

**Planning Applications**

- (a) To receive and note the attached list of delegated decisions made since the last meeting (list herewith)
- (b) To determine planning applications received in accordance with the Committee's delegated powers (list herewith).

**NOTES:**

(i) LOCAL GOVERNMENT ACT 1972 – SECTION 100D

The background papers relating to the applications reported upon include not only relevant planning documents but also replies to consultations with other bodies and authorities, letters of representation from interested parties, previous planning decisions and source material otherwise referred to in the reports.

(ii) HUMAN RIGHTS ACT 1998

The human rights implications of the actions recommended in these reports have been considered and are acceptable and the checklist has been addressed.

---

# PLANNING COMMITTEE

14 SEPTEMBER 2006

## Planning Applications for Determination

Item No	Application No	Location	Parish	Page No
01	06/01256/FUL	Ten houses - Land Adjacent Quinton Place Codford Wiltshire	Codford	01
02	05/02400/FUL	New 40 bedroom hotel, spa, function facility and ancillary activities and demolition of existing function suite building, associated car parking, servicing and landscaping - Thoulstone Park Golf Club Thoulstone Chapmanslade Wiltshire BA13 4AQ	Upton Scudamore	21
03	06/02099/FUL	Erection of two 2 bedroomed dwellings with car standings - Land Adjacent 12 And 12a Holbrook Lane Trowbridge Wiltshire	Trowbridge	33
04	06/01192/FUL	Single storey breakfast room extension to south east elevation and two storey extension for staircase enclosure at north east corner - The Sanctuary 9 Dark Lane North Steeple Ashton Wiltshire BA14 6EY	Steeple Ashton	39
05	06/01181/LBC	Single storey breakfast room extension and two storey extension for staircase enclosure, internal alterations including new stairs and relocation of main entrance - The Sanctuary 9 Dark Lane North Steeple Ashton Wiltshire BA14 6EY	Steeple Ashton	47
06	06/00546/FUL	Alteration to existing roof to form a mansard roof, provide a second floor flat above an existing first floor flat - 5 - 9 Duke Street Trowbridge Wiltshire BA14 8EA	Trowbridge	55
07	06/01918/FUL	Detached garage and stores - The Old Rectory 78 Whaddon Hilperton Wiltshire BA14 6NR	Hilperton	61
08	06/02242/LBC	Timber framed porch, and internal and external alterations, including new doors and fenestration - 8 Bratton Road Westbury Wiltshire BA13 3EN	Westbury	67
09	06/01880/ADV	One static display panel - Tesco Stores Ltd County Way Trowbridge Wiltshire BA14 7AQ	Trowbridge	73
10	06/02050/FUL	Change from a car showroom to a fish & chip shop restaurant and takeaway. Alterations to fascia and windows. The provision of a chimney on the rear boundary - 56 Frome Road Bradford On Avon Wiltshire BA15 1LA	Bradford On Avon	77
11	06/00789/FUL	New dwelling and demolition of existing garage and formation of parking spaces - Land Adjacent 5 Woodmand Holt Wiltshire	Holt	83
12	06/00880/FUL	Use of land for model aircraft flying - Summerslade Down Lords Hill Longbridge Deverill Wiltshire	Brixton Deverill	88
13	06/02324/FUL	Conversion and two storey extension of single dwelling house into two two-bedroom flats - 14 Ash Grove Westbury Wiltshire BA13 3NH	Westbury	95
14	06/02214/FUL	Construction of new detached chalet style residential dwelling with integral garage - Land Rear Of The Elms Millditch Bratton Wiltshire	Bratton	101

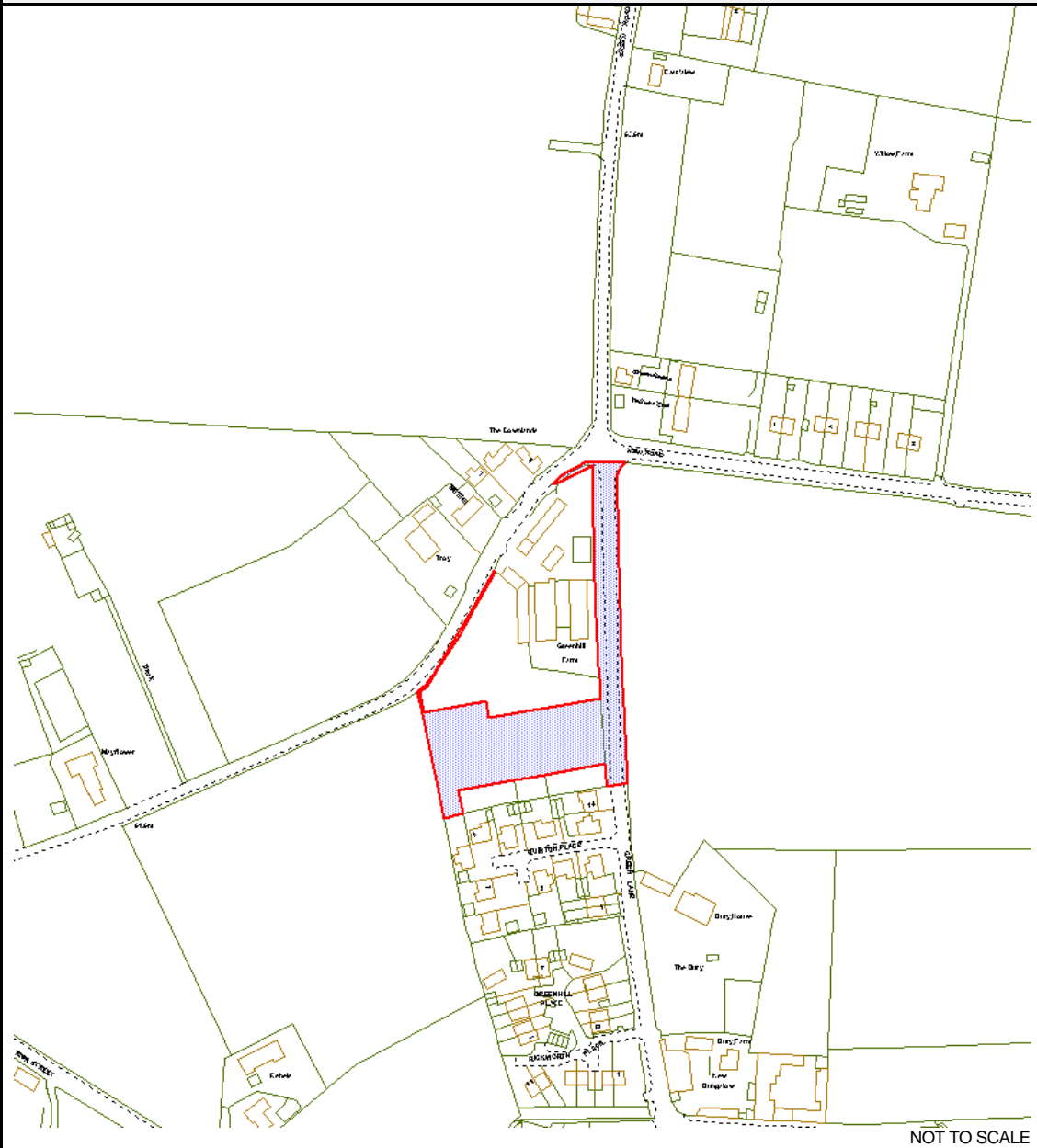
**PLANNING COMMITTEE** **14 September 2006**

## 14 September 2006

ITEM NO: 01

**APPLICATION NO: 06/01256/FUL**

**LOCATION:** Land Adjacent Quinton Place Codford Wiltshire



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
www.westwiltshire.gov.uk

SLA: 100022961

**01 Application: 06/01256/FUL**

**Site Address: Land Adjacent Quinton Place Codford Wiltshire**

Parish: Codford Ward: Mid Wylze Valley

Grid Reference 396586 140230

Application Type: Full Plan

Development: Ten houses

Applicant Details: Wiltshire Rural Housing Association  
20 High Street Bromham Chippenham Wiltshire SN15 2EX

Agent Details: John Lippitt Chartered Architects  
23 Bath Road Swindon Wiltshire SN1 4AS

Case Officer: Mrs Christine Caistor

Date Received: 19.04.2006 Expiry Date: 14.06.2006

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and any planning objections have been overcome by conditions**

**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 - Policies C31A.

- 3 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

- 4 Notwithstanding the submitted details, 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, the planting belt on the southern side of New Road 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.
- 5 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.
- 6 Before any works starts on site details of all the external lighting, including those in the highway, shall be submitted to and approved in writing by the Local planning Authority. The work shall be carried out in accordance with the approved details only. There shall be no other form of external lighting other than that approved as part of this condition.
- REASON: In order to ensure the development is satisfactory and tthat there is no detrimental effect on the visual appearance of the Area of Outstanding Natural Beauty.
- POLICY: West Wiltshire District Plan - 1st Alteration, 2004, policy C2
- 7 No dwelling herby granted shall be occupied until the visibility splay at the junction of Green Lane and new Road has been provided in accordance with the details in the approved plans. The visibility splay shall be maintained free of obstruction
- REASON: In the interest of road safety
- POLICY: West Wiltshire District Plan - 1st Alteration policy H22
- 8 Details, including samples where appropriate, of the materials for the surface of all roads, footways and pedestrian areas, cycleways and all other hard surfaced areas shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, or prior to the commencement of any relevant phase of the development, whichever is appropriate. The development shall be carried out in accordance with approved details.
- REASON: To ensure that the development harmonises with its setting.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C31A.
- 9 Before the development is occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.
- REASON: In the interests of highway safety.

- 10 The parking and servicing areas indicated on the approved plans together with the means of access thereto shall be completed and made available for use before the premises are occupied and shall be maintained as such thereafter.
- REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy T10.
- 11 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- REASON: To ensure that the development can be adequately drained.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.
- 12 The development hereby permitted shall not be occupied until the sewage disposal works proposed as part of the development scheme have been completed in accordance with the submitted and approved plans.
- REASON: To ensure that the development can be adequately drained.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy U1A.
- 13 No dwelling shall be occupied until a scheme has been agreed and completed to dedicate the existing bridleway from the frontage of the development to the junction with New Road as highway.
- REASON: To ensure suitable access is provided to the development
- POLICY: West Wiltshire District Plan - 1st Alteration policy H22
- 14 No hedge shall be felled, uprooted or otherwise removed before, during or after the construction period, except where removal is indicated on the approved plans or on an approved landscaping scheme, or where removal is required to construct a road, footpath or cycleway in accordance with the approved plans.
- REASON: To ensure that existing hedges of value are adequately protected.
- 15 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 or doors, other than those hereby approved, shall be added to the dwellings hereby permitted.
- REASON: In the interests of amenity and privacy.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.
- 16 The dwellings hereby granted permission shall remain as affordable units within the definition of affordable housing contained in policy H2 and for local need as defined in policy H22 a and b of the West Wiltshire District Plan - 1st Alteration, 2004, for so long as the dwellings remain on site.
- REASON: The site is in an area where residential development is not normally permitted unless justified as an exemption for affordable housing.
- POLICY: West Wiltshire District Plan - 1st Alteration, 2004 policy H2 and H22

- 17 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1, Class(es) A-E of the Order shall be carried out without the express planning permission of the Local Planning Authority.

REASON: The implementation of permitted development rights on this site would be unacceptable.

- 18 Notwithstanding condition 17, before work commences on site details of the design and siting of the garden sheds for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details

REASON: In order to ensure the development is satisfactory and does not detract from the visual appearance of the Area of Outstanding Natural Beauty.

POLICY: West Wiltshire District Plan - 1st Alteration, 2004, policy C2 and C31a

**Note(s) to Applicant:**

- 1 The applicant is advised that any works should take place outside the nesting period and you should contact English Nature in the event of any protected species being present on the site..
- 2 The developer is required to protect the integrity of the Wessex water systems and agree prior to the commencement of works on site, any arrangements for the protection of the infrastructure crossing the site with Wessex water. It will also be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water.
- 3 The developer is advised to ensure the suitability of the sewage treatment works and soakaways with the Environment Agency and Building Control before work starts on site.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application has been called to committee by Councillor Newbury in the interest of debate.

The application proposes to erect 10 no. 2 bed houses specifically for affordable housing on the edge of the village of Codford. They consist of 5 pairs of semi-detached, two storey, 2 bed houses to be constructed in orange/red brick under slate roofs. Some of the houses are designed to allow flexibility for loft accommodation should the need arise in the future. Revised plans have been submitted to include a landscape planting belt to the north of the site along side New Road and to include that part of Green Lane not formally an adopted highway and its junction with New Road.

The application is accompanied with a housing needs survey undertaken by the applicants which revealed 31 households required accommodation and indicated that this was for rented accommodation rather than shared ownership. The housing waiting list also identifies a significant demand in Codford.

The site measures some 0.37 hectares, located on the northern edge of the village outside the village policy limit. It is a green field site currently used for agriculture which gently rises about half a metre up to the north west corner. To the south is a recent development of 13 detached houses, known as Quinton Place.

## CONSULTATION REPLIES:

### - CODFORD PARISH COUNCIL:

"The Parish Council fully support this application. Please refer to the attached letter [the content of this letter is summarised below]. I attach a copy of the comments from the display of the plans at the village Post Office. I can confirm that the signatories are residents of Codford." [A page with 6 signed comments in support of the development was attached]

Supporting letter [summarised]:

- PC have worked with the Wiltshire Rural Housing Association for more than 5 years to secure 10 local homes for the village, they recognise the problem with the lack of affordable homes in rural areas because of rising house prices
- Codford has 344 properties, 62 of which are affordable but only 14 give priority to local people from Codford and surrounding settlements
- Green Lane site is in the area designated as being suitable for future development, was chosen because the light industry in the area was declining and New Road would form a natural boundary to development.
- The only remaining light industrial site is the Old Piggery site on which it seems likely that, in the event of activity ceasing, permission for either residential or industrial will be sought as it will be seen as a brown field site.
- This site will be a natural continuation of this gradual development following on from Rickworth Place to Green Hill Place and Quinton Place
- It is an ideal exception site, adjacent to a significant amount of housing, next to the village policy limit and close to amenities with a good access road.
- Apart from the Guinness Trust homes, these will be the first homes specifically built for local people for thirteen years.
- In this diverse community rented accommodation in the private sector is £500-£700 per month, a 2 bed house in the High Street sells for £190,000 and we are in danger of losing the lifeblood of the village, the young and their families
- Proposed homes are long overdue, will go a long way to help maintain a balanced, vibrant and sustainable community by ensuring that one section of the village is not disenfranchised by lack of income and remain close to their family friends and employment.

A separate letter was received stating that the Parish Council would prefer that the children use the facilities available on the village playing field rather than a separate play area on the development site. This is 5 minutes walk away and has been recently refurbished.

Letter responding to the various objections has been received seeking to address the various points raised by the objectors.

1st Revised Plans - No objections but suggest that the annotation for the land to the rear of 11 Quinton Place be amended from 'private garden' to agricultural land.

2nd Revised Plans - No further comments to make.

## STATUTORY CONSULTATIONS

### - HIGHWAY AUTHORITY:

They are in receipt of email letters of objection to the development, including concerns of restricted visibility at the junction of Green Lane and New Road. It would be desirable to improve the situation principally by controlling vegetation on land which does not form part of the application site or the public highway. If the proposed development is acceptable in planning terms could a meeting be arranged with the applicant's agent to discuss this.



1st Revised Plans - Confirms their view that the section of Green Lane (bridleway) extending northwards from the application site to the junction with New Road should be dedicated as public highway prior to the commencement of the any approved development. They also confirm that it is not only desirable but essential in the interest of highway safety that the suggested visibility splay be provided as part of the current application, which is likely to increase the use of the junction significantly. They consider it regrettable that this was not sought when the adjacent residential development took place. They ask that the remainder of Green Lane, including the visibility splay, be included with the application site edged red and the appropriate notices be served on the owners. If the visibility splay cannot be achieved they are prepared to recommend refusal on highway safety grounds and support such a refusal at appeal.

2nd Revised Plans - No comments received

- ENVIRONMENT AGENCY:

Do not wish to comment on the application

- ENGLISH NATURE:

Original plans - The site is close to the River Wylfe, part of the River Avon System Site of Special Scientific Interest and candidate for a Special Area of Conservation. This river has protection under national and international legislation. Any development adjacent to the river carries the risk of damage to the river ecosystem through habitat loss and pollution both during and after construction. In this instance the development would be in the vicinity of the river and concern about pollution during construction through accidental spillage or run off.

English Nature is of the opinion that the development need not cause significant damage to the nature conservation interests of the SSSI/cSAC provided that the applicant can demonstrate that appropriate measures will be taken to ensure the river system is protected from any pollution or other disturbance. In particular they recommend a construction method statement be produced detailing the potential risks and how they will be addressed. This should be conditioned and approved by the LPA before building work commences.

They also suggest water saving measures within the new houses and site survey for protected species if they are likely to be present on site.

1st revised comment - Agreed with agent that as the site is 1 km from the river and there are no obvious conduits to the river for pollution, a construction method statement is not necessary.

2nd revised plans - No further comments to make from those previously submitted

- WESSEX WATER

Proposal is not located within the Wessex Water sewered area.

Foul drainage is to a private sewage treatment plant.

Surface water is to soakaways and Council should be satisfied with any arrangements for the disposal of foul and surface water

Water supply - a public main crosses the site and a 3 metre easement on either side is required for maintenance. An informative is suggested to advise the developer to protect the integrity of the Wessex system and seek their permission for any connection.

EDUCATION

No comments received

## INTERNAL WWDC CONSULTATIONS

### - PLANNING POLICY:

The development plan allows rural exception sites for affordable housing within rural areas. A number of criteria must, however, be satisfied.

1/ There must be demonstrable local need that cannot be satisfied in any other way. In this case, there is clear evidence of local need for affordable housing. Given the scale of need, it is unlikely that this could be satisfied through achieving up to 50% affordable housing as part of market led development within existing village policy limits. This would require at least 20 houses to be developed and there are few sites which could accommodate that level of development within Codford.

2/ The site must be physically well related to the village and able to be serviced and accessed satisfactorily. The site is immediately adjacent to existing village policy limits. Codford has a good range of services and facilities to sustain further limited housing development. The views of Wessex Water and the Highways Authority should be sought regarding servicing and accessing the site.

3/ The development must provide permanent controls to ensure that the properties remain available to meet local affordable needs in the future. This should be a requirement of any planning permission granted.

In addition, the site is located within an Area of Outstanding Natural Beauty. The specific issue is whether this development will create such a detrimental impact upon the landscape that it would outweigh the exceptional need for it. The proposal would be located between an existing housing development and Greenhill Farm. In my view the proposal would not result in serious encroachment into the landscape. The development offers the opportunity to soften the edge of the existing housing which includes dwelling sizes of a scale out of character with the traditional landscape. The proposed dwelling types are of a smaller cottage style more appropriate than the neighbouring properties within this location.

### - HOUSING:

This is an application by an RSL and we are happy with the mix. The scheme has an allocation of Housing Corporation funding which has only been granted on the basis of an established need for family housing in the village.

The Housing needs Survey has been done as local information for the scheme but is not the only source we use to identify housing need. Its methodology has some shortcomings and I would not rely on it as the only evidence of need. A much better picture is demonstrated through the Housing Needs Register, Housing Needs Survey and a community analysis, and in fact shows a consistent level of need as that indicated in the survey which accompanied the application.

There are currently 32 households in priority need in Codford and the provision of 10 affordable housing units will go some way towards meeting the current need.

In response to the report commissioned by the Quinton Place residents, reported later under 'publicity objections, the Housing Enabling Officer has commented

- Preamble - The Council's approach is consistent with these views. The evidence is methodical, and aims to provide small groups (10 is not a huge estate) to ensure that balanced communities are created.

- Policy H22 - there is no intention to establish a general presumption in favour of development being acceptable in the countryside, quite the reverse. Our Housing Needs team are satisfied that there are sufficient applicants on the Housing Needs Register with a local connection for both this scheme and the others being considered in Codford.

- I am not able to comment on the actions of the Parish Council, or how the site referred to might have contributed towards AH need. There may have been other problems, but as far as I can establish, we were not consulted at the time - our view might have differed from that of the Parish.
- The Housing Needs Register is already capable of being broken down in this way and these elements would contribute to an assessment of those having a local connection to Codford.
- Other policies - Apart from a local need, we would also want to be assured that the community is reasonably sustainable before promoting a rural exceptions site.
- The District Plan does not require an annual survey but does require its publication - simply an expression of the housing needs survey (done every 4 years) and applied to each of the years it is intended to cover.
- We are aware of a site at Cherry Orchard, next to WWHS stock in the village and understand that, if the Society is successful in its PFI bid, they will want to see it developed. However, it does have its own problems, not least drainage. It may not be capable of development in any event.
- The Parish Needs Survey was not delegated - it is not the one required to be undertaken by the Council which is District wide and the new one is in the course of being tendered for completion later this year. The Parish Needs Survey is done on the same format - set by Government - as the ones we have commissioned through the Rural Housing Enabler at Community First. I see no benefit in waiting for the District wide survey to be completed; if anything the need will be shown to have increased.
- Housing. - This will be considered on a site by site, village by village basis and there is no hard and fast estimate of the percentage of housing which will come forward within this figure from exceptions sites. The figure relating to those with planning consent is deceiving - it does not imply that a full percentage of these contributes to rural affordable housing and, in fact, few if any sites within the District are allocated in wholly rural areas.
- Privacy issues - when you are dealing with surveys of relatively small numbers of people, it is possible to work out who responded to the survey. It is not appropriate that the survey form should be capable of scrutiny by the responder's neighbours, particularly when it will also have information relating to income, disabilities etc. The owner of the survey - the applicant - has said we can make available the survey report, but the overriding consideration is the privacy of responders and this is why we would not agree to releasing the individual responses.
- I have undertaken the usual assessment of need based on a much wider basis than simply the Parish Survey (Housing Needs Register, Housing Needs Survey, census information, property prices, incomes etc) and, together with my Housing needs colleagues, am fully satisfied that there is sufficient need in Codford, of a type which satisfies the Policy local connection requirement, for this site to be supported together with at least one other site in the village.

2nd revisions - Number and mix remain the same. Confirm full support in this application for the much needed affordable housing in Codford and the changes do affect their support of grant funding in any way.

## NON-STATUTORY CONSULTATIONS

### COUNCIL FOR THE PROTECTION OF RURAL ENGLAND

- Support the application for the following reasons
- There is a severe shortage of affordable homes in the area
- There is a proven need for these homes in Codford for local people
- Support the idea of Private Finance Initiative to fund such homes in West Wilts and looks forward to seeing this put into operation
- Would rather see site like this sandwiched between a farm and new development than a larger development site where affordable housing are among a quantity of 5 bed executive homes.
- Welcome the Housing Corporation investment nationally in additional affordable homes and support their call for Authorities to improve their performance in the provision of rural affordable housing
- Support the application despite it being outside the village policy limit and in AONB.

## CRANBORNE CHASE AND WEST WILTSHIRE DOWNS AREA OF OUTSTANDING NATURAL BEAUTY

- The proposed site is outside the village development boundary, a development might be approved so long as it is for affordable housing for local people. The Section 106 Agreement would be to ensure that, if the development proceeds, it can be retained as affordable in perpetuity.

It is unclear from the documentation what landscape features there are on the site, nor a landscape proposals plan, and would strongly recommend that no decision in favour of the proposal is considered before a detailed landscape scheme has been submitted. Trees, hedges, and planting schemes take a number of years to become established and to mature.

Expresses concern that the adjacent development is visually prominent from two roads. Clearly that indicates that the visibility of development is an issue in the neighbourhood, so adding another is likely to exacerbate the situation. The visibility from other Rights of Way should be considered.

The designs appear to have very little local distinctiveness or features that could identify them as typical of a particular locality. Furthermore, they do not appear to echo or emulate the building characteristics identified by the consultants that prepared the Landscape Character Assessment.

The suggestion that a 10m wide paddock will act as buffer seems to be misleading as the block Plan shows no such separation. Landscape details should be submitted as part of the application, particularly as the proposal is seeking an approval that would be a departure from policy.

The document refers to solar heating which is shown on the designs, but other features relating to sustainability - 'Home office spaces', 're-cyclable storage', 'Sheds with lockable cycle storage' - are not shown. As these are being put forward as positive aspects of the proposals, and most people would see them as desirable features, the application should not be determined until those matters have been detailed.

The comments about 'Large private gardens' seem misleading as the gardens are rather small, and the comments about parking for two vehicles per property indicates [although this is omitted from the elevation drawings] that parked vehicles will be significant features of the frontage of the properties and the appearance of the access road.

A matter that is of great concern to the AONB is light pollution - not only is it wasteful of energy but it is both visually intrusive and contributes to the loss of dark night skies. Need to consider any proposed security lighting to ensure it is properly shrouded and there is no escape of light upwards or sideways.

I note that considerable effort has been invested in an investigation of water sources, groundwater vulnerability, and the associated risks of installing a local sewage treatment unit. It is demonstrated in the calculations provided that nearly 350 metres of 0.9 m wide trench are needed for the soakaway drainage from the treatment unit. Nowhere on the drawings is this extensive drainage construction shown.

Suggest that the applicant be invited to withdraw the application in order to give him and his client sufficient time to investigate and address all the matters arising from your consultations.

1ST Revised Plans - No comments received

2ND Revised Plans:

No plans of the landscape features of the site or the landscape context. There has been some consideration of the potential physical and visual intrusion created by the development to provide off site planting. 85 metres of planting would probably need 20 rather than 17 trees and recommend that the final setting out is agreed with the LPA rather than the landowner.

The landscape plan is nothing more than a planting plan. No information of existing features, hard and soft surfaces, fences and boundaries or maintenance of the planting. They are unclear about the hedges and there are discrepancies between the landscape plan and the layout plan. Criticise the artistic licence display in the layout plan and doubt if the proposed trees would gain the indicative heights shown within a decade.

Note the solar panels but question the provision of bin storage, garden/cycle sheds and location of drainage ditches.

With regard to protected species, it is not as detailed as they would like. They question the reference to only one boundary and not the Quinton Place boundary, the statement that the hedge line being nesting habitat for birds is not supported by any criteria or species observed and there is no mention of ground nesting birds.

To conclude they feel there are still a number of matters to be adequately addressed before a decision can be fairly considered.

## PUBLICITY RESPONSES

Individual notifications were sent to properties in the immediate vicinity of the site, a site notice displayed at the site and a public notice in the local press.

17 letters of objection have been received on all or some of the following grounds

- Support the principal of affordable housing in villages.
- Outside village policy limits and needs full housing need justification.
- The site borders the policy limit only because the policy limit has been steadily moved to accommodate Rickworth place, Greenhill Place and Quinton Place.
- Further intrusion into the AONB.
- Development would be detrimental to the aims of conserving the landscape of the AONB and loss of hedgerows.
- Land is not designated in the District Plan or the South West Regional Strategy for any type of development.
- The site is a greenfield site but it is government policy to that brownfield sites must be considered first.
  
- Justification is years out of date and figures cannot be confirmed
- No evidence of local need has been established
- Survey is severely flawed and proves little.
- Such need can be met by developing other sites such as the PFI site
- Need is outweighed by the detrimental impact on the environment.
  
- There are sites within the limits or nearer facilities that should be considered first.
- Other sites within the village have been rejected for flooding reasons but these can be overcome.
- Development should be dispersed into packets of two and three within Codford
- Codford already contains a disproportionately high percentage of social and affordable housing in comparison to other villages.
- None will be available for purchase for those who wish to embark on house ownership ladder.
- New development will significantly increase the imbalance between Codford St Mary and Codford St Peter in which the infrastructure and facilities are overstretched.
- Proposed housing development on glebe land was considered by the Parish Council who stated that the provision for such housing was adequately catered for and the land was better suited for a burial ground

- Green Lane is unadopted with little lighting and no pavement, extra traffic would lead to a serious hazard
- Fire engines may not be able to access
- Junction of Green Lane and High Street is exceptionally narrow and frequently obstructed by deliveries
- Junction with New Road is a blind, 4 way crossroads with high volumes of traffic
- Speed limit of 30 mph should be moved to the top of new Road.
- Sewage disposal is a problem in Codford
- Smells generated by communal septic tanks can be repugnant
- Disposal system site close to other property
- Effect on the water table, considerable strain placed on local water and energy resources
- Development would contravene the EEC Directive on wildlife, barn owls use this as a feeding site.
- Loss of privacy and noise from development
- Additional light pollution
- House should only be two storey and of a design suitable to village location.
- Loss of open space, visual gaps and views
- No amenity or play areas for children
- Planned development is unsustainable
- Parish Council are clearly against other development of this land but are supporting this application
- Question the suitability of the Parish Council, Parish Councillors and planning case officer to deal with this application.
- The process for selecting the site has not been conducted in a fair, open, impartial or ethical manner.
- Only the landowner will benefit
- Question the extent of publicity given to the application.

The Residents of Quinton Place commissioned a firm of chartered surveyors to advise on the current application for a rural exception site to provide affordable housing. They have submitted a document expressing reservations about the scheme:

- Understand the Government provision for accommodation in villages and believe that certain parties in the community and/or at District level regard the precept of providing such accommodation is a good idea without providing methodical evidence to sustain the need.
- Any decision should take account of policy H22 of the District plan and its principle criteria of need, contained within the parish or adjacent parishes and satisfactorily serviced and access site.
- The survey needs to show of the existing community, where there is demand for accommodation from those who work locally or provide important services, where there are people with long standing links with the village and where there is specific demand from an employer that needs workers to live locally.
- The proposal assumes that the development will be served by private drainage and weigh up the losses such a development will create; increased traffic, loss of hedging, loss of habitat for barn owls, loss of open countryside.
- Although the Highways Department do not believe there is a problem some local residents who use Green Lane do not agree.
- Policy H2 states that such housing should remain affordable in perpetuity but need will vary from year to year. This raises the question whether the District Council have sold off any accommodation within similar schemes.
- Questions if the District Councils Housing Needs Survey has featured Codford and where in the village such needs exist
- The only document provided with the application is the WRHA survey which is thin on the ground
- Question arises on the need to accommodate the original need provided at Cherry Orchard under PFI
- Contend that to delegate the survey responsibilities to a third party, (not the District Council) is at variance to the policy as that party has a vested interest
- National Guidance for Rural Exception sites states that the case for releasing a site is a matter of judgement.

- Question the need for the Council to provide 14000 additional dwelling between 1991 - 2011 and how much of that need is made up within approvals granted under the Rural exceptions sites
- Policy aims to protect conserve and enhance the nature and man made environment and it is important that any decision at variance to the policy will need to have a proven need.
- Do not accept the view of the WRHA that the public should not be privy to the back up material
- There is evidence that the Parish Council saw no need for affordable housing in two or three years.
- The application should be set aside until such time as the surveys are carried out
- Proper procedures should be adhered and the conclusions made transparent and fair to the whole community.
- Clients have not been consulted and feel particularly aggrieved that the decision might be made on the evidence provided to date.

16 letters of support have been received on all or some of the following grounds

- Satisfied that we are at long last considering the needs of local people in need of a home
- Need to keep local people where they have roots, been born or have family in the village
- There is a desperate need for local housing for families with 2 - 4 children
- Many young people have to move away to set up home
- Shortage of affordable housing to buy and rent in the area
- Recent development have been large and expensive which first time buyers cannot afford
- Future of primary school depends on young families living in the area
- Applicant will give preference to local people when allocating these houses
- Younger people living in village will be able to care for elderly relatives
- Location of planned houses seems to be the most logical and sensible choice
- Even if in full time employment we cannot afford a mortgage.
- It would be good for the village and the community
- Proposed houses are small, environmentally friendly, discreet with additional loft space if required.
- Sewage disposal should be addressed during the build to prevent repetition of mistakes in the past.
- The balance between age groups in the village will be maintained
- Building line should be along Green Lane up to Green Lane Farm than on the line of Quinton Place

The applicant submitted copies of 21 letters of support sent to them.

#### 1st Revised Plans

##### 1 letter of objection

- nothing affects their fundamental objections to this choice of site.
- comment on the siting of the sewage treatment plant on the boundary with Quinton Place and note that on many occasions the existing communal septic tanks in Quinton Place have not functioned correctly the smell has been quite objectionable.
- 20% of Codford's housing is social housing and all of it is located in Codford St Peter, it is the duty of the PC and WWDC to ensure a proper balance distribution of new and social housing within the village which is not happening
- cannot see how the case for a housing need is proven in addition to Cherry Orchard; Green Lane became an alternative as Cherry Orchard was withdrawn but now that this has come back into the frame Green Lane is redundant. The fact that it is sponsored by different authorities is of no consequence as all houses are for social purposes.

1 letter neither of support nor objection requests a 30mph speed restriction in the area of New Road since there will now be a considerable number of cars arising from the extra 10 houses. They explain that with the number of houses built at Green Hills and Quinton Place, traffic has increased with consequential additional danger to life and limb on a road without pavements. They submit it is time to consider safety of the existing residents and control 'the occasional driver who is a definite hazard to older residents'. [A copy of this has been sent to the Highway Authority']

## 2nd Revised Plans

2 letters of objection received

- previous comments still apply
- disappointed architects have not moved the septic tank
- Original survey produced does not justify this additional site
- Only 3 sites were set up for selection with two not being at all practical, leaving Green Lane. None of the other landowners were contacted.

- The need must be in line with maintaining the socially balance community. Codford St Peter contains all the social housing and some 95% of the new housing built over the last 18 years. This project will mean of the 41 new houses in Green Lane 44% would be social houses. Codford St Mary has successfully challenged applications at their end of the village and the Planning Department and Parish Council must now redress that.

1 letter of support received reaffirming their previous comments supporting the proposal

- plans are very good
- there is a definite need for affordable housing
- sons and daughters cannot afford to purchase houses in the village
- If elderly outnumber the younger generation, village will stagnate and cease to be a working village.
- Parish Council have tried to improve the situation
- Building Control should ensure septic tank arrangements are more than adequate for the task
- Prefer to see housing development along Green Lane to Green Lane Farm
- Approve sufficient parking spaces for 2 cars per household but request improvement for the safety of users of Green Lane such as exits onto High Street, similarly at the other end and around the bends.

## RELEVANT PLANNING POLICY

### Wiltshire & Swindon Structure Plan

- DP1 Sustainable Development
- DP8 Affordable Housing
- DP14 Housing, employment and related development in the open countryside
- C8 Area of Outstanding Natural Beauty

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

- C1 Countryside protection
- C2 Area of Outstanding Natural Beauty
- C15 Archaeological assessment
- C31a Design
- C32 Landscaping
- C35 Light pollution
- H19 Development within open countryside
- H22 Affordable housing on rural exception sites
- T10 Car parking
- T12 Footpaths and bridleways

### Other planning Guidance

- PPS1 Sustainable Development
- PPG3 Housing
- Circular 6/98 Planning and affordable housing
- SPG Affordable Housing

## RELEVANT PLANNING HISTORY

None relevant to this application



## KEY PLANNING ISSUES

The key planning issues in this application are the policy principle, justification as an exception site; Area of Outstanding Natural Beauty, ecology, highways and design

### Policy principle

The principle of developing a site for housing outside the designated village policy boundary is generally discouraged under policy DP14 of the Structure Plan and H19 of the District Plan. However the provision of affordable housing is encouraged in the area through policy DP8 of the Structure Plan and H2 of the District Plan.

Notwithstanding the general presumption against housing development outside the village policy limits, policy H22 of the District Plan allows for affordable housing as an exception to this presumption. It is this policy against which this application should be judged.

Affordable housing is defined in the District Plan (policy H2) as:

"... housing comprising low cost market housing and subsidised housing, provided for people who are unable to resolve their housing needs in the local private sector market because of the relationship between housing costs and incomes".

This application is submitted by a Housing Association whose statutory purpose is to provide and manage the dwellings as affordable housing to rent on a not-for-profit basis. They have secured a grant funding from the Housing Corporation, which was supported by the Council during the last Housing Corporation Bid round, and, as a condition of the grant funding, will be required to take nominations from the Council's Housing Needs Register. The proposed dwellings would therefore fall within the definition of affordable housing for the purposes of the planning policy. If granted permission, conditions could be imposed to secure the occupancy for those groups defined in the policy.

In order to be considered as an exception site within the terms of the planning policy, the proposed site must be well related to the village but outside the village policy limit. In this case the site adjoins an existing small estate of 13 houses on the edge of, but within, the village policy limit which was permitted in 2002. Codford is a large village made up of Codford St Peter and Codford St Mary and has a good range of services and facilities to sustain further limited housing development. The site would be some 400 metres from the main High Street and the school respectively. The site can therefore be considered as a candidate as an exception for affordable housing.

Policy H22 then requires that such a proposal should comply with 4 criteria:

1. There must be demonstrable local need
  2. Need is in line with the aim of maintaining a socially balanced community
  3. There are permanent controls to secure the benefits of the scheme permanently
  4. The scheme can be satisfactorily serviced and accessed.
- Each one will be considered in turn.

### Demonstrable Need

The applicants submitted a statement of justification to show that there is a need for affordable housing in this area. This is in the form of a parish needs survey, but is only one of a number of sources of information used when considering need. At the time of submitting the application it showed that 34 persons were in need of housing out of the 64 households responding. Of these, the majority were in need of 1 and 2 bed units to rent immediately.

This information was queried by the objectors to the application, the essence of which is reported in the publicity section of this report. In response to that criticism the Housing Enabling Officer comments are also summarised in the consultation responses.

A more reliable test of need is the Council's Housing Needs Register which is constantly updated and therefore provides current and accurate information on the need for housing in the village. The Housing Enabling Manager confirms that there is a clear demonstrable need for affordable housing in this location, despite some affordable housing having already been created within the village in recent years. In response to the applicants submission, the Housing Enabling Officer confirmed that The Housing Needs Register indicates 601 applications for the Warminster area, of which 36% were for one-bed properties, and 46% seeking 2 bed accommodation. There were 80 applicants with 30 or more points.

A more detailed analysis of the register indicated that there were 32 households looking for accommodation in Codford ; 84% for one and 2 beds and 16% for 3 beds. Of these 8 (28%) were working and could potentially buy, albeit not at market prices, and the remainder, 72%, would need rented accommodation.

At the time of writing this report, the Housing Enabling Officer has reported that there were 49 households on the Housing Needs Register who could demonstrate a local connection to Codford. Over the last 5 months, the Council has advertised 8 properties for let in the village and has received between 14 and 51 bids per property. A one bed flat is being advertised at the moment and, to date, 36 applications have been received. They are, therefore, satisfied that the grant of planning permission for this development would satisfy a high and demonstrable need for affordable housing in the village.

From this it is clear that there is a demonstrable need for affordable housing in the area and the proposal would be justified as an exception within the terms of the policy H22.

Given the scale of need, it is unlikely that this could be satisfied through achieving up to 50% affordable housing as part of market led development within existing village policy limits. This would require at least 20 houses to be developed and there are few sites which could accommodate that level of development within Codford

#### Social balance

The demographics of the area indicate that there is a high proportion of owner-occupied properties relative to those available for rent. Of the 68 affordable rented properties in the village, only 23 are suitable for small families and they do not become available for re-let very frequently. The additional properties for rent would therefore enhance the social balance of the village.

#### Permanent control

The development must provide permanent controls to ensure that the properties remain available to meet local affordable needs in the future. This should be a requirement of any planning permission granted. It is a condition of grant funding that the properties must remain available for rent to local people at affordable rents, in perpetuity. This requirement is legally enforceable against the Housing Association by the Housing Corporation. In addition, these properties, being in a rural area, will not be subject to the right to buy/acquire. Such controls can also be secured by condition on a permission.

#### Satisfactory serviced and accessed

The highway and access arrangements are considered in more detail under Highways below.

There is no public sewer in Codford and therefore all new developments have to include a private sewerage treatment works. This development is no exception and a treatment plant is proposed on the southern edge of the development bordering the adjoining land. This area is part of the original field which has been sold to the adjacent dwellings in Quinton Place. The area has been divided into plots and incorporated into the individual curtilages of the respective houses. They have not been granted permission for use as domestic garden and are currently the subject of an enforcement investigation. In planning terms, this area of land is still regarded as agricultural paddock, until such time as a permission is issued.

The objectors have raised concerns about the position of the treatment works and the experience of smells from others in the area. However, the installation would be mainly below ground and has been approved by the Environment Agency. The agreement with the Environment Agency shows that the maintenance will be through the housing association. The position of the treatment plant will be about 13 metres from the existing garden and some 24 metres from the nearest house in the adjoining development. This is a similar comparison with the treatment plant in Quinton Place. The area around the plant would be landscaped with trees on the boundary. To locate the treatment plant further away from the adjacent houses would have required the proposed houses on the southern boundary which would have a more visually imposing impact on the adjacent development. The technical details of the installation and operational issue are matters for building control.

A public water main crosses the site.

The proposed development for 10 affordable housing therefore satisfies the criteria set out in policy H22 and is acceptable in principle as an exception site.

#### Area of Outstanding Natural Beauty

In addition, the site is located within an Area of Outstanding Natural Beauty. This is a national designation in which policy C8 of the Structure Plan and C2 of the District Plan seek to ensure the need to protect, conserve and enhance the natural beauty of the landscape. Any development proposal should give regard to the social and economic well being of the area. The specific issue is whether this development will create such a detrimental impact upon the landscape that it would outweigh the exceptional need for it.

The characteristic of this part of the AONB is the undulating downland with open fields delineated by low hedgerows and punctuated by clumps of woodland. The existing site forms part of a larger open field used as agricultural pasture. There is little or no significant vegetation within the field as a whole, other than a small clump around the Green Hill Farm buildings, some sparse hedging on the New Road boundary and a hedge on the frontage with Green Lane. There is therefore little or no screening between New Road and the boundary with the Houses in Quinton Place. These boundaries are designated by fences, some of which protrude into the original field where residents have acquired the additional land. The edge of the village in this area has a definite, stark suburban appearance.

The proposal would be located between an existing housing development and Greenhill Farm. The proposal would not therefore result in serious encroachment into the landscape. The development offers the opportunity to soften the edge of the existing housing which includes dwelling sizes of a scale out of character with the traditional landscape. The proposed dwelling types are of a smaller cottage style more appropriate than the neighbouring properties within this location.

In addition, the applicants have negotiated a more substantial planting belt along the southern edge of New Road to the north of the proposed housing site. This would have a much greater and more immediate visual impact in screening the site and the edge of the village than a planting belt immediately alongside the northern boundary of the site. In addition there would be some hedging and planting on the northern and western boundaries of the proposed development site when viewed from the road.

The Cranborne Chase and West Wiltshire Downs AONB Office submitted a vigorous objection to the original proposal on landscape grounds and offered some criticism of the lack of existing landscape information which is reported in the consultee section. The lack of information reflects the lack of planting features to be found on the site, as described above. However, this development is for local affordable housing. The landscape details have been increased, which will soften the existing development which itself is visually prominent and provides a hard edge to the village.

The applicants have submitted that the sustainability of home office space and recyclable storage is an element of the Eco Assessment contained within the homes. Parking would be in front of only 4 dwellings, the remainder would be at the side. The roads would be designed to County Council standards. Lights would be designed to be shrouded appropriately and the soakaway system is intended to be within the site and is currently being designed. The details of these latter issues can be controlled by condition.

On balance the supplemented planting proposed as part of this application would offset the intrusive appearance of the existing development on the edge of the village and help settle the affordable housing development when viewed from the south. When viewed from the north it would be seen against the backdrop of the existing development and, in time, softened by the additional planting.

## Ecology

The applicants have submitted an ecological survey of the site undertaken by the environmental consultancy wing of the Wiltshire Wildlife Trust. This reported that the site had a low potential to support reptiles, amphibians and bats; no conclusive signs of badgers; but the hedge provided good nesting habitat for birds as well as foraging for barn owls and bats. They conclude that protected species and the legislation protecting them are not a material consideration for this development. They recommend some precautionary protective measures for nesting birds during any hedge clearance which itself falls within the terms of the Wildlife and Countryside Act. They also recommend some conditions to control this and the height of the hedge and lighting as well as keeping the ground layer open to avoid attracting reptiles.

## Highways

The site would take its vehicular access from Green Lane, but this part of Green Lane is not a dedicated highway but a bridleway. The public road ends at the northern corner of the Quinton Place development despite the fact that the road appears to have been maintained and used as a highway along its whole length. However, in response to the Highway Authority's comments, the site area has been extended to include this part of Green Lane up to the junction with New Road. The owners of the land are the same as those notified by the applicant in the original application. This allows for the access and the improvements to the visibility at the junction to be controlled by conditions. The applicants have confirmed that the owners of the land have agreed to dedicated the access as a public highway. The visibility splay required of 2.4 metres by 70 metres can also be conditioned to be maintained by the application.

This therefore satisfies the access arrangements for the purposes of policy H22.

## Design

The proposal would consist of 5 pairs of semi-detached, two storey, 2 bed houses to be constructed in orange/red brick or render under slate roofs. They would therefore be modest in size with traditional gable roofs clad in slate. The pair of houses at the entrance to the site would front onto New Road, with the existing hedgerow retained but trimmed and thus contributing to the vitality and streetscape of the road frontage. These houses would be generally smaller than those existing on the adjoining site with 6 houses constructed in brick and 4 finished in render. The solar panels on the roof would blend in visually with the slate roofing material.

The houses have been designed to allow for loft conversions to accommodate expanding families or live/work facilities. This, in itself, would not constitute development requiring planning permission in the future. However, this can often be accompanied by dormer windows or roof lights. These could have an intrusive effect on the visual appearance and it is recommended that the normal permitted development rights or windows and extensions be withdrawn. This would mean that any such proposal would need express planning permission and remains within the control of the Planning Authority. Similarly, the introduction of incidental buildings in the gardens would have a suburbanising effect and these permitted development rights should also be removed.

The design, scale, layout and landscaping is therefore considered to be appropriate to this edge of village location with a traditional appearance which would form a balanced visual transition from the developed area of the village to open countryside.

#### Other material considerations

Play areas - Policy R4 of the District Plan requires public open space to be provided with sites of 10 or more houses. This site of 10 houses would fall within that criterion. The Parish Council have expressed the view that they would prefer to see this development using the existing play area which has recently been refurbished. The applicants have agreed to this. They have pointed out that the existing play area is well equipped and no such provision was required as part of the Quinton Place development. Quinton Place was permitted before the current District Plan was adopted when the previous District Plan (1996) required open space for developments of 20 or more dwellings. The change in policy affects the current application, however, if there is no need for any further provision in the area, it would be unreasonable to insist on such a provision being provided.

Sheds - these properties would not have garages and it is proposed that sheds be added to each one. In order to ensure the cumulative impact of such structures does not detract from the visual amenity of the AONB, their siting and design is proposed to be controlled by condition.

Light pollution - Lighting for both highways and incidental amenity can have an intrusive impact on open countryside especially where there is a low ambient light pollution. This aspect is also proposed to be controlled by condition.

#### CONCLUSION

The proposal for 10 affordable houses on the edge of the village outside the village policy limit is justified as an exemption for the purposes of affordable housing subject to conditions which include securing their occupancy in perpetuity, suitable landscaping and adequate visibility at the junction with New Road.



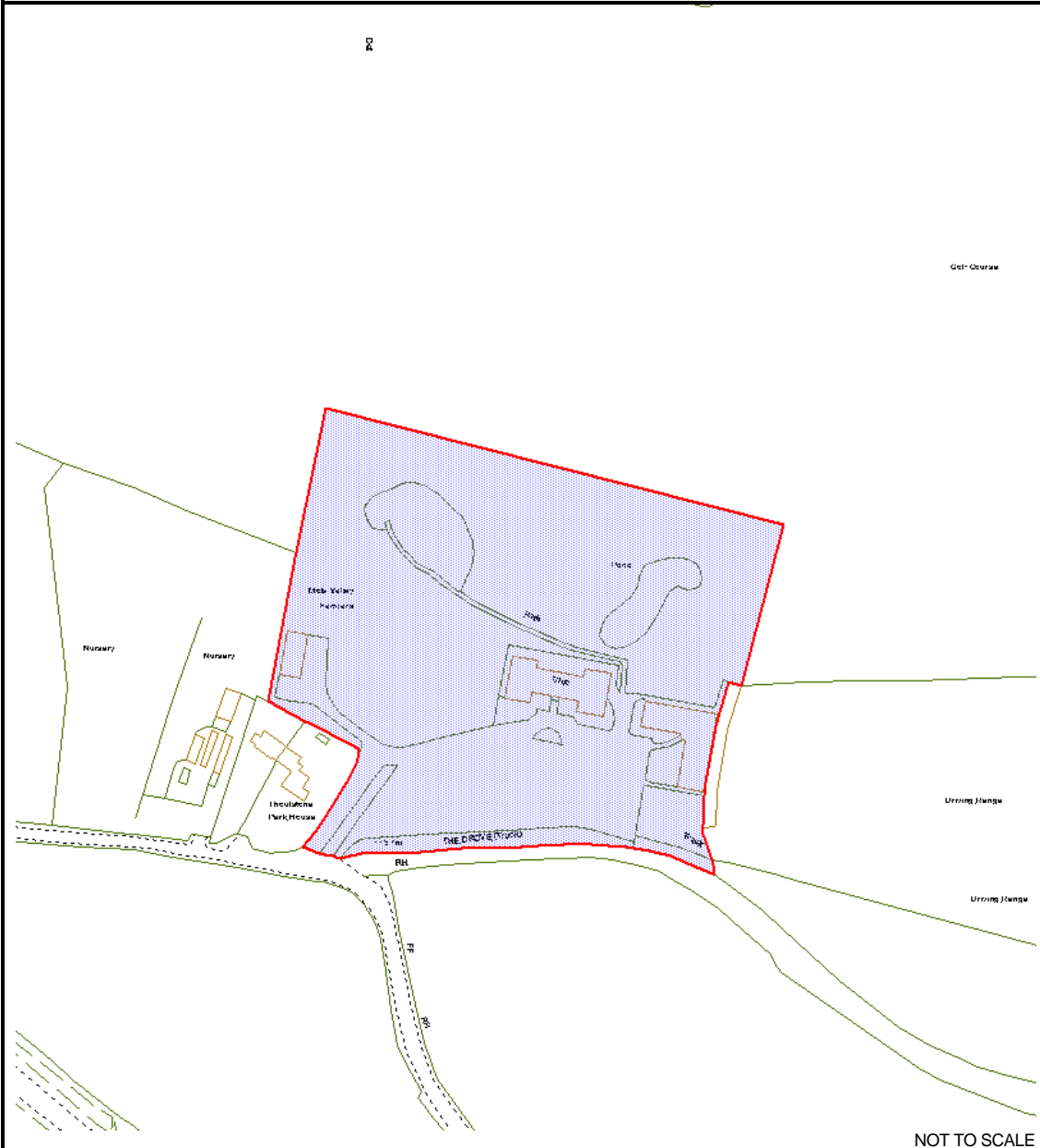
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 02

APPLICATION NO: 05/02400/FUL

LOCATION: Thoulstone Park Golf Club Thoulstone  
Chapmanslade Wiltshire BA13 4AQ



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**02 Application: 05/02400/FUL**

**Site Address: Thoulstone Park Golf Club Thoulstone Chapmanslade  
Wiltshire BA13 4AQ**

Parish: Upton Scudamore Ward: Dilton Marsh

Grid Reference 384175 148081

Application Type: Full Plan

Development: New 40 bedroom hotel, spa, function facility and ancillary activities and demolition of existing function suite building, associated car parking, servicing and landscaping

Applicant Details: Classic Lodges  
C/o Agent

Agent Details: Signet Planning  
12B Hornbeam Park Oval Hornbeam Park Harrogate HG2 8RB

Case Officer: Mr Peter Westbury

Date Received: 18.10.2005 Expiry Date: 17.01.2006

**REASON(S) FOR PERMISSION:**

**The proposed development would not materially affect the amenities of the neighbours 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.

- 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 - Policies C31A.

- 3 No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved programme and details.

REASON: TO prevent the increased risk of flooding



- 4 No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans before development commences.

REASON: To prevent pollution of the water environment.

- 5 Prior to the commencement of the development hereby permitted, an ecological survey, investigating and recording details of all protected species and their habitats, likely to be affected by the development, and measures to mitigate the effect of the development on them, shall be submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

REASON: In the interests of natural species which have statutory protection.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C7.

- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

- 7 No development shall take place until full details of a comprehensive landscaping scheme for both the 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, details of any to be retained and details of all earth mounding and associated works.

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

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

- 8 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.

- 9 The parking and servicing areas indicated on the approved plans together with the means of access thereto shall be completed and made available for use before the premises are occupied and shall be maintained as such thereafter.

REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy T10.

- 10 Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to the development shall have been submitted to and approved by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

REASON: To ensure that proper provision is made for the disabled.

- 11 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 and safety.

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

- 12 No live or amplified music or any other amplified sound shall be produced so as to be audible at the boundary of any inhabited premises either attached to or in the vicinity of the site to which this permission refers.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C36 & C38.

- 13 No sound reproduction or amplification equipment (including public address systems and loudspeakers) which is audible at the site boundary shall be installed or operated on the site without the prior written approval of the Local Planning Authority.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C36 & C38.

- 14 No development shall take place until details of the refurbishment of the golf course, club house, driving range and all associated golf related development at the site have been submitted to and approved by the Local Planning Authority.

REASON: To ensure that the refurbishment will harmonise with the proposed building on the site.

- 15 The refurbished golf course, club house and driving rang shall be brought into use prior to the first occupation of the hotel hereby permitted.

REASON: In the interests of ensuring that the golf course is directly related to the proposed hotel building.

**Note(s) to Applicant:**

- 1 The applicant is reminded to seek the advice of English Nature in respect of any development that may affect species protected under the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats) Regulations 1994 and the Protection of Badgers Act 1992.

# COMMITTEE REPORT

## APPLICATION DETAILS

This application is presented to Planning Committee at the request of Councillor Bower in the interests of public debate.

This is an application for full planning permission for the redevelopment of the site as a hotel and associated facilities. The proposal also involves bringing the existing golf course back into active use.

The application site is located in open countryside to the south west of Dilton Marsh and south east of Chapmanslade. The proposal site sits within an identified special landscape area and is located on land just off the adjoining A36 trunk road.

The application proposal includes:

- the demolition of an existing function suite building on site to make way for the hotel;
- the provision of parking (186 spaces including 7 spaces for disabled parking)) and servicing to the new complex.
- the refurbishment of the golf clubhouse to provide a pro-shop, changing facilities and a bar for club members.
- The existing golf course will be brought back into use without alteration to the layout of the course.

In accordance with the requirements of PPS6, the applicants have submitted a statement which underlines the functional requirement for this extra provision.

The applicant has submitted a design statement and transport assessment in support of their application.

## CONSULTATION REPLIES:

- CHAPMANSLADE PARISH COUNCIL: No objection, but do state:

"In view of the importance of this application the council feel that it is important that this is brought to and discussed by the Planning Committee and therefore request that this takes place".

## STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: Object.

"The application site would take access from the Primary Route, A36, via a short length of unclassified road, but all vehicle movements would be concentrated around the A36 right turn lane junction. There are no alternative routes for vehicular traffic, and therefore the A36 is the direct means of access to serve the development.

The former uses of the site as a golf course and function suite were approved a number of years ago, and the level of traffic using the A36 has increased significantly in the intervening period. Furthermore, the approval of this use was prior to the advent of the sustainable land use/transport agenda.

Proposals have been submitted over the past 6 years which have attracted highway objections on the grounds of increased traffic generation and poor accessibility.

The location of the site, and the lack of public transport facilities to serve the site, would result in the private car being relied on as the primary mode of transport, as acknowledged in Paragraph 8.3 of the Transport Assessment.

Even accepting the Consultant's optimistic traffic predictions, the County Highways Authority took the view that the probability of an increase in traffic of between 3-10% would be a material increase which should be resisted on both safety and sustainability grounds. Accordingly refusal is recommended on the grounds that the proposal would introduce additional turning movements along a fast open stretch of the Primary Route, A36, contrary to Structure Plan Policy T7.

The proposal, located remote from services, is not accessible by public transport, walking or cycling, and would therefore be primarily served by the private car, contrary to the key aims and objectives outlined in Planning Policy Guidance Note 13.

In the light of the comments of the Highways Agency (as set out below) relating to the reduction of car parking spaces and in response to the submission of amended plans illustrating this reduction, the Highways Authority have been re-consulted. At the time of the preparation of the report, their comments had not been received.

- HIGHWAYS AGENCY: No objection.

In the light of the objection of the Highways Authority in respect of the impact on the A36 as set out above the Highways Agency were consulted.

The Highways Agency raise no objection to the proposal:

"Having had the opportunity to review the information the Agency acknowledges the reduction in parking provision from 211 spaces to 186 and also accepts that the impact of the development upon the trunk road will be minimal. In light of these factors the Agency is lifting the Article 14 Direction of Non-Approval".

- ENGLISH HERITAGE: Does not wish to offer any comments.

- LIBRARY AND HERITAGE SERVICES (COUNTY): No objection.

There is nothing of archaeological interest that is likely to be affected by the proposals.

- WESSEX WATER: No objection.

Recommends the need for agreement to be reached (this can be done at detailed design stage) on sewer connections and water supply. The disposal of surface water must also be addressed to the satisfaction of the Local Planning Authority.

- ENGLISH NATURE: No objection.

A survey should be undertaken with regard to protected species. If a protected species are likely to be present then the applicant should be required to submit relevant information prior to the determination of the application.

- ENVIRONMENT AGENCY: No objection subject to the imposition of conditions.

#### INTERNAL WWDC CONSULTATIONS

- CONSERVATION OFFICER: Objects.

The Conservation Officer does not think there will be a detrimental impact on the setting of nearby listed buildings. The scheme therefore accords with Policy C27 of the WWDP 1st Alteration and adopted plan equivalent in terms of the setting of these listed buildings.

However the Conservation Officer objects to the form and design of the building stating that the Design Statement for this proposal is extremely poor and does not provide enough justification in order to make a proper assessment of this building. Specifically, although the 3 storey element to the building is a strong element of the structure, the wings to either side appear to be too long and proportionately incorrect if this form of Country House design is being considered.

- ECONOMIC DEVELOPMENT: Support the application.

Supportive of this application and since our previous comments the Wiltshire and Swindon Economic Partnership (WSEP) sub group have commissioned research towards developing a tourism strategy for Wiltshire and Swindon (September 2005), which gives further support to the proposal.

Previous Comments on 05/00497/FUL

Regard this application as an opportunity to support and develop the tourism industry specifically and rural economy generally. The Council also supports opportunities for rural economic development by being funding partners in the Wiltshire and Swindon Rural Regeneration Partnership (WSRRP) for the delivery of the Rural Renaissance Fund.

The Wiltshire and Swindon Economic Partnership (WSEP) Strategy under the Strategic Objective - 'Rural areas and market towns' states that it will - 'Assist in creating favourable conditions for a wide range of small and medium-sized businesses to become established and thrive in rural areas'.

The new development would fill a need to support the small to medium sized conference market and corporate business for people working in the area.

Based on figures in the Economic Impact of Tourism in West Wiltshire (South West Tourism, 1999), for every £1 spent on accommodation, £2 is spent on entertainment, eating/drinking and retail in the local economy.

Wiltshire Tourism comments that there is no other reasonable hotel, apart from Bishopstrow, in the vicinity to support tourism. It would be an excellent addition to the Warminster area for Longleat visitors. It is on a main route (A36) for ease of access and is also a good location for people driving through (district/county) to enable them to stop and stay over. They are not aware of a golf hotel anywhere close by and golfing short breaks are increasingly popular. The area is also a good area for walking and cycling which encourages sustainable tourism, high economic and community gain and minimal environmental impacts.

The Warminster and Villages Community Partnership would also support the application, as there is no similar local venue for occasional hire such as weddings/parties and other local events."

- POLICY AND CONSERVATION SECTION: Request the submission of more information.

There are concerns about the physical relationship between the golf course and hotel/spa and there is insufficient explanation and justification for the apparent reduction in the scale of the golf clubhouse facilities.

## PUBLICITY RESPONSES

Neighbours were notified of the proposal and a public notice was posted. As a result three representations were received, one of which was a combined submission from three contributors. One representation raised no objection to the proposal. The other two stated:

- The size of the development would be out of character with the area;
- Drainage and water supply plans have not been clarified;
- There is a potential for light pollution ;
- There needs to be greater clarification on the functioning of the golf course;
- Existing footpaths should be retained;

- There should be no further development at the junction with the A36 and speed restrictions should apply;
- No further landfill should be permitted;
- There has not been sufficient consultation with local residents by the applicants.

## RELEVANT PLANNING POLICY

### Wiltshire Structure Plan 2016

DP14 Development in the Open Countryside

RLT1 Recreation, sport and Leisure

RLT8 Tourism

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

C1 Protection of the rural landscape and environment

C3 Special Landscape Areas

C27 Character and setting of Listed Buildings

C38 Effects of development on neighbouring properties

C31a Design

T10 Parking

T03 Hotels, guest houses and self-catering accommodation

R15 Golf course development

U3 Flooding

### Supplementary planning Guidance on Good Design.

PPS1 Delivering sustainable development.

PPS6 Planning for Town Centres

PPS7 Sustainable Development in Rural Areas

PPG13 Transport

PPG21 Tourism - Annex A - Hotels

## RELEVANT PLANNING HISTORY

90/01456/FUL - Erection of two storey clubhouse 20 bay floodlighting golf driving range with shop/café and two flats over -(Permission 15/10/90)

05/00497/FUL - Construction of hotel and spa and landscaping/car parking - (Withdrawn 15/03/05)

## KEY PLANNING ISSUES

Key to the determination of this application is whether the proposal complies with development plan policy and whether there are any material considerations to outweigh the policy. Of particular concern is:

- The principle of hotel accommodation in this location
- The degree to which the development complies with Policy R15 including the design of the proposed building.
- The traffic impact of the proposal, in particular the impact on the A36

## PLANNING OFFICER COMMENTS

The principle of hotel accommodation in this location

Policy T03 in the District Plan states that in other locations, outside the main built up areas in the District, new visitor accommodation will be limited to the conversion of existing building in accordance with the requirements of Policy E8 and the limited extension to existing visitor accommodation. When it is associated with golf courses, policy R15 is relevant.

The reinstatement of the previous golf course use is supported in terms of protecting an existing recreation resource and meeting the future recreation needs of the District. The existing building on the site is in a state of disrepair and replacing it will facilitate its removal.

The development of hotel and spa in this location is acceptable in principle in that it would encourage opportunities to meet the need of sports, recreation and leisure as part of the development and to realise the County's potential for business tourism. This is consistent with Tourism aims contained in the Development Plan.

The planning history for the site indicates that as far back as 1990, the principle of using the site for a hotel associated with the golf course has been accepted.

The proposal complies with Policy R15 in that it will revive the golf course as an attraction linked to the new development. This is consistent with tourism and economic development objectives and has been supported by the West Wilts Economic Partnership.

Policy R15 requires that proposals for development associated with golf course proposals, such as golf driving ranges, hotels and restaurants, will be considered as a separate issue to the main use. The policy states that applications will be subject to the considerations of a number of criteria including traffic generation, highway safety and parking provision, and the requirement that the development does not conflict with other Structure Plan or District Plan 1st Alteration policies.

(1) The appropriateness of the proposal to any associated development or proposal.

The applicants have indicated in the supporting material accompanying their application that the hotel is dependent on the golf course and that the reinstatement of the golf course is integral to their proposals for the site. There are no proposals to alter the existing golf course at the site. A condition requiring that the golf course be brought back into use as part of the redevelopment is proposed.

(2) The impact of the proposal upon the amenities of the countryside and nearby residents, including any visual or noise intrusion.

This proposal involves the demolition of the existing function suite building which has fallen into a state of disrepair. The proposed building would be of a substantially larger scale than the structure it replaces. The three storey element with the elongated wings will create a large dominating building.

In support of their application the applicants have provided a Design Statement which emphasises that the proposal will bring economic benefits. Additional information has also been provided which states:

"We note the design criticisms of the scheme and reference to the "country house". Although there have been references to this earlier, the design of the building seeks to reflect Classic Lodges' building style across the country. The bedroom wing, function rooms and spa are not designed to be symmetrical (as a country house would be) in order that the buildings may merge better in to the contours of the lower part of the golf course."

The proposal involves the development of a strong central three-storey building which has a design that will echo the design of a traditional Country House.

The comments of the Conservation Officer expresses reservations that the two wings to the building, one of which is single storey and the other is two storey will appear too long when attached to this building. This is accepted, however it is noted that the wings are required for providing bedroom accommodation for the hotel in the two-storey element and kitchen and function room in the single storey element.

It is considered that the design of these wings will appear as extensions to the original central three-storey "Country House" section and therefore their form can be accepted. Furthermore the wings will be well related to the golf course to the north. The "bedroom wing" will overlook the pond on the site and this will create an attractive feature that will complement the golf course to the north. The style of the proposed building is typical of buildings associated with golf courses. As a consequence its scale and form is considered appropriate.

The application proposal would represent a significant improvement on the dilapidated building currently on the site. The applicants are committed to the design as proposed and have not been prepared to amend it. The design of the building will alter the character of this site. The proposed building sits at the lowest part of the site and the proposal includes a landscaping scheme which will mitigate its impact on the wider landscape. This can be achieved through the imposition of relevant conditions. The building will therefore only have a limited impact on the amenity of the surrounding area.

A comprehensive landscaping scheme for the site will assist in giving the main building on the site a more mature appearance in the landscape. This is consistent with the advice in the Council's Design Guide SPG. A comprehensive landscaping scheme is particularly important in improving the existing area of hardstanding to the south of the existing building on the site, which is proposed to be developed as car parking.

Therefore on balance it is considered that the proposal is consistent with this part of development plan policy R15.

(3) The appropriateness of measures such as artificial lighting and fencing within these areas.

These issues could be overcome through the imposition of relevant conditions.

(3a) The impact of the proposal upon the environment due to the provision of water supplies and the disposal of surface water.

These issues could be overcome through the imposition of relevant conditions.

(4) The traffic impact of the proposal, in particular the impact on the A36

The proposed development would be accessed via an unclassified road that is linked at either end to the A36, which passes approximately 250m to the south of the site. The site access is roughly 240m from the eastern intersection of the unclassified road with the A36. There is no direct access point from the A36 onto the site.

The existing golf course and other facilities on site have been closed since 2001 meaning that traffic to the site in the interim period would have been significantly reduced. The permitted use however remains intact and could be reinstated at any time. The applicant has submitted a Transport Assessment which includes an analysis estimating that a 3% to 10% increase in traffic compared to that which would be generated by the permitted use on this site. The assessment also evaluates the existing junction arrangement in terms of the Highways Agency Guidance "Design Manual for Roads and Bridges" and concludes that the ghost island arrangement at the north western junction between the unclassified road and the A36 are appropriate to the proposed development.

In the light of the comments of the County Highways Authority and the Highways Agency, consideration must be whether the proposals will result in the intensification of use of an existing access (the unclassified road) onto A36. Structure Plan policy T7 only relates to new development being accessed directly from the National Primary Route Network and does not deal with the intensification of use of an existing access onto the National Primary Route Network". (Applicants' letter dated 22 December 2005). This is accepted, but given the necessity for all traffic to use the A36 to reach the site, the impact on the A36 junction of the increase in traffic must be assessed. The County Highway Authority suggested that the Highways Agency are best placed to assess the impact on the A36. Accordingly they were consulted and raised no objection to the proposal.



The County Highway Authority have been invited to comment on the letter from the Highways Agency but at the time of the preparation of this report, they had not done so.

On the basis of the comments of the Highways Agency, it is concluded that there will not be a detrimental impact on the surrounding road network, in particular the A36, resulting from this proposal. Accordingly this application can be supported in terms of its impact on the surrounding highway network.

#### Material Considerations

PPS6 paragraph 3.13 places a requirement on applicants to provide a sequential test in support of their applications. This is required to explore the possibility of enabling the development to fit onto more central sites.

This should address:

- The scale of development
- The format of their development
- Car parking provision
- The scope for disaggregation.

In response the applicants state that the scale of the proposed leisure development is unlikely to have a significant impact on leisure provision in the area. This is because the proposal involves the development of a hotel with only 40 bedrooms. This view is supported by the comments of the Economic Development Section who state that there is a need for development of this scale.

In respect of the scale, format and disaggregation of the development. The applicants state that:

"In respect of the scale and format of development is appropriate to the site, and necessary to ensure the long-term viability of the lawful use and contribution that it makes to the wider landscape. As such there is no scope for disaggregation, as the proposals are directly associated with the lawful use of the site, and required to ensure its long term viability."

Clearly as this proposal involves the refurbishment of an existing golf course there are exceptional circumstances in this case. Nevertheless, the applicants have provided a statement which states that:

"In this respect the sequential tests advocated by Government guidance are addressed by way of the functional requirement for further development at this site rather than any other, and by meeting an acknowledged need for additional accommodation with the area, as identified by the West Wiltshire's Economic Partnership sub-group."

The exceptional circumstances that exist in this case coupled with the scale of the proposed development lead your Officers to the view that the proposal meets the tests set out in PPS6.

#### CONCLUSION

The recommendation to be made on this application is finely balanced. The proposal will have significant economic benefits for this part of the District. It will create local employment and will bring a site which has been vacant for some time back into active use.

However it is acknowledged that there are concerns about the design of the building. It is recognised that the proposed design of the building is consistent with the applicant's designs elsewhere. On balance it is considered that the scale of the proposed building is acceptable for this location. The impact of the design can be mitigated through the imposition of conditions relating to materials and landscaping and accordingly on balance the application can be supported.

The applicants have also undertaken extensive work to overcome the concerns of the Highways Authority and on the basis of the comments of the Highways Agency the proposal will not have a detrimental impact on the road network in this location.

For these reasons, the application can be supported.

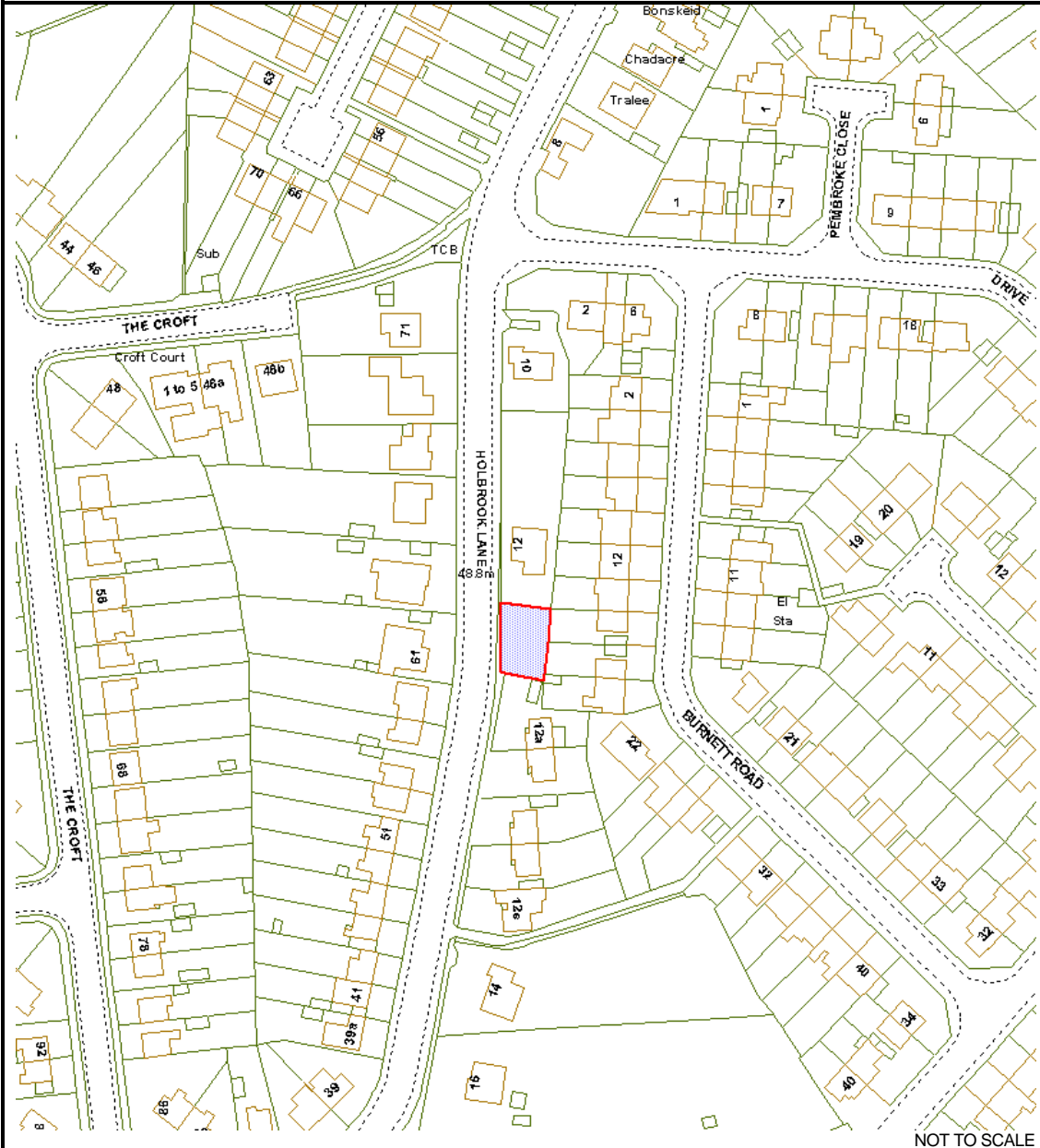
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 03

APPLICATION NO: 06/02099/FUL

LOCATION: Land Adjacent 12 And 12a Holbrook Lane  
Trowbridge Wiltshire



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**03 Application: 06/02099/FUL**

**Site Address: Land Adjacent 12 And 12a Holbrook Lane Trowbridge Wiltshire**

Parish: Trowbridge

Ward: Drynham

Grid Reference 385629 156744

Application Type: Full Plan

Development: Erection of two 2 bedroomed dwellings with car standings

Applicant Details: Richard G Wiltshire Ltd  
Roundponds Farm Shurnhold Melksham Wiltshire SN12 8DF

Agent Details:

Case Officer: Mr James Taylor

Date Received: 07.07.2006

Expiry Date: 01.09.2006

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposal by reason of its scale, form, position, mass, height and design would result in a cramped form of development that would be detrimental to the established spatial character of the area and the street scene contrary to Policies H1, H24 and C31a of the West Wiltshire District Plan 1st Alteration (2004) and the Council's Supplementary Planning Guidance - Residential Design Guide.
- 2 The proposal by reason of its scale, mass, form, position, height and design would have a dominant and overbearing impact on neighbouring properties resulting in loss of light, privacy and outlook to the detriment of the amenity of the occupiers of those dwellings contrary to Policies H1 and C38 of the West Wiltshire District Plan 1st Alteration (2004).
- 3 There are inconsistencies in the plans and elevations submitted with the application with regard to the fenestration of the rear elevation. These inaccuracies are such that it is not possible to fully assess the implication of the design, or its impact on the amenity of neighbours.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to the planning Committee because the applicant, Mr Wiltshire is a District Councillor.

This is a full planning application for the erection of a pair of 2 bedroom semi-detached dwellings. These would measure approximately 10.3 metres long, 6.2 metres wide and 7.9 metres high to the ridge. They would be constructed from brick under concrete double Roman tiles to the roof. Parking for 1-2 cars for each dwelling with a shared turning area on an open frontage would be provided.

The application site is currently domestic garden area to the side of an existing dwelling 12 Holbrook Lane. It is densely vegetated with high natural hedges to the south, east and west.

It is proposed to clear the small trees and shrubs on the site, open the frontage and fell a 10 metres high Ash.

The application site is located within the built up area of Trowbridge within the Town Policy Limits. The street scene is characterised by a mix of different single and two storey residential properties.

#### CONSULTATION REPLIES:

- TROWBRIDGE TOWN COUNCIL: No objection.

#### STATUTORY CONSULTEES

- HIGHWAY AUTHORITY: No highway objection to the principle of the development, but not happy with the proposed parking / turning arrangement.

- WESSEX WATER: No objection in principle.

- ENVIRONMENT AGENCY: No comment except it is noted that there are no records of a subterraneous 'White Horse Spring'.

#### PUBLICITY RESPONSES

Neighbours were notified and 3 letters of objection received raising the following concerns:

- Loss of privacy (3)
- Highway safety with school traffic
- Inaccuracy of plans
- Effecting the existing subterraneous White Horse Spring and therefore impacting on neighbouring foundations.
- Loss of Boundary Hedgerows leading to wildlife harm and loss of privacy.
- Development not aesthetically sympathetic to street scene.
- Development shoehorned into the site.
- Proposed dwellings would be overhung by existing boundary vegetation.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

- H1 Further Housing Development Within Towns
- H24 New Housing Design
- C31A Design
- C38 Nuisance
- T10 Car Parking

Supplementary Planning Guidance - Residential Design Guide.

- PPS1 Delivering Sustainable Development
- PPG3 Housing

#### RELEVANT PLANNING HISTORY

02/01023/FUL - Erection of dwelling house and garage - Refused - 27.08.2002

03/00530/FUL - Erection of dwelling house and garage - Approved - 20.05.2003

## KEY PLANNING ISSUES

The main issues to consider regarding this proposal are if the development would be sympathetic to the character of the area, neighbouring amenity and highway safety.

## PLANNING OFFICER COMMENTS

The application site is located within the Town Policy Limits of Trowbridge and therefore Policies H1, C31a and H24 of the West Wiltshire District Plan 1st Alteration (2004) are relevant planning considerations.

Policy H1 states that proposals for housing development within the built-up areas of the district will be permitted subject to detailed criteria being met. National Guidance in PPG3 encourages in-fill development subject to environmental considerations. As such the principle of development would be acceptable subject to it causing no harm.

Policy H1 sets out the criteria to which proposals should adhere, which includes that the siting, layout and design considerations should be satisfactory and in keeping with the character of the surrounding area.

This area is characterised by relatively low-density development of houses set within spacious gardens. It is noted that infill development is taking place in the immediate locality with the construction of a new dwelling to the north (reference permission 03/00530/FUL) and indeed government guidance encourages such development.

However, in this instance it is considered that the proposals would result in such a cramped form of development that it would be out of keeping with the established spatial characteristics of the area and would result in each of the two dwellings having a far more modest amenity space than their neighbours.

Many of the existing properties in the area are single storey, or one and a half storeys in height, with only the existing dwelling at number 12, which is set in a very spacious garden being the exception. The fact that the proposal is on two storeys exacerbates the cramped feel of the plot. This is especially so in view of the proximity of the proposed dwellings to the rear boundary and to the frontage.

It is considered that the proposed dwellings would be more conspicuous than neighbouring properties, unacceptably intrusive within the street scene, and would significantly reduce the spaciousness of surrounding development to the detriment of the distinctive grain and spatial character of the area. Although PPG3 aims to promote more sustainable patterns of development by making more efficient use of land it is also concerned about the quality of the environment. The need to make more efficient use of land should not compromise the quality of design and layout.

The rear elevation at first floor level would be largely unglazed adding to the contrived appearance necessary to avoid overlooking of the neighbouring gardens to the rear, any adverse impact on the privacy of the occupiers and open outlook.

The design of the buildings with this significant lack of fenestration to the rear is far from ideal. It is noted that the proposed cladding adds some interest to the elevation, but it does not adequately mitigate the harm. The Council's Residential Design Guide SPG states that it is often desirable for vernacular design details such as doors and windows to represent those that are characteristic of the locality and that they can add interest and activity to building elevations. Furthermore, the scale of individual buildings should also have regard to how they relate to existing buildings.

It is further considered that a two storey structure of this length located within 2 metres of the neighbouring gardens to the east would have a dominant and overbearing impact on the neighbouring amenity, leading to some loss of light in the later part of the day. Indeed it is considered that the amenity of future occupiers would be compromised because the site is overlooked by properties on all sides and there is very limited amenity space due to the need to provide 2 parking spaces to each dwelling. The cumulative impact of these factors is considered to be unacceptable.

The site is not considered to be at flood risk as defined by data supplied by the Environment Agency, nor would there be any harm to the water environment. The comments of a neighbour regarding a subterranean spring have been noted and as a result the Environment Agency was consulted. They have no knowledge of the 'White Horse Spring' and Wessex Water raises no objection to the proposal.

The highway authority do not object in principle to the development however they express concerns regarding the parking provision and turning facilities. Since access is onto an unclassified road it is considered that turning space would not necessary and sufficient hard standing is shown to accommodate 2 parking spaces. This is not considered to be grounds for refusal.

Finally there are inaccuracies on the drawings. There are inconsistencies in the plans in regards to the rear elevation on drawing number TRMC-21 and TRMC-23. Drawing TRMC-21 shows rear obscure glazed bathroom windows and drawing TRMC-23 shows rooflights to the bathroom. The proposals cannot therefore be accurately assessed.

## CONCLUSION

The proposal represents a cramped form of development that would be harmful to the spatial characteristics of the area and amenity of both the neighbours and the future occupiers contrary to Council policy.





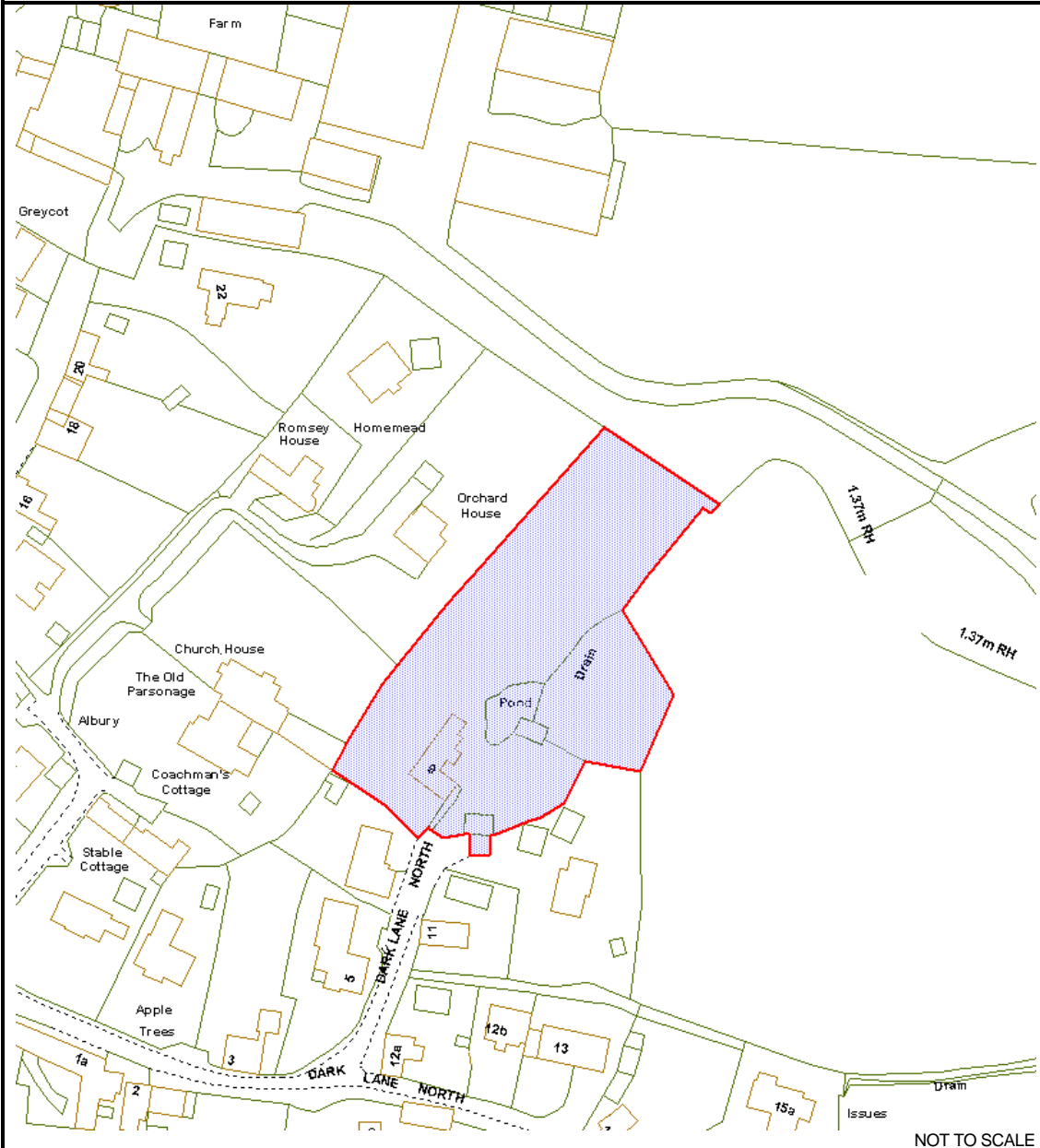
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 04

APPLICATION NO: 06/01192/FUL

LOCATION: The Sanctuary 9 Dark Lane North Steeple Ashton  
Wiltshire BA14 6EY



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**04 Application: 06/01192/FUL**

**Site Address: The Sanctuary 9 Dark Lane North Steeple Ashton Wiltshire BA14 6EY**

Parish: Steeple Ashton Ward: Summerham

Grid Reference 390840 156953

Application Type: Full Plan

Development: Single storey breakfast room extension to south east elevation and two storey extension for staircase enclosure at north east corner

Applicant Details: Mr J Angel  
The Sanctuary 9 Dark Lane North Steeple Ashton Wiltshire BA14 6EY

Agent Details: Watson Bertram & Fell  
5 Gay Street Bath BA1 2PH

Case Officer: Mr Russell Brown

Date Received: 13.04.2006 Expiry Date: 08.06.2006

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections 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 extensions 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 character of the listed building is preserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27, C28 and C31a.

- 3 Full details of all plaster and render composition and finishes, internal and external, shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 4 The works to the windows shall only be carried out strictly in accordance with those approved window schedule details, submitted with the application. Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 5 Details of the services required internally and externally in the building, including all new or replacement, flues, extract ducts, vents, grilles, meter housings and like features shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27 & C28.

- 6 All existing timber and other materials from the existing porch shall be carefully dismantled, set aside and stored in a safe place for re-use in the approved porch.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & 28.

**Note(s) to Applicant:**

- 1 You are advised that no works should commence on the implementation of this permission until the parallel listed building consent, the subject of 06/01181/LBC, has been granted.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application has been brought to the Committee as the Parish Council object contrary to Officers recommendation.

This is an application for full planning permission for various works to this Grade II\* listed building. The building is a timber frame construction in the south west wing and a later brick construction in the north east wing. The building was extensively renovated in the 1930s when much of the historic fabric was lost. The key element of historic fabric that remains is the timber frame itself.

This application is the third phase of works to this building in this current renovation. The building was in a very poor state of repair until the current work began. The first phase was to remove the brick in-fill panels to allow the timber frame to be fully inspected and assessed for repair. The second phase was to repair the structural elements of the building, reinstate in-fill panels and roof tiles and alter the window openings that previously compromised the structure.

The proposed works in this scheme comprise:

- Single storey breakfast room extension to southeast elevation
- Two storey extension for staircase enclosure to north east end of south east elevation
- Repositioning of entrance door on north west elevation
- Insertion of new windows in timber frame openings

Internal works at this stage are covered in the corresponding listed building consent application 06/01181/LBC.

There are separate proposals for a garage building with accommodation above which are being dealt with under separate applications. The proposed garage does not form part of this application.

#### CONSULTATION REPLIES:

- STEEPLE ASHTON PARISH COUNCIL: Objection.

- The revised plans remove the symmetry of the extension gable under window FW12.
- The original roof line was preferable.
- The breakfast room is out of keeping with the remainder of the building, in particular the fenestration
- Any extension should be more sympathetic
- Seek assurance that the proposed windows are in keeping with the age of the property and meet with the approval of the Conservation Officer
- The extension would spoil the character of this already large house

No objection to the resiting of the door.

Noted that a garage with accommodation above is drawn on the plans. Seeking confirmation that this is not being considered at this time.

#### STATUTORY CONSULTEES

- ENGLISH HERITAGE: No objections subject to relevant conditions over details.

- SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS: No objections following confirmation that the timber frame is the only real remaining historic fabric.

#### INTERNAL WWDC CONSULTEES

- CONSERVATION OFFICER: The below comments relate to the listed building consent application 06/01181/LBC as well.

No objections:

"This scheme has been evolving for quite a long time and has in my view been carefully thought through based on a good grounding in understanding on the actual building's fabric and the later interventions carried out in the 1930's...

External Alterations and Extensions.  
Breakfast Room.

The proposed extensions have been discussed informally for some time. It was always conceded that the elevation of least historic interest where there has been a lot of alteration carried out in the past and odd additions have already taken place would be the most appropriate place for any extensions and or alterations. This is the SE elevation. The breakfast room is a form of conservatory that has been carefully designed to sit neatly in the corner between the Cruck section and the later wing. Formed from an oak frame this will take through the general form of the existing house in a simple contemporary approach. Although the roof will inevitably cover up some of the original building, this section of the house is brick only and only a small section of timber frame will be affected. This should be left exposed within the new extension. The main intervention for this addition is the creation of two new openings, one formed within the frame, the other within brickwork so that little of the existing frame will be disrupted. I also feel that the presence of the large stack in this location helps to lessen the impact of the new roof to the extension that acts as a natural break for it. Need sections for both internal walls showing how the new openings will be formed in the existing walls and what the treatment of the remaining walls will be.

#### Staircase Extension.

The other extension is the formation of a staircase " turret" for the additional staircase on the least historic end of the building replacing an earlier structure of little architectural/historic value. This part of the scheme has been revised in order to take account of the officer's views on the original scheme. Previously it was considered that the roof formation created too much of an awkward relationship between the Ground floor window- GW13 and that the actual expanse of the gable was not well proportioned being both shallower and wider than any of the existing pitches on the building. In short it had the appearance of an overly large and poorly detailed dormer on this rather diminutive part of the listed house. By cutting it short and allowing a larger expanse of eaves above the GW13 this allows a larger amount of the original eaves line of this part of the building to be retained. Although it does mean that this addition has an abrupt end on the one side I do not feel this is harmful as the building has a number of quirky parts that add to its overall character. Indeed the original proposal was not completely symmetrical and as it just missed being this emphasised, in my view, the visual appearance of being clumsy and poorly executed.

#### Relocation of Front entrance

No objections. There is clear evidence that there had been a door in this part of the house previously. This alteration will also create a more meaningful space for the hall internally redefining the plan form of the house in a more logical way. Need to ensure that the various components of the timber frame porch are reused. 1:20 drawing showing this may be useful.

#### Internal Alterations

In terms of the internal alterations proposed the main areas of contention are the introduction of two staircases, one replacing the existing that is likely to be contemporary with the 1930s alterations and the other inserted in a new extension to create an independent access to this part of the building. The replacement stairs are to be located in what will and may have been previously to the most recent floor plan a hall area. Once it became clear that the existing staircase has little historic or architectural interest it was a lot easier to accept this proposal. It would also make sense to reinstate what was clearly at one time the entrance into the house in this part of the building as there is clear evidence of a door where the new front door is proposed. The difficulty is knowing where the stairs would have been positioned and the form they would have taken. Without any strong evidence -physically or in documentary form - I can see no harm in allowing this fundamental change to the building's plan in this instance. It also allows the room described as a lounge to be free from this feature which will in turn allow the focus of attention to be the fire place in this room. My main worry with the use of the central room as a hall is the low level of the beam in the ceiling to this room. There is little scope for the floor to be lowered although a new floor is proposed. However, this will have to be accepted as a part of the character to this part of the building. Again a section through this space showing the new staircase and door opening may help to see how this will all work.

Details of plaster finishes, reuse of existing doors/windows, skirting board details. A schedule showing where the old doors will be reused and windows too. All new bathrooms etc should show the new services water supply/ventilation etc. Is there a requirement for ventilation for the Aga etc? Boiler flue details? Samples of materials for all extensions."

The Conservation Officer has confirmed that the sections and information required should be the subject of conditions.

#### PUBLICITY

The application has been advertised in the press and a site notice attached to the site. Neighbour notifications were also undertaken. No comments have been received.

## PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C27 Listed Buildings

C28 Alterations to Listed Buildings

C31a Design

C38 Nuisance

PPS1 Delivering Sustainable Development (Jan 2005)

Planning System - General Principles (Jan 2005)

PPG15 Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

05/02847/LBC - Removal of brick infill panels to north, east, south and west elevations of south range to permit detailed inspection and repair of structural oak frame. Label clean and set aside all salvageable bricks. Reinstall salvaged bricks and bed in lime mortar - Consent 04.05.2006

06/00260/LBC - Extensive structural repairs and reinstatement works with alterations to windows in south range and reinstatement of brick in-fill panels into the ground floor panels on the south west, north west and north east elevations of the south range and the replacement to light weight composite in-fill panels in the south east elevation and in the upper panels of the south west, north west and north east elevations of the south range - Awaiting Secretary of State decision

## KEY PLANNING CONSIDERATIONS

The key issue in this application is the effect of the proposal on the character and fabric of the listed building and the impact on neighbouring amenities.

## PLANNING OFFICER COMMENTS

The breakfast room extension and the two storey staircase extension would not significantly harm the character or fabric of the listed building.

The breakfast room would be sited on the southeast elevation, in the inside corner of the L shape of the building. This is the most altered elevation of the building and therefore this is the most appropriate place to extend the building. The breakfast room would have a tiled roof to match the main roof and would have a large range of glazing in an oak frame on a salvaged brick plinth dwarf wall. The glazing would allow the original building to be viewed through it. Internally the original parts of the building, the timber frame and brick wall, would be left as visible features. Therefore the historic fabric would not be covered up.

The glazing in the breakfast room extension would be plain and set within a timber frame. It would not therefore try to replicate the historic elements of the original building which would not be the correct approach at all to a modern extension such as this. The simple glazing and oak frame references the timber frame of the original building whilst being sympathetic to the history of the building and allows the original structure to be seen. The breakfast room extension would not detract from the main listed building.

The proposed two-storey extension, also on the southeast elevation at the north east end, is acceptable as the agent has submitted revised plans. The original plans showed a symmetrical form of gable extension that removed the range of eaves from that part of the building and created an awkward arrangement with the adjacent ground floor window. The revised plans have solved these problems as the south east end of the extension has been shortened to give an asymmetrical appearance to the extension, which would be in keeping with this part of the building, the character of which is one of ad-hoc additions over the years. This revision also retains the space afforded to the adjacent ground floor window, which is also part of the character of the listed building.

Neither of these proposed extensions would have any significant effect on neighbouring amenities. The property is located away from the neighbouring properties and no overlooking would be created by these extensions.

The agent has provided a window schedule which describes the windows to be repaired and renovated and those openings where new windows are required. The repair and renovation of windows is acceptable as it preserves the historic fabric and character of the building. The proposed replacement windows have been sensitively designed so as to be in keeping with the character of the building. Full windows details should be the subject of a condition.

In addition, the relocation of the main entrance door is a benefit to the building as it would be relocated to a historic position where it is thought that the original main entrance to the building was sited. Details of the porch should be the subject of a condition to ensure that as many timber elements of the existing porch as possible are reused.

## CONCLUSION

For the reasons stated above the works are acceptable and would not harm the character or fabric of the listed building or neighbouring amenities. This application is recommended for permission.





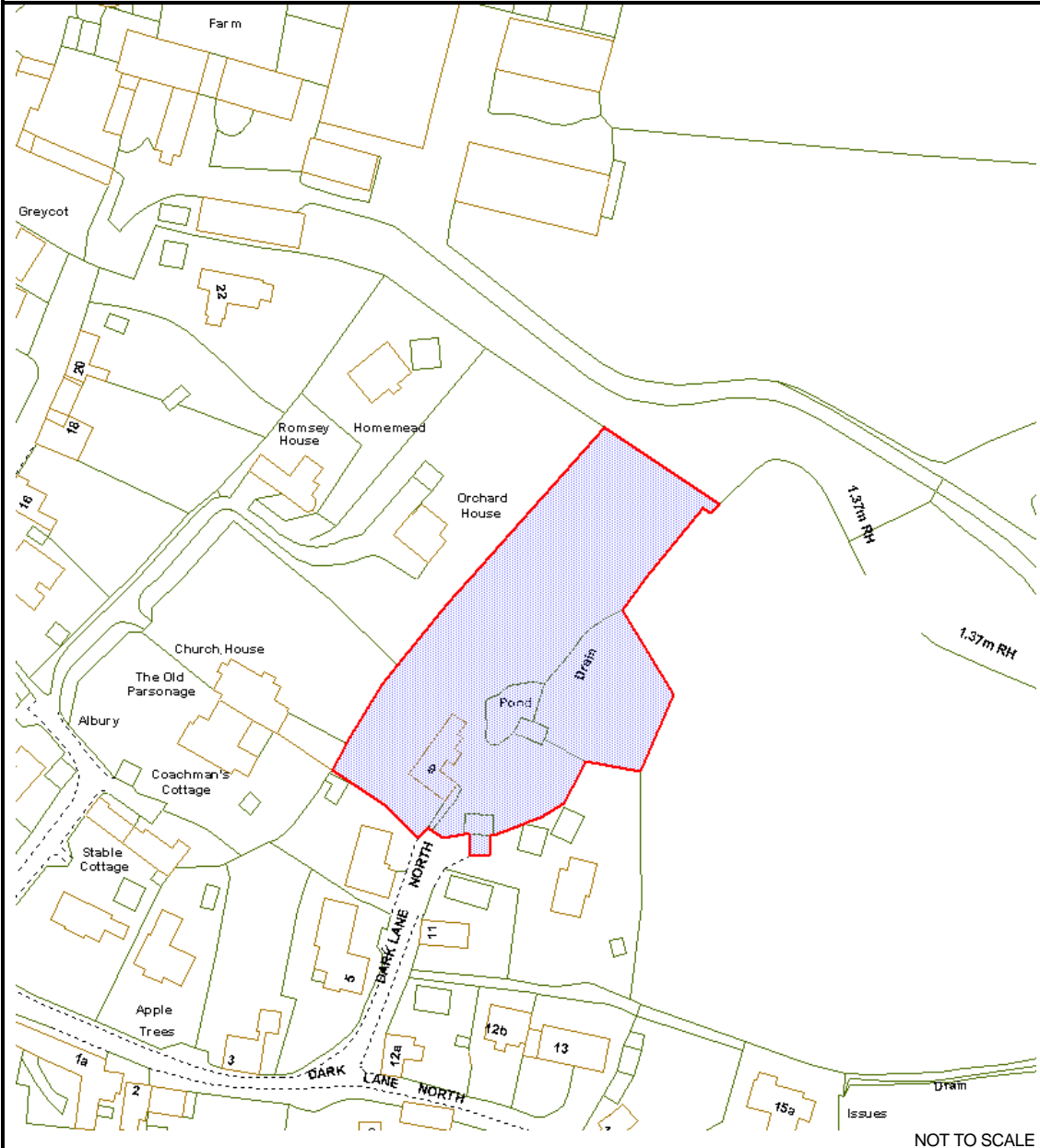
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 05

APPLICATION NO: 06/01181/LBC

LOCATION: The Sanctuary 9 Dark Lane North Steeple Ashton  
Wiltshire BA14 6EY



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**05 Application: 06/01181/LBC**

**Site Address: The Sanctuary 9 Dark Lane North Steeple Ashton Wiltshire BA14 6EY**

Parish: Steeple Ashton

Ward: Summerham

Grid Reference 390840 156953

Application Type: Listed building

Development: Single storey breakfast room extension and two storey extension for staircase enclosure, internal alterations including new stairs and relocation of main entrance

Applicant Details: Mr J Angel  
The Sanctuary 9 Dark Lane North Steeple Ashton Wiltshire BA14 6EY

Agent Details: Watson Bertram & Fell  
5 Gay Street Bath BA1 2PH

Case Officer: Mr Russell Brown

Date Received: 12.04.2006

Expiry Date: 07.06.2006

**JUSTIFICATION REASON:**

**The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.**

**RECOMMENDATION:**

**The Secretary of State be informed that this Council raises no objection to the proposal and recommends that listed building consent be granted at a future date in the event of the Development Control Manager being satisfied that the Secretary of State remits the application to this Council for decision.**

**Condition(s):**

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 extensions 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 character of the listed building is preserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27 and C28.

- 3 Sections of the new openings from the breakfast room and of the replacement staircase and new main door opening shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.
- 4 Full details of all plaster and render composition and finishes, internal and external, shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.
- 5 Details of all new or replacement internal doors, door linings, architraves, beadings, skirtings, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. These details shall also show all the doors, internal and external, to be reused within the building. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.
- 6 The works to the windows shall only be carried out strictly in accordance with those approved window schedule details, submitted with the application. Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.
- 7 Details of the services required internally and externally in the building, including all new or replacement, flues, extract ducts, vents, grilles, meter housings and like features shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To protect and preserve the character of the listed building.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27 & C28.
- 8 All existing timber and other materials from the existing porch shall be carefully dismantled, set aside and stored in a safe place for re-use in the approved porch.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & 28.

# COMMITTEE REPORT

## APPLICATION DETAILS

This application has been brought to the Committee as the Parish Council object contrary Officers recommendation.

This is a listed building consent application for various works to this Grade II\* listed building. The building is a timber frame construction in the southwest wing and a later brick construction in the north east wing. The building was extensively renovated in the 1930s when much of the historic fabric was lost. The key element of historic fabric that remains is the timber frame itself.

This application is the third phase of works to this building in this current renovation. The building was in a very poor state of repair until the current work began. The first phase was to remove the brick in-fill panels to allow the timber frame to be fully inspected and assessed for repair. The second phase was to repair the structural elements of the building, reinstate in-fill panels and roof tiles and alter the window openings that previously compromised the structure.

The proposed works in this scheme comprise:

- Single storey breakfast room extension to southeast elevation
- Two storey extension for staircase enclosure to north east end of south east elevation
- Replacement of existing modern staircase with new traditional staircase in hall
- New staircase in the north east extension
- Repositioning of entrance door on north west elevation
- Blocking up internal openings
- New partitions to create utility and cloakroom
- Reduce 'nib' in living room by 500mm and clad in salvaged oak boarding
- Insertion of new windows in timber frame openings
- Reinstatement of inglenook fireplace in kitchen
- Flagstone floor in the kitchen, breakfast room, hall and utility rooms

There are separate proposals for a garage building with accommodation above which are being dealt with under separate applications. The proposed garage does not form part of this application.

## CONSULTATION REPLIES:

- STEEPLE ASHTON PARISH COUNCIL: Objection.
- The revised plans remove the symmetry of the extension gable under window FW12.
- The original roof line was preferable.
- The breakfast room is out of keeping with the remainder of the building, in particular the fenestration
- Any extension should be more sympathetic
- Seek assurance that the proposed windows are in keeping with the age of the property and meet with the approval of the Conservation Officer
- The extension would spoil the character of this already large house

No objection to the resiting of the door.

Noted that a garage with accommodation above is drawn on the plans. Seeking confirmation that this is not being considered at this time.

## STATUTORY CONSULTEES

- ENGLISH HERITAGE: No objections subject to relevant conditions over details.
- SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS: No objections following confirmation that the timber frame is the only real remaining historic fabric.

## INTERNAL WWDC CONSULTEES

- CONSERVATION OFFICER: No objections.

"This scheme has been evolving for quite a long time and has in my view been carefully thought through based on a good grounding in understanding on the actual building's fabric and the later interventions carried out in the 1930's...

### External Alterations and Extensions

#### Breakfast Room.

The proposed extensions have been discussed informally for some time. It was always conceded that the elevation of least historic interest where there has been a lot of alteration carried out in the past and odd additions have already taken place would be the most appropriate place for any extensions and or alterations. This is the SE elevation. The breakfast room is a form of conservatory that has been carefully designed to sit neatly in the corner between the Cruck section and the later wing. Formed from an oak frame this will take through the general form of the existing house in a simple contemporary approach. Although the roof will inevitably cover up some of the original building, this section of the house is brick only and only a small section of timber frame will be affected. This should be left exposed within the new extension. The main intervention for this addition is the creation of two new openings, one formed within the frame, the other within brickwork so that little of the existing frame will be disrupted. I also feel that the presence of the large stack in this location helps to lessen the impact of the new roof to the extension that acts as a natural break for it. Need sections for both internal walls showing how the new openings will be formed in the existing walls and what the treatment of the remaining walls will be.

#### Staircase Extension.

The other extension is the formation of a staircase " turret" for the additional staircase on the least historic end of the building replacing an earlier structure of little architectural/historic value. This part of the scheme has been revised in order to take account of the officers views on the original scheme. Previously it was considered that the roof formation created too much of an awkward relationship between the Ground floor window- GW13 and that the actual expanse of the gable was not well proportioned being both shallower and wider than any of the existing pitches on the building. In short it had the appearance of an overly large and poorly detailed dormer on this rather diminutive part of the listed house. By cutting it short and allowing a larger expanse of eaves above the GW13 this allows a larger amount of the original eaves line of this part of the building to be retained. Although it does mean that this addition has an abrupt end on the one side I do not feel this is harmful as the building has a number of quirky parts that add to its overall character. Indeed the original proposal was not completely symmetrical and as it just missed being this emphasised, in my view, the visual appearance of being clumsy and poorly executed.

#### Relocation of Front entrance

No objections. There is clear evidence that there had been a door in this part of the house previously. This alteration will also create a more meaningful space for the hall internally redefining the plan form of the house in a more logical way. Need to ensure that the various components of the timber frame porch are reused. 1:20 drawing showing this may be useful.

#### Internal Alterations

In terms of the internal alterations proposed the main areas of contention are the introduction of two staircases, one replacing the existing that is likely to be contemporary with the 1930s alterations and the other inserted in a new extension to create an independent access to this part of the building. The replacement stairs are to be located in what will and may have been previously to the most recent floor plan a hall area. Once it became clear that the existing staircase has little historic or architectural interest it was a lot easier to accept this proposal. It would also make sense to reinstate what was clearly at one time the entrance into the house in this part of the building as there is clear evidence of a door where the new front door is proposed. The difficulty is knowing where the stairs would have been positioned and the form they would have taken. Without any strong evidence -physically or in documentary form - I can see no harm

in allowing this fundamental change to the building's plan in this instance. It also allows the room described as a lounge to be free from this feature which will in turn allow the focus of attention to be the fire place in this room. My main worry with the use of the central room as a hall is the low level of the beam in the ceiling to this room. There is little scope for the floor to be lowered although a new floor is proposed. However, this will have to be accepted as a part of the character to this part of the building. Again a section through this space showing the new staircase and door opening may help to see how this will all work.

Details of plaster finishes, reuse of existing doors/windows, skirting board details. A schedule showing where the old doors will be reused and windows too. All new bathrooms etc should show the new services water supply/ventilation etc. Is there a requirement for ventilation for the Aga etc? Boiler flue details? Samples of materials for all extensions."

The Conservation Officer has confirmed that the sections and information required should be the subject of conditions.

## PUBLICITY

The application has been advertised in the press and a site notice attached to the site. No comments have been received.

## PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004

C27 Listed Buildings

C28 Alterations to Listed Buildings

PPS1 Delivering Sustainable Development (Jan 2005)

Planning System - General Principles (Jan 2005)

PPG15 Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

05/02847/LBC - Removal of brick infill panels to north, east, south and west elevations of south range to permit detailed inspection and repair of structural oak frame. Label clean and set aside all salvageable bricks. Reinstall salvaged bricks and bed in lime mortar - Consent 04.05.2006

06/00260/LBC - Extensive structural repairs and reinstatement works with alterations to windows in south range and reinstatement of brick in-fill panels into the ground floor panels on the south west, north west and north east elevations of the south range and the replacement to light weight composite in-fill panels in the south east elevation and in the upper panels of the south west, north west and north east elevations of the south range - Awaiting Secretary of State decision

## KEY PLANNING CONSIDERATIONS

The key issue in this application is the effect of the proposal on the character and fabric of the listed building.

Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## PLANNING OFFICER COMMENTS

The breakfast room extension and the two storey staircase extension would not significantly harm the character or fabric of the listed building.

The breakfast room would be sited on the southeast elevation, in the inside corner of the L shape of the building. This is the most altered elevation of the building and therefore this is the most appropriate place to extend the building. The breakfast room would have a tiled roof to match

the main roof and would have a large range of glazing in an oak frame on a salvaged brick plinth dwarf wall. The glazing would allow the original building to be viewed through it. Internally the original parts of the building, the timber frame and brick wall, would be left as visible features. Therefore the historic fabric would not be covered up.

The glazing in the breakfast room extension would be plain and set within a timber frame. It would not therefore try to replicate the historic elements of the original building which would not be the correct approach at all to a modern extension such as this. The simple glazing and oak frame references the timber frame of the original building whilst being sympathetic to the history of the building and allows the original structure to be seen. The breakfast room extension would not detract from the main listed building.

The proposed openings from the breakfast into the kitchen and the living room are considered to be acceptable as the kitchen opening will utilise the timber frame and therefore will not result in harm to the historic fabric. The other opening into the living room would be made through the brick wall, which is the least important of all the walls of the building. The finishes of these openings should be the subject of a condition.

The proposed two storey extension, also on the south east elevation at the north east end, is acceptable as the agent has submitted revised plans. The original plans showed a symmetrical form of gable extension that removed the range of eaves from that part of the building and created an awkward arrangement with the adjacent ground floor window. The revised plans have solved these problems as the south east end of the extension has been shortened to give an asymmetrical appearance to the extension, which would be in keeping with this part of the building, the character of which is one of ad-hoc additions over the years. This revision also retains the space afforded to the adjacent ground floor window, which is also part of the character of the listed building.

The proposed staircase within this extension is acceptable as would not harm any historic fabric and as it would be located in the corner of the later wing of the building, it would not interrupt any principal or otherwise historic internal space.

The agent has provided a window schedule which describes the windows to be repaired and renovated and those openings where new windows are required. The repair and renovation of windows is acceptable as it preserves the historic fabric and character of the building. The proposed replacement windows have been sensitively designed so as to be in keeping with the character of the building. Full window details should be the subject of a condition.

The replacement of the existing staircase with a new staircase in a different arrangement is, as the Conservation Officer explains, acceptable as the existing staircase is not original and is of no architectural merit. The staircase is clearly not its original position and consequently the proposed replacement would improve the situation in terms of the layout as it would allow the building to return to a more traditional layout.

In addition, the relocation of the main entrance door is a benefit to the building as it would be relocated to a historic position where it is thought that the original main entrance to the building was sited. Details of the porch should be the subject of a condition to ensure that as many timber elements of the existing porch as possible are reused.

In the living room there is an oak clad 'nib' extending into the room where the existing staircase terminates. It is proposed to reduce this 'nib' by 500mm and re-clad it in the existing oak boards. This 'nib' was likely created when the existing staircase was put in and therefore is not a feature of historic interest. No objection is made to its reduction.

The proposed new partitions in the north of the building, in the later wing, would be stud partitions which would constitute a reversible alteration to the building. No historic fabric would be significantly harmed and the partitions could be removed in the future without damaging the building. Likewise, the blocking up of existing openings in the later wing of the building, and the reopening of a previously blocked opening, would not have a significant effect on the fabric of the building. These are reversible alterations.

The restoration of the inglenook fireplace in the kitchen is acceptable as it will reinstate a key historic feature of this important part of the building.

The floors were a mixture of either concrete floors or timber boards. However, the timber boards were in a very poor state of repair. These boards were removed as part of the renovation. The introduction of flagstone floors throughout the kitchen, breakfast room, hall and utility rooms is acceptable as the existing floors were concrete and natural flagstones are an appropriate flooring material for this type of building. In addition, the application proposes wide oak floorboards throughout the living and dining rooms. This is also an appropriate flooring for these rooms as these rooms had floorboards previously. The use of wide oak boards would be beneficial to the character of the building.

## CONCLUSION

For the reasons stated above the works are acceptable and would not harm the character or fabric of the listed building. This application is recommended for consent and needs to be referred to the Secretary of State as it is a Grade II\* listed building.



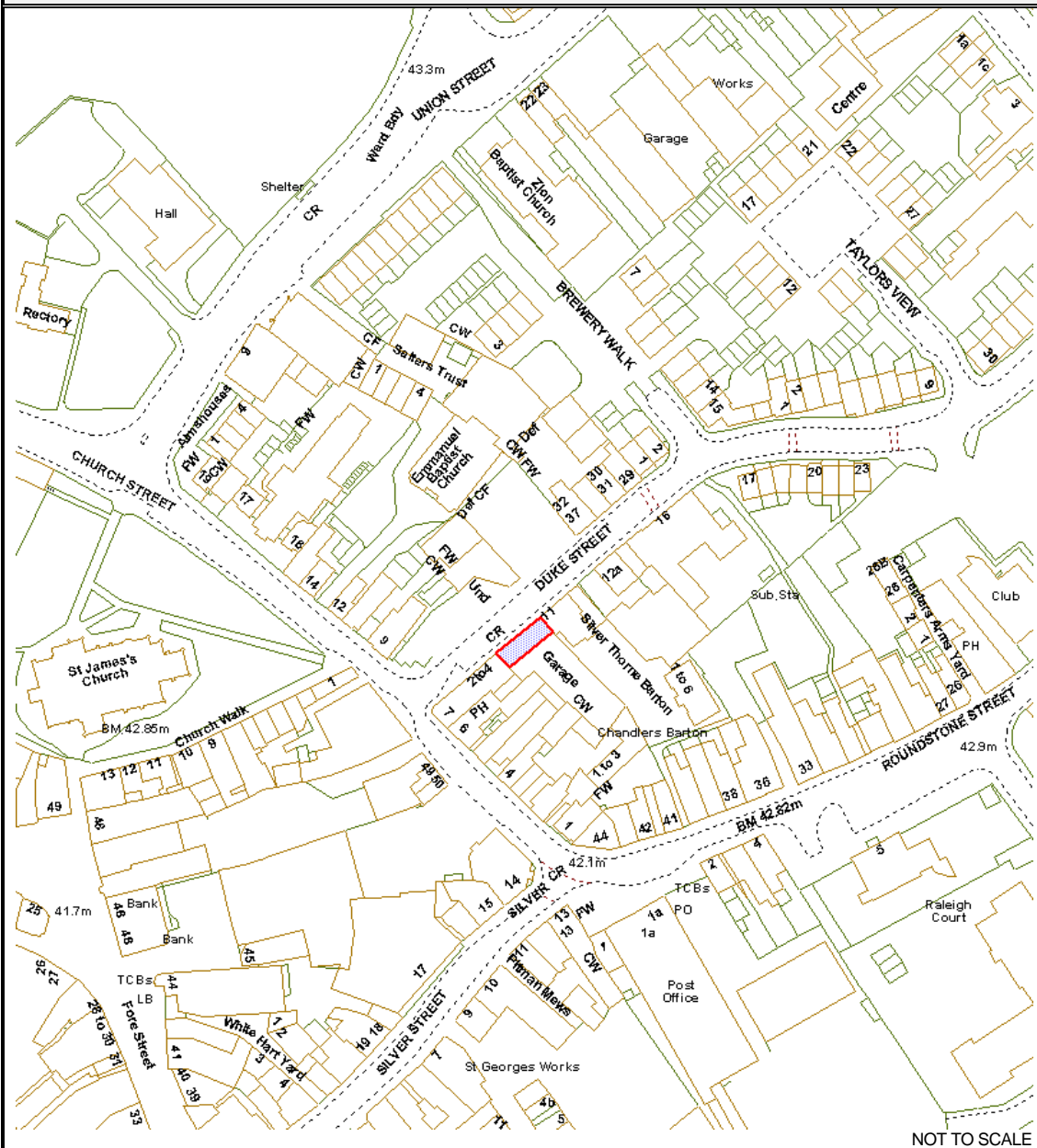
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 06

APPLICATION NO: 06/00546/FUL

LOCATION: 5 - 9 Duke Street Trowbridge Wiltshire BA14 8EA



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**06 Application: 06/00546/FUL**

**Site Address: 5 - 9 Duke Street Trowbridge Wiltshire BA14 8EA**

Parish: Trowbridge Ward: Park

Grid Reference 385749 158073

Application Type: Full Plan

Development: Alteration to existing roof to form a mansard roof, provide a second floor flat above an existing first floor flat

Applicant Details: Aristo Holdings Ltd  
Unit 1 Dillybrook Business Park Poplar Tree Lane Wingfield  
Wiltshire BA14 9NB

Agent Details: Mr K H Cole  
3 Cottles Lane Turleigh Bradford On Avon Wilts BA15 1HJ

Case Officer: Mr Russell Brown

Date Received: 15.02.2006 Expiry Date: 12.04.2006

**REASON(S) FOR PERMISSION:**

**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 - Policies C31A.
- 3 Notwithstanding the annotation on the approved drawings, the existing faced blockwork at ground floor level and rebuilt first floor shall be finished with a lime-based render, details of which shall be agreed in writing with the Local Planning Authority, and the cills, lintels and quoins to the first floor window surrounds shall be in natural Bath Stone.  
  
REASON: To ensure that the development harmonises with its setting.  
  
POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C31A.

---

## COMMITTEE REPORT

### APPLICATION DETAILS

This application has been brought to Committee as the Town Council object contrary to Officers recommendation.

This is a full planning application for the alteration of the existing roof to form a mansard creating a second floor flat above the existing first floor flat.

The building is within the Conservation Area and is adjoining a listed building. The front of the building is built in prefabricated concrete blocks and the first floor windows are elongated and short. The ground floor is a shopfront with a garage-style entrance.

The existing roof is set behind a parapet. The proposal seeks to replace this roof with a mansard roof in order to create a second floor. The first floor windows would be altered replaced with new windows in traditionally shaped openings, matching the proposed windows in the second floor and similar to windows in neighbouring buildings.

The original proposal showed no alteration to the ground floor of the building and did not specify the materials to be used for the first floor façade wall. The revised plans show that the first floor will be rendered with traditional lime render and the agent has confirmed that this lime render will extend throughout the ground floor of the building as well, covering the existing concrete blocks. The agent has also confirmed that the window lintels and cills would be stone.

The adjoining listed building, to the south west, is a full 3 storey building with a red brick frontage and a rendered side elevation. This building has a side facing double gable. The adjoining building to the north east is a modern stone built property that is also 3 storey - the second floor being within the roofspace. This roof is a flat roof at the rear with a slope down to the road elevation containing dormer windows. There are mansard roofs in the slightly wider area around Duke Street.

### CONSULTATION REPLIES:

- TROWBRIDGE TOWN COUNCIL: Original proposal - Objection on grounds that this development would be detrimental to the street scene.

Revised scheme - No comments received.

### PUBLICITY

The application has been advertised and a site notice placed on the site. Neighbour notifications have also been undertaken.

One letter has been received from the Trowbridge Civic Society in support of the application, noting:

"The proposed building with its proportions and mansard roof is in keeping with, and will enhance the street scene. However we note that the materials to be used for the first floor façade are not specified. The façade needs to be in keeping with the street scene and should include cills and lintels in stone."

## PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C17 Conservation Areas

C19 Alterations in Conservation Areas

C27 Listed Buildings

C31A Design

C38 Nuisance

PPS1 Delivering Sustainable Development (Jan 2005)

PPG15 Planning and the Historic Environment

Planning System - General Principles (Jan 2005)

## RELEVANT PLANNING HISTORY

No relevant history

## KEY PLANNING CONSIDERATIONS

The key issues in this application are the effect of the proposal on the special character and appearance of the Conservation Area, the street scene and on the setting of the adjoining listed building and the impact to public amenities.

## PLANNING OFFICER COMMENTS

The building in its existing form is a building that detracts from the special character and appearance of the Conservation Area and the street scene. The prefabricated concrete blocks and short elongated windows are features that significantly harm the character of the surrounding area.

The proposal would result in significant improvements to the façade of the building. The creation of traditional window openings, with stone lintels and cills, and the installation of windows that would be in keeping with fenestration of the surrounding buildings.

The addition of lime render to the front of the building would be a substantial benefit to the building as it would cover the visible concrete blocks from the existing resulting in a more sympathetic appearance, well related to the neighbouring buildings and the rest of the street scene and Conservation Area.

The addition of a mansard roof in this location would allow a second floor for this building in the simplest way possible, and whilst not necessarily enhancing the area, it would have a neutral effect. The mansard roof, as there are other mansard roofs in the area, would not be an alien feature and would not harm the street scene or the special character and appearance of the Conservation Area.

For similar reasons, the setting of the listed building would not be harmed as the improvements in the materials and the windows would outweigh any impact created by the increase in height of the new roof.

In terms of public amenities, the only amenity that would be significantly affected would be the visual amenity from the street. The building would be improved in visual terms and would result in an overall enhancement of visual amenities in the area.

The new roof is sited at the front of the building and would not extend to the rear. Consequently, there would be no harm to neighbouring amenity issues such as overlooking or overshadowing.

Trowbridge Town Council have not commented on the revised plans. Their objection relates to the earlier drawings which showed the continuation of inappropriate materials.

## CONCLUSION

The revised proposal which includes the use of traditional materials and sympathetic fenestration details would not harm the special character and appearance of the Conservation Area, the street scene the setting of the listed building or public amenities. The application is recommended for permission.



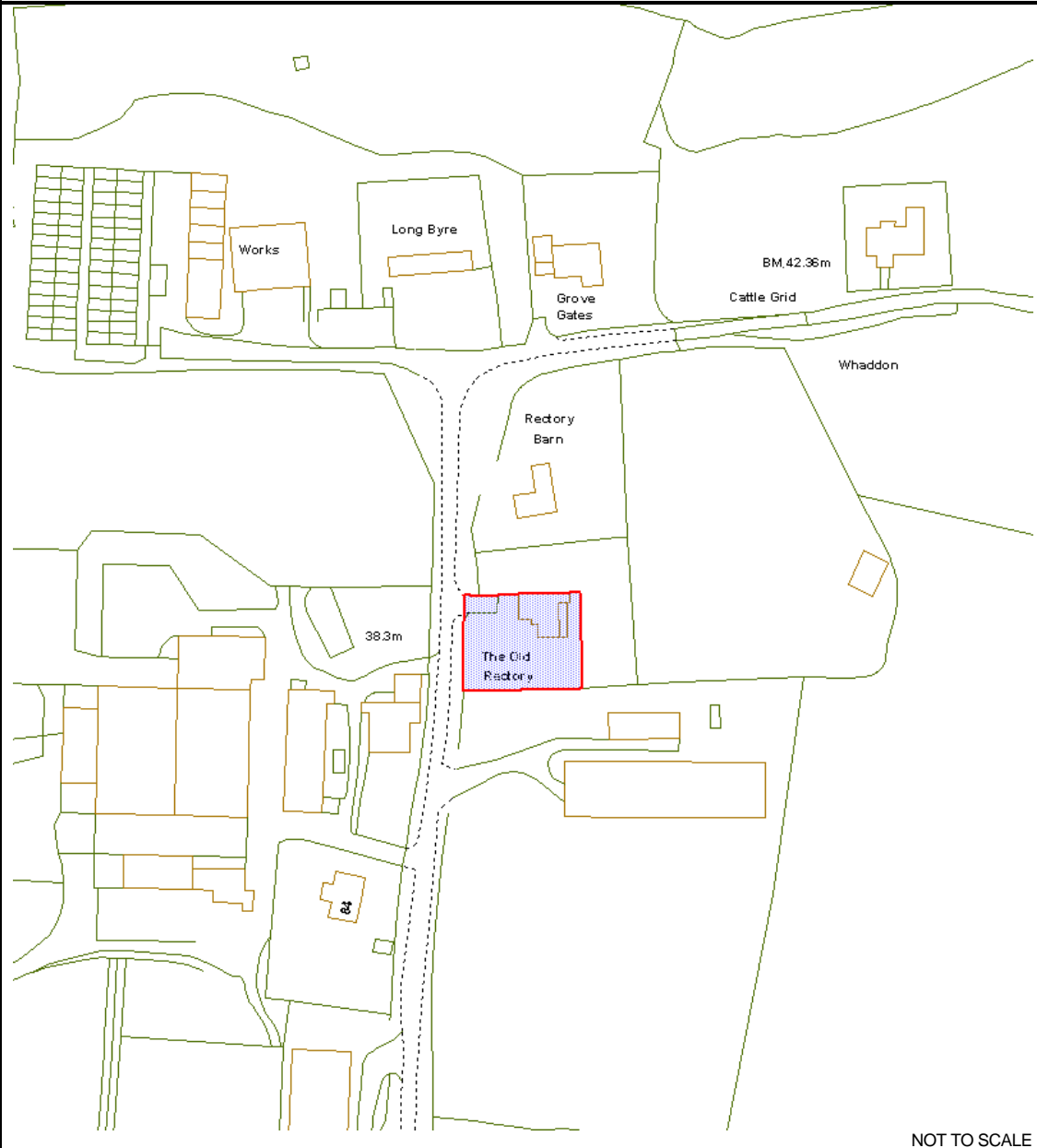
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 07

APPLICATION NO: 06/01918/FUL

LOCATION: The Old Rectory 78 Whaddon Hilpertown Wiltshire  
BA14 6NR



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**07 Application: 06/01918/FUL**

**Site Address: The Old Rectory 78 Whaddon Hilperton Wiltshire BA14 6NR**

Parish: Hilperton

Ward: Paxcroft

Grid Reference 387981 161377

Application Type: Full Plan

Development: Detached garage and stores

Applicant Details: Miss J S Scott And Mr C P Shape  
The Old Rectory 78 Whaddon Hilperton Wiltshire BA14 6NR

Agent Details: R K Architecture  
The Design Centre Crusader Park Warminster Wiltshire BA12 8BT

Case Officer: Mr James Taylor

Date Received: 21.06.2006

Expiry Date: 16.08.2006

**REASON(S) FOR PERMISSION:**

**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 - Policies C31A.

- 3 The driveway between the edge of the carriageway and the garage doors shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.



- |   |   |
|---|---|
| 4 | <p>The development hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse, and shall not be used for any other purposes including separate living accommodation or commercial uses.</p> <p>REASON: In the interests of the proper planning of the area.</p> <p>POLICY: West Wiltshire District Plan - 1st Alteration - Policies H1, H7, H20 &amp; H21.</p> |
| 5 | <p>The window in the first floor east elevation shall be obscure glazed prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.</p> <p>REASON: In the interests of amenity and privacy.</p> <p>POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.</p>   |

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because Hilpertown Parish Council object to the proposals unless conditions are imposed to limit the first floor use to storage only.

This is a full planning application for the erection of a garage to the northern edge of the residential curtilage, 6 metres wide by 9.4 metres long attached to the neighbouring garage. It would be constructed from natural stone to the walls and Bradstone roof tiles to the pitched roof, matching the neighbouring garage to which it would be linked. The proposal would be approximately 5.5 metres high to the ridge and it is proposed to use it as a garage and store with an ancillary gymnasium at first floor level.

The Old Rectory, the dwelling at the site, is located to the south approximately 10 metres away and is constructed from natural stone under a stone tiled roof.

There is an extant planning permission for a garage in the same location reference 98/01632/FUL to which a material start has been made.

### **CONSULTATION REPLIES:**

- HILPERTON PARISH COUNCIL: 'The Parish Council continues to object to this application unless a condition is imposed restricting the use of the stores to storage only (i.e. no residential or commercial use). We also object unless another condition is imposed stating that the window in the gable end east elevation must have obscured glazing in perpetuity, thereby protecting the privacy of the neighbouring property.'

### **STATUTORY CONSULTEES**

- HIGHWAY AUTHORITY: No objection subject to conditions.

### **PUBLICITY RESPONSES**

The proposal was advertised by letters to the neighbouring properties. 2 letters have been received concerned about potential overlooking.

## RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C31a Design

C38 Nuisance

SPG Supplementary Planning Guidance on House Alterations and Extensions

## RELEVANT PLANNING HISTORY

97/00246/FUL - Double garage utility room and log store @ Rectory Barn - Permission - 07.04.1997

98/01632/FUL - Two-storey extension with lean-to plus double garage and stores - Permission - 11.01.1999

## KEY PLANNING ISSUES

The main issues to consider regarding this application are the potential impact on the neighbouring amenity, the design of the proposal and the planning history of the site.

## PLANNING OFFICER COMMENTS

Planning permission has previously been granted for the erection of a garage on the site and a material start has been made. That proposal was of a similar scale and size to that currently proposed but would have had a different roof form with hipped ends. It is considered that the principle of such a development on the site is established and the issues of design and neighbour amenity are the primary issues for concern.

It must be noted that the Highway Authority have raised no objections to the proposal subject to proper consolidation of the area between the garage and the carriageway.

The issue of design can now be considered. There is an existing garage / store on the neighbouring property which is of a similar design and form to that proposed, utilising gable ends, natural stone to the walls and Bradstone tiles to the roof. It is considered that the proposed garage and store would be of a sympathetic design and would cause no harm in design terms.

There would be no impact on neighbouring amenity in terms of overshadowing, overbearing or loss of light as the building would be to the north of the neighbour and would be obscured by their own garage and store.

There have been two letters of objection in terms of potential overlooking. Firstly a neighbour has objected to the west facing first floor window. However this would be approximately 10-12 metres from the neighbouring boundary to the west. In addition it would only look onto the edge of their domestic garden area and cannot be considered to cause significant harm. The eastern elevation first floor window has been amended to be obscure glazed to address some neighbour and Parish concerns. The applicants are willing to have a condition imposed to ensure that this remains obscure glazed in perpetuity because it is acknowledged that it would look over the northern neighbours garden area albeit from an oblique angle. As such it is considered that the proposal would not cause any significant harm to the neighbouring amenity.

The reason why this application has been brought to Committee is because the Parish Council objects unless a condition is attached to ensure that the first floor is used for storage only. It is considered that this would be an unreasonable condition because the proposal would be located within a residential curtilage. Any use of the building would be ancillary to the dwelling house and would not cause any harm. A condition could however be imposed to ensure the use of the garage and store is ancillary to the dwelling house and could not be used as separate living accommodation. Any change of use to commercial would require a further planning application.

The proposal would cause no harm to the neighbouring amenity or surrounding environment and the use of the first floor for ancillary uses such as a personal gymnasium would cause no greater harm than its use for storage.

## CONCLUSION

No harm would occur as a result of the proposed development which is consistent with planning policy.



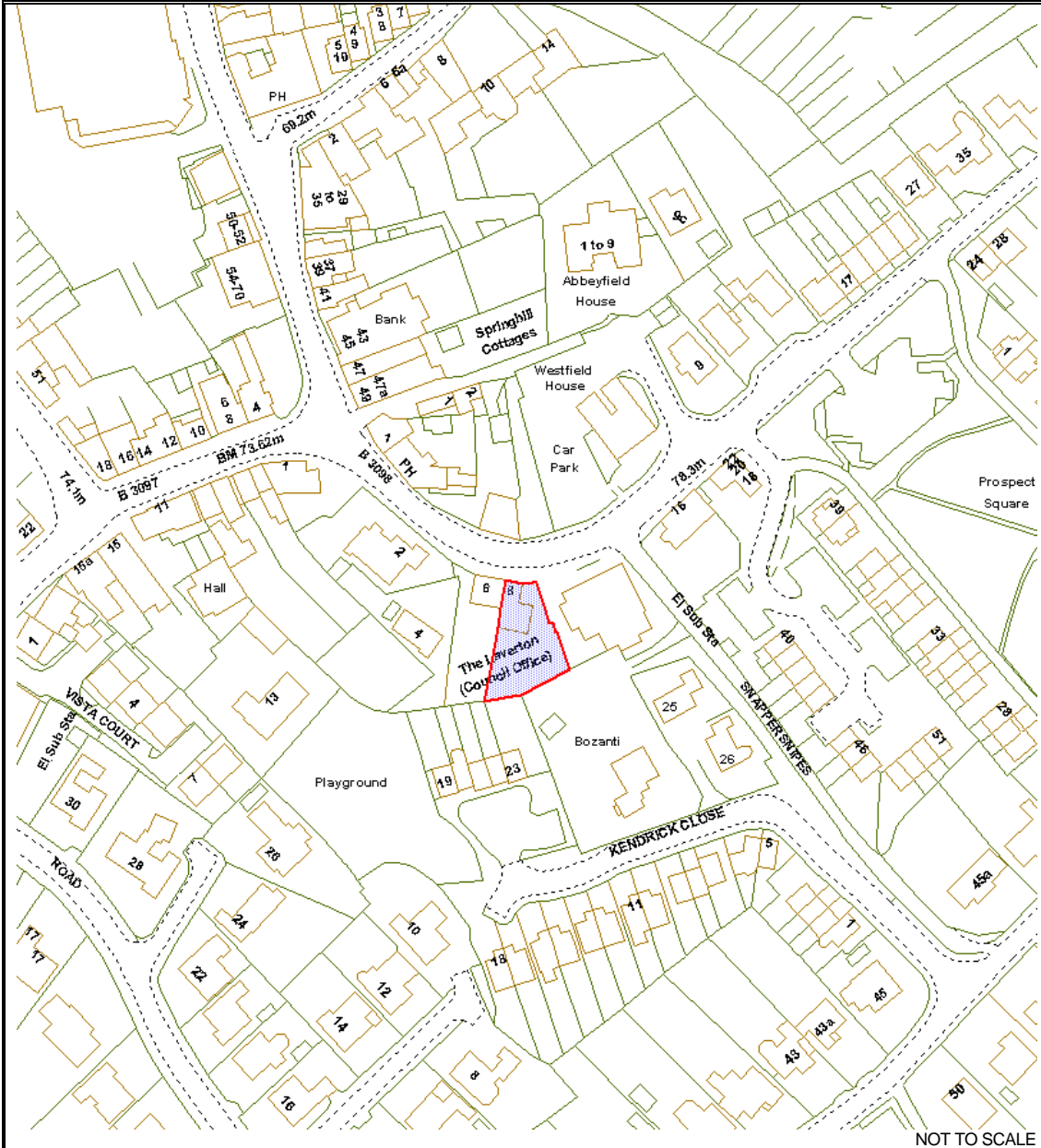
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 08

APPLICATION NO: 06/02242/LBC

LOCATION: 8 Bratton Road Westbury Wiltshire BA13 3EN



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**08 Application: 06/02242/LBC**

**Site Address: 8 Bratton Road Westbury Wiltshire BA13 3EN**

Parish: Westbury Ward: Westbury Laverton

Grid Reference 387381 151084

Application Type: Listed building

Development: Timber framed porch, and internal and external alterations, including new doors and fenestration

Applicant Details: Chris Kirk  
8 Bratton Road Westbury Wiltshire BA13 3EN

Agent Details:

Case Officer: Mr Russell Brown

Date Received: 19.07.2006

Expiry Date: 13.09.2006

**REASON(S) FOR CONSENT:**

**The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.**

**RECOMMENDATION: Consent**

**Condition(s):**

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 3 Details of all new or replacement rainwater goods, which shall be of cast iron or cast aluminium construction and finished in black, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 4 Details of all new or replacement internal doors, door linings, architraves, beadings, skirtings, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 5 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 - Policies C31A.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application is brought to Committee because the applicant, although not currently a member of staff, has been appointed to, and has accepted, a position with the Council.

This is a listed building consent application for a new porch and internal and external alterations to 8 Bratton Road, Westbury. No 8 is a Grade II listed building lying within the Westbury Town Conservation Area. The house is mostly painted rubble stone, with a single storey brick extension to the rear, with clay pantiles to the roof. The house is an L-shape, with its front elevation fronting the pavement. To the east lies an area of off-street parking, leading into the rear garden.

To the east lies The Laverton, which is the town hall, itself a Grade II listed building. To the rear are a number of modern residential properties, whilst adjoining No 8 is No 6, which is another Grade II listed building.

The proposed works include both internal and external alterations. The internal alterations include:

- a new opening between the existing kitchen and utility area;
- the conversion of the existing utility room into a shower room, including a new partition; and
- the retention of the front door leading into the kitchen, and the blocking up of the opening to its rear.

The external works include:

- the creation of a porch over the new replacement French doors in the single storey extension; and
- the insertion of a new window in the rear elevation, and the replacement of an existing window in the sun room.

The proposed materials include seasoned oak for external timber, including the French doors, new windows to match these already in the southern elevation, and new walls to be of concrete block finished with lime plaster.

A planning application has been submitted for the porch, which also requires planning permission. This will be dealt with at Committee following the expiry of its statutory consultation period.

#### CONSULTATION REPLIES:

- WESTBURY TOWN COUNCIL state: "No objections"

#### INTERNAL WWDC CONSULTATIONS

N/A

#### PUBLICITY RESPONSES

The application has been advertised with a Public Notice site notice. No responses have been received.

#### RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016

HE7 Conservation areas and listed buildings

West Wiltshire District Plan - 1st Alteration 2004

C27 Listed buildings

C28 Alterations and extensions to listed buildings

National Guidance

PPS1 Delivering Sustainable Development

PPG15 Planning & The Historic Environment

#### RELEVANT PLANNING HISTORY

90/00108/LBC - Replace tin roof with tiled roof - Consent 27.03.1990

02/00935/LBC - Installation of roof window at rear of property - Consent 29.07.2002

05/00584/LBC - Internal alterations and repairs, and replacement front door - Consent 02.06.2005

05/01717/LBC - Reinstate mullion window with handmade glass and move main gas feed in to property - Consent 06.10.2005

#### KEY PLANNING ISSUES

This listed building consent application raises the matter of the impact of the proposed works on the listed building.

#### PLANNING OFFICER COMMENTS

PPG15 and Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 highlights 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. These requirements are reflected under Policy C28 of the West Wiltshire District Plan - 1st Alteration 2004, which requires that works should not destroy or harm the inherent character of any listed building.

Dealing with the proposed internal works first, the existing single storey extension is a recent addition to the listed building, and consequently the proposal to move internal partitions within it raises no objection. The creation of a new opening from the existing kitchen is also considered to be acceptable in that the opening would be through an area of a mix of materials, including



brickwork, rubble stone and patch repairs. The submitted details show timber lintels over the proposed opening, this would be in keeping with the rest of the house internally, as internal visible timber is a key part of the character of the building. Subject to conditions requiring adherence to drawing L16, and joinery details, no objection is raised.

Turning now to the external works, the replacement of modern windows and doors with ones which are more sympathetic to the historic character of the house is acceptable, subject to conditions requiring details. The porch would extend the line of the single storey extension and subject to samples of materials, no objection is raised. The proposed porch would be built in large oak timbers and would be constructed in traditional construction techniques - mortice and tenon joints with timber pegs. The profile of the porch would follow the slope of the rear extension roofslope with a steeper pitch towards the front of the building. This asymmetrical appearance would be in keeping with the overall form of the building and would create visual interest to this currently simple elevation. As existing, the rear extension detracts from the simplicity of the elevation and the addition of the porch would remove the impact of the rear extension.

## CONCLUSION

Subject to the suggested conditions, the proposal would not be detrimental to the special architectural and historic interest of the listed building. The application is therefore recommended for consent.



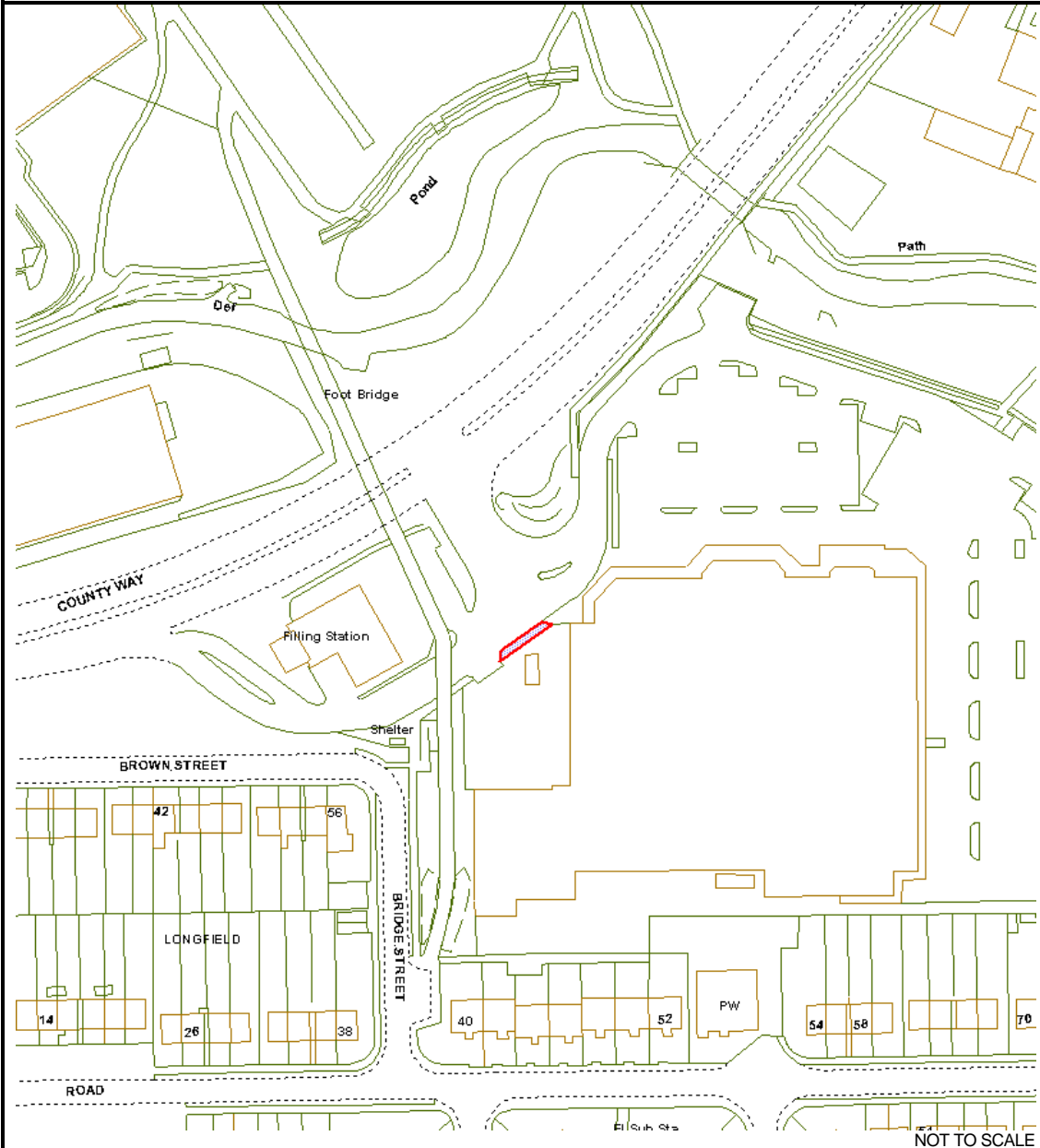
## PLANNING COMMITTEE

14 September 2006

ITEM NO: 09

APPLICATION NO: 06/01880/ADV

LOCATION: Tesco Stores Ltd County Way Trowbridge Wiltshire  
BA14 7AQ



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**09 Application: 06/01880/ADV**

**Site Address: Tesco Stores Ltd County Way Trowbridge Wiltshire BA14 7AQ**

Parish: Trowbridge Ward: Drynham

Grid Reference 385965 157528

Application Type: Advertisement

Development: One static display panel

Applicant Details: Tesco Stores Limited  
C/o J C Decaux UK Limited Mr Martin Stephens 991 Great West Road Brentford Middlesex

Agent Details: JCDecaux UK Limited  
FAO Mr Martin Stephens 991 Great West Road Brentford Middlesex TW8 9DN

Case Officer: Mrs Jane Sanger

Date Received: 27.06.2006 Expiry Date: 22.08.2006

**REASON(S) FOR CONSENT:**

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

**RECOMMENDATION: Consent**

**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 maximum luminance from the illuminated sign(s) shall not exceed 800 candela/sq.m of the luminance values included in I.L.E. Technical Report Number 5 (Second Edition).

REASON: In the interests of highway safety.

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application for advertisement consent is brought to Committee at the request of Councillor Payne on the grounds that the proposal would be visible from the nearby footbridge.

This is an application for advertisement consent for a free standing sign to be mounted on posts, with a static tubular light spanning the width of the sign along the top the frame. It would be located on the north-western side of the building, in front of the wall immediately facing the entrance to the car park and petrol station off County Way.

The sign board would be 6.2 metres wide, 6.2 metres high measured from ground level and would be located 1.4 metres above the public highway at the base of the sign. The sign would be used as a product display sign, which would change copy about every two weeks. The application is for the display board and use of the site for advertisement rather than a specific advertisement display.

The site which is in retail use, is located to the south-east of County Way, on the edge of the town centre.

#### CONSULTATION REPLIES:

- TROWBRIDGE TOWN COUNCIL: No objections raised.

#### STATUTORY CONSULTEES

- HIGHWAY AUTHORITY: No objections subject to a condition.

#### PUBLICITY RESPONSES

Neighbours were notified for which there has been no response.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C24 Advertisements

C38 Effects of development on neighbouring properties

PPS1 Delivering Sustainable Development

PPG19 Outdoor Advertisement Control

#### RELEVANT PLANNING HISTORY

None.

#### KEY PLANNING ISSUES

The main considerations relating to this application are the

- Impact on public safety; and
- Impact on amenity.

#### PLANNING OFFICER COMMENTS

Planning Policy Guidance Note 19 states that outdoor advertisement is essential to commercial activity in a free and diverse economy. The building to which the application relates is in commercial usage where the principle of adverts being displayed at this building should not be resisted provided they meet certain criteria and are consistent with Council policy.

The impact of the sign on amenity must first be considered. The proposed sign and frame would be viewed within the context of a street which exhibits a number of signs which have been erected in this area.

These signs take a mixture of forms and in the context of this location the proposal would be similar in format to surrounding signs.

The impact on public safety at this location must now be considered. The proposed sign, which is of a modest size, would have static illumination and would not distract or confuse passing pedestrians or drivers. It would be positioned 1.4m above the public highway and would be unlikely to have a harmful impact on highway safety.

The frames themselves are part of the advertisement. Therefore changing the display information would have little impact on visual amenity of the area, as the frames are more prominent and permanent parts of the advertisement.

It is acknowledged that it would be visible from the footbridge to the west but it is not considered to be a cause for concern to safety. Passing pedestrians, stationary drivers at the adjacent traffic lights at the junction with County Way with the entrance to the retail centre and drivers entering the retail centre would see the proposed sign but it would not be visible from moving vehicles on County Way. The sign when viewed by vehicular users would appear as one of a number of signs and would not threaten public safety.

## CONCLUSION

The proposed free standing sign would cause no significant harm to public or highway safety and would not detract from the visual amenity of the surrounding area.

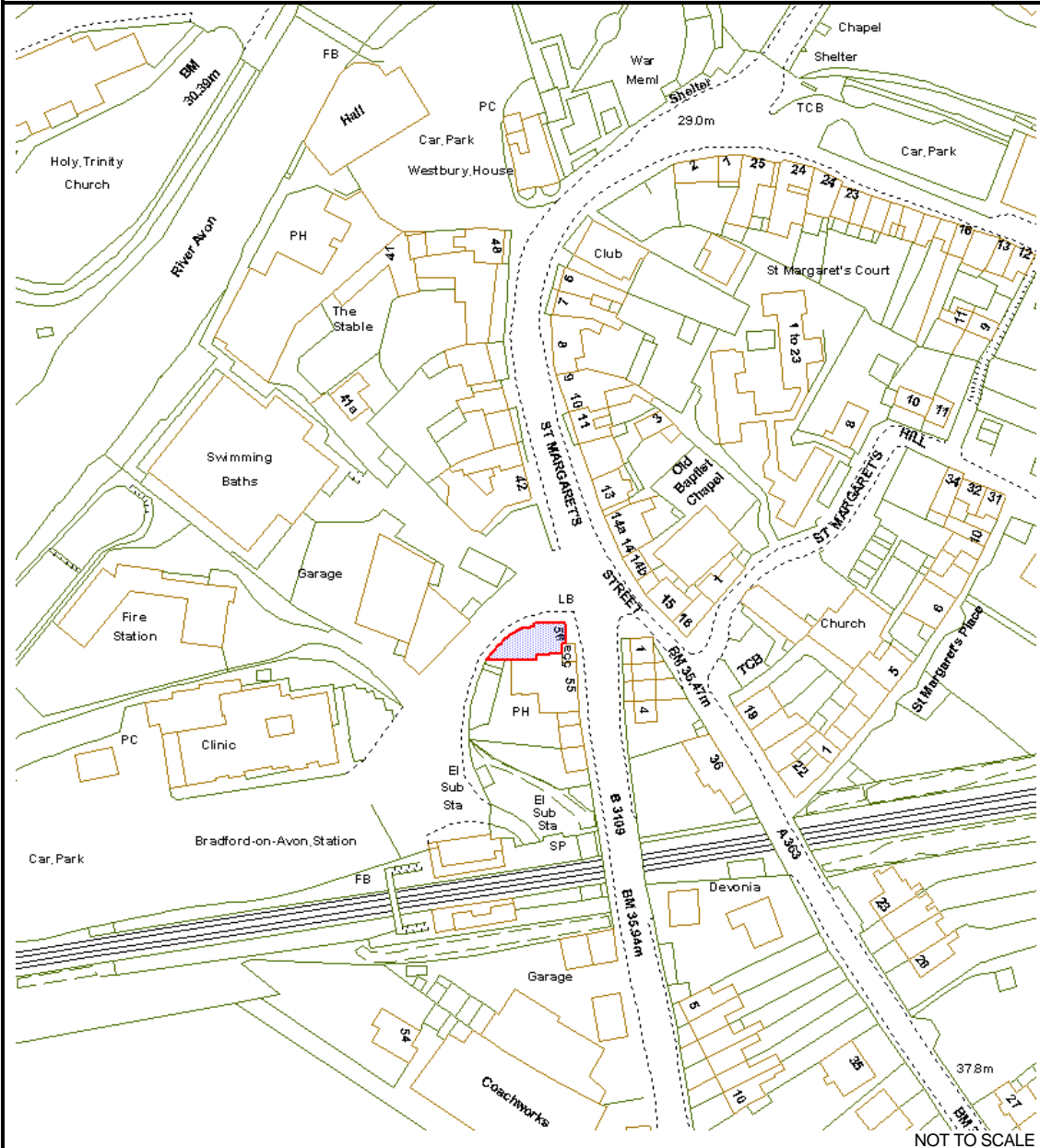
**14 September 2006**

**14 September 2006**

**ITEM NO: 10**

**APPLICATION NO: 06/02050/FUL**

**LOCATION:** 56 Frome Road Bradford On Avon Wiltshire BA15  
1LA



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
www.westwiltshire.gov.uk

SLA: 100022961

**10 Application: 06/02050/FUL**

**Site Address: 56 Frome Road Bradford On Avon Wiltshire BA15 1LA**

Parish: Bradford On Avon Ward: Bradford On Avon South

Grid Reference 382538 160735

Application Type: Full Plan

Development: Change from a car showroom to a fish & chip shop restaurant and takeaway. Alterations to fascia and windows. The provision of a chimney on the rear boundary

Applicant Details: Robert Winsborough  
6 Magiston Street Statton Dorchester Dorset DT2 9WD

Agent Details: Slade Smith & Winrow  
37a Silver Street Bradford-on-Avon Wilts BA15 1JX

Case Officer: Mr James Taylor

Date Received: 06.07.2006 Expiry Date: 31.08.2006

**REASON(S) FOR PERMISSION:**

**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 Notwithstanding the submitted plans, no development shall take place until further details of the proposed chimney / flue at a scale of not less than 1:20 including details of materials and finishes have been submitted to and approved in writing by the Local Planning Authority.  
  
REASON: In the interests of the character and appearance of the Conservation Area.  
  
POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policies C17, C18 and C20.
- 3 Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations on the premises. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use, and shall be maintained in good working order thereafter.  
  
REASON: In order to safeguard the amenities of the area in which the development is located.



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

- 4 Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse and litter 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 and safety.

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

- 5 Any door, window, louvre, vent or fan in the premises shall be insulated so as to prevent any noise being audible at the boundary of any inhabited premises, either attached to or in the vicinity of the premises to which this permission refers.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C36 & C38.

- 6 In order to safeguard the amenities of the area in which the development is located, the hours of operation shall be limited to 0900-0000 Monday to Sunday.

REASON: In the interest of amenity.

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

- 7 In order to safeguard the amenities of the area in which the development is located, deliveries of goods to the site shall be limited to 0900-1900 Monday to Sunday.

REASON: In the interest of amenity.

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

- 8 At all times when the premises are in use, a sign shall be fixed near all exit doors to the premises requesting patrons to be quiet on leaving the premises.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C36 & C38.

- 9 At all times when the premises are in use, a sign shall be fixed near all entrance doors to the premises requesting patrons to respect parking restrictions on the highway.

REASON: In order to safeguard the amenities of the area and highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C36 & C38.

- 10 During the construction phase of development no plant machinery or equipment shall be operated or repaired so as to be audible at the site boundary outside the hours of 0730 to 1800 Mondays to Fridays and 0800-1300 on Saturdays, or at any time on Sundays or Bank Holidays.

REASON: In the interest of amenity.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policies C36 and C38.

**Note(s) to Applicant:**

- 1 The applicant is advised to contact the Council's Food Safety and/or Health and Safety team for advice prior to commencing any development on 01225 776655.

**COMMITTEE REPORT****APPLICATION DETAILS**

This application is brought to the planning Committee because Bradford on Avon Town Council object to the proposal contrary to officers recommendation. It is important to note that the Town Council does not object to the principle of the development but consider insufficient detail is given on the plans in regards to the proposed chimney.

This is a full planning application for the change of use of a car showroom to a fish and chip restaurant and take-away.

External alterations are limited to the fascia, windows and the erection of a chimney to the rear. The chimney would be approximately 2 metres high and 700mm wide. No details of the proposed materials have been supplied. It would be located to the rear of the property on the flat roof extension.

The application site is located in the Bradford on Avon Conservation Area; the Secondary Retail Frontage of the Town Centre and in the setting of a Grade II listed building. There is no allocated parking for the proposal but it is noted that it is within easy walking distance of free car parking at St Margaret's Hall and pay and display at the Train Station. Parking restrictions exist in surrounding streets.

The existing building is of circa 1960s construction built in reconstructed stone under a concrete tiled roof with large contemporary display windows to the ground floor. It has a single storey flat roofed area to the rear.

**CONSULTATION REPLIES:**

- BRADFORD ON AVON TOWN COUNCIL: The Town Council is not opposed in principle but insufficient detail is given on the drawing of the proposed chimney and refusal is therefore recommended. Should permission be granted the Town Council recommends that conditions be imposed to control parking and traffic problems, smells nuisance and litter.

**STATUTORY CONSULTEES**

- HIGHWAY AUTHORITY: Recommend that the application be approved and wish to raise no highway objection because it is adjoining a public car park and the premises are within the town centre. Notes that illegal parking may occur on the double yellow lines, but due to the position of the entrance it is likely to be on the access road to the car park and not Frome Road.

**INTERNAL WWDC CONSULTEES**

- ENVIRONMENTAL HEALTH: No objections subject to conditions and informatives. The area surrounding this unit is mainly commercial in nature and as such the likelihood of potential nuisance may be reduced. Residential flats may be located above some of the shop units in the area.

- ECONOMIC DEVELOPMENT: No comment.

- HERITAGE DEVELOPMENT OFFICER: It is noted that no further harm would be caused when compared to the existing use and appearance of the building. As such there would be no impact on the setting of the adjoining listed building and no harm to the conservation area.

## PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press. 4 letters of objection have been received raising the following issues:

- Unacceptable increase in litter, noise and road traffic in an already very busy area.
- Position on a very, very dangerous road junction. Compounded by the police, ambulance and fire brigade using the approach access under 'blue light' conditions
- Footpath areas are inaccurate, and proposals may cause a congregation of people at the entrance.
- Magnet for teenagers and there is already a drink and drug problem in the toilets of the car park / Antisocial behaviour.
- Unlikely to be economically viable unless they open for children between 3 and 4 PM.
- Bradford doesn't need a chip shop.
- Parking problems

## RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

- C17 Conservation Areas
- C18 New Development in Conservation Areas
- C20 Change of Use in Conservation Areas
- C25 Shopfronts
- C27 Listed Buildings
- C31a Design
- C38 Nuisance
- SP1 Town Centre Shopping
- SP5 Secondary Retail Frontages

- PPS1 Delivering Sustainable Development
- PPS6 Planning for Town Centres

## RELEVANT PLANNING HISTORY

06/02275/ADV - Shop fascia signs - Decision pending

## KEY PLANNING ISSUES

Section 66 of the Planning (Listed building and Conservation area) Act 1990 states that a 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.

Section 72 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 and enhancing the character or appearance of the conservation area.

The main issues to consider regarding this application are the potential impact on the setting of a listed building, the character and appearance of the Conservation Area, amenity, design, the vitality of the Town Centre and highway safety.

## PLANNING OFFICER COMMENTS

### Historic Environment

The application site is located in the secondary retail frontage of Bradford on Avon and Policy SP5 states that in such a location a change of use to A2 or A3 use will be permitted. Further it should be considered that the site is located in a Conservation Area therefore under policy C20 any change of use will be permitted provided any alterations cause no harm to the character and appearance of the area.

The impact on the character of this historic environment must be considered. The proposal includes some minor alterations to the appearance of the building, including new timber shopfront window frames, a timber door and a new window in the rear elevation. The existing shopfront windows are of a contemporary appearance using modern materials. The new window details enhance the character and appearance of the Conservation Area because of the improved appearance. It is proposal to alter the shop fascia, however these alterations do not require planning permission and are subject to a separate advertisement consent application.

The only other external alteration is to erect a chimney to the rear elevation of the building. This is shown as approximately 2-metres high and 700mm wide, very similar to those evident on the rear of the adjacent Grade II listed pub. No details of the materials of the chimney have been provided however this may be dealt with by condition. It is considered that the chimney subject to condition would preserve the character and appearance of the Conservation Area.

In conclusion the proposal would not harm the setting of the adjacent listed building, it would preserve the character and appearance of the Conservation Area and therefore is in accordance with the development plan in relation to the historic environment.

#### Change of Use, Amenity and Highway

The change of use to a restaurant and takeaway raises several amenity issues, including increased movements, noise, smell, parking and highway safety. The application site is located in the secondary retail frontage in a Town Centre location close to several car parks and the railway station.

No highway objection has been raised. It is considered to be a sustainable location that would not cause significant harm to highway safety. Public parking is available within easy walking distance. The site has double yellow lines on the highway frontage. Whilst it is accepted that a takeaway may lead to some illegal parking this would be controlled by other legislation.

The Council's Environmental Health Officer raises no object in principle but recommends several conditions and informatives to protect the amenity of local residents.

It is noted that four objections have been received. Although many of the issues raised have been addressed it is necessary to point out that the economic viability of the proposals is not a planning consideration. The potential for a congregation of people outside has been noted, however it is not considered that this provides a planning reason for refusal and this would also be controlled under other legislation.

Currently, these showrooms in a prominent location in the town centre add little to the vitality of the area. A restaurant and takeaway would add vibrance and enhance the economic viability of the town.

#### CONCLUSION

The proposed development is in accordance with Council policy, would not harm the historic environment or amenity and would be likely to add to the vitality of the town centre.

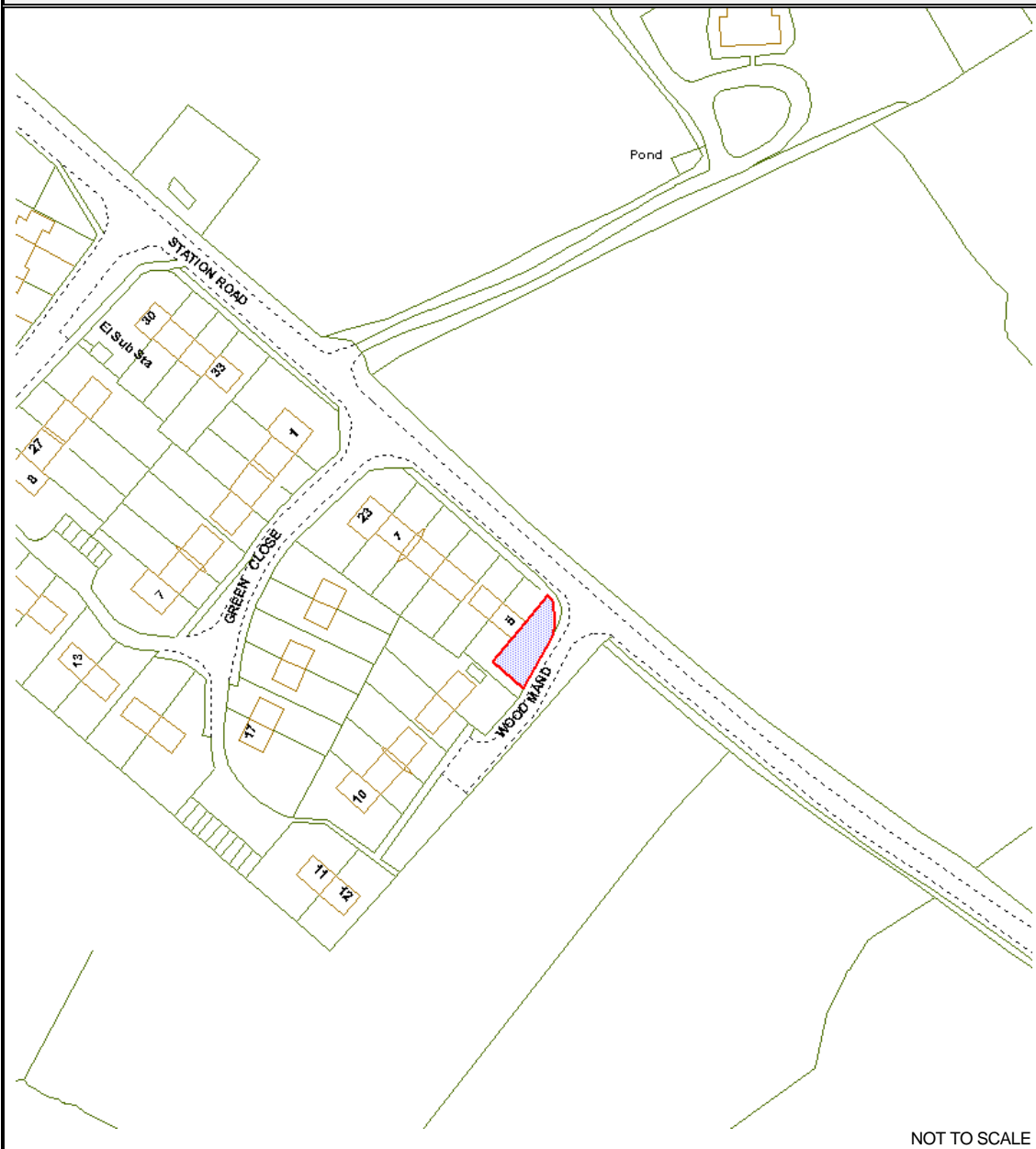
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 11

APPLICATION NO: 06/00789/FUL

LOCATION: Land Adjacent 5 Woodmand Holt Wiltshire



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**11 Application: 06/00789/FUL**

**Site Address: Land Adjacent 5 Woodmand Holt Wiltshire**

Parish: Holt Ward: Holt

Grid Reference 386722 161645

Application Type: Full Plan

Development: New dwelling and demolition of existing garage and formation of parking spaces

Applicant Details: Stuart Jones  
Cresswell Down Farm Edington Wiltshire BA13 4NJ

Agent Details: A W Francis  
35 Seend Cleeve Melksham Wiltshire SN12 6PU

Case Officer: Miss Nicola Rogers

Date Received: 10.07.2006 Expiry Date: 04.09.2006

**JUSTIFICATION REASON:**

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

**RECOMMENDATION:**

**Planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior completion of a Legal Agreement to ensure the provision of a commuted sum towards affordable housing in the district in accordance with the Supplementary Planning Guidance - Affordable Housing.**

**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 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

- 3 Before the development is occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 4 Sufficient space for two parking spaces together with a vehicular access thereto shall be provided for the proposed dwelling, before it is occupied, in a position approved by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

REASON: In the interests of Highway safety

- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

- 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 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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

## COMMITTEE REPORT

### APPLICATION DETAILS

This application is presented to the Planning Committee as Holt Parish Council objects to the application and your Officers recommend permission.

This is a full planning application for an additional dwelling on land adjacent to 5 Woodmand. The dwelling is proposed as an extension to the terrace, which is made up of two houses and 4 bungalows, this is proposed to be a 3 bed dwelling with parking and garden at the rear.

This plot is located at the far south east of the village on a small estate of similar style houses and bungalows. The proposed dwelling would be 5.5 metres in width and would extend 7.6 metres to the rear.

## CONSULTATION REPLIES

- HOLT PARISH COUNCIL: Object.

Considered this application and are of the unanimous opinion that the proposal for a dwelling on such a small site would be totally inappropriate.

## STATUTORY CONSULTATIONS

- WESSEX WATER: No objections

- HIGHWAY AUTHORITY: No objections

## INTERNAL WWDC CONSULTATIONS

- HOUSING SERVICES: A sum has been agreed between the Council and the applicant with regard to the affordable housing contribution.

## PUBLICITY RESPONSES

Two letters of objection have been received. The following points are raised:

- Proposed dwelling protrudes beyond the building line
- Over development of a small site
- Not in keeping with the other houses
- Parking is insufficient and will increase problems
- Loss of privacy to neighbouring property

## RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C31a Design

C38 Nuisance

H2 Affordable Housing

H17 Village Policy Limits

PPS1 Delivering Sustainable Development

PPG3 Housing

Supplementary Planning Guidance - Residential Design Guide

## RELEVANT PLANNING HISTORY

None

## KEY PLANNING ISSUES

The main issues in this case are the principle of a dwelling on this site, the effect of the proposed dwelling on the appearance of the street scene and the effect on the neighbouring property.



## PLANNING OFFICER COMMENTS

The site is located within the Holt Village Policy Limit as identified by Policy H17 of the District Plan, where the principle of residential development would be acceptable, both in terms of Development Plan policies and Government guidance. However careful attention must be paid to the siting, layout, design, form and relationship of the proposed dwellings with neighbouring properties.

The estate on which this development is located is characterised by dwellings of a uniform size and type, both single and two storey dwellings. This area is outside of the Holt Conservation Area, however, the estate has a distinct character and regular appearance. The estate is largely made up of semi-detached dwellings and terraces in a dense development style.

The proposed design and form of the dwellings would be in-keeping with the character of the surrounding area as the proposed dwelling would continue the building and roof lines of the existing houses. The footprint of the proposed dwelling would mirror the property at the opposite end of the terrace, number 23 Green Close, which protrudes 3 metres to the rear of the other dwellings with a gable end at the rear.

The materials and design of the proposed dwelling would respect the character of the street scene and would be in proportion with the scale of the existing development.

The terrace and the other properties in Woodmand have distinct building lines in the street scene. This proposal continues the building line of the terrace of dwellings, but protrudes past the building line of the remaining properties in Woodmand. As the properties 6 - 10 Woodmand are part of a different street scene this is not a problem per se, but should be considered as part of the impact on the street scene of Woodmand.

Number 6 and 7 Woodmand are a pair of semi-detached properties positioned at right angles to the existing 5 Woodmand. The addition of a further dwelling adjacent to number 5 would not detract from the street scene at this point as the property would only be 1.8 metres greater in depth than the existing dwellings.

The privacy of the neighbouring residents at 6 Woodmand would not be affected as the side elevation of their property does not contain any windows and the proposed dwelling would be positioned so the rear windows would look onto a front drive area rather than a private garden.

The parking on the site is an issue raised by a neighbour, the Highway Authority has recommended that two parking spaces are provided for the proposed dwelling to alleviate this concern.

## CONCLUSION

The proposal is acceptable in terms of design and the effect on the neighbouring properties, a sum has been agreed for a contribution to affordable housing.

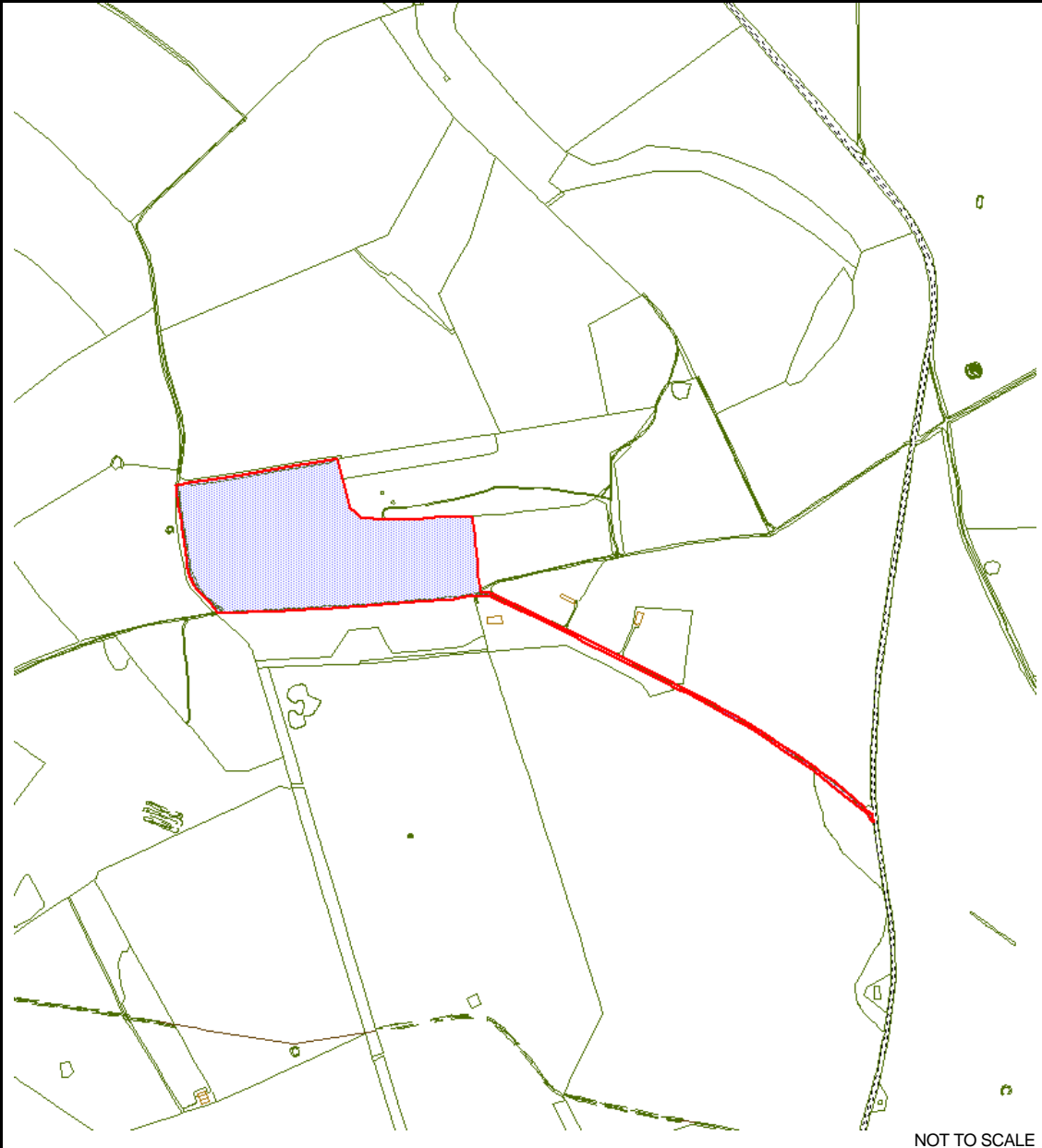
## PLANNING COMMITTEE

14 September 2006

ITEM NO: 12

APPLICATION NO: 06/00880/FUL

LOCATION: Summerslade Down Lords Hill Longbridge Deverill  
Wiltshire



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**12 Application: 06/00880/FUL**

**Site Address: Summerslade Down Lords Hill Longbridge Deverill Wiltshire**

Parish: Brixton Deverill

Ward: Shearwater

Grid Reference 387652 137883

Application Type: Full Plan

Development: Use of land for model aircraft flying

Applicant Details: Pertwood Partners  
C/o Graham Savage Associates The Chestnuts Studio Burymead  
Codford St Peter Wiltshire

Agent Details: Graham Savage Associates  
The Chestnuts Studio Burymead Codford St Peter Wiltshire BA12  
0NU

Case Officer: Miss Julia Evans

Date Received: 16.03.2006

Expiry Date: 11.05.2006

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections 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 flying of any model aircraft shall only take place between 09.00 hours to 21.00 hours, or dusk, whichever is the sooner. There shall be no flying of any model aircraft during the hours of darkness.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - Policy C26 and the West Wiltshire District Plan - 1st Alteration (including Proposed Modifications)- Policy C38.

- 3 No structures or facilities shall be erected or positioned on the site, either permanently or temporarily. Any such proposals will need to be the subject of a planning application.

REASON: In order to protect the landscape character of the area.

POLICY: West Wiltshire District Plan - Policy C2, and the West Wiltshire District Plan - 1st Alteration (including Proposed Modifications).

**Note(s) to Applicant:**

- 1 Both horse riders and aircraft fliers should be made aware of each other's presence by way of notices to be displayed before and during flying sessions.

**COMMITTEE REPORT****APPLICATION DETAILS**

This application has been called in to Planning Committee by Councillor Mounde to assess the amenity of the proposal.

This is a full application for the change of use of land for model aircraft flying, at Summerslade Down, Lords Hill, Longbridge Deverill. The site area is approximately 1.5ha, with an area of 80m x 100m used for take-off and landings being located to the north of a public bridleway. Car parking lies to the north of the bridlepath. Access to the site is along the tarmacked bridlepath and onto the A350.

The area is used for agricultural grazing, and lies on a chalk ridge with views to all aspects, including over the dry chalk valleys to the north and south. Belts of trees lie on the valley sides to the north and south of the site.

The site lies within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty, and above a Groundwater Source Protection Area.

The current application is a full application for the permanent change of use to model aircraft flying, and was submitted in response to the expiry of temporary permission for the use on 31 December 2006 under Condition 5 of planning permission 03/00344/FUL. This application itself was submitted as a renewal application of a 2000 temporary planning permission (00/01886/FUL) for the same use which expired on 31 December 2003. In turn this 2000 application was itself the renewal of a one year temporary permission issued under 99/01235/FUL.

The application has been supported by a Planning Statement which concludes that:

"The Club have entered into a Code of Practice with the Parish Council and this appears to be working to the advantage of both parties. The Club have actively sought to reduce noise emissions from the model aircraft such that noise levels are much lower now than in 2003. Equally, it is clear that continued technical advancement will enable further steps to be taken in the future to ensure quieter aircraft flying, not only at this location, but throughout the country. There is evidence that the Club reacts properly and responsibly to the requirements of horse riders and other users of the bridlepaths. As a result of the actions endorsed by the Club, it is considered reasonable to suggest that a full planning permission (with conditions) could be granted without detriment to the interests of local residents or others enjoying the local bridlepaths."

**CONSULTATION REPLIES:**

- BRIXTON DEVERILL PARISH COUNCIL state: "The following objections have been raised to the above application:

1. It is important that control remains with the Local Planning Authority in order to monitor the MFC as detailed in permission granted by you under 00/01886/FUL on the 04.01.2001 in which you state "that the use proposed would not be acceptable on a permanent basis". The Parish Council therefore objects strongly to permanent permission being granted but is anxious to stress that temporary permission raises no problems; It would ensure that with a changing membership of a club, control can continue to be maintained to avoid any misuse of the conditions agreed. The Parish Council is anxious to create a good working relationship with the Model Flying Club so that co-operation and support can provide mutual benefits. To this end, we would specifically ask that the Planning Committee address our request for the renewal of permission to be granted only for a further three-year term.

2. The Club has not abided by the Code of Practice agreed as part of the permission you granted on 08.01.2004 in application 03/00344.

a. Flying has been witnessed outside the agreed hours of 9.00 and 21.00 or dusk whichever is the sooner.

b. Notices have not been posted to warn horse riders that flying sessions are taking place.

3. Objection is made to the loss of amenity in the area by residents, by walkers and by riders."

## STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: Raise "no highway objection".

- LIBRARY & HERITAGE state: "Nothing of archaeological interest is likely to be affected by the above proposal and I therefore have no issues to raise".

## INTERNAL WWDC CONSULTATIONS

- ENVIRONMENTAL HEALTH: State "Noise has clearly been considered by the applicant. I have no record of complaints over recent years and the club appear to have good managerial control over the activity. Given the relatively isolated nature of the site I would not wish to object. No objections."

## PUBLICITY RESPONSES

The site has been advertised with a Public Notice site notice and neighbour notifications have been undertaken. Twelve responses were received (four from two of the same properties), making the following comments:

- site continues to cause problems, so temporary use only;
- on nearly every occasion that aircraft are flown, they can be heard and seen from Brixton Deverill and usually from Monkton Deverill;
- the noise issues have not been overcome;
- some members do not adhere to the Code of Practice, and aircraft are commonly seen over no-fly zones;
- no regular liaison with local residents;
- no warning notices displayed on the bridlepath, compromising its safe use;
- rigid enforcement of the Code of Practice is needed;
- flying close to the bridleways is unsafe;
- the Council has a duty of care to ensure public safety;
- the aircraft use prohibits users of the bridleway;
- a permanent planning permission would give the club carte blanche to exceed agreed noise levels and hours of flying;
- a permanent planning permission would increase the Club's membership and activities;
- there should also be a restriction of the number of events the Club can hold; and
- permanent permission would not allow reassessment of the conditions of use.

The Lords Hill Model Flying Club Chairman has made the following comments:

- several attempts have been made to meet the Parish Council, but no response has been received;
- the Club monitors both the aircraft flying, and the no-flying zone; and
- the users of the bridlepath have offered no negative comments or feedback.

## RELEVANT PLANNING POLICY

### Wiltshire Structure Plan 2016

DP1	Priorities for sustainable development
T6	Demand management
C8	Areas of Outstanding Natural Beauty
RLT1	Recreation, sport and leisure

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

C2	Areas of Outstanding Natural Beauty
C36	Noise
C38	Nuisance
R1	Recreational space
R11	Footpaths and rights of way
T3	Transport provision for new developments
T10	Car parking
T12	Footpaths and bridleways
U4	Groundwater Source Protection Areas

### National Guidance

PPS1	Delivering Sustainable Development
PPS7	Sustainable Development in Rural Areas
PPG24	Planning and Noise
Circular 11/95 - The Use of Conditions in Planning Permission	

## RELEVANT PLANNING HISTORY

99/01235/FUL - Use of land for model aircraft flying - Permission 28.10.99

00/01886/FUL - Use of land for flying model aircraft (renewal) - Permission 04.01.01

03/00344/FUL - Use of land for model aircraft flying (renewal) - Permission 08.01.04

## KEY PLANNING ISSUES

This application raises the following planning matters:

- impact on the Area of Outstanding Natural Beauty (AONB);
- highways and parking issues; and
- noise and nuisance to villagers and users of the public rights of way network.

## PLANNING OFFICER COMMENTS

The site lies within the Cranborne Chase and West Wiltshire Downs AONB, where the primary concern is the special character of this nationally important landscape. The proposal is for the change of use of a small part of Summerslade Down, which is currently used as agricultural grassland and for flying model aircraft. No buildings or hardstanding is proposed: the area of grass used by the Flying Club is mown. Consequently, it is not felt that the impact of the proposal is detrimental to the landscape quality and character of the AONB.

The site has a history of temporary permissions for this change of use. Structure and Local Plan policy states that new development should not be accessed off the primary road network. However, a principle for over-riding this policy has been set with the earlier permissions. With the current proposal, the Highway Authority have not raised any objection. It would now be unreasonable to object to the proposal on highway access grounds. The Highway Authority also raises no objection to the proposed car parking area, which is on the eastern side of the proposed flying area. Again, it is considered that it would be unreasonable to object to the proposal in light of the previous permissions and no objection from the Highway Authority.

The application has generated a number of concerns from both the Parish Council and neighbours, primarily objecting to the application on the following issues:

- noise disturbance;
- dangers to users of the rights of way network;
- further restrictions of use and enforcement of the Club's Code of Practice; and
- further temporary permission only to allow control.

The villages of Monkton Deverill and Brixton Deverill lie approximately 2km and 1.5km from the application site. Very similar objections are raised to the 2003 renewal application. Any application, including this one, has to be considered on the basis of its planning merits, and any conditions attached need to be "both necessary and reasonable, as well as enforceable, precise and relevant to both planning and to the development to be permitted", as required by Circular 11/95. The 2003 application was subject to a number of conditions suggested by your officers, including adherence by the Flying Club to a Code of Practice.

There is clearly a conflict of views between the Club and the local residents as to whether the conditions on the planning permission and the Code of Practice are being followed. However, there have not been any enforcement investigations initiated as regards breach of conditions with the 2003 permission. Neither have any noise complaints been received by the Environmental Health Section, who would be able to deal with noise nuisance under the appropriate legislation.

Government Guidance makes it clear under Circular 11/95 that "the material considerations to which regard must be had in granting any permission are not limited or made different by a decision to make the permission a temporary one. Thus, the reason for granting a temporary permission can never be that a time limit is necessary because of the effect of the development on the amenities of the area. Where such objections to a development arise, they should, if necessary, be met instead by conditions where requirements will safeguard the amenities. If it is not possible to devise such conditions, and if the damage to amenity cannot be accepted, then the only course open is to refuse permission. These conditions will mean that a temporary permission will normally only be appropriate either where the applicant proposes temporary development, or when a trial run is needed in order to assess the effect of the development on the area" (Para 109). Consequently, in view of the temporary condition on the last permission, it is not considered acceptable to renew the current application with a further temporary permission, particularly in the absence of any objections from consultees. In addition, the absence of objection from the Environmental Health Section means that it would be difficult to uphold a recommendation for refusal. The planning system is not in place to arbitrate between diverging opinions between the Club and neighbours. In the absence of any formalised noise complaint to Environmental Health or notification of any breaches of condition, there is not sufficient justification to refuse this application on amenity grounds.

## CONCLUSION

The proposal is considered acceptable and in accordance with the development plan, subject to the suggested conditions.





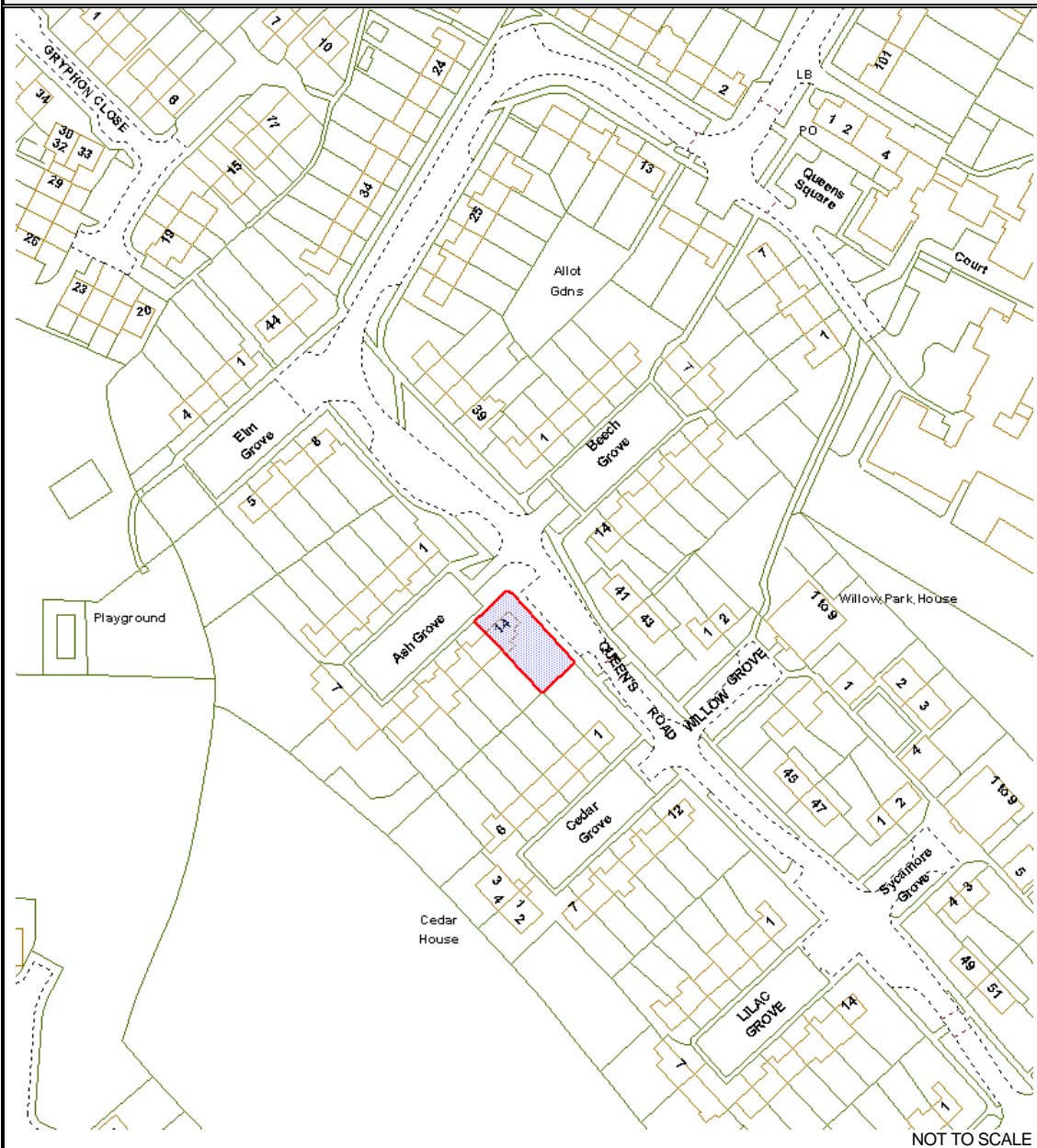
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 13

APPLICATION NO: 06/02324/FUL

LOCATION: 14 Ash Grove Westbury Wiltshire BA13 3NH



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**13 Application: 06/02324/FUL**

**Site Address: 14 Ash Grove Westbury Wiltshire BA13 3NH**

Parish: Westbury Ward: Westbury Ham

Grid Reference 386392 151217

Application Type: Full Plan

Development: Conversion and two storey extension of single dwelling house into two two-bedroom flats

Applicant Details: Mr John McGuire  
32 The Pippin Calne Wiltshire SN11 8JF

Agent Details: Steve Pierce Architect  
38 The Brow Bath BANES BA2 1EA

Case Officer: Miss Nicola Rogers

Date Received: 02.08.2006 Expiry Date: 27.09.2006

**REASON(S) FOR PERMISSION:**

**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 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

- 3 Before the development is occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 4 The proposed access shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2 metres by 2 metres and which shall be kept free of obstruction above a height of 600mm.

REASON: In the interests of Highway safety

- 5 The development hereby approved shall not be occupied until 4 parking spaces have been provided within the curtilage of the site. This area shall be kept clear of obstruction and shall not be used other than for the parking of vehicles or the purposes of access.
- REASON: In the interests of Highway safety
- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected, the boundary to Queens Road shall be no higher than 1 metre. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- REASON: To ensure the appearance of the development is satisfactory.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.
- 7 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.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is presented to the Planning Committee, as the applicant is a member of the Council's staff.

This is a full planning application for the extension of this end terrace house on the western side of Queens Road, Westbury.

The application site is on a large housing estate which generally comprises 2-storey terraced and semi-detached houses which either front onto Queens Road, which runs through the estate, or are set at right angles to it, as with Ash Grove. The residential layout strongly defines the relationship between vehicles, pedestrians and amenity spaces. Ash Grove is one of a number of pedestrian cul-de-sacs in the locality. The application proposal will facilitate the conversion into two, 2 bedroom flats. The extension would replace the existing lean-to single storey extension to the side of the property, facing Queens Road and would extend 4.3 metres towards the road at two-storey level in line with the existing house. The area to the rear of the property is proposed to be a communal garden for the two flats and parking for four cars.

The application site is located within a predominately residential area with two storey terraces and semi-detached properties, either fronting the highway or are at right angles to the highway edge. The estate is set within generous amounts of estate amenity space, to which the majority of dwellings have an outlook upon.

### **CONSULTATION REPLIES:**

- WESTBURY TOWN COUNCIL: No comments received.

### **STATUTORY CONSULTATIONS**

- HIGHWAY AUTHORITY: No objections.

- WESSEX WATER: No objections.

## PUBLICITY RESPONSES

No comments received.

## RELEVANT PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

C31A Design

C38 Nuisance

H1 Further housing in towns

H16 Flat Conversions

Supplementary Planning Guidance - House alterations and extensions

PPS1 Delivery Sustainable Development

PPG3 Housing

## RELEVANT PLANNING HISTORY

04/02337/OUT - Demolition of existing lean-to, relocation of gable end windows and back door and construction of 2 flats plus parking for 4 cars (refused 23/6/05 appeal dismissed 16/1/06)

The reason for refusal was:

"The extension to the existing property for the formation of two self contained flats by reason of its siting and off-street parking arrangements would result in a prominent and cramped form of development, which would harm the spacious and verdant character of this residential area, would appear intrusive in the street scene and erode an important visual gap, contrary to Policies H1, C31A, H24 and C38 and the advice contained within PPS1 and PPG3, paragraph 54."

In dismissing the subsequent appeal the Inspector concluded that:

"... the proposal would result in the occupiers of the appeal property and future occupants of the proposed flats experiencing unacceptable living conditions by virtue of inadequate provision of private rear gardens, contrary to Policy C38". (APP/F3925/A/05/1187938 decision letter, paragraph 13).

## KEY PLANNING ISSUES

The main issues in this case are the principle of dividing the building into flats, the effect of the proposed extension on the street scene and character of the area. The site history is also a material consideration in this case as an appeal has been dismissed on this site for a larger development.

## PLANNING OFFICER COMMENTS

The application site lies within a residential area, defined by a uniform appearance, a sense of spaciousness and a large proportion of openness and public amenity space surrounding the dwellings.

Houses throughout the estate are typically set back from 6 to 8 metres from the road, the dwellings are set deep in their plots. The building line of both the south and north sides of Queens Road are relatively uniform and the separateness between each property frontage provides a strong spacious / openness characteristic. The proposal would not impact upon the existing open-plan arrangement to the front of the property and the design of the extension matches that of the rest of the terrace.

Policy H16 of the West Wiltshire District Plan 1st Alteration 2004 requires flat conversions to have adequate amenity space around the building, and policy C38 reinforces this requirement in relation to the living conditions of residents, this was also included in the reason for refusal and in the Inspector's report. This proposal includes a large area of communal rear garden and two parking spaces for each flat at the very end of the garden. This large area of garden space is sufficient for the enjoyment of the occupiers of two flats and would not compromise the living conditions of the residents.

The proposed extension to the property would leave a distance of 1.7 metres of grass before the footpath and would retain the open aspect of the area. A fence marking the edge of this property would be required to be a maximum of 1 metre in height as it is adjacent to the highway. This would, therefore overcome the reason for refusal of the previous scheme in this respect.

With regard to the appeal proposal, which was significantly larger than the current proposal, the Inspector commented that the proposal would disrupt the pattern of existing housing by protruding beyond the end of the existing terrace and eroding the space between the property and Queens Road. The scheme for consideration in this case protrudes 4.3 metres further forward towards the road, rather than the 5.5 metres previously proposed. This reduction in size overcomes the reasons the Inspector gave for dismissing the appeal in this respect.

The proposal complies with policy H16 in all other respects as two reasonably sized properties will be created and sufficient parking is proposed.

In addition to Policy H16 the earlier reason for refusal identified policies H1, C31A, H24 and C38. It also referred to PPS1 and paragraph 54 of PPG3.

As a result the proposal would no longer harm the spacious and verdant character of this residential area and would not appear intrusive in the street scene. Therefore the proposal is no longer regarded as being inconsistent with Policies H24 and C38 of the Development Plan. It would result in high quality design consistent with advice in paragraph 54 of PPG3.

## CONCLUSION

The proposal overcomes the reasons for refusal and reasons given by the Inspector on the previous proposal and is acceptable in terms of design and the effect on the street scene, and complies with policy H16 of the West Wiltshire District Plan 1st Alteration 2004.



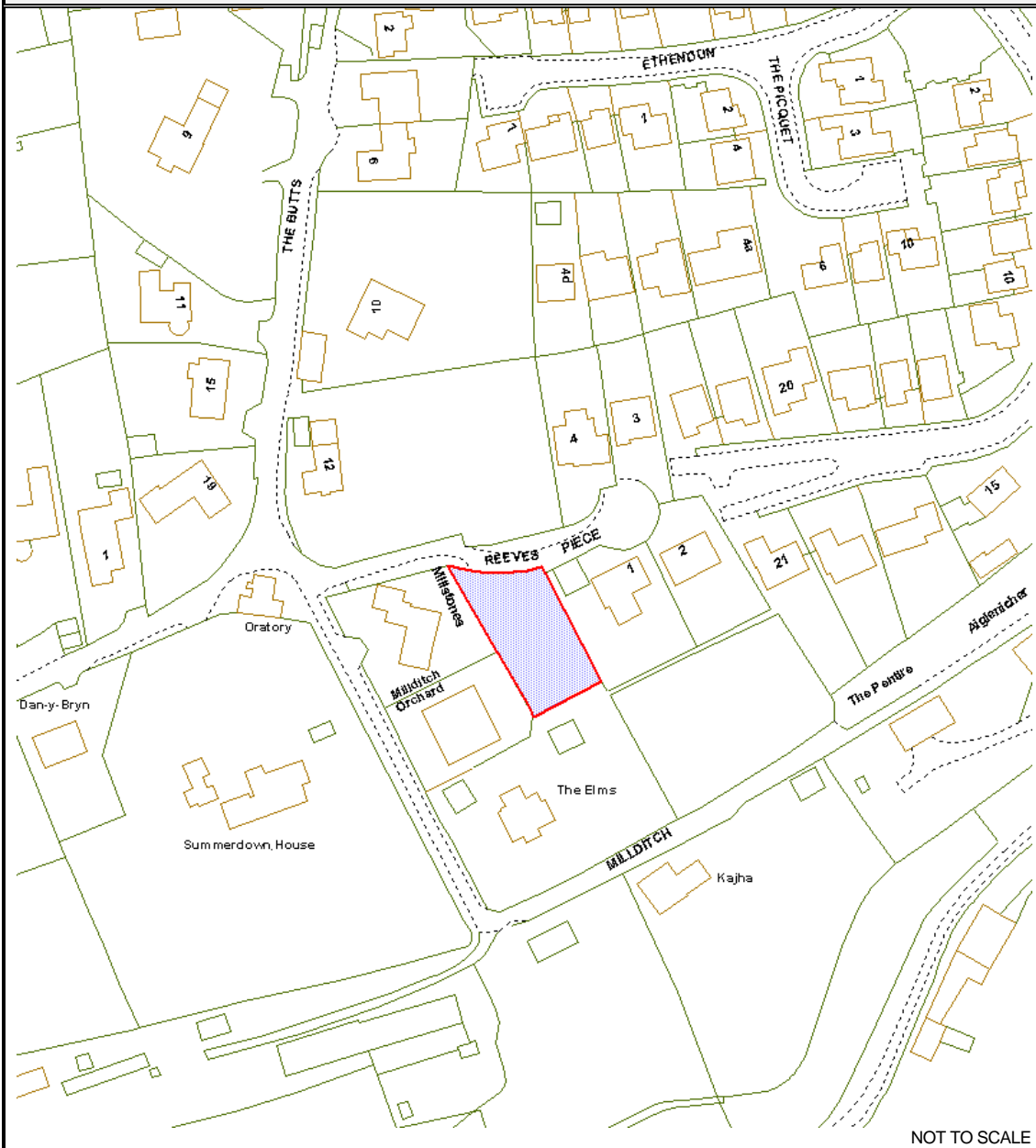
# PLANNING COMMITTEE

14 September 2006

ITEM NO: 14

APPLICATION NO: 06/02214/FUL

LOCATION: Land Rear Of The Elms Millditch Bratton Wiltshire



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office  
© Crown Copyright unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 770344/770382 Fax: 01225 770314  
[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**14 Application: 06/02214/FUL**

**Site Address: Land Rear Of The Elms Millditch Bratton Wiltshire**

Parish: Bratton Ward: Ethandune

Grid Reference 391494 152151

Application Type: Full Plan

Development: Construction of new detached chalet style residential dwelling with integral garage

Applicant Details: Miss Mason And Mr Bolt  
The Elms Millditch Bratton Wiltshire BA13 4SX

Agent Details: Mr A Dawson  
Scandia Hus Ltd Courtfield Cranston Road East Grinstead West Sussex

Case Officer: Mr Matthew Perks

Date Received: 17.07.2006 Expiry Date: 11.09.2006

**JUSTIFICATION REASON:**

**The proposed development would not materially affect the amenities of the neighbours and any planning objections have been overcome by conditions.**

**RECOMMENDATION:**

**Planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior completion of a Legal Agreement to ensure the provision of a commuted sum towards an affordable housing contribution in accordance with the Supplementary Planning Guidance - Affordable Housing.**

**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 - Policies C31A.



- 3 Sufficient space for one parking space associated with the garage together with a vehicular access thereto shall be provided for the dwelling in a position approved by the Local Planning Authority. The said space shall be used other than for the parking of vehicles or for the purpose of access.

REASON: In the interests of amenity and road safety.

- 4 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

- 5 Before the development hereby permitted is first occupied, the turning space shown on the approved plan shall be surfaced (not loose stone or gravel) to the satisfaction of the Local Planning Authority and maintained as such thereafter.

REASON: In the interests of highway safety.

- 6 The entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 4.5m from the carriageway edge.

REASON: In the interests of highway safety.

- 7 Before the development is occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 8 The upstairs bedroom window in the western elevation 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 - Policy C38.

- 9 Prior to the commencement of the development hereby permitted, an ecological survey, investigating and recording details of all protected species and their habitats, likely to be affected by the development, and measures to mitigate the effect of the development on them, shall be submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

REASON: In the interests of natural species which have statutory protection.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C7.

**Note(s) to Applicant:**

- 1 The applicant is advised to satisfy themselves over land ownership of all parts of the application site.
- 2 The applicant is advised to contact Wessex Water (01225 526000) with regard to connection to water infrastructure.

# COMMITTEE REPORT

## APPLICATION DETAILS

This application is referred to Planning Committee at the request of Councillor Swabey in the interests of public debate.

This is an application for planning permission for the erection of a detached chalet bungalow on the land to the rear of the Elms, Millditch, Bratton. The property of  $\pm 760\text{m}^2$  is located to the south of the access road to a group of four dwellings in Reeves Piece. This grouping within a cul-de-sac is a fairly modern development to the east of the site. A constraint (although in the form of a covenant) is that only the front part of the site of some  $400\text{m}^2$  is developable.

The plan is a revision to a previous proposal (Application 06/00710/FUL) that was refused for the following reason:-

"The proposal would, because of the size, massing, design and the height of the building, result in a building inappropriate and unsympathetic to the neighbouring development to the east on the southern side of Reeves Piece, and would neither preserve nor enhance the appearance of the conservation area, contrary to Policies C17, C18, C31a and H17 of the West Wiltshire District Plan - 1st Alteration 2004."

The dwelling now proposed would still have four bedrooms and would be arranged in an "L" shape. A 7m high element of the building containing the bedrooms in the roof space above living rooms and the kitchen would be set back from the curved property frontage by between 6.5m and 12m. A garage and study with a dressing room/en-suite bathroom in the roofspace above would be provided in a second element set at right angles to this, projecting forward towards the roadway. The building would occupy a footprint of approximately  $140\text{m}^2$ . The previous proposal was for a 7.8m high 1 1/2 storey building occupying a footprint of  $150\text{m}^2$ . The chalet bungalow design now proposed reflects design elements in the other dwellings to the east within Reeves Piece, although the dwellings on the opposite side of the cul-de-sac are full double storey in height.

The local topography is characterised by a high point at the north western corner of the site, with lower levels towards the east and south. There is an approximate 1/2m difference in elevations between the western and eastern ends of the site frontage. The property known as "Millstones" lies to the west, on a slightly elevated plot, while the chalet bungalow to the east, lies at a lower elevation, as do the other three dwellings in the Reeves Piece development. Land elevations in Reeves Piece fall in general from the west to the east.

The property falls within Village Policy Limits and within the conservation area. A private covenant is in place restricting development of the rear of the property.

## CONSULTATION REPLIES:

- BRATTON PARISH COUNCIL: "No objection - By a majority of 4 in favour, 2 against, 2 abstentions and 1 abstention due to a declaration of interest."

## STATUTORY CONSULTTEES

- HIGHWAY AUTHORITY: Do not object to the proposal. Conditions are suggested with regard to parking, turning space, gates, surface water disposal and the proposed driveway.

- WESSEX WATER: Recommends the need for agreement to be reached (this can be done at detailed design stage) on sewer connections and water supply. The disposal of surface water must also be addressed to the satisfaction of the LPA.

- WILTSHIRE AND SWINDON BIOLOGICAL RECORDS CENTRE: There is a possible protected reptile presence. Survey indicated.

## INTERNAL WWDC CONSULTATIONS

- HOUSING SERVICES: Noted that the size of the building has been reduced. May be prudent to re-assess the affordable housing contribution on the basis of the new plans.

### - POLICY AND CONSERVATION:

- The density falls below the range set out in PPG3, at 14 units/ha;
- An affordable housing contribution would be required
- Although a street scene plan has been provided, a design statement should be submitted under Policy C31a;
- The site could physically accommodate another dwelling, and this could be done without significant impact on the character and appearance of the immediate surroundings. There is scope for an increase in density of development on the site. However, a positive aspect would be the contribution towards affordable housing could outweigh objection on the grounds of density.

## PUBLICITY RESPONSES

Neighbours were notified of the proposal. Responses were received from 4 parties, with one party submitting more than one letter.

Objections are made on the following grounds:

- the height and massing of the building would be excessive, intruding onto 1 Reeves Piece, Millstones and Millditch Orchard;
- the site drawing is incorrect. The land adjoining the access is privately owned by 1-4 Reeves Piece;
- loss of privacy of Millditch Orchard;
- unacceptable increase in traffic on "The Butts";
- increasing infill is destroying the beauty of the village;
- the building is too large;
- loss of sunlight and overshadowing to Millstones;
- the new design does not overcome the previous reasons for refusal;
- The angle of Millstones on the plan is incorrect. Millstones would be looking almost directly into the new building and this would be an unacceptable loss of privacy;
- the roofline is unreasonable to all surrounding properties;
- overlooking, loss of privacy and overshadowing would result for neighbouring properties in general.

## PLANNING POLICY

West Wiltshire District Plan - 1st Alteration 2004

- C17 Character and appearance of conservation areas
- C18 New development in conservation areas
- C38 Effects of development on neighbouring properties
- C31A Design
- H2 Affordable housing within Towns and Villages
- H17 Village Policy Limits

PPG3 Housing

## RELEVANT PLANNING HISTORY

06/00710/FUL - New dwelling - Refused 27.04.2006

This application follows on a recent Appeal Decision (Local Authority application reference 04/00147/MDF) where the Inspector allowed the removal of Section 106 Agreement that had been put in place in 1992, and which limited the number of dwellings permitted on the then vacant land to the rear of The Elms to four. This has the implication that an application may now be considered for this development without the constraint of the Section 106 Agreement.

## KEY PLANNING ISSUES

The only issue relevant to this application is whether or not the reason for refusal for application 06/00710/FUL has been overcome.

## PLANNING OFFICER COMMENTS

A contextual street scene plan submitted as part of the application shows that the revised proposal introduces design elements that are in keeping with the chalet bungalow dwellings at No's 1 and 2 Reeves Piece. The progression of rooflines from Millstones to No 1 Reeves place is now appropriate in the context of the Conservation Area and in respect of the relationship between dwellings in Reeves Piece. Although the buildings at No. 3 and 4 Reeves Piece are full height double storey dwellings, they are on the opposite side of the cul-de-sac and do not immediately relate to this part of the street scene.

The new dwelling would be 13.5m and 10.5m from the neighbouring dwellings at No 1 Reeves Piece and Millstones respectively. There is a

All windows to habitable rooms, barring one, would be orientated to either the front or rear of the development site. One secondary bedroom window providing additional light to the main bedroom would face the property to the west. Although there is substantial screening to the western boundary and the properties are on different levels, if permission is granted a condition should require that this window be obscure glazed.

The rear amenity spaces to 1 Reeves Place and Millditch Orchard would fall partially within the 90° field of view from upstairs windows to the rear of the dwelling, but the boundaries to these properties would be at the nearest 9m from these windows at the extremity of this field of view. The dwelling at 1 Reeves Place would not be within this field of view and Millditch Orchard would be over 21m distant at the nearest within the field of view. It is not considered that a refusal on the basis of loss of privacy to neighbouring properties could be sustained. The dwelling would be located in the northern sector of the site and would not result in the loss of direct sunlight to neighbouring properties from the southern aspect. There would be a degree of overshadowing in the early part of the day in relation to the eastern corner of Millstones amenity space but also not to a degree that would be sustainable as a reason for refusal.

The highway authority does not object to the proposal subject to conditions that include the provision of on-site parking. The authority does not share the neighbouring concerns with increased traffic volumes.

The site plan submitted by the agent (and certified in the application form as being under the ownership of the applicant) accords with the property boundary on Council's mapping system. Any dispute on ownership of the area fronting the roadway would not comprise a planning consideration.

The site would be developed at a lower density than that recommended by PPG3. However, consideration must be given to the Conservation Area setting and the nature of development of the surrounding area. Further, although in the form of a private covenant, there is a constraint preventing development of the rear of the property. Increased density of development on the site is not considered appropriate in this particular context.

## CONCLUSION

The revised plan overcomes the reasons for refusal of application 06/00710/FUL. The revised roof design and reduction in height introduces elements reflecting those in the chalet bungalows to the east and, although the roofline is higher than these buildings, the progression of rooflines in the street scene is in keeping. The application should be granted permission subject to the completion of a Section 106 Agreement in respect of a contribution to affordable housing.