:-

I feel bound to recommend unfavourably on transport sustainability ground 1 below because the site is located along a rural or, in parts, semi-rural road outside the Local Plan policy boundary for the village:

1. The proposal will encourage the use of the private car, being poorly served by public transport, remote from the village of Codford where walking and cycling (for staff and some customers) could be encouraged, and is therefore contrary to the key aims of PPG13 which seeks to reduce the growth in the length and number of motorised journeys.

2. Visibility for emerging vehicles is restricted in both directions along the rural C class public highway and therefore presents a road safety hazard to all users of the public highway. The lack of footways and street lighting together with the restricted width of the carriageway also present a hazard to users of the public highway, particularly staff or customers arriving and departing the application site on foot or by cycle. '

WILTSHIRE AND SWINDON BIOLOGICAL RECORDS CENTRE: No bat records but the presence of protected species should be established before permission is granted.

CRANBORNE CHASE AND WEST WILTSHIRE DOWNS AREA OF OUTSTANDING NATURAL BEAUTY: The proposal does seem to be an appropriate use within the AONB, providing a proven service to the local area and removing a minor eyesore.

ENVIRONMENT AGENCY: No objection in principle subject to conditions and informative.

*Internal :*

ENVIRONMENTAL HEALTH: No objection.

*Neighbours :* Neighbours have been notified by letter and site notice.

23 letters from local residents have been received in support of the application.

## **NEGOTIATIONS / DISCUSSIONS**

Pre-application discussions were held with the applicant prior to her purchase of the site.

She was advised that the proposal to convert and extend the buildings to form a new veterinary surgery would be contrary to policy for the area. Such a proposal would fail to comply with Policy E8 which relates to the conversion of rural buildings.

However, the current proposal is for the demolition of the existing buildings and establishment of a new enterprise which would fall under Policy E6.

She was also advised that the site was situated in an Area of Outstanding Natural Beauty.

## **CONSTRAINTS**

Open countryside  
Area of Outstanding Natural Beauty  
Neighbouring amenity

## **POLICIES**

Wiltshire Structure Plan 2016

DP1 Priorities for sustainable development  
DP9 Reuse of land and buildings  
DP15 Housing, employment and related development in the open countryside  
T5 Parking  
C8 Areas of Outstanding Natural Beauty

West Wiltshire District Plan 1st Alteration (2004)

C2 Areas of Outstanding Natural Beauty  
C31a Design  
C32 Landscaping  
C38 Nuisance  
E6 Rural Employment  
T10 Car parking

PPS1 Delivering sustainable development  
PPS7 Sustainable development in Rural Areas

## **RELEVANT PLANNING HISTORY**

None

## **KEY ISSUES**

Policy  
Impact on the Area of Outstanding Natural Beauty and countryside  
Neighbouring amenity  
Highway access  
Sustainability

## **OFFICER APPRAISAL**

Policy E6 of the West Wiltshire District Plan 1st Alteration 2004 states that in rural areas proposals for the establishment or expansion of small scale employment enterprises in existing premises or on new sites will be permitted subject to meeting certain criteria.

Such proposals must not create highway or flood risk problems; their scale, design, siting, materials and type of operation must be compatible with the rural character of the area; not harm acknowledged nature conservation interests and not create nuisance.

The site is within the Area of Outstanding Natural Beauty where priority will be given to the landscape and only new development essential to the economic and social well being of the rural community will be permitted subject to similar considerations as above.

The existing former dairy buildings are in a poor state of repair and are of unsightly appearance. Their replacement with a new building would be an improvement on the appearance of the area. Furthermore, the new building would be located below the brow of the hill, partially set into the hillside and would be well landscaped. The low profile design of the building on 1.5 storeys would not appear unduly prominent in this location. There is an existing ribbon of sporadic development on New Road and in this context the proposals would not have any significant adverse impact on the character of the countryside or rural amenity within the Area of Outstanding Natural Beauty.

Even so the new building is sufficiently far from the closest residential neighbours for there to be no harm to neighbouring amenity.

Although the site is located in open countryside at a short distance from the edge of the village, separated by a field from the village, it is relatively close to another building in employment use on the same side of the road on which there are a number of isolated dwellings.

The farm at which the existing veterinary business is located is on the same side of the road at a short distance from the site. New Road connects into the existing network of village roads and it is considered that given that this is a veterinary surgery that is an appropriate use in this rural location and provides a service that is essential to the economic and social well being of the community. Furthermore, planning policy encourages the expansion of small scale employment development even on new sites in rural locations. Despite the highway authority's concerns about sustainability it is considered on balance that it would be difficult to support a reason for refusal based on lack of sustainability.

However, the highway authority's concern regarding the impact on road safety are regrettably supported. The width of New Road is such that although there is sufficient space for small cars to pass, other larger vehicles may not. There is no pavement, no street lighting and no speed restriction on an access that would have limited visibility and where it would not be possible to achieve the visibility splays required by the highway authority and necessary to highway safety.

## **RECOMMENDATION**

Refusal.

## **RELATED PLANS**

Drawing : 3018/100 received on 30.05.2008

Drawing : 3018/201 received on 30.05.2008

Drawing : 3018/202 received on 30.05.2008

# PLANNING COMMITTEE

31 July 2008

ITEM NO: 04

APPLICATION NO: 08/01665/FUL

LOCATION: Land At Lower Westbury Road Bratton Wiltshire



NOT TO SCALE

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SLA: 100022961

**04 Application: 08/01665/FUL**

**Site Address: Land At Lower Westbury Road Bratton Wiltshire**

Parish: Bratton Ward: Ethandune  
Grid Reference 390527 152629  
Application Type: Full Plan  
Development: Mobile home, utility block and touring caravan  
Applicant Details: Mr J Ayres  
Lower Westbury Road Bratton Wiltshire  
Agent Details: Mrs M Smith-Bendell  
Romani Gypsy Liaison Officer 1 Bradley Lane Ashcott Bridgwater  
Somerset  
Case Officer: Mr James Taylor  
Date Received: 03.06.2008 Expiry Date: 29.07.2008

**JUSTIFICATION FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The mobile home, day room and touring caravan hereby permitted shall be occupied as one dwelling unit and the use of the land is not authorised for any persons other than gypsies as defined in ODPM circular 01/2006.

REASON: In order to define the terms of this permission and the special circumstances of the applicant.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policy CF12 and Wiltshire Structure Plan 2016 Policy DP16.

- 3 When the development hereby permitted ceases to be occupied by persons with a gypsy status no further occupations of the development shall take place. The mobile home utility block and touring caravan and anything brought on to the land in connection with its occupation shall then be removed from the land within one month.

REASON: In order to define the terms of this permission and the special circumstances of the applicant.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) Policy CF12 and Wiltshire Structure Plan 2016 Policy DP16.

- 4 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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 ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 5 Prior to any development taking place full details of the mobile unit, day room and touring caravan including floor plans and elevation details as appropriate shall be submitted to and approved in writing by the local planning authority. The development shall then be completed strictly in accordance with those approved details.

REASON: In order to define the terms of this permission.

- 6 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 8 Prior to the first occupation of the development hereby approved the alterations to the access shall be completed strictly in accordance with the details hereby approved or otherwise submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) Policy CF12 and Wiltshire Structure Plan 2016 Policy DP16.

- 9 Any gates shall be hung to open away from the highway and set back at least 4.5 metres from the carriageway edge.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) Policy CF12 and Wiltshire Structure Plan 2016 Policy DP16.

- 10 Prior to any development taking place full details of the disposal of sewerage on site to serve the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall then be completed strictly in accordance with those approved details.

REASON: To ensure that the development can be adequately serviced without harm to the natural environment.

- 11 Contaminated water shall not be discharged to any stream, watercourse or underground strata, whether direct or via soakaways.

REASON: To minimise the risk of pollution to the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) Policy U4.

- 12 No controlled waste shall be burnt on site.

REASON: In order to minimise nuisance.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) Policy C38.

- 13 Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details, prior to the commencement of use, and shall be maintained at all times.

REASON: In the interests of public health.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) Policy C38.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to committee because Bratton Parish Council objects contrary to your officer's recommendation and it is considered necessary in light of the applicant's reasons for resubmission.

This is a resubmission of a previously refused application by the Committee on 29 May 2008. It is identical to that previously made, but with additional information regarding the emerging pitch requirements within West Wiltshire stated by the Regional Spatial Strategy. The applicant states that the application has been submitted 'because of the confusion that occurred at the Planning Committee at its meeting on 29/05/2008' and after discussions with 'several committee members' after the meeting.

This is a full planning application for the siting of a single gypsy family site comprising a mobile home, 'day room' (utility block) and touring caravan. The proposal has been amended to have a reduced size mobile home of approximately 12.2 metres by 6.1 metres.

The application site is currently a paddock used for the gazing of horses and access to this site is existing onto a single lane unclassified road approximately 450 metres from the edge of Bratton village which is to the east. The field is set below the level of the road and has a hedgerow bounding the highway and on the eastern edge of the field.

To the northern end of the field is a field shelter and stables and in the field immediately to the west is a large detached steel frame building.

## SITE VISIT / STATUTORY SITE NOTICES

The site was visited on 11 March 2008 and a site notice was erected on a telegraph pole at the site.

### CONSULTATIONS

#### *Parish/Town Council :*

BRATTON PARISH COUNCIL: The council strongly objected due to the site in question being outside the village boundary also the council's fear is that, as has happened on other sites, the site would extend in the future to provide accommodation for other gypsy families. The council voted unanimously to object to the plan. They would have liked details of the layout of the proposed caravan i.e. a floorplan. The Council would like it noted that as a decision has already been made on this application under number 08/00623, they believe that the original committee decision should stand.

#### *External :*

HIGHWAY AUTHORITY: Recommends refusal:

The proposed mobile home raises highway concerns from a sustainability and road safety perspective. The home is located remote from facilities to meet the needs of the resident family. Bratton is within walking distance however the lack of street lighting and separate footways does not encourage pedestrian activity. Furthermore, Bratton has limited facilities, such as shops, schools and employment opportunities. Bratton also has a limited bus service.

The roads serving the site are narrow and in many places do not allow two vehicles to pass. Larger service vehicles, such as dust cart, would have difficulty accessing the site due to the narrow roads and tight junctions.

I am aware of the history of the site and that a similar proposal received planning approval (W07.3063). The Highway Authority offered an adverse highway recommendation at the time and the issues are still relevant.

In view of the above I feel bound to recommend this application be refused on highway grounds for the following reasons:

The proposal, located remote from services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of Planning Policy Guidance Note 13 which seeks to reduce growth in the length and number of motorised journeys.

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

WESSEX WATER: Had no objection to application 08/00623/FUL.

#### *Internal :*

HOUSING SERVICES: Commented on application 08/00623/FUL: you need to be aware that the Gypsy and traveller accommodation assessment indicates a need for an additional pitch within the District. This is in addition to those required for the replacement of Bonnie Park.

PLANNING POLICY: No comments received to date (11.07.2008)

ENVIRONMENTAL HEALTH: Commented on application 08/00623/FUL: No objections subject to conditions.

*Neighbours :* 1 letter was received on application 08/00623/FUL raising the following issues:

- The site is approximately ¼ mile away from the nearest domestic dwelling in Bratton and is in a green buffer zone between Westbury and Bratton.



- What used to be agricultural land has now unfortunately been sold as small paddocks for horse grazing. Allowing one such small paddock would I feel have a knock on effect with the majority of the other 20-30 other small paddock owners in the area trying to also maximise the use of their land. The net result being a shanty-town style community overshadowing the existing part of the community and dwellings on Lower Westbury Road.
- No address for the applicant stated.
- Substantial single storey wood built bungalow shown which negates the emotional argument presented as the reason for the application.
- Application states that consultation has taken place with residents, but this is not so
- No services except water available.

This application has generated one objection, but from a different individual raising the following points:

- concerned about the means of notification and would like the consultation process restarted.
- there is already traveller site less than a mile away at Bonnie park with many free pitches
- if the application is made under PPS7 then it has no grounds.
- the development would be in the countryside without warrant and existing provisions exist very close by.

## **NEGOTIATIONS / DISCUSSIONS**

None

## **CONSTRAINTS**

Open countryside

## **POLICIES**

West Wiltshire District Plan 1st Alteration (2004)  
 C1 Countryside Protection  
 C31a Design  
 CF12 Gypsy Caravan Sites

Wiltshire Structure Plan 2016  
 DP15 Accommodation for Gypsies and Travellers

National guidance  
 PPS1: Delivering Sustainable Development  
 PPS3: Housing  
 PPS7: Sustainable Development in Rural Areas  
 PPG13: Transport

Further national guidance in ODPM circular 01/06

## **RELEVANT PLANNING HISTORY**

None

## **KEY ISSUES**

There should be special consideration for bona fide gypsy applications and they should be considered in regard to their impact on the adjoining land uses, natural and built environment and location in relation to services. Planning history is also a material consideration.

## **OFFICER APPRAISAL**

Development Plan policy in regards to this type of application is quite limited and has been superseded in many respects by national policy in ODPM circular 01/2006: Planning for Gypsy and Traveller Caravan Sites.

However the development plan policies are clear that such applications need to be given special consideration and may be acceptable in locations where housing is not normally allowed because of the special circumstances accepted for bona fide gypsies. This is subject to having reasonable access to services, meeting the needs of the applicant and causing no harm in terms of highway safety or the wider environment and neighbouring land uses.

National circular 01/2006 highlights the need for local authorities to carry out gypsy and traveller needs assessments, further it states that rural settings can be acceptable in principle. Consultation with the Council's Housing team has indicated that a need for further gypsy sites has been identified in the accommodation assessment. However no allocations have been made to date.

In short it is considered that the landscape has no significant merit beyond its agricultural character. Lower Westbury Road is characterised by a variety of equestrian, residential and agricultural development and the site frontage benefits from a rural hedgerow, and the site is sunken below the road level. Given the character of the area and the potential for screening of the mobile, touring caravan and day room from the road then no significant harm would result; especially in light of the unique nature of this application for gypsy accommodation. Further there are no neighbours in very close proximity.

Initially concerns existed over the scale of the mobile unit that was proposed. This has been reduced in scale following consultation with the applicant's agent in the first application and is now considered to be more suitable to the needs of the applicant. The final finish could be conditioned.

The main issues in regards to this application are therefore considered to be as follows; the matter of remoteness from services and width of the road. These are the two issues that have been raised as possible grounds for refusal in the consultation with the Highway Authority. The site lies approximately 500 metres from the village of Bratton and as such can be considered to be a walking distance. The lack of pavements or street lighting is characteristic of rural locations, indeed this is quite common within village boundaries. Given that national guidance highlights that locations outside of village and town policy limits may be acceptable for gypsy accommodation then it is not considered reasonable to require 'urban' pedestrian facilities. The road is not a major road and although no data is known to support this view, it is considered to have quite a light traffic load.

The facilities within Bratton may actually be quite limited as with many of the rural villages now, however housing within this area is considered sustainable in relation to the village facilities on offer. Further there are transport links, albeit a limited rural service, linking to Westbury with its more significant employment, leisure and retail facilities.

The Highway Authority makes no objection on the grounds of the access point and it is considered that the access provision is adequate. Indeed it would make use of an existing access which has quite straight visibility in both directions on this rural and lightly trafficked road.

In summary, despite the conclusions of the Planning Committee on 29 May 2008 and the now material planning history for refusal on the site, the professional opinion of the officers remains unchanged and would recommend this application for permission in accordance with the previous recommendations.

In addition to the previous officer comments and since the application was last debated at Committee there has been the emergence at a regional level of increased pitch requirements within the West Wiltshire area. These have risen from 7 to 14 pitches plus 0 to 5 transit pitches. This information is not formally adopted at this stage. These sites should be identified in the Local Development Framework, work for which it is understood to be on-going but no pitches have been formally identified to date.

## **RECOMMENDATION**

Permission subject to conditions.

## **RELATED PLANS**

Drawing : SITE PLAN received on 03.06.2008

Drawing : 0817/01 received on 03.06.2008

Drawing : 0817/02A received on 03.06.2008

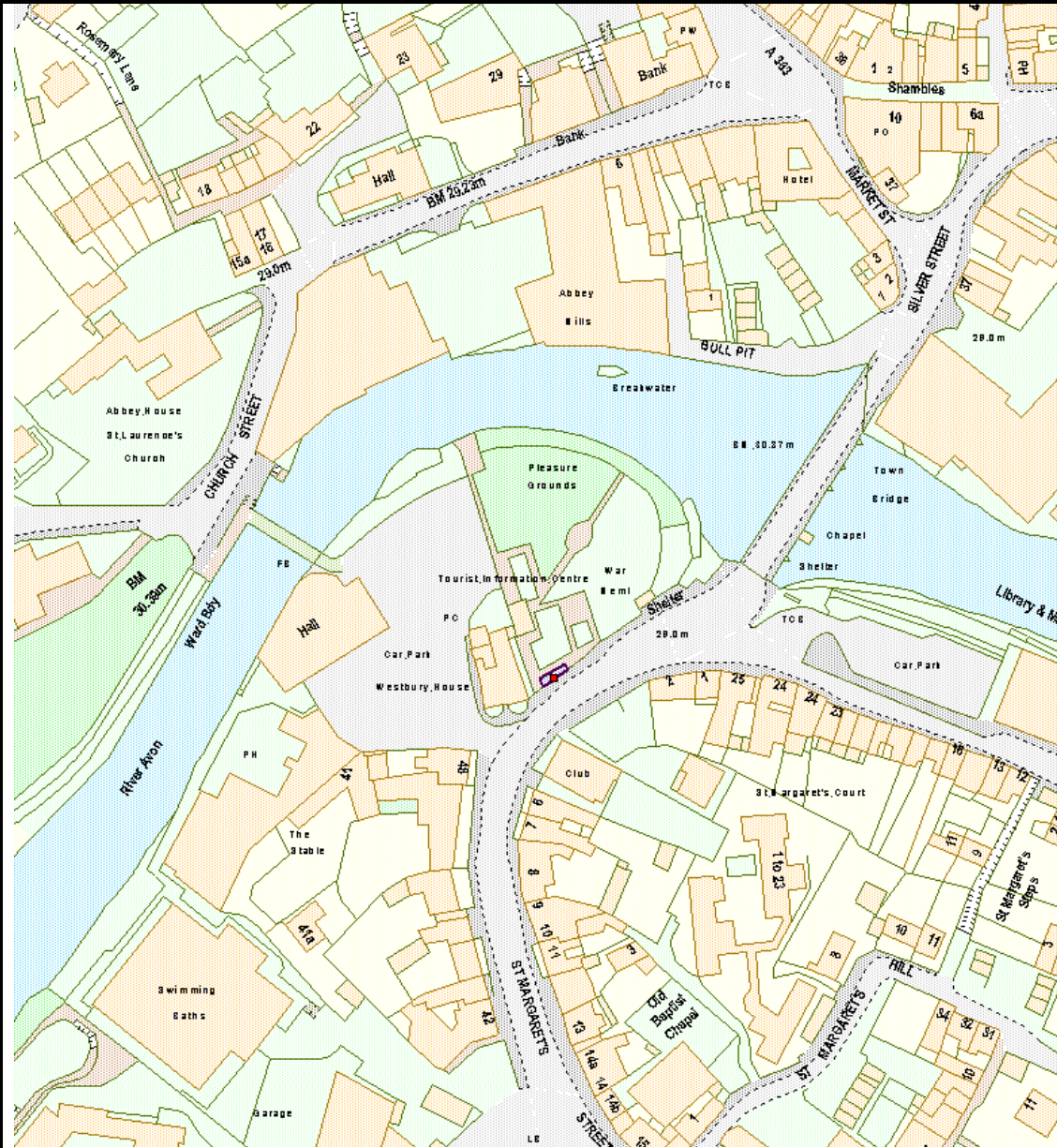
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 05

APPLICATION NO: 08/01531/LBC

LOCATION: Land South Of Pleasure Grounds St Margarets Street  
Bradford On Avon Wiltshire



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SLA: 100022961

**05 Application: 08/01531/LBC**

**Site Address: Land South Of Pleasure Grounds St Margarets Street Bradford  
On Avon Wiltshire**

Parish: Bradford On Avon Ward: Bradford On Avon South  
Grid Reference 382552 160858  
Application Type: Listed building  
Development: Replacement of existing notice board and repairs to existing wall  
Applicant Details: Mrs Diane Holmes  
St Margarets Hall St Margarets St Bradford on Avon Wiltshire  
BA15 1DE  
Agent Details: Hetreed Ross Architects  
F A O Miss Jolene Soares Attika Workspace Bath Brewery Toll  
Bridge Road Bath  
Case Officer: Ms Margaretha Bloem  
Date Received: 29.05.2008 Expiry Date: 24.07.2008

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposed sign by reason of inappropriate non-traditional materials would fail to preserve or enhance the character of the Conservation Area or setting of the adjoining Grade II Listed Building contrary to Policies C18 and C28 of the West Wiltshire District Plan 1st Alteration 2004.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

The application is brought to Committee at the request of Councillor Repton.

The proposal is to replace the existing wood framed notice board with a new aluminium sign, attached to the wall with three aluminium posts and repairs to the existing wall.

### **SITE VISIT / STATUTORY SITE NOTICES**

*Date of Site Visit* : Site visited on 23.05.2008.

*Date Site Notice Posted* : Site notice posted on 23.05.2008.

### **CONSULTATIONS**

*Parish/Town Council* : BRADFORD ON AVON PARISH COUNCIL - no comments as they are the applicant.

*External :*

BRADFORD ON AVON PRESERVATION TRUST - The Preservation Trust recommends that only native hardwood should be used for this notice board in the curtilage of a listed building in this most important centre of the Bradford on Avon Conservation Area.

*Internal :*

HERITAGE DEVELOPMENT OFFICER - Recommend refusal as the proposal is not of traditional materials and taking into account the prominent location within the street scene and Conservation Area and adjacent to a Grade II Listed Building.

THE CONSERVATION OFFICER confirmed that he was approached regarding changes to the notice board, but was not shown any plans. He is of the opinion that powder coated aluminium posts would be acceptable if combined with a traditional wooden notice board.

*Neighbours :* No comments received.

## **NEGOTIATIONS / DISCUSSIONS**

A leaflet showing a similar notice board with the colour and materials as the proposal was the preferred choice by the Town Council following extensive consultation and research into various alternative designs and materials.

## **CONSTRAINTS**

Adjacent Grade II Listed Building  
Conservation Area

## **POLICIES**

West Wiltshire District Plan 1st Alteration 2004 - Policies: C18 and C31a.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

## **KEY ISSUES**

Impact on character of the Conservation Area, streetscene and Grade II Listed Building.

## **OFFICER APPRAISAL**

Policy C18 states that within Conservation Areas, materials and colours which blend with their setting should be used. Traditional local materials will be expected, except in locations away from public view.

The notice board is in a very prominent location in the heart of the Conservation Area and adjacent to Westbury House - a Grade II Listed Building. There is no objection to the size or design or the size of the notice board, however, the aluminium coated notice board would not be in keeping with the streetscene and would harm the character of the heart of the Conservation Area.

It is also considered that the non-traditional material will have a detrimental impact on the Grade II Listed Building Westbury House as well as the Grade II Listed structures in the immediate surrounding area.

## **RECOMMENDATION**

Refuse

## **RELATED PLANS**

Drawing : 252/P/12 received on 29.05.2008

Drawing : 252/P/10 received on 29.05.2008

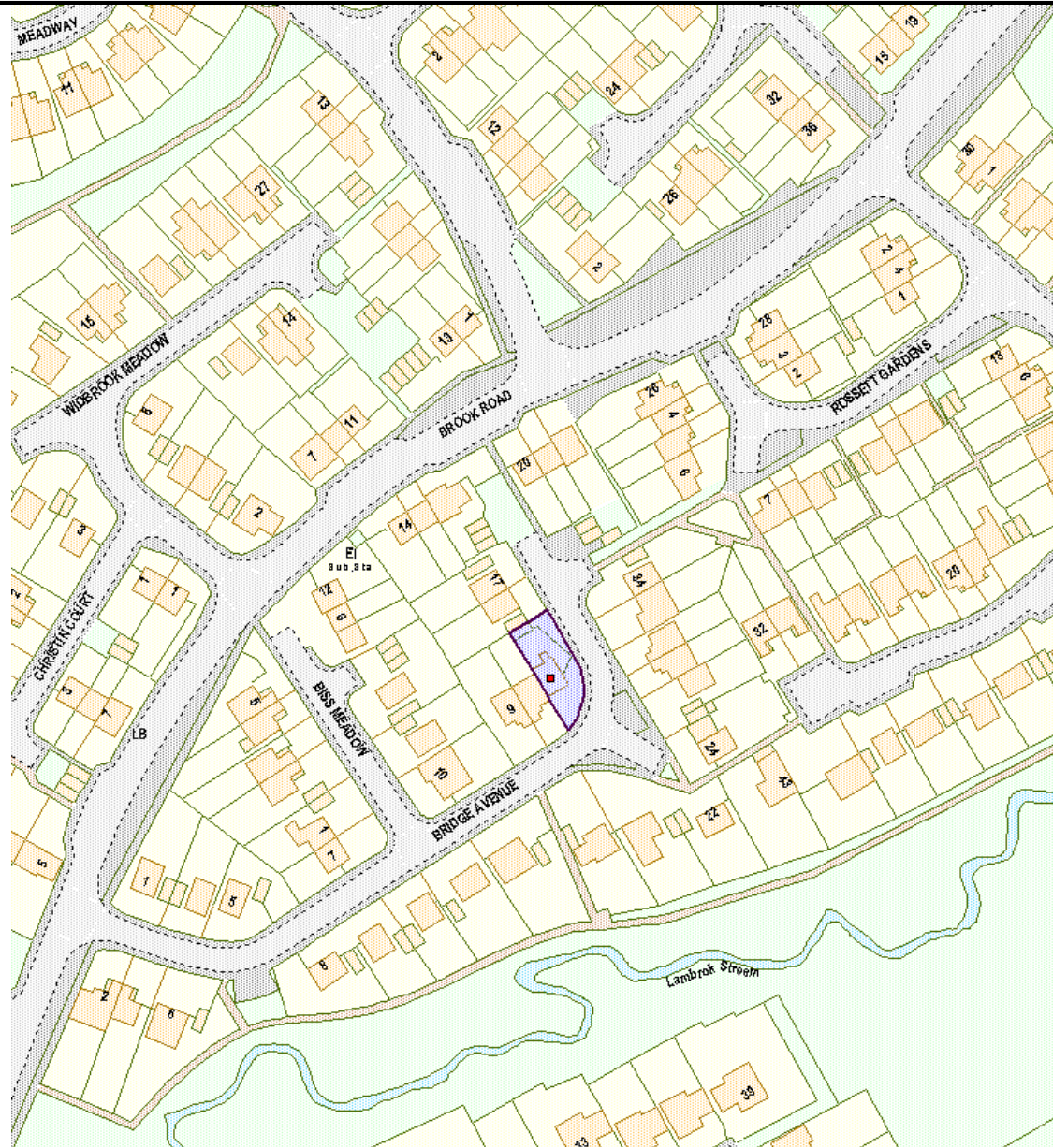
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 06

APPLICATION NO: 08/01546/FUL

LOCATION: 13 Bridge Avenue Trowbridge Wiltshire BA14 9SF



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SLA: 100022961



<b>06</b>	<b>Application:</b>	<b>08/01546/FUL</b>
	<b>Site Address:</b>	<b>13 Bridge Avenue Trowbridge Wiltshire BA14 9SF</b>

Parish: Trowbridge Ward: Trowbridge North West

Grid Reference 384237 157720

Application Type: Full Plan

Development: Sub-division into two dwellings

Applicant Details: KCM Developments Ltd  
89A Trowbridge Road Bradford On Avon Wiltshire BA15 1EG

Agent Details: Mr Bill Lowe  
43 Alexandra Road Frome Somerset BA11 1LX

Case Officer: Mr Matthew Perks

Date Received: 28.05.2008 Expiry Date: 23.07.2008

**JUSTIFICATION FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application is referred to Committee because the Trowbridge Council recommends refusal and officers recommend Permission.

This is a full planning application for the subdivision into two dwellings of 13 Bridge Avenue, Trowbridge.

The application site is one of a terrace of 3, arranged in a staggered form on the northern side of the Bridge Avenue cul-de-sac. The proposal involves the blocking-up of an existing door opening to create a new two bedroom unit at the eastern end of the terrace. Two parking spaces are proposed on site for No. 13, whilst a garage plus parking space would be provided to serve the new dwelling at the northern end of the site.

Internal re-arrangement has taken place, with an additional kitchen inter alia already having been provided. These would not have required planning permission. The dwelling could effectively be utilised as two self-contained units, with one functioning as an annexe. The agent states however that the continued existence of the interleading door indicates that the separation into two planning units is not retrospective. This is considered to be a matter of fact and degree, but this application is for formal approval of a separation to provide for the second dwelling.

## **CONSTRAINTS**

The site is located within Trowbridge Town Policy Limits.

## **POLICIES**

West Wiltshire District Plan 1st Alteration (2004)

C31a Design

C38 Nuisance

H1 Housing in towns

National Guidance in PPS3.

## **RELEVANT PLANNING HISTORY**

96/00755/FUL: Single storey side extension : Permission : 31.07.1996

99/01841/FUL: First floor extension : Permission : 01.02.2000

## **SITE VISIT / STATUTORY SITE NOTICES**

The site was visited on 30.05.2008.

## **CONSULTATIONS**

### *Parish/Town Council :*

Trowbridge Town Council states as follows: "The chair invited residents from Bridge Close to speak - the consensus was the residents felt that this was a retrospective application and there are residents in both dwellings. They felt this was an inappropriate subdivision causing inconvenience and a loss of neighbouring amenities. The committee supported the members of the public in objecting to the application.

### *External :*

Highway Authority: No objection subject to conditions.

### *Neighbours :*

There were 4 responses from neighbours. Objections/comments are as follows:

- the application is retrospective with the works having been done and a tenant in occupation;
- the proposal creates parking problems;
- there is a hazard resulting from the doorway immediately adjacent to the street;
- the locality of the door is not in keeping with the rest of the cul-de-sac.

## **KEY ISSUES**

The only issue in this case is whether or not the proposed subdivision complies with development plan policy.

## **OFFICER APPRAISAL**

The proposal stands to be considered in terms Policy H1 of the West Wiltshire District Plan - 1st Alteration that guides consideration of housing development in the built up areas of Trowbridge. This policy states that proposals will be permitted provided that siting layout and design considerations are satisfactory and that they are in keeping with the character of the surrounding area.

The area surrounding the property is characterised by mixed detached, semi-detached and terraced properties. The extension that would comprise the dwelling is already in place. The new dwelling would have a rear amenity space including a parking space of approximately 50m<sup>2</sup> in extent. This is smaller than that of surrounding properties, but the average density of development for the development including the host dwelling would be ±39 units/ha. which accords with government guidance in the form of PPS3. The proposal would result in the creation of a modest 2-bedroom dwelling that would be suited as a starter home. The limited amenity space (±50m<sup>2</sup>) proposed is considered adequate in this context.

There has been no significant change to the street scene appearance of the building other than the door to the north eastern elevation, which in itself would not have required planning permission. The remainder of the building design, including all windows, formed part of the plans for a residential extension under application 99/01841/FUL. The proposal includes a simple detailing above the door, which is limited in nature by the requirement that it should not protrude onto highway land. The highway authority is satisfied with the access and parking provision.

The comments of the neighbours and the Town Council are noted. The primary concern appears to be that neighbours consider this to be a retrospective application. If this view is indeed taken (although it is considered that the current situation is more the creation of an annexe) legislation allows for retrospective applications to be made where development has already taken place. The application must be considered on its merits. With regard to other objections the door is not considered to be a safety hazard and parking provision complies with relevant standards. The highway authority has not raised any issues. The size of the proposed property is smaller than others in the cul-de-sac, but the outcome of the subdivision would not be harmful to the area in terms of additional overlooking or overshadowing. The building exists. The amenity space would be acceptable for the modest dwelling size proposed, and the street scene would remain unaltered (apart from minor detailing above the door).

It is considered in view of the above that the subdivision should be granted permission.

## **RECOMMENDATION**

Permission.

## **RELATED PLANS**

Drawing : 125/01 received on 28.05.2008

Drawing : 125/02 received on 28.05.2008

Drawing : 125/03 received on 28.05.2008

Drawing : 125/04 received on 28.05.2008

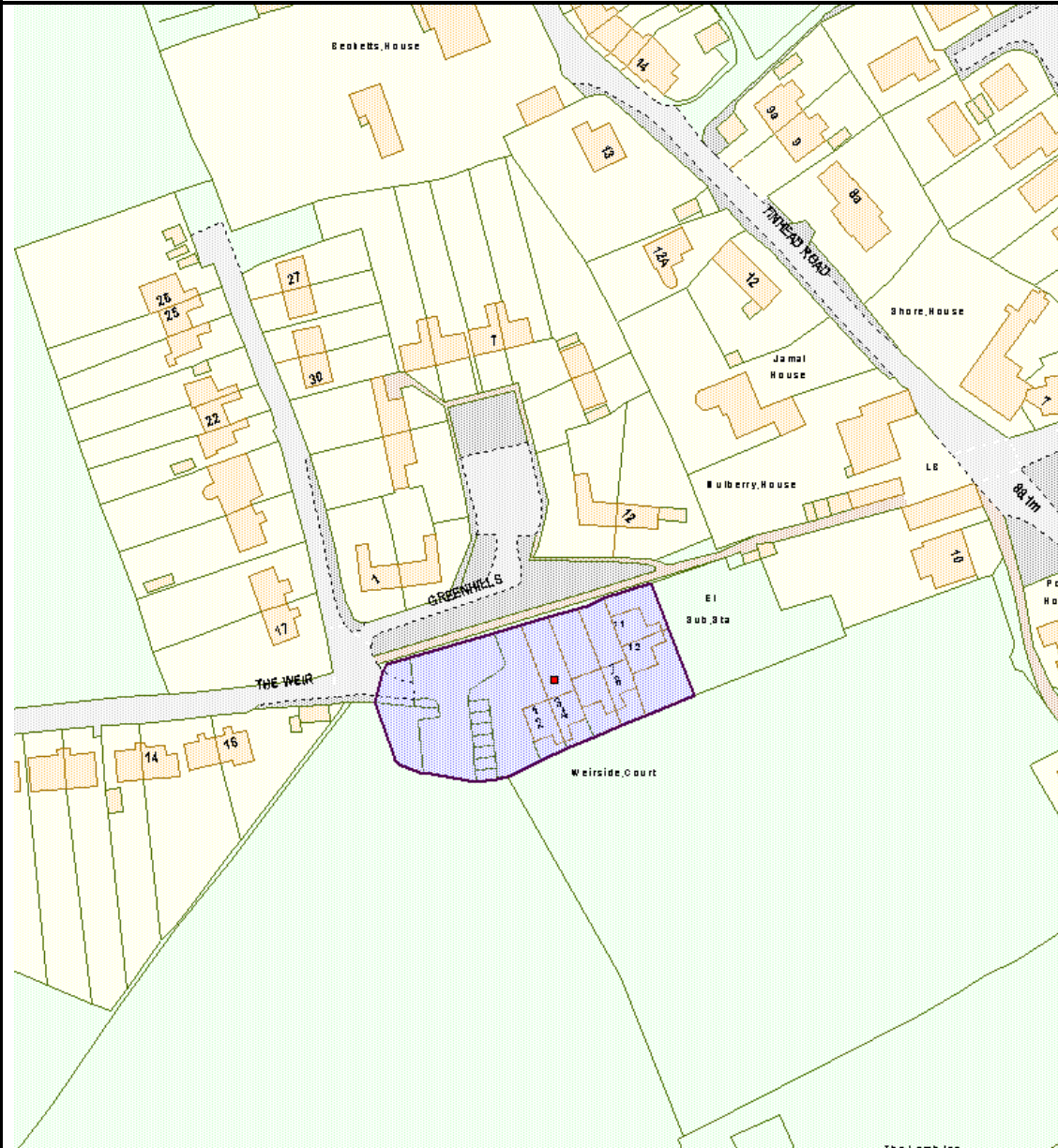
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 07

APPLICATION NO: 08/01385/FUL

LOCATION: 1 - 12 Weirside Court Edington Wiltshire



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SLA: 100022961

**07 Application: 08/01385/FUL**

**Site Address: 1 - 12 Weirside Court Edington Wiltshire**

Parish: Edington Ward: Ethandune

Grid Reference 393089 153407

Application Type: Full Plan

Development: Construction of retaining walls, fencing and other enclosures including storage shed

Applicant Details: Weirside Flats Management Co Ltd  
C/o 9 Weirside Court Weir Road Edington Wiltshire BA13 4PP

Agent Details: Vines & Lipscombe  
Boyers House Black Horse Lane Westbury Leigh Westbury  
Wiltshire

Case Officer: Mr Steve Vellance

Date Received: 06.05.2008 Expiry Date: 01.07.2008

**JUSTIFICATION FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought before the Planning Committee because a member of staff at West Wiltshire District Council lives at Weirside Court, Edington.

This a full application for four different forms of development, with details as follows:

1. Provision of a retaining wall to the rear of 3 Weirside Court.  
The wall will span the width of the rear garden and measure 7.1m accordingly, it will have a thickness of 0.3m and have a 1.1m height above ground level and go to a depth of 0.7m below ground level.
2. Replacement Fence to 11 Weirside Court.  
The distance covered by the fence will be 3m and have a height of 1.8m. It will be of the close boarded type.

3. Provision of a shed for communal use by all the residents.  
The shed is already in place and measures 2.3m by 1m with a pitched roof height of 2m.

4. Provision of a hard paved area and seating arrangement for all the residents.  
This area will be sited within the secluded garden area to the front of the flats, the paved area will measure 3m by 2.5m and will have a wooden bench placed upon it for general communal use.

## **SITE VISIT / STATUTORY SITE NOTICES**

Site visited and notice displayed on 21.05.2008.

## **CONSULTATIONS**

*Parish/Town Council* : Edington Parish Council: No objections.

*Neighbours* : No objections.

## **POLICIES**

West Wiltshire District Plan 1st Alteration (2004)

C31a Design

C38 Nuisance

C3 Special Landscape Area

## **RELEVANT PLANNING HISTORY**

74/00681 Erection of twelve single bedroom flats Permission 02.09.1974

75/00010 Erection of twelve flats Permission 03.03.1975

76/00522 Revised layout Permission 12.07.1976

79/01434 Erection of 13 garages 19.02.1980

## **KEY ISSUES**

The key planning issues which need to be considered with this planning application are the potential impact on the host building and the neighbouring amenity.

## **OFFICER APPRAISAL**

The proposals are in connection with the necessary maintenance and enhancement of the flats.

The provision of the retaining wall, which is to be located within the garden of no. 3 is necessary because the existing retaining wall has deteriorated through age and needs replacing.

The replacement fence is required because the present structure has deteriorated and likewise needs replacing, with the proposal being of a more stout and robust close boarded variety.

The shed is already in place and is used communally by all the residents, it is located within an existing enclosed area utilised for bin storage and so is visually screened by an existing wall.

The final proposal relates to the provision of a hard paved area with a wooden bench, to be sited within the front enclosed communal garden of Weirside Court. The area is private and secluded and the seating is intended to be used by all the residents of these flats.

It is considered that these proposals would not impact negatively on the existing development and no third party representations were received; as a whole the proposals comply with local policy.

#### Conclusion

For the reasons stated above, planning permission should be granted with the relevant suggested conditions attached.

#### **RECOMMENDATION**

Permission.

#### **RELATED PLANS**

Drawing : VLDG.2008/24/01 received on 06.05.2008

Drawing : VLDG.2008/24/02 received on 06.05.2008

Drawing : VLDG.2008/24/03 received on 06.05.2008

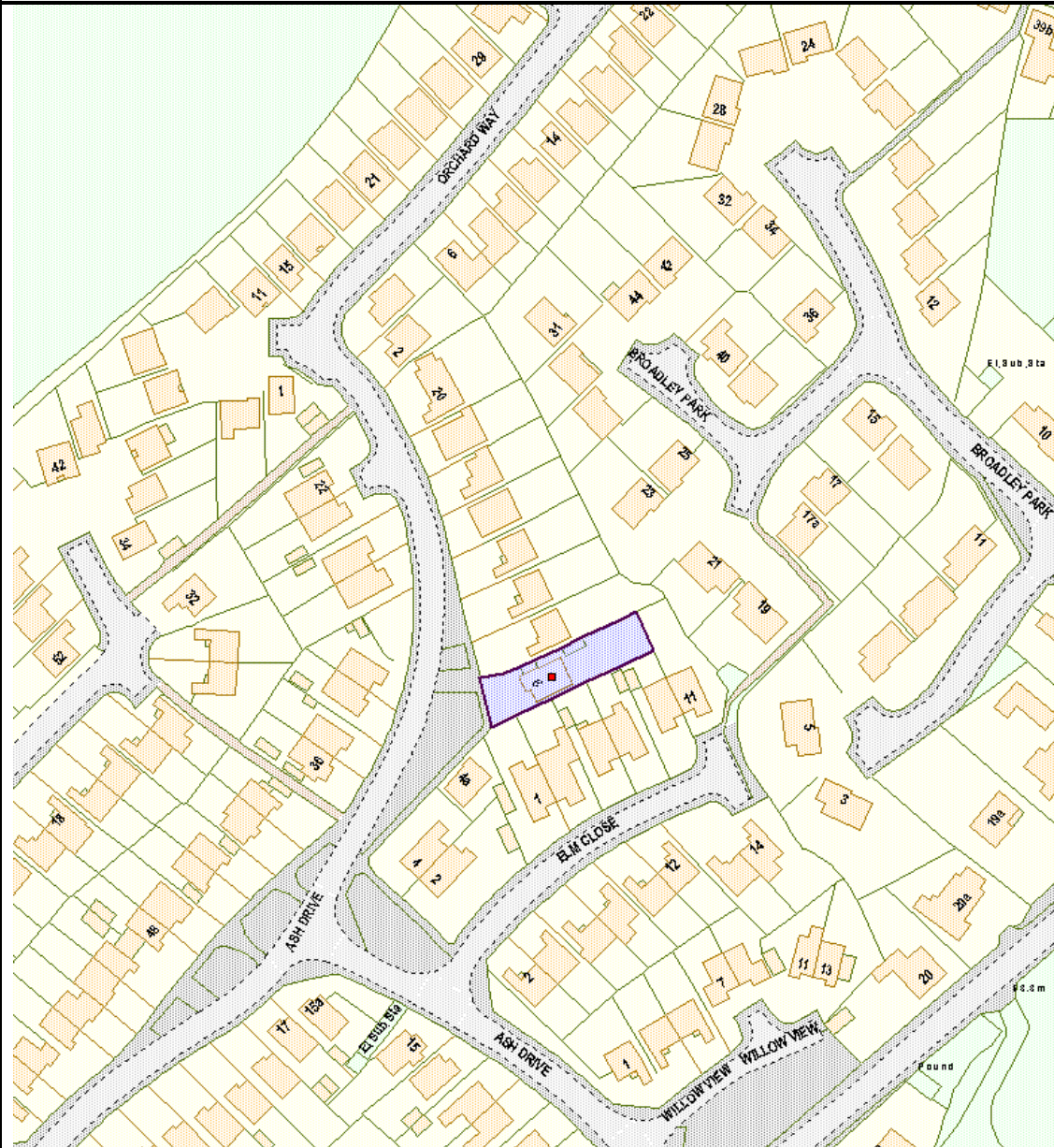
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 08

APPLICATION NO: 08/01140/FUL

LOCATION: 6 Ash Drive North Bradley Wiltshire BA14 0SQ



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SLA: 100022961



**08 Application: 08/01140/FUL**

**Site Address: 6 Ash Drive North Bradley Wiltshire BA14 0SQ**

Parish: North Bradley Ward: Trowbridge And North Bradley

Grid Reference 385452 155229

Application Type: Full Plan

Development: Addition of first floor extension to provide additional accommodation

Applicant Details: Mr And Mrs Marshall  
54 Woodmarsh North Bradley Wiltshire

Agent Details: FMH Architectural Services  
FAO Mr R Robins 162A Wyke Road Trowbridge Wiltshire BA14 7NY

Case Officer: Mr Steve Vellance

Date Received: 15.04.2008 Expiry Date: 10.06.2008

**JUSTIFICATION FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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 ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows other than those hereby approved, shall be added to the first floor southern elevation of the development hereby permitted.

REASON: In the interests of amenity and privacy.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C38.

- 4 The rooflights in the north and south elevations shall be obscure glazed prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.

REASON: In the interests of amenity and privacy.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C38.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application is brought to committee because North Bradley Parish Council objects contrary to officer's recommendation.

This is a full planning application for alterations to an existing detached bungalow to create a two storey detached building with the incorporation of a front porch.

The building stands in its own grounds and is located within an established residential estate within the village. The application retains the building's original footprint and would raise the roof ridge height. The materials would match the existing.

### CONSULTATIONS

*Parish/Town Council* : North Bradley Parish Council: Object to this planning application:

"The Councillors object to this application on the grounds that this will make this property virtually two storey and it is considered that this would be an intrusion on the neighbouring properties in Elm Close. The Council felt that this was originally included on the estate as a bungalow for these reasons and should be altered".

*Neighbours* : Two letters of objection were received from nearby residents who stated the following points:

1. If the bungalow is converted to a larger family home then it may be the case that the retired residents of the bungalows in Elm Close will lose their peace and quiet.
2. If the property is purchased by a family with children of varying ages, then the garden may be turned into a playground, which they objectors would not want to see happen.
3. Object to the proposed French windows and balcony because of potential overlooking.

Following discussion revised plans were submitted and neighbours and North Bradley Parish Council were re-consulted. The response received was as follows:

North Bradley Parish Council: Object to this planning application:

"The revised plans were discussed at the Parish Council meeting last evening and once again the Parish Council objected to these on the grounds that this extension would overlook properties in Elm Close".

Neighbours: Two letters of objection were received from nearby residents who stated the following points:

1. Loss of daylight and privacy because of potential overlooking and overshadowing.
2. Proposed rendered walls will not be in keeping.

3. If planning permission were to be granted that a condition be inserted that prevented the installation of extra windows at a later date.

## **POLICIES**

West Wiltshire District Plan 1st Alteration (2004)

C31a Design

C38 Nuisance

PPS1 Planning Policy Statement 1 – Delivering Sustainable Development

SPG Supplementary Planning Guidance – House Alterations and Extensions – Design Guidance July 2004

## **RELEVANT PLANNING HISTORY**

None

## **KEY ISSUES**

The key planning issues which need to be considered with this planning application are the potential impact on the host building, neighbouring amenity and the existing street scene.

## **OFFICER APPRAISAL**

Supplementary Planning Guidance on house alterations and extensions.

The document states that a visually dominant design is not acceptable and states that raising the roof of a bungalow to form a two storey house would look out of place, when set within a group of bungalows.

The situation present at this location is that it differs from the above description in that there are seven two storey dwellings to the immediate front left of 6 Ash Drive and this bungalow follows the prominent building line of these buildings.

There are bungalows located to the north or right of this building which are set behind a high fence which forms Elm Close and which do not encroach or impact on this building. To the west of the property 26 metre distant and via Ash Drive, are three semi detached bungalows which again do not impact on this property.

The dominant built form within this immediate area is that of the two storey residential building, which the bungalow is set within, therefore the creation of a further two storey dwelling, as this application proposes is considered acceptable on the grounds of maintaining the accepted and dominant building line.

Surrounding Area.

The principle of a dwelling in this location is established and the proposal will impact on the host building as it is being enlarged from a bungalow to a two storey dwelling and which will be visible from the street scene, this is considered visually acceptable because it will be two storey dwelling set within the context of other two storey dwellings. The idea of rendering a part of the outside walls is considered acceptable as the majority of the outside surface area will be brick.

The principle and location of the front porch is also considered to be acceptable because it complies with guidelines within the Supplementary Planning Guidance, in that the porch is set back an acceptable distance from the highway and neighbouring properties and is of a small size. By being small, the porch is not out of scale with the host building.

Neighbour Amenity.

Policy C38 of the West Wiltshire District Plan states that proposals will not be permitted which detract from the amenities enjoyed by or cause nuisance to neighbouring properties; efforts have been made by the applicant to ensure that neighbour overlooking is kept to a minimum as there are no high level side windows on both the northern and southern side elevations, with the proposal relying instead on three roof lights for light source. These rooflights have been conditioned so as to incorporate obscure glazing, similarly a further condition has also been included to prevent further inclusion of windows within the first floor southern elevation.

It is considered that the proposal will not be overbearing or cause a loss of light in relation to the bungalows in Elm Close because the nearest such building is approximately 11 metres away; this distance safeguards such amenity. Likewise in answer to neighbour and Parish Council concern, the applicant has removed the proposed bedroom balcony from the original scheme and substituted this feature with a standard window within the revised scheme.

In direct response to the concerns raised within the letters of objection the Planning Department cannot control normal domestic noise levels which may emanate from the household. If planning permission is granted and it transpires that there are serious noise issues, then the council's Environmental Health Department has the necessary legislation to investigate such matters.

Conclusion

For the reasons stated above the proposals comply with local policy and it is considered that planning permission should be granted.

## **RECOMMENDATION**

Permission.

## **RELATED PLANS**

Drawing : EXISTING \_PROPOSED PLANS \_ELEVAT received on 27.06.2008



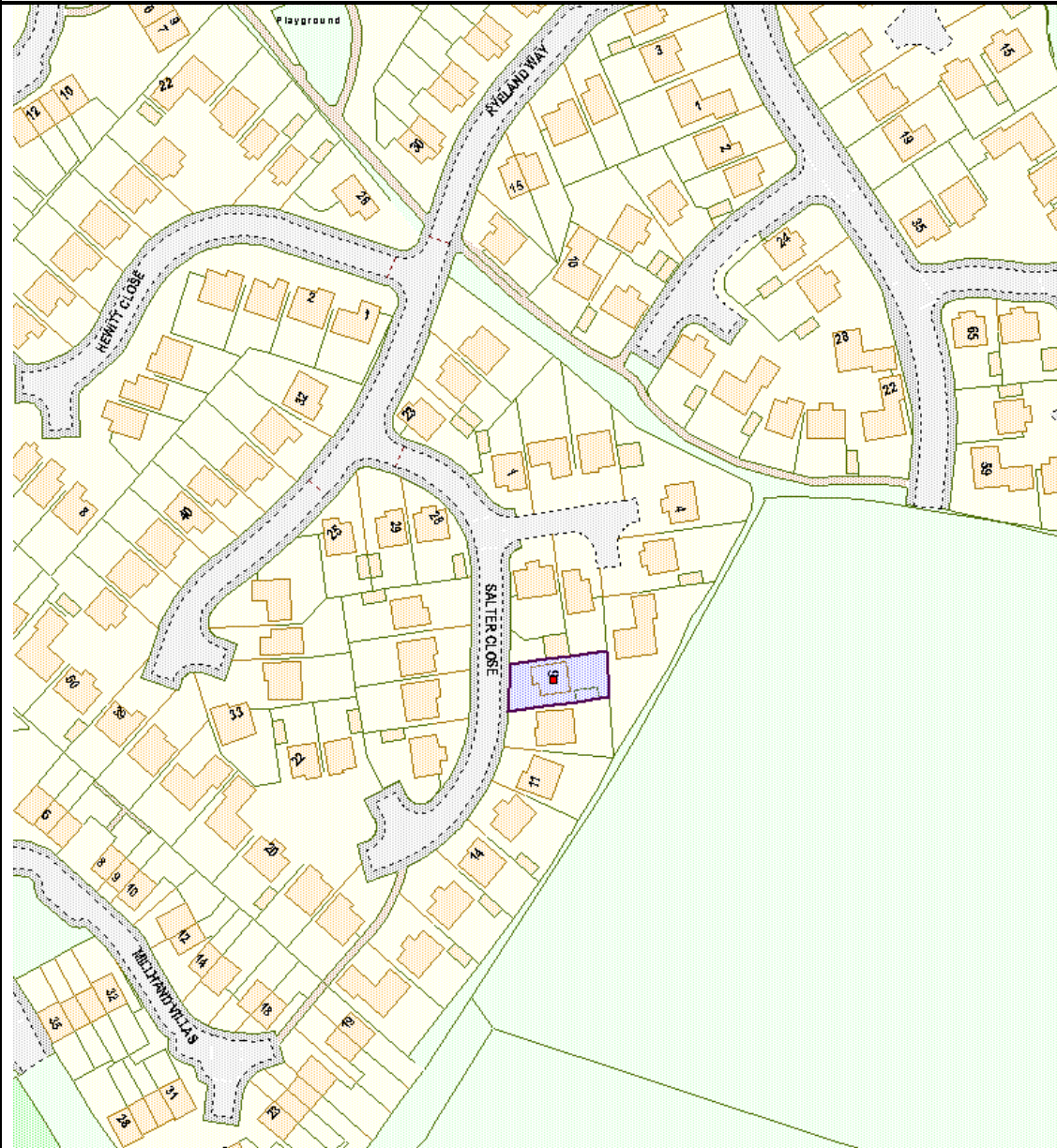
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 09

APPLICATION NO: 08/01493/FUL

LOCATION: 9 Salter Close Trowbridge Wiltshire BA14 7TD



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SLA: 100022961

**09 Application: 08/01493/FUL**

**Site Address: 9 Salter Close Trowbridge Wiltshire BA14 7TD**

Parish: Trowbridge Ward: Trowbridge East

Grid Reference 386215 157038

Application Type: Full Plan

Development: Conservatory

Applicant Details: Mr R Wilson  
9 Salter Close Trowbridge Wiltshire BA14 7TD

Agent Details:

Case Officer: Mr Steve Vellance

Date Received: 20.05.2008 Expiry Date: 15.07.2008

#### **JUSTIFICATION FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

#### **RECOMMENDATION: Permission**

##### **Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to committee because the applicant's wife is employed by West Wiltshire District Council.

This is a full application is for a conservatory at 9 Salter Close, Trowbridge, Wiltshire. The area is characterised by similar detached and semi detached dwellings and the proposal is to construct a conservatory on to the rear aspect of the detached building. The proposal is to use matching brickwork for the low level dwarf wall and glass/upvc for the walls and windows. The roof would be constructed from polycarbonate plastic.

The proposed conservatory would measure approximately 3.8 metres by 3.4 metres, the height would be approximately 3.2 metres to the ridge and 2.1 metres to the eaves.

## **CONSULTATIONS**

Trowbridge Town Council: No objections.

Neighbours: No objections received.

## **SITE VISIT**

Site visited on 29 May 2008

## **POLICIES**

West Wiltshire District Plan 1st Alteration (2004)

C31a Design

C38 Nuisance

SPG Supplementary Planning Guidance – House Alterations and Extensions – Design Guidance July 2004

## **RELEVANT PLANNING HISTORY**

None

## **KEY ISSUES**

The key planning issues which need to be considered with this planning application are the potential impact on the host building, neighbouring amenity and the existing street scene.

## **OFFICER APPRAISAL**

The Surrounding Area.

The Supplementary Planning Guidance on house alterations and extensions states that conservatories that are small in size are considered to be more sympathetic than those that are large. The conservatory is of a standard size and is considered sympathetic to the street scene as the proposal is located to the rear of the property and set away from the boundaries.

The proposal is further considered to be sympathetic, as matching materials to the existing building are proposed to be used for the dwarf wall of the conservatory.

Neighbour Amenity.

There is only one immediate neighbour to the side of this dwelling, with the only level of possible overlooking consisting of a hall and landing window from this building. It is considered that this conservatory would not create an unacceptable relationship with its neighbours in terms of loss of privacy or overlooking as it would be set away from the boundaries and similarly the glass used within the conservatory will assist in not creating a loss of light situation.

No third party representations were received and as a whole the proposals comply with local policy.



## Conclusion

For the reasons stated above, planning permission should be granted with the relevant suggested conditions attached.

## **RECOMMENDATION**

Permission.

## **RELATED PLANS**

Drawing : SITE LOCATION PLAN received on 20.05.2008

Drawing : BLOCK PLAN received on 20.05.2008

Drawing : BACK AND SIDE ELEVATION received on 20.05.2008

Drawing : SIDE ELEVATION received on 14.07.2008

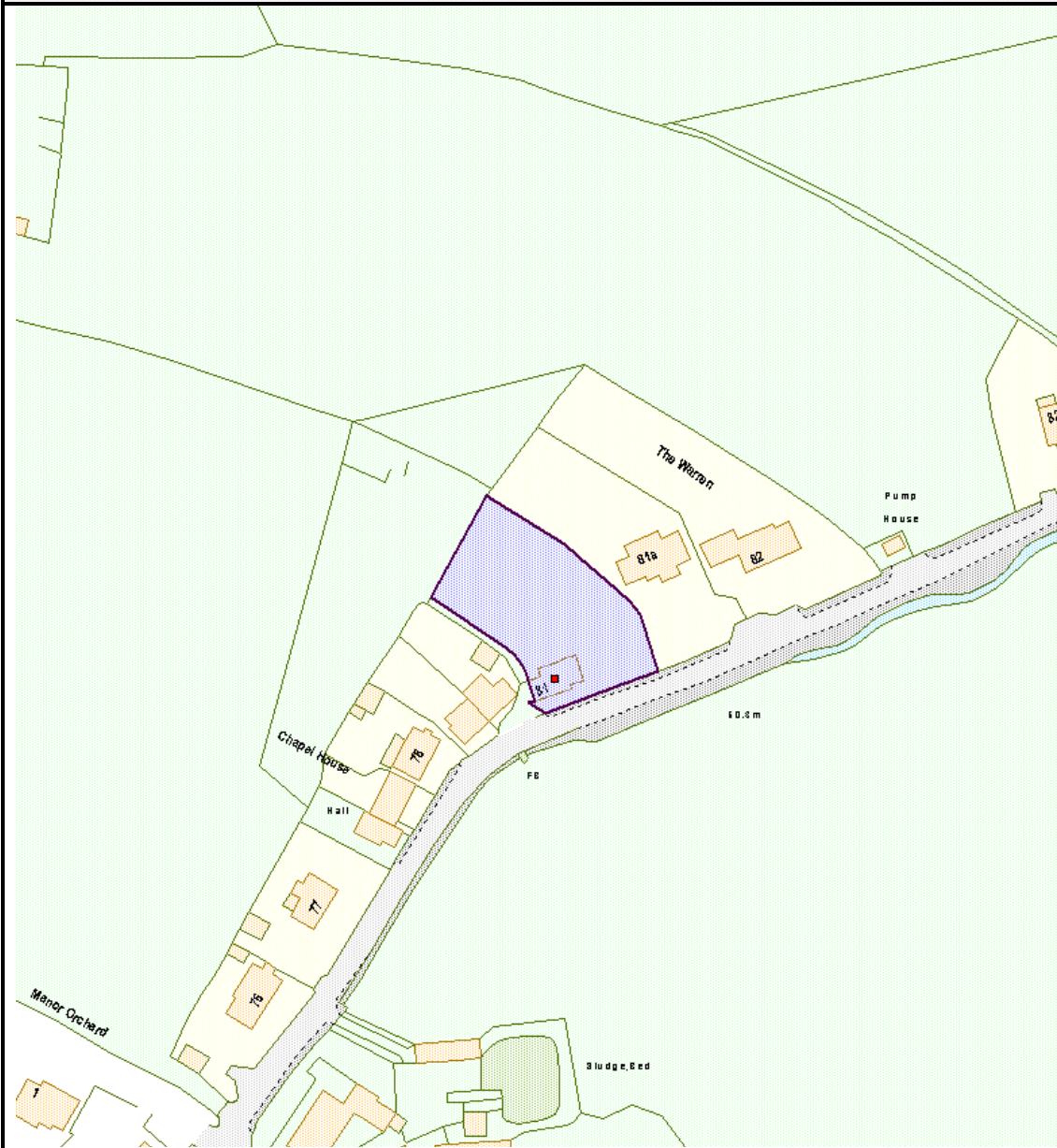
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 10

APPLICATION NO: 08/00514/FUL

LOCATION: Wisteria Cottage 81 Main Street Keevil Wiltshire  
BA14 6ND



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SLA: 100022961

**10 Application: 08/00514/FUL**

**Site Address: Wisteria Cottage 81 Main Street Keevil Wiltshire BA14 6ND**

Parish: Keevil Ward: Summerham  
Grid Reference 392264 158192  
Application Type: Full Plan  
Development: Barn type extension and garden room link with drive upgrade  
Applicant Details: Mr And Mrs T Burrell  
Wisteria Cottage 81 Main Street Keevil Wiltshire BA14 6ND  
Agent Details: Mr A Howard  
32 Shurnhold Melksham Wilts SN12 8DG  
Case Officer: Miss Andrea Levin  
Date Received: 15.02.2008 Expiry Date: 11.04.2008

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposal by reason of its size, scale, bulk, form and siting would have a dominant and unsympathetic impact on this Grade II listed building, significantly harmful to its character, appearance and setting contrary to Policy C28 of the West Wiltshire District Plan 1st Alteration (2004).
- 2 The proposal, by reason of its size and position would result the loss of an important visual gap within the street scene detrimental to this part of the Conservation Area contrary to Policy C18 of the West Wiltshire District Plan 1st Alteration (2004).

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought before the Planning Committee at request of Councillor Fortescue.

This is a full application for a two-storey extension to the side of a Grade II Listed Building. The extension would measure 7.9 metres in height. The proposal would allow for extra accommodation as the applicant has stated that the building fails to serve effectively as a family home.

The proposed extension is designed in the style of an oak framed barn, which is visually separated from the existing building, but attached by a lightweight glazed link to the rear of the property. The ridge height is approximately 0.7 metres below that of the existing dwelling and the extension stands approximately 1 metre behind the rear building line of the existing dwelling. The materials to be used would be oak framing, dark stained feather edge boarding and a wheat straw thatched roof.

### **SITE VISIT / STATUTORY SITE NOTICES**

Initial site visit carried out 28.02.2008 to assess site context and surroundings. A site meeting was carried out 19.03.2008 to discuss the application further.

## CONSULTATIONS

*Keevil Parish Council* : The Committee agreed unanimously on the following:

- The design is based on the supposition that a barn had previously existed on this site. The supposition is unlikely and no proof exists.
- The proposal is not an extension but a completely new dwelling i.e. infill.
- The proposal damages the historical/architectural value of the existing Grade II Listed Building.
- The bulk and scale of the “extension” is incompatible with the existing cottage.
- The design introduces unnatural features e.g. slatted pseudo barn doors.

In summary, the proposal does not conform to the Keevil Village Design Statement regarding New Building Guidelines because the site is within the Conservation Area and affects the setting of Listed Buildings where the preservation of their special character will be primary consideration (Page 13). Keevil Parish Council, therefore urges West Wiltshire District Council to reject this application.

Following the submission of revised drawings, Keevil Parish Council submitted the following comments:

These changes make no difference to the objections raised by the Parish Council in its letter dated 1st March 2008.

*External* : Highway Authority provided the following comments with regard to the application:

I recommend that no highway objection be raised subject to the conditions provided being attached to any permission granted.

*Internal* : The Conservation Officer provided the following comments:

I have been involved in lengthy pre-application discussions on this project. The first comment to make is that the proposed extension is bold, but that is no bad thing! The existing dwelling is a small cottage which, due to its dangerous, but historically important staircase and its room proportions would not suit as a family home. The need for extension has therefore arisen. The character of the Grade II Listed Building is such that a conventionally attached extension would completely alter its proportions.

Another solution had to be found that would leave the existing Listed Building essentially alone.

### Design and Form

The proposal is to build an extension that has the appearance of a thatched barn. It would be a traditional timber frame construction with timber cladding. The application seeks not to show that there was a building such as this here before, but that a building such as this would be in keeping with the overall agricultural history of the area.

The proposed extension would have a ridge height approximately 0.7 metres below that of the main dwelling. It would also be set back 12 metres from the road. Consequently, the front of the extension would be 1 metre behind the back wall of the existing dwelling. This would give the extension a sense of subservience despite its bulk, which is true to the traditional proportions of a building of this type.

### Impact on the Listed Building

The impact on the character and fabric of the Listed Building would be minimal as it would only be linked to the extension by a lightweight glazed link to the rear of the kitchen.

The setting of the listed building would be affected by this extension, as the extension would appear more as an ancillary former agricultural building than an extension – which is the whole point of taking this direction in design.

Due to the traditional design and appearance, and use of traditional materials, the setting of the listed building would not be significantly harmed. The siting of the extension, the front of which is set 1 metre behind the back of the listed building, would further reduce the impact on the listed building. The setting of the listed building would be changed, but not to the detriment of its own intrinsic character.

The proposed extension by reason of its sympathetic form and design would not harm the special character and appearance of the Conservation Area. Its height would be similar, but lower, than the surrounding buildings and would therefore be in keeping.

The building would be sited within a gap between the listed building and the modern dwellings to the east. However, the location of this site is on the edge of the village with open fields to the north, south and east. This visual gap between the existing dwellings is not essential to the special character and appearance of the Conservation Area.

## Conclusion

This is an unusual and bold scheme that would allow the listed building to remain as a sustainable, viable and integral part of village life.

*Neighbours* : Neighbours notified by way of site notice. 13 letters of support for the proposal were received from local residents.

The Keevil Society have sent in three letters of objection raising the following points:

- The proposal is out of character with the Grade II Listed Building
- The Design and Access contains incorrect information
- If permitted, the proposal could be converted into a separate unit of accommodation at a later date

## CONSTRAINTS

Grade II Listed Building  
Conservation Area

## POLICIES

West Wiltshire District Plan Policies C18, C28, C31a, C38

## RELEVANT PLANNING HISTORY

95/00557/FUL – Alterations and Extension – Permitted 22.06.1995  
98/01456/FUL – Double Garage and Porch – Permitted 16.11.1998  
08/00515/LBC - Barn type extension and garden room link with drive upgrade – Pending Consideration

## KEY ISSUES

Impact upon character and setting of Grade II Listed Building  
Impact upon character of Conservation Area  
Impact upon highway safety  
Impact upon neighbouring amenity

## OFFICER APPRAISAL

The property stands in a prominent position when entering Keevil from the east, and is within an elevated position, approximately 1.5 metres above the road level. As a result of this, it significantly contributes to the character of the street scene within its current form. The gap that currently exists between the host building and the modern “executive style” houses to the east of the application site provides an important visual break within the street between the old and the new. The addition of a large extension of a pastiche design would result in the loss of this gap and further corrosion of this part of the historic environment.

The fundamental objection is to the size of the proposed extension to the original cottage, even though set back would accentuate the bulk and scale so that the extension would be perceived as the primary element in the overall composition. PPG15 advises that extensions should not dominate the original building yet the scale of this large extension most certainly would by reason of its form, design, height and mass. Not only does it virtually double the size of the original building but exceeds the height of that building.

The proposed extension takes the form of a traditional style barn, yet there is no historic or photographic evidence to support the claim that there was an earlier building in this location. This is a modest dwelling, which may previously have been occupied by an agricultural worker, yet it does not form part of a farmstead and to suggest otherwise without evidence would be inaccurate.

Advice contained within PPG15 does not rule out an imaginative approach to extending listed buildings, as long as basic principles of scale and design are sensitively handled, having regard to the desirability of preserving the special character of the host building and its setting within the conservation area are also given due regard.

Further to this, Policy C31a of the West Wiltshire District Plan states that proposals for new development on prominent or sensitive sites will be required to pay particular attention to proportion, composition, form, massing and scale. In this instance, the proposed extension would cover a footprint more than double the size of the Listed Building creating an overbearing and dominant form out of scale with the original building and significantly altering its character.

Irrespective of the size and location of the proposed extension, the current proposals represent a poor pastiche interpretation of an old barn which attempts unsuccessfully to mimic the vernacular style of the cottage. The effect is to harm the original building, and the reasons for which it was listed, by creating an unsympathetic addition that detracts from the character and setting of the original cottage and would be intrusive within the streetscene in the conservation area.

The proposed extension attempts to utilise features of architectural interest evident on the existing building in order to harmonise with the property. This includes the use of a thatched roof. However, the thatching style of the proposed extension introduces an alien design within this part of the street scene, and would further exasperate the dominance of the proposal.

Extensions to Listed Buildings should pay particular attention to the layout and composition of the site. In this instance, the applicant states that the property in its current form is too small to cater effectively for the needs of a family. The size of the proposed extension is such that it is tantamount to the creation of a new dwelling. There is no objection to the principle of extending the property, however a more modest form of extension which does not detract from the Listed Building would be considered to be more appropriate.

Policy C18 of the West Wiltshire District Plan states that Proposals for new development in a conservation area will be permitted only if open spaces and views into, out of and within the area, which are important to its character, are protected. The loss of the visual gap between the host dwelling and the properties to the east would significantly alter the character and appearance of the street scene within this part of the conservation area to its detriment, contrary to Policy C18 of the West Wiltshire District Plan.

Highway Authority had no objections to the proposal, subject to the use of the conditions provided.

The proposal would be unlikely to impact upon the amenity of the neighbouring properties.

## **RECOMMENDATION**

Refusal

## **RELATED PLANS**

Drawing : 1379/1 received on 15.02.2008  
Drawing : 1379/2 received on 15.02.2008  
Drawing : 1379/3 received on 15.02.2008  
Drawing : 1379/4 received on 15.02.2008  
Drawing : 1379/5 received on 15.02.2008  
Drawing : 1379/6 received on 15.02.2008  
Drawing : 1379/7 A received on 03.04.2008  
Drawing : 1379/8 A received on 03.04.2008  
Drawing : 1379/9 A received on 03.04.2008  
Drawing : 1379/10 A received on 03.04.2008  
Drawing : 1379/11 received on 15.02.2008  
Drawing : 1379/12 received on 15.02.2008  
Drawing : 1379/13 received on 15.02.2008  
Drawing : 1379/14 A received on 03.04.2008

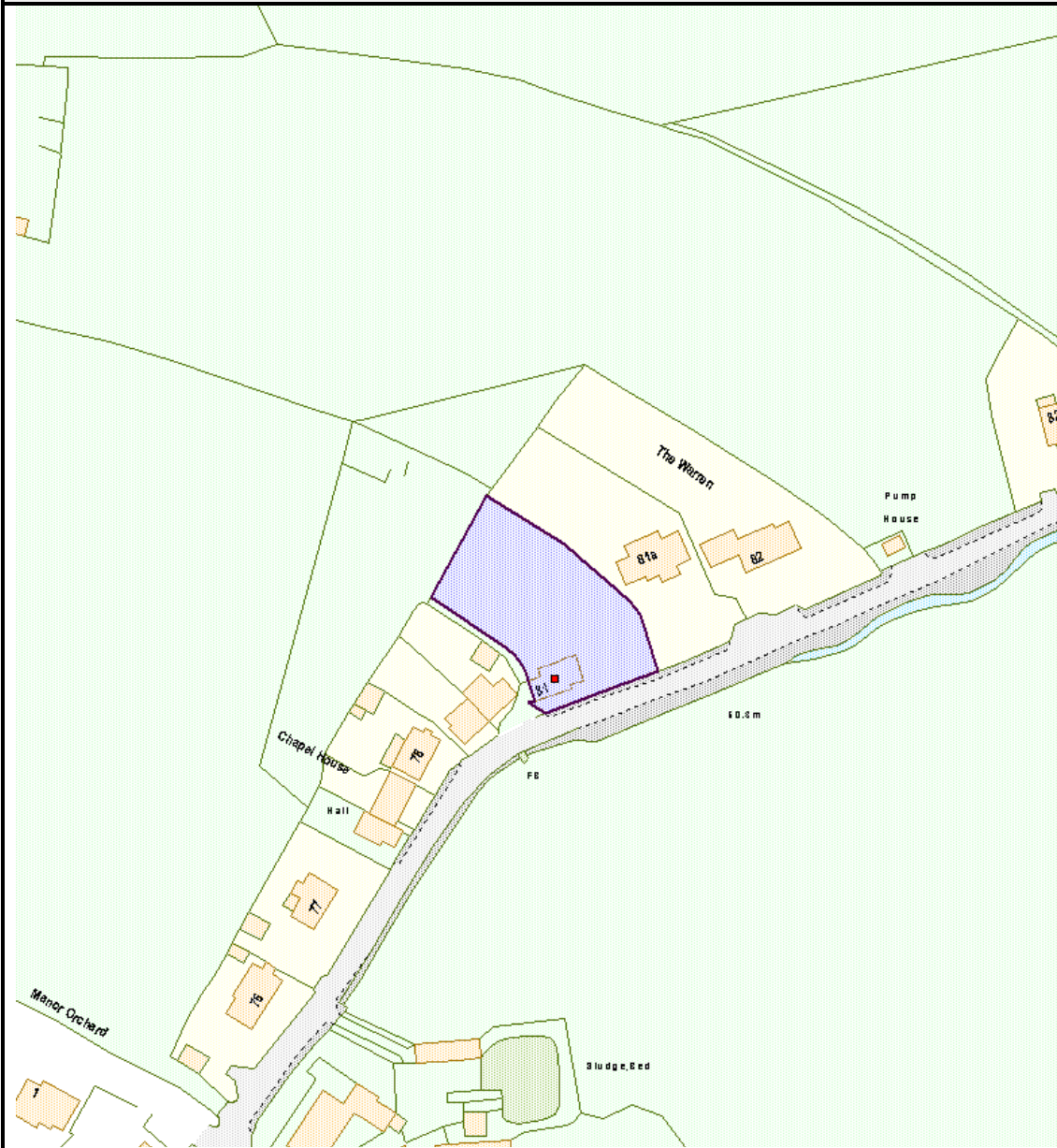
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 11

APPLICATION NO: 08/00515/LBC

LOCATION: Wisteria Cottage 81 Main Street Keevil Wiltshire  
BA14 6ND



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SLA: 100022961



**11 Application: 08/00515/LBC**

**Site Address: Wisteria Cottage 81 Main Street Keevil Wiltshire BA14 6ND**

Parish: Keevil Ward: Summerham  
Grid Reference 392264 158192  
Application Type: Listed building  
Development: Barn type extension with garden room link and drive upgrade  
Applicant Details: Mr T Burrell  
Wisteria Cottage 81 Main Street Keevil Wiltshire BA14 6ND  
Agent Details: Mr A Howard  
32 Shurnhold Melksham Wilts SN12 8DG  
Case Officer: Miss Andrea Levin  
Date Received: 15.02.2008 Expiry Date: 11.04.2008

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposal by reason of its size, scale, bulk, form and siting would have a dominant and unsympathetic impact on this Grade II Listed Building, significantly harmful to its character, appearance and setting contrary to Policy to C28 of the West Wiltshire District Plan 1st Alteration (2004)

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought before the Planning Committee at request of Councillor Fortescue.

This is a Listed Building Consent application for a two-storey extension to the side of a Grade II Listed Building. The extension would measure 7.9 metres in height.

The proposed extension is designed in the style of an oak framed barn, which is visually separated from the existing building, but attached by a lightweight glazed link to the rear of the property. The ridge height is approximately 0.7 metres below that of the existing dwelling and the extension stands approximately 1 metre behind the rear building line of the existing dwelling. The materials to be used would be oak framing, dark stained feather edge boarding and a wheat straw thatched roof.

### **SITE VISIT / STATUTORY SITE NOTICES**

Initial site visit carried out 28.02.2008 to assess site context and surroundings. A site meeting was carried out 19.03.2008 to discuss the application further.

### **CONSULTATIONS**

*Keevil Parish Council* : The Committee agreed unanimously on the following:

- The design is based on the supposition that a barn had previously existed on this site. The supposition is unlikely and no proof exists.
- The proposal is not an extension but a completely new dwelling i.e. infill.
- The proposal damages the historical/architectural value of the existing Grade II Listed Building.
- The bulk and scale of the "extension" is incompatible with the existing cottage.
- The design introduces unnatural features e.g. slatted pseudo barn doors.

In summary, the proposal does not conform to the Keevil Village Design Statement regarding New Building Guidelines because the site is within the Conservation Area and affects the setting of Listed Buildings where the preservation of their special character will be primary consideration (Page 13). Keevil Parish Council, therefore urges West Wiltshire District Council to reject this application.

Following the submission of revised drawings, Keevil Parish Council submitted the following comments:

These changes make no difference to the objections raised by the Parish Council in its letter dated 1st March 2008.

*External* : None

*Internal* : The Conservation Officer provided the following comments:

I have been involved in lengthy pre-application discussions on this project. The first comment to make is that the proposed extension is bold, but that is no bad thing! The existing dwelling is a small cottage which, due to its dangerous, but historically important staircase and its room proportions would not suit as a family home. The need for extension has therefore arisen. The character of the Grade II Listed Building is such that a conventionally attached extension would completely alter its proportions.

Another solution had to be found that would leave the existing Listed Building essentially alone.

**Design and Form**

The proposal is to build an extension that has the appearance of a thatched barn. It would be a traditional timber frame construction with timber cladding. The application seeks not to show that there was a building such as this here before, but that a building such as this would be in keeping with the overall agricultural history of the area.

The proposed extension would have a ridge height approximately 0.7 metres below that of the main dwelling. It would also be set back 12 metres from the road. Consequently, the front of the extension would be 1 metre behind the back wall of the existing dwelling. This would give the extension a sense of subservience despite its bulk, which is true to the traditional proportions of a building of this type.

**Impact on the Listed Building**

The impact on the character and fabric of the Listed Building would be minimal as it would only be linked to the extension by a lightweight glazed link to the rear of the kitchen.

The setting of the listed building would be affected by this extension, as the extension would appear more as an ancillary former agricultural building than an extension – which is the whole point of taking this direction in design.

Due to the traditional design and appearance, and use of traditional materials, the setting of the listed building would not be significantly harmed. The siting of the extension, the front of which is set 1 metre behind the back of the listed building, would further reduce the impact on the listed building. The setting of the listed building would be changed, but not to the detriment of its own intrinsic character.

The proposed extension by reason of its sympathetic form and design would not harm the special character and appearance of the Conservation Area. Its height would be similar, but lower, than the surrounding buildings and would therefore be in keeping.

The building would be sited within a gap between the listed building and the modern dwellings to the east. However, the location of this site is on the edge of the village with open fields to the north, south and east. This visual gap between the existing dwellings is not essential to the special character and appearance of the Conservation Area.

## Conclusion

This is an unusual and bold scheme that would allow the listed building to remain as a sustainable, viable and integral part of village life.

*Neighbours* : Neighbours notified by way of site notice. 13 letters of support for the proposal were received from local residents.

The Keevil Society have sent in three letters of objection raising the following points:

- The proposal is out of character with the Grade II Listed Building
- The Design and Access contains incorrect information
- If permitted, the proposal could be converted into a separate unit of accommodation at a later date

## CONSTRAINTS

Grade II Listed Building

## POLICIES

West Wiltshire District Plan Policies C28, C31a

## RELEVANT PLANNING HISTORY

95/00558/LBC - Alterations and extension including demolition of single storey lean-to – Consent 22.06.1995

98/01457/LBC - Double garage and replacement porch – Consent 16.11.1998

08/00514/FUL - Barn type extension and garden room link with drive upgrade – Pending Consideration

## KEY ISSUES

Impact upon character and setting of Listed Building

## OFFICER APPRAISAL

The Council has a statutory duty to protect the historic environment.

Section 16(2) of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when determining an application for listed building consent.

The property stands in a prominent position when entering Keevil from the east, and is within an elevated position, approximately 1.5 metres above the road level. As a result of this, it significantly contributes to the character of the street scene within its current form. The gap that currently exists between the host building and the modern “executive style” houses to the east of the application site provides an important visual break within the street between the old and the new. The addition of a large extension of a pastiche design would result in the loss of this gap and further corrosion of this part of the historic environment.

The fundamental objection is to the size of the proposed extension to the original cottage, even though set back would accentuate the bulk and scale so that the extension would be perceived as the primary element in the overall composition. PPG15 advises that extensions should not dominate the original building yet the scale of this large extension most certainly would by reason of its form, design, height and mass. Not only does it virtually double the size of the original building but exceeds the height of that building.

The proposed extension takes the form of a traditional style barn, yet there is no historic or photographic evidence to support the claim that there was an earlier building in this location. This is a modest dwelling, which may previously have been occupied by an agricultural worker, yet it does not form part of a farmstead and to suggest otherwise without evidence would be inaccurate.

Advice contained within PPG15 does not rule out an imaginative approach to extending listed buildings, as long as basic principles of scale and design are sensitively handled, having regard to the desirability of preserving the special character of the host building and its setting within the conservation area are also given due regard.

Further to this, Policy C31a of the West Wiltshire District Plan states that proposals for new development on prominent or sensitive sites will be required to pay particular attention to proportion, composition, form, massing and scale. In this instance, the proposed extension would cover a footprint more than double the size of the Listed Building creating an overbearing and dominant form out of scale with the original building and significantly altering its character.

Irrespective of the size and location of the proposed extension, the current proposals represent a poor pastiche interpretation of an old barn which attempts unsuccessfully to mimic the vernacular style of the cottage. The effect is to harm the original building, and the reasons for which it was listed, by creating an unsympathetic addition that detracts from the character and setting of the original cottage and would be intrusive within the streetscene in the conservation area.

The proposed extension attempts to utilise features of architectural interest evident on the existing building in order to harmonise with the property. This includes the use of a thatched roof. However, the thatching style of the proposed extension introduces an alien design within this part of the street scene, and would further exasperate the dominance of the proposal.

Extensions to Listed Buildings should pay particular attention to the layout and composition of the site. In this instance, the applicant states that the property in its current form is too small to cater effectively for the needs of a family. The size of the proposed extension is such that it is tantamount to the creation of a new dwelling. There is no objection to the principle of extending the property, however a more modest form of extension which does not detract from the Listed Building would be considered to be more appropriate.

## **RECOMMENDATION**

Refusal

## **RELATED PLANS**

Drawing : 1379/5 received on 15.02.2008  
Drawing : 1379/6 received on 15.02.2008  
Drawing : 1379/7 A received on 03.04.2008  
Drawing : 1379/8 A received on 03.04.2008  
Drawing : 1379/9 A received on 03.04.2008  
Drawing : 1379/10 A received on 03.04.2008  
Drawing : 1379/11 received on 15.02.2008  
Drawing : 1379/12 received on 15.02.2008  
Drawing : 1379/13 received on 15.02.2008  
Drawing : 1379/14 A received on 03.04.2008  
Drawing : 1379/1 received on 15.02.2008  
Drawing : 1379/2 received on 15.02.2008  
Drawing : 1379/3 received on 15.02.2008  
Drawing : 1379/4 received on 15.02.2008



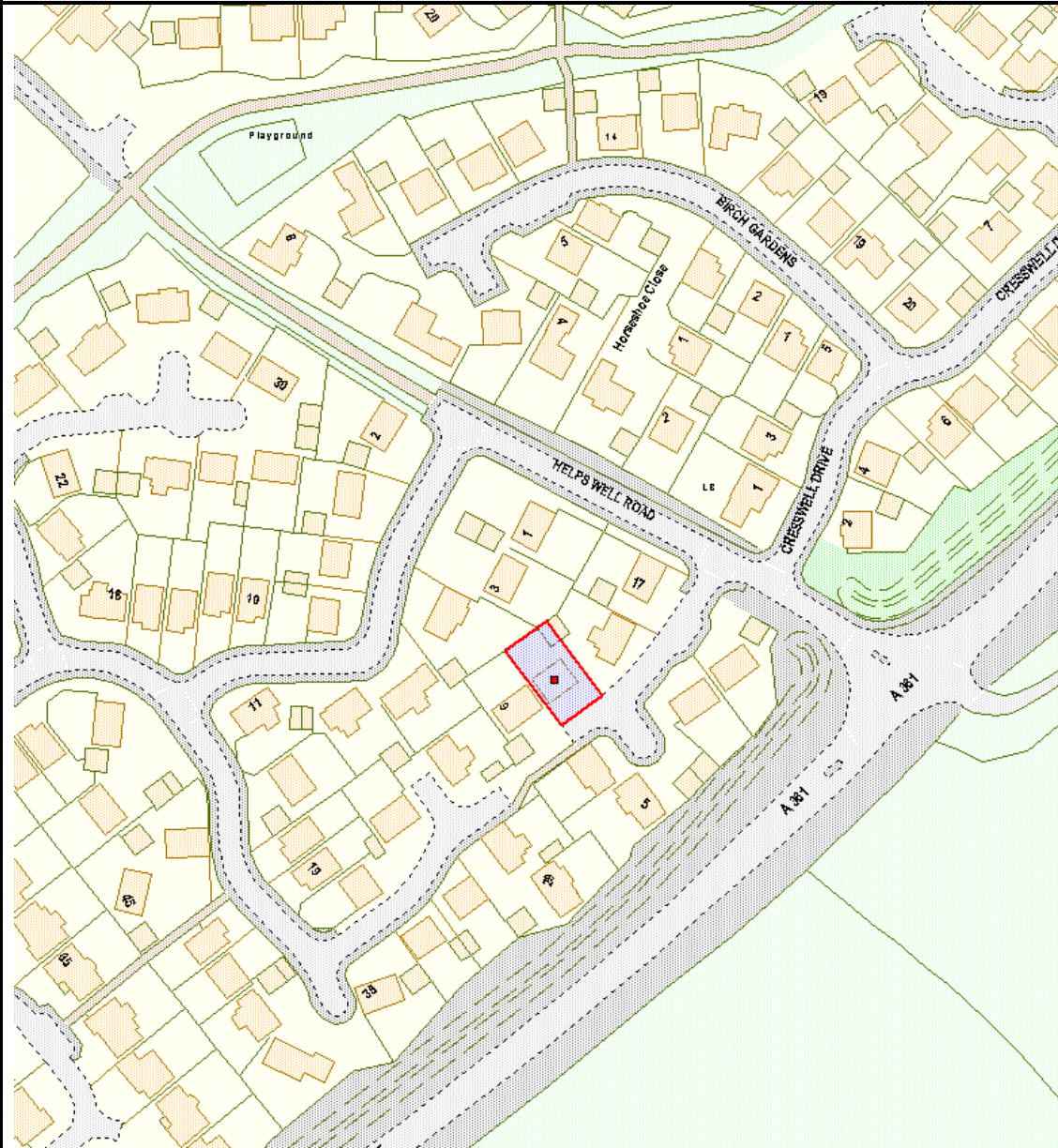
# PLANNING COMMITTEE

31 July 2008

ITEM NO: 12

APPLICATION NO: 08/01724/FUL

LOCATION: 11 Helps Well Road Hilperton Wiltshire BA14 7TE



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SLA: 100022961

**12 Application: 08/01724/FUL**

**Site Address: 11 Helps Well Road Hilperton Wiltshire BA14 7TE**

Parish: Hilperton Ward: Avonside

Grid Reference 387921 158860

Application Type: Full Plan

Development: Erection of canopy at the rear

Applicant Details: Mr And Mrs James McCartney  
11 Helps Well Road Hilperton Wiltshire BA14 7TE

Agent Details:

Case Officer: Ms Margaretha Bloem

Date Received: 25.06.2008 Expiry Date: 20.08.2008

#### **JUSTIFICATION FOR RECOMMENDATION:**

**The proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and would not significantly harm any interests of acknowledged importance.**

**RECOMMENDATION: Permission**

#### **Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

The proposal is brought before Committee because Hilperton Parish Council objects contrary to your officer's recommendation.

Erection of canopy at the rear.

The canopy will project 3.2 metres from the original rear building line of the dwelling with a width of 6 metres. The west side elevation will have a 1.8 metre deep aluminium glass panel with glass infill to provide screening from wind. The materials for the canopy will include polycarbonate roof panels and will be supported by 4 aluminium support posts.

### **SITE VISIT / STATUTORY SITE NOTICES**

*Date of Site Visit* : 30.07.2008

*Date Site Notice Posted* : No site notice.

## **CONSULTATIONS**

*Parish/Town Council* : Although the plans accompanying this application refers to a 'canopy', the proposed structure will in fact include an element of 'wall' (pvc coated aluminium framework with glass) at either end. It is therefore felt by the Parish Council that the design of this structure and the materials intended to be used will be incompatible with the design of existing buildings and we therefore object to this application.

*Neighbours* : No comment received.

## **NEGOTIATIONS / DISCUSSIONS**

NA

## **CONSTRAINTS**

Urban area

## **POLICIES**

West Wiltshire District Plan 1st Alteration 2004 - Policies: C31a and C38.  
Supplementary Planning Guidance - House alterations and extensions July 2004.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

## **KEY ISSUES**

Impact on character of area  
Impact on neighbour amenity

## **OFFICER APPRAISAL**

Surrounding area

The canopy will be located to the rear of the dwelling and will not be visible in the streetscene. The proposal will therefore not harm the character of the area.

Neighbour amenity

Policy C38 and the SPG gives further advice as to what would likely cause nuisance to neighbours. The proposal will not harm the amenity of the neighbours in terms of overbearance, overlooking or loss of privacy as the proposal is for canopy over a patio area.

## **RECOMMENDATION**

Permission.



## **RELATED PLANS**

Drawing : OS EXTRACT received on 25.06.2008  
Drawing : 912-11 received on 25.06.2008  
Drawing : DOCUMENT 3 received on 25.06.2008  
Drawing : DOCUMENT 4 received on 25.06.2008  
Drawing : DOCUMENT 5 received on 25.06.2008  
Drawing : DOCUMENT 5A received on 25.06.2008  
Drawing : DOCUMENT 6 received on 25.06.2008  
Drawing : DOCUMENT 6A received on 25.06.2008  
Drawing : DOCUMENT 7 received on 25.06.2008  
Drawing : DOCUMENT 7A received on 25.06.2008  
Drawing : DOCUMENT 8 received on 25.06.2008  
Drawing : DOCUMENT 9 received on 25.06.2008