

## **Regulatory Committee**

**31st March 2005**

### **Planning Services**

#### **List of Applications for Consideration**

1 K/51312/F (page 21)

Full Planning Permission for : Erection of new single storey pavillion building, extension to existing clubhouse, provision of multi-use games court, tennis court, minor regrading/earthworks to facilitate sports pitches, incorporation of floodlighting, car parking and landscaping  
Ramsbury Recreation Centre, Hilldrop Lane, RAMSBURY

RECOMMENDATION: Grant Full Planning Permission

2 K/51489/LBC (page 34)

Listed Building Consent for : Proposed single storey brick and slate pitched roof extension, brick and oak framed link building and alterations to existing lean-to and cellar  
The Swan, Long Street, ENFORD

RECOMMENDATION: Grant Listed Building Consent

3. K/51491/F (page 38)

Full Planning Permission for : Proposed single storey brick and slate pitched roof extension, brick and oak framed link building and alterations to existing lean-to and cellar (outbuilding).  
The Swan, Long Street, ENFORD

RECOMMENDATION: Grant Full Planning Permission

4 K/51371/F (page 45)

Full Planning Permission for : Conversion and re use of building to provide eight flats (revised scheme)  
Bluemay Works, Lower Wharf, DEVIZES

RECOMMENDATION: Defer & Delegate to Planning Services Manager to grant Full Planning Permission, subject to prior completion of legal agreement

5 K/51551/F (page 51)

Full Planning Permission for : Conversion of stable building into a 2 bedroomed bungalow  
East Lodge Farm, Old Park, DEVIZES

RECOMMENDATION: Refuse Planning Permission

6 K/51602/F (page 54)

Full Planning Permission for : New dwelling and single garage in the garden of 269 East Grafton.  
Land to the rear of 269 EAST GRAFTON

RECOMMENDATION: Grant Full Planning Permission

7 K/51162/F (page 59)

Full Planning Permission for : Alterations to existing outbuilding to enable use as annex accommodation. Erection of glazed link to original house. Erection of detached garage/store together with re-arranged driveway and vehicular access  
Forge Cottage, Ermin Street, BAYDON

RECOMMENDATION: Grant Full Planning Permission

8 K/51699/F (page 63)

Full Planning Permission for : Single and two storey extensions and alterations.  
Detached triple garage  
Hazel Grove, CHUTE FOREST

RECOMMENDATION: Grant Full Planning Permission

9 K/51654/F (page 68)

Full Planning Permission for : First floor extensions and alterations  
Hidden View (formerly Two Trees), ETCHILHAMPTON/STERT

RECOMMENDATION: Grant Full Planning Permission

10 K/51575/F (page 72)

Full Planning Permission for : Rear, sides and roof extensions to existing dwelling  
Camelot, WINTERBOURNE BASSETT

RECOMMENDATION: Grant Full Planning Permission

11 K/51647/F (page 76)

Full Planning Permission for : Retention of two small timber sheds  
Field, north side of Long Street, MARSTON

RECOMMENDATION: Grant Full Planning Permission

12 K/51714/F (page 78)

Full Planning Permission for : Retrospective permission for retention of pigeon loft  
Loft, Close Lane, MARSTON

RECOMMENDATION: Grant Full Planning Permission

13 K/51697/ADV (page 80)

Advertisement Consent for : Display of English Nature interpretation board mounted on two-legged lectern style stand.  
Pewsey Downs National Nature Reserve, STANTON St BERNARD/ALTON

RECOMMENDATION: Grant Advertisement Consent

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Item 1:

APPLICATION:	K/51312/F
PARISH:	RAMSBURY
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Erection of new single storey pavillion building, extension to existing clubhouse, provision of multi-use games court, tennis court, minor regrading/earthworks to facilitate sports pitches, incorporation of floodlighting, car parking and landscaping
SITE:	Ramsbury Recreation Centre, Hilldrop Lane, Ramsbury
GRID REF:	26888 71610
APPLICANT:	Trustees Of Ramsbury Recreation Centre
AGENT:	Davies Light Associates
DATE REGISTERED:	24th November 2004
CASE OFFICER:	Mrs C Coombs

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#### SITE & LOCATION

The site is located on the western edge of Ramsbury and is accessed off Hilldrop Lane. The site currently accommodates the Ramsbury Tennis Club with its associated club house; football pitches; a clubhouse, pavilion and car parking.

#### SITE HISTORY

There have been various planning applications at this site. The most relevant are:

- K/45762: Change of use of field to playing field. Planning permission granted 16 September 2003.
- K/42240: Erection of three floodlights and columns. Planning permission granted 7 December 2001.
- K/34601: Construct new tennis court and associated fencing. Planning permission granted 15 August 1997.
- K/33640: Erection of three floodlights to illuminate third court. Planning granted 23 December 1996.
- K/32313: Change of use of agricultural land to provide an extension to the playing field. Planning permission granted 31 January 1996.
- K/20818: Extend existing tennis courts and low level floodlighting for 2 existing courts.
- K/18014: Erection of storage shed. Planning permission granted 30 September 1991.

- K/17445: Erection of pavilion to replace existing. Planning permission granted 28 May 1991.
- K/14573 Construction of replacement sports pavilion and formation of bowls Green granted 29<sup>th</sup> August 1989.

#### DESCRIPTION OF DEVELOPMENT

The application proposes the construction of a fifth tennis court, a multi sports cage, play area, new car park, pavilion, extended club house and improved football pitches. Additional floodlighting is sought to light the additional tennis court and sports cage. The lighting columns are of the same design as the existing lighting at the site and are 6 metres in height.

#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The application has been amended following officer negotiations. This has resulted in the omission of floodlighting on the upper part of the site, the strengthening of landscaping proposals for the area surrounding the proposed car park and adjustments to visibility splays in Hilldrop Lane.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted a supporting statement with the application. This statement covers various issues and is available on the file for inspection. The most salient points to note are as follows:

##### Lighting

The proposed lighting has been redesigned so that the lighting columns are of the same design to the existing columns at the site. This lighting has boxed luminaires which shield direct sight line of the bulbs and enables lighting to be directed downwards minimising upward spillage. The proposed lights used are those which are recommended by the Lawn Tennis Association.

The applicant is aware of the British Standard for lighting which is BSEN12193 1999. For tennis courts the lighting levels proposed are those which are suggested by the Lawn Tennis Association for Club standard tennis. This is 400 lux over the principal playing area with a minimum uniformity of 0.6 and 300 lux over the total playing area. Lower levels of 200-300 lux are only suitable for recreational football or netball.

In terms of the sports cage, Sport England have produced a document entitled 'A Guidance to the Design, Specification and Construction of Multi- Use Games Areas' 2003. The guide suggests a minimum 400 lux for small ball sports such as hockey, lacrosse and mini tennis. 200 lux is recommended for large ball activity. The level proposed is a middle ground approach of 334 lux average.

The applicant states that the lighting levels are 'average' for a facility of this size.

Lighting charts have been provided which show spillage. This chart was prepared by a lighting engineer using specialist equipment to measure existing lux levels on the site east of the tennis courts. The survey was taken on a five metre grid and demonstrates that lux levels fall quickly to the 1 lux level within the confines of the site.

Consideration has been given to demountable columns but these are not considered practicable. The lighting will be required during the summer months albeit for shorter periods. The club are also concerned about the risk of vandalism and the additional maintenance of demountable columns. There is already fixed lighting at the site.

Following discussions with officers over the management of the existing lights (only 1 of the 4 courts is currently restricted by hours of use conditions), the club have instigated full lighting control on all of the existing lights. This will create an automatic cut-off from 11pm to 8am with no override facility. There will be a back up power supply so if the timer is interrupted by power failure, it will ensure that the timing clock will remain operational for 1000 hours preventing the likelihood of a timer malfunction.

The club are prepared to accept a condition to restrict lighting hours from 11pm to 8am on both the existing and proposed lighting.

#### Demand/ need for the additional facilities

The improvements to the existing football pitches are to comply with Wiltshire Football Association recommendations.

The proposed additional tennis court will ensure that LTA standards are maintained and the court will particularly be adapted for mini tennis and junior coaching which is currently not available on the existing courts.

The Multi Sports area will provide a football training facility limiting the damage to grass pitches. It will also be used to promote the development of other youth related sports including basket ball which currently requires youth members to go to other facilities such as Marlborough and Swindon. Netball is also an increasingly popular game and the local team has to play in other towns.

The multi use game area will be used by the school and a letter of support has been provided by the headmaster. Emerging policy from Wiltshire County Council in relation to 'after schools' clubs. The site will be providing a facility for the school.

With regards to the football and tennis facilities no alterations to the existing catchment area is envisaged. The majority of membership is from Axford and Ramsbury but other villagers are also attracted to the site from Great Bedwyn, Froxfield and Mildenhall. Ramsbury represents the closest facility for these villages and therefore the applicant considers the development to be sustainable.

The proposed pavilion will provide a facility available to the new clubs. The existing Tennis Club has survived with limited facilities over a number of years and the pavilion will be used for both tennis and football.

The cricket club has a current membership of 30 with 15 junior members enjoying mini cricket in the summer months on Sunday mornings.

#### Traffic

The applicant does not consider that the additional facilities will greatly increase traffic movements in the area since these facilities are already available within the surrounding towns – Marlborough and Hungerford have their own leisure facilities.

Traffic movements out of the village to other towns/ village will be reduced as a result of the proposal. By providing the upgrade and keeping the facility within the village, journeys can be made on foot, by bicycle or shared vehicle making the proposal sustainable.

The facility will attract additional membership from villages that already gravitate to Ramsbury and encourage local residents to develop their sporting activities within the village rather than search for opportunities in the surrounding towns and wider highway network.

The applicant has provided details of the anticipated visitors at peak periods. The worst case scenario would be a maximum of 101 players at any one time. The likelihood of all facilities being used at once is low.

Traffic is normally limited to cars but occasionally mini buses also visit the site. The scale and frequency of vehicles using the site will not meet the existing commercial and employment uses to the north of the site.

Ramsbury Football Club may hold a mini football tournament once a year which could generate up to 30 visiting teams with associated parents. This could amount to 200 visitors on site one day a year. This would create some nuisance in the village but would not be as invasive as events such as the Ramsbury Ball or garden open days.

#### PARISH COUNCIL COMMENTS

Ramsbury Parish Council has no objections to the amended plans.

#### CONSULTATIONS

Wiltshire County Council Highways (Mark Wiltshire): no objections subject to the improvement of visibility splays, the creation of a passing bay in Hilddrop Lane, the resurfacing of the existing car park and the erection of a more suitable pedestrian barrier.

Wiltshire County Archaeologist: no objections.

KDC Environmental Heath Officer: no objections. Light pollution is not currently covered by statutory nuisance legislation. This is currently being examined by the Government but there is no guidance at present as to how this may be dealt with in the future. The EHO has therefore examined guidance available from the International Commission on Illumination which provides information on what are tolerable levels of lighting at residential properties.

The lighting charts provided show that the level of light spill received at the nearest property will be within the standard defined in the technical guidance document produced by the International Commission on Illumination. In rural or small village locations the maximum light level into windows before any curfew is stated as 5 lux and 1 lux when all lights are off. This is measured as vertical illuminance at the windows on residential properties. The EHO suggests that this standard should be applied by means of a condition to all the existing and proposed lights.

The EHO comments that it would be preferable to see the car park reduced in size so it could be moved further away from residential properties so to reduce the possibility of noise nuisance at night. It is noted that the applicants are intending to plant a thick screen of evergreen vegetation together with a 1.8 metre high hurdle fence. This screening must be capable of preventing car headlamps shining directly onto the nearby residential properties during night hours. The car park should also be surfaced with a low noise material – i.e. not gravel.

With regards to the sports cage, the EHO is unable to make a specific comment as to the likelihood that this may be a source of noise complaints. Much will depend on the frequency of use. Any issues that do arise in the future can in any case be dealt

with under statutory noise nuisance controls. It is suggested that the use of this area be limited to 10.00 pm to avoid late evening games.

KDC Leisure Services – Support the proposal. It will provide quality sporting facilities in line with the KDC Leisure Strategy and is an opportunity for a hub club facility in line with Sport England and KDC aspirations.

The site will provide opportunity to attract elite athletes and enhanced meeting places. The development will allow further development of the existing tennis, cricket and football club and will provide a venue for young people to become more active.

The additional facilities will improve the overall stock and compliments needs identified in the Playing Pitch Strategy. It will meet the aspirations of Sport England to provide Multi Use Games Areas in rural areas.

## REPRESENTATIONS

A number of very detailed submissions have been made and these are available on the file for inspection. The areas of concern that have been raised are set out below:

CPRE – Comment that they support the general increase in facilities at the site but are concerned about the additional floodlighting. Constraints should be placed upon the amount of lighting to be used at any one time and frequency of use together with the design of the columns. CPRE are also concerned about the ability of the car park to cater for the proposed development. Comment they are concerned that the site will attract visitors from a wider catchments area and would not like to see activity on the present site with its consequent effect on light pollution and traffic, to be much increased.

Letters of objection have been received from 17 individuals/ households. Their reasons for objection can be summarised and categorised as follows:

### Scale of the development proposed

Local residents are concerned about the scale of the development in relation to the size of the village. Residents have commented that the development over- provides recreation facilities for Ramsbury and that it is inappropriate for its location.

### Floodlighting

Concerns have been raised over the introduction of additional floodlighting at the site in terms of the impact that this will have upon the night sky, the landscape and nearby residential properties.

Nearby residential properties are concerned about the potential increase in light spillage which will have a detrimental impact on the living conditions of adjacent properties.

Local residents have experienced previous problems with the club whereby the existing floodlights have been left on until late at night with no-one present and even all night on occasions. Comment has been made over the ability of the club to manage the site effectively.

Some residents have suggested that the lighting and use of the facilities should be time restricted.

Concerns have been expressed that subsequent applications will be submitted for further floodlighting.

#### Impact upon traffic and highway safety

Concerns have been expressed over the potential for increased traffic and congestion as a result of the proposal. They comment that Hilddrop Lane is already a substandard access and is unsuitable to cater for additional traffic. It is likely that further accidents will result.

The development is likely to serve a wider catchments area which will result in increased traffic, noise, congestion and parking problems. The local Highway network is not suitable to cope with this increase.

Query whether the main gate will be locked at night to prevent overnight parking by the general public.

The application should be accompanied by a transport assessment. The supporting information provided by the applicant is inadequate in relation to matters of sustainability, the justification for the proposed parking levels, the acceptability of the access proposed, the increase in traffic or the adequacy of the highway network to accommodate the increase in traffic.

There is an over-provision of car parking. Using guidance in PPG13, the site should only provide 18 spaces. Over provision can encourage unsustainable travel patterns.

#### Proposed car park

Concerns have been raised over the positioning and size of the proposed car park.

Comments have been made that the siting of the proposed car park would have an adverse impact on the appearance of this historic area and upon the setting of nearby listed buildings/ conservation area.

The site of the proposed car park is elevated and concerns have been raised over the position of the car park in terms of noise and disturbance to neighbouring properties. Nuisance will result by virtue of headlights shining into windows and noise from vehicles.

There is a lack of speed bumps in car park to slow traffic.

Concerned about the size of the proposed car park and the need for the additional spaces. It should be reduced .

Concerns have been expressed over the existing car park which is noisy being surfaced with gravel.

A loss of privacy would result to the occupiers of The Old Forge due to the elevated nature of the car park site.

#### Need and justification for the proposal

Queries raised over the need and demand for the proposed facilities. Concerned that the development will be an overprovision and out of scale with the size of the village.



### Impact upon residential amenity

Nearby residents are concerned about the potential light and noise pollution resulting from the proposals. Noise and disturbance from the car park is covered above.

At present, the noise of people playing tennis/ football can be heard at residential properties. This disturbance is likely to increase.

Concerns have been raised in relation to the additional tennis court and multi sports area in terms of light and noise pollution. The proposed multi sports area is located close to residential properties and will result in increased noise and disturbance.

The Old Forge which lies opposite the site suffers from noise reverberation off the next door property when matches are played. The additional facilities would intensify noise disturbance to this property.

It has been suggested that the development will have an adverse impact upon property values.

### Impact on the AONB

The proposed development would intensify built development on the western fringe of Ramsbury. The proposals would be contrary to Policies NR7 and NR8 of the Kennet Local Plan as they would have an adverse impact upon the landscape character and quality of the AONB. Policy NR8 requires priority to be given to the conservation of the character and scenic quality of the AONB.

The proposed pavilion and extended clubhouse will result in the creation of two large buildings in the AONB with a resultant urbanising impact.

### Impact upon the setting of listed buildings and the conservation area

The Council has a special duty under Sections 66 & 72 of the Planning (Listed Buildings & Conservation) Act to consider the impact of a development upon the setting of listed buildings and conservation areas. In terms of conservation areas, a proposal should preserve or enhance the character or appearance of the area and the setting of it.

The development would adversely affect this historic area and would harm the setting of adjacent listed buildings and the conservation area. The proposal would therefore be contrary to legislation and Policies HH5 and HH8 of the Kennet Local Plan.

### Planning policies/ legislation

It has been suggested that the development conflicts with various policies in the development plan including NR7, NR8, TR18, TR19, TR21, HH8, HH5, PD1, HH4 and the Kennet Landscape Conservation Strategy.

Comment has been raised that the development conflicts with the designation aims of AONB status and queries whether the Countryside Agency have been consulted.

### Suggested revisions

Various parties have suggested revisions to the scheme including:

- A new access to the site should be created near to the proposed pavilion. This would reduce potential noise nuisance to residential properties and reduce traffic in Hilddrop Lane. Sleeping policeman could also be installed to slow traffic that flows into Back Lane.
- Suggestion that the position of the car park be moved either further back into the site or near the pavilion.
- Better use should be made of the existing buildings with some sensitive extension rather than erecting further buildings in the AONB

Other comments received include the concern that the proposal will set a precedent for further development in the AONB and that the development will affect property values.

Two letters of support have been received. The first is from the local scouts group which states that the facilities would be a welcome provision. The Scouts Hall which is in Hilddrop Lane has excellent indoor facilities but the land does not lend itself to ball games as the site is sloping. The facilities proposed would enable the group to increase the activities available to young people.

A further letter of support has been received from a local resident who comments that the village will benefit from improved facilities.

### POLICY CONSIDERATIONS

It is considered that the following policies contained within the Kennet Local Plan are relevant to this proposal:

PD1 which deals with general development principles;  
NR7 which deals with the protection of the landscape  
NR8 which deals with the AONB  
HH5 dealing with Conservation Areas  
HH8 dealing with development affecting the setting of a listed building  
TR19 which deals with the improvement of existing recreation facilities

### PLANNING OFFICERS COMMENTS

The use of this site for recreational purposes is well established and has the benefit of planning permission. The football pitches already exist albeit in a less formal manner. There is no objection in principle to the improvement of sports facilities on this existing recreation site. The determination of this application must therefore rest upon a consideration of the details of the development and whether they are acceptable in relation to the following matters:

#### Highway safety

Wiltshire County Council is satisfied with the level of detail submitted by the applicants in terms of anticipated traffic levels.

The county council have raised no objections to the development subject to various conditions which will improve visibility in Hilddrop Lane and provide for a passing bay. The county council have also requested that the existing car parking area be resurfaced in a consolidated material as it currently overspills into the lane.

Comments raised by third parties in relation to the need for a transport assessment and the level of parking proposed have been forwarded to the county. It is

anticipated that they will forward a further letter in response and it is unlikely that any further information or revision will be required.

In the absence of any objection from the county council in respect of this issue, it is considered that concerns in relation to this issue could not be substantiated.

#### Floodlighting

The application provides for a further 12 floodlights at the site to light the proposed tennis court and multi use games area. The site currently accommodates 24 lights of the same design and height. The proposed additional facilities are to the rear of the existing courts and it is considered that they will be seen against the backdrop of existing lighting columns.

It is considered that the additional lighting columns will not have a significant additional impact upon the landscape or upon light spillage at the site. The lights are well shielded which means that light can be directed accurately. Light spillage drops off quickly within 10 metres to the rear of the floodlights and is about 1 lux on the southern boundary of the site. Light spillage levels with all facilities on will not be significantly different to the existing situation.

In terms of residential amenity, current guidance on acceptable lux levels points to levels of 5 lux at residential windows being acceptable before any curfew and 1 lux afterwards. The grid shows the levels to be well within these levels. The Environmental Health Officer has no objections to the lighting proposed and suggests a condition on the lines of the International guidelines which will ensure that residential amenity is safeguarded.

#### Landscape Impact

Concerns have been raised over the impact of the development upon the quality and character of the landscape which is designated as an Area of Outstanding Natural Beauty. It is considered that the addition of further facilities on this site will not have a wider landscape impact. The site is already in recreational use and the additional facilities will be seen against a backdrop of existing development.

Policies NR7 and NR8 of the Kennet Local Plan deal with development in the countryside. They do not preclude development that is considered to be beneficial to the social well being of the area such as the provision of additional community facilities.

The planting to be carried out in conjunction with the recent cricket pitch extension together with this current proposal will serve to integrate the site into the wider landscape. The Council's Landscape & Countryside Officer has been consulted and is satisfied with the proposal.

#### Impact of the development upon the character and appearance of the conservation area and setting of listed buildings

It has been suggested that the proposed development will harm the setting of listed buildings and the adjacent conservation area.

The council has a special duty to safeguard the setting of such buildings and areas and has to pay due regard to these issues in considering planning applications.

However, whether a proposal affects the setting of a listed building or conservation area is a matter of judgement. Just because development is proposed this does not mean that it automatically is considered to either affect the setting or be harmful to it.

It should be borne in mind that the recreation centre has existed in this location for many years and that the proposed additional facilities will be seen against the backdrop of the existing facilities.

The nearest listed properties are The Old Forge which lies opposite Hilddrop Lane and 84 High Street. It is considered that the proposed development will not have a significant impact on these properties. The additional multi sports area and tennis court are behind existing development and the proposed car park is set behind a thick screen of planting, 16 metres from the edge of the site boundary and over 25 metres away from the nearest residential property.

The site falls outside the Ramsbury Conservation Area but is adjacent to it. The impact of the development upon the setting of the area is a matter that requires consideration. Whether views into the Conservation Area will be detrimentally affected is also a matter of opinion. The impact must also be balanced against the benefit that improved sports facilities can make to the local community area and the impact of the existing site.

The council's conservation officer has expressed some concern over the proposal and the potential impact upon the rural character of the area. He has commented that the proposed floodlights could affect the westward approach to the village and impact upon the setting of listed buildings. In summary he considers that the development may not respect the rural context in which it is located.

While the advice of the conservation officer is duly noted, it is considered that the development will not have a significant harmful impact upon the setting of the conservation area. The development will be seen against the backdrop of the existing recreation centre and significant planting will serve to integrate this development into the landscape of the area.

#### Impact upon residential amenity

Concerns have been raised over the potential for noise and disturbance at residential properties from the proposed additional sports facilities and car park.

In terms of the car park, this is set back approximately 16 metres from the adjacent carriageway and is to be screened by a yew hedge, the plants for which will be 1.6 metres high at planting with a 1.8 metre high hurdle fence set behind. It is considered that this will act as an effective light and sound barrier for the development. The council's environmental health officer has commented that he would prefer to see the car park set further back but has not raised any objection to the current position.

In terms of the proposed tennis court and multi sports area, these have been moved further to the west and are approximately 70 metres away from the nearest residential property. The additional facilities are behind the existing courts. The council's environmental health officer commented that he was unable to object to the potential for noise disturbance from these additional facilities as much depended on the frequency of use. However, if the noise does prove problematic recourse is available through statutory noise nuisance legislation. The EHO recommended that the multi sports area shall not be used beyond 10.00 pm to safeguard residential amenity.

It is considered that the proposed facilities will not have a significant impact upon the living conditions of residential properties in the area, subject to the conditions set out below.

In sum. It is considered that this scheme will provide a valuable facility for the local community

**RECOMMENDATION:**

Approve with Conditions -

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

**REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 - This permission relates to the scheme of development as submitted except insofar as amended by the revised plans DLA/RAM/1007,1000/03, RAM/O4, RAM/05 and the supporting statement received on the 07 February 2005.

**REASON:**

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

3 - No development shall take place until details of the materials to be used for the external walls and roofs of the new pavillion (including samples if requested) have been submitted to and approved in writing by the local planning authority. The roof for the pavillion shall be natural slate. Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

4 - The materials to be used in the construction of the external surfaces of the extension to the existing pavillion hereby permitted shall match in colour and texture those used in the existing structure.

**REASON:**

To secure harmonious architectural treatment.

5 - The landscaping to the south and east of the car park hereby permitted shall be carried out prior to the first use of the car park and within the first planting and seeding season following the commencement of the development permitted.

The landscaping to the rear of the new visibility splays shall be carried out following the completion of the highway works within the first available planting and seeding season.

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

REASON:

To ensure a satisfactory landscaped setting for the development.

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

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

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

(c) All retained trees shall before any equipment, machinery or materials are brought on to the site for the purpose of the development, be enclosed at the outer edge of the overhang of their branches by a chestnut paling fence. The exact position of this fencing shall be first agreed in writing with the local planning authority. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON:

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

7 - The hurdle fence to be erected to the southern side of the car park hereby permitted shall be erected prior to the commencement of the works to the car park.

REASON:

In the interests of residential amenity.

8 - No development shall take place until a method statement for the management of the existing and proposed floodlights at the site to ensure that they cut off at 23.00 and are not available from that time until 08:00, has been submitted to and approved by the Local Planning Authority.

Upon commencement of the development hereby permitted, all existing floodlighting together with the new lighting shall be extinguished before 23:00 and shall not be used between the hours of 23:00 and 08:00.

REASON:

To protect the amenities of residents of nearby properties.

9 - No use shall be made of the multi sports area between the hours of 22:00 and 08:00.

REASON:

In the interests of residential amenity.

10 - No development shall take place until details of the surfacing of the existing access and the existing and proposed car park have been submitted to and approved in writing by the Local Planning Authority. The surfacing of the car park areas shall be of a low noise type and be of a consolidated material. The details approved shall be carried out prior to the first use of the new car park area.

**REASON:**

In the interests of residential amenity and highway safety.

11 - Light spillage emitted from the floodlights shall not exceed 5 lux during hours of operation and 1 lux thereafter when measured vertically on windows located on the properties known as The Old Forge, Forge Cottage and Hilldrop Corner.

**REASON:**

In the interests of residential amenity.

12 - Notwithstanding the details of the highway improvements shown on drawing 1000/03, no commencement of the development hereby permitted shall be made until an additional plan showing the creation of a passing bay within Hilldrop Lane has been submitted to and approved in writing by the Local Planning Authority. The works to the visibility splays shown on drawing 1000/03 together with the passing bay consequently approved shall be carried out as a first operation prior to the commencement of the development hereby permitted.

**REASON:**

In the interests of highway safety.

13 - The key klamp pedestrian barrier detailed on plan DLA/RAM/1007 shall be installed at the pedestrian access to the site prior to the first use of any part of the development hereby permitted.

**REASON:**

In the interests of highway safety.

**14 - INFORMATIVE TO APPLICANT:**

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

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1, NR7, NR8, HH5, HH8, TR19.

Item 2:

APPLICATION:	K/51489/LBC
PARISH:	ENFORD
APPLICATION TYPE:	Listed Building Consent
PROPOSAL:	Proposed single storey brick and slate pitched roof extension, brick and oak framed link building and alterations to existing lean-to and cellar
SITE:	The Swan, Long Street, Enford
GRID REF:	14202 51416
APPLICANT:	The Swan Enford Ltd
AGENT:	Digby Rowsell Associates
DATE REGISTERED:	17th January 2005
CASE OFFICER:	Miss K Whittington

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#### SITE & LOCATION

The Swan is a grade II listed public house in the centre of the village of Enford. When approaching the village via Enford Hill, it is necessary to turn right at the T-junction into Long Street. The Swan can be found approximately 50 metres along Long Street, on the left hand side of the road.

#### SITE HISTORY

K/47320: an application for an extension to the rear of the public house was withdrawn in May 2004, due to concerns about the design of the proposal. The counterpart listed building application (K/47321/L) was withdrawn at the same time.

#### DESCRIPTION OF DEVELOPMENT

The proposal is to rebuild and extend an existing outbuilding within the rear garden and create a link between this and the main building. This is intended to increase the available dining area and provide upgraded toilet facilities. The revised scheme follows the withdrawal of a previous scheme for a large linked extension to the rear of the public house.

The scheme is largely a response to the site's topography and is composed of the following elements:

##### Pitched Roof Extension

The main accommodation of the extension is contained within a brick and slate pitched roof structure which is canted in response to the site's geometry. The pitched roof extension abuts and is constructed off the existing retaining wall, which forms part of the existing cellar building to the east. To the west, the building's roof is fully hipped.

##### Low Pitched Roof Link Structure

The pitched roof extension is linked to the existing building at the junction of the existing slate lean-to via a low pitched stainless steel roof of lead appearance. This low pitched link roof structure extends either side of the new main extension to form a disabled WC cubicle and new entrance to the north and an oak-framed garden link structure to the south.



### Beer Cellar

The existing beer cellar building would be revised to a smaller footprint and re-roofed in the same material as that proposed for the link structure, in lieu of the existing asbestos sheeting.

### Existing Lean-to

The existing nineteenth century slate lean-to, where the new extension adjoins, would be raised slightly to achieve the headroom required to access the new extension.

### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted a letter in support of the proposal, a copy of which is appended to the rear of the agenda.

### PARISH COUNCIL COMMENTS

Enford Parish Council has made the following observations on the application:

1. The Parish Council voted in favour of the applications, with a rider that efforts be made to address the parking situation.
2. Of the villagers who attended the public meeting, some were in favour of the proposal and others were against it.
3. The main issues raised by members of the public were as follows:
  - a) Parking - inconsiderate parking by a minority of customers sometimes means that emergency or heavy vehicles cannot pass. This was countered by the view that during each summer, up to 70 extra customers were regularly using the front and back gardens and were catered for without undue parking difficulties.
  - b) Sewage - concerns were expressed about an additional load on the sewage system with the question raised as to whether the sewage system would be overhauled by 2008. This was countered by the view that any additional usage would mainly be during off-peak times (lunchtimes).
  - c) Noise - concerns were expressed about possible additional noise, especially at night. The Landlord pointed out that as he had 3 small children, he did not want extra noise at night and did not anticipate that this would be a problem.
4. Other concerns raised by members of the public were as follows:
  - a) Does the parish council have a method statement of how the works will be undertaken, as there are concerns about disruption during construction?
  - b) Does The Swan own any parking on Long Street?
  - c) With regard to extra parking for events, the use of the church park is to be investigated.
  - d) With regard to health and safety, have pedestrians been taken into account?
  - e) Surface water soakaways at The Swan.
  - f) Parking should be discouraged from Long Street by The Swan.
  - g) 24 hour opening.
  - h) Music and events.
  - i) Coaches.
  - j) Is The Swan sustainable at present?
  - k) The need to keep The Swan viable as the loss of the village pub would be a serious matter.

- l) New facilities would be good for the village.
- m) Could the plans be altered so that the old toilets are used as a dining area and new ones built to the rear?
- n) Will all of these issues be dealt with during the planning process by KDC consulting all agencies eg. Highways, Environmental Health.

#### **REPRESENTATIONS**

None received specifically in relation to this application. All representations relate to the counterpart planning application (K/51491), which is the next item on the agenda.

#### **POLICY CONSIDERATIONS**

The advice contained in PPG 15 'Planning and the Historic Environment is relevant to the consideration of the application.

#### **PLANNING OFFICERS COMMENTS**

The key issue to consider is whether the extension is justified and if its size and design is acceptable, given that The Swan is grade II listed.

A full survey of the existing building has been submitted with the application, which demonstrates that it would be difficult to achieve the aims of increased dining provision and upgraded toilet facilities within the envelope of the existing building in a practical and usable manner and without significant impact on historic fabric. Consequently, it is considered that an extension to the building to provide improved dining facilities is justified.

From a listed building viewpoint, the main impact of the extension currently proposed will be on the setting of the building. Physical alterations to the existing building are largely confined to the reconfiguration of the roof of the lean-to rear addition to improve headroom and facilitate the attachment of the flat-roofed link structure. The lean-to is of lesser interest than the other areas of the main building and therefore the level of alteration proposed is considered to be acceptable.

Whilst the new building does cover quite a large footprint, it is a significant improvement on the previously withdrawn scheme and is the optimum design solution given the site's constraints. Furthermore, part of the structure reflects the dimensions of an existing outbuilding (partially demolished) within the garden area, which has then been enlarged by a wing extending towards the principal building. This building is proposed as a traditional brick construction with a slate roof, reflecting the details of the existing outbuilding. Circulation with the main building is achieved via a flat-roofed linking structure. In terms of impact on the listed building, the design proposed is beneficial in that it appears as a discrete structure and lessens the impact of the bulk of the new extension on the existing building.

PPG 15 advises that "the best way of securing the upkeep of historic buildings and areas is to keep them in active use". Bearing this in mind, it is important to ensure that the public house remains viable. The proposed extension will help improve the viability of the public house, which in turn will assist in protecting the future of the listed building.

The concerns raised by the parish council are essentially planning matters and will be considered as part of the counterpart planning application, which is the next item on the agenda.

#### **RECOMMENDATION**

Approve with Conditions

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

**REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

**2 - INFORMATIVE TO APPLICANT:**

This Listed Building Consent authorises specific works only. It is essential that every person who is to carry out the works is made fully aware of the content of this Listed Building Consent, including a copy of the approved plans, and any specification for the works, and any conditions on the decision notice. If any one instructs or carries out any works other than those authorised by this Listed Building Consent they may be considered to have committed a criminal offence, and become liable to prosecution and/or enforcement action.

If you intend to undertake works that are in any way different from those authorised by this Listed Building Consent, (e.g. of extended or reduced scope, or amended in form or material) you should contact the local planning authority before commencing the work to ascertain whether further authorisation is necessary.

If additional work is identified as necessary during the course of carrying out like-for-like repairs, you should contact the local planning authority before commencing the work to ascertain whether further authorisation is necessary.

3 - No development shall take place until details of the materials to be used for the external walls and roofs (including samples if requested) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The new brickwork shall be constructed to the appearance of Flemish bond (to match the appearance of the existing brick and slate extension) and shall be bedded and pointed in a lime mortar.

**REASON:**

To secure harmonious architectural treatment.

4 - Before any rooflights are installed, details of their appearance shall be submitted to and approved in writing by the local planning authority. The rooflights shall be installed in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

5 - Prior to the installation of any new doors and windows, large scale details shall be submitted to and approved in writing by the local planning authority. The doors and windows shall be installed in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

**6 - INFORMATIVE TO APPLICANT:**

The Council is required to give a summary of the reasons for this decision. These are set out below:

The proposed works will not be detrimental to the character of the building.

Item 3:

APPLICATION:	K/51491/F
PARISH:	ENFORD
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Proposed single storey brick and slate pitched roof extension, brick and oak framed link building and alterations to existing lean-to and cellar (outbuilding).
SITE:	The Swan, Long Street, Enford
GRID REF:	14203 51416
APPLICANT:	The Swan Enford Ltd
AGENT:	Digby Rowsell Associates
DATE REGISTERED:	17th January 2005
CASE OFFICER:	Miss K Whittington

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#### BACKGROUND

This is the counterpart planning application to K/51489/LBC, the previous item on the agenda. The site description, description of development, site history, and details of the additional statement by the applicant are all as previously reported.

#### PARISH COUNCIL COMMENTS

Enford Parish Council has made the following observations on the application:

1. The Parish Council voted in favour of the applications, with a rider that efforts be made to address the parking situation.
2. Of the villagers who attended the public meeting, some were in favour of the proposal and others were against it.
3. The main issues raised by members of the public were as follows:
  - a) Parking - inconsiderate parking by a minority of customers sometimes means that emergency or heavy vehicles cannot pass. This was countered by the view that during each summer, up to 70 extra customers were regularly using the front and back gardens and were catered for without undue parking difficulties.
  - b) Sewage - concerns were expressed about an additional load on the sewage system with the question raised as to whether the sewage system would be overhauled by 2008. This was countered by the view that any additional usage would mainly be during off-peak times (lunchtimes).
  - c) Noise - concerns were expressed about possible additional noise, especially at night. The Landlord pointed out that as he had 3 small children, he did not want extra noise at night and did not anticipate that this would be a problem.
4. Other concerns raised by members of the public were as follows:

- a) Does the parish council have a method statement of how the works will be undertaken, as there are concerns about disruption during construction?
- b) Does The Swan own any parking on Long Street?
- c) With regard to extra parking for events, the use of the church park is to be investigated.
- d) With regard to health and safety, have pedestrians been taken into account?
- e) Surface water soakaways at The Swan.
- f) Parking should be discouraged from Long Street by The Swan.
- g) 24 hour opening.
- h) Music and events.
- i) Coaches.
- j) Is The Swan sustainable at present?
- k) The need to keep The Swan viable as the loss of the village pub would be a serious matter.
- l) New facilities would be good for the village.
- m) Could the plans be altered so that the old toilets are used as a dining area and new ones built to the rear?
- n) Will all of these issues be dealt with during the planning process by KDC consulting all agencies eg. Highways, Environmental Health

#### CONSULTATIONS

Environment Agency – does not wish to provide any comments as the proposal is outside of its remit.

KDC Engineering and Design Manager – there is a history of groundwater flooding in Enford and consequently, the applicant is advised a) to provide drainage under the ground slab and behind the retaining walls to reduce the risk of internal flooding from ground water; b) to use the shallowest foundations possible to cause the least amount of obstruction to the flow of water in the ground; and c) that soakaways may not work during high ground water levels and the design will need to take this into account to prevent surface water flooding of the property.

KDC Environmental Health Officer – recommends that a standard noise condition is attached requiring the buildings to be acoustically treated and/or machinery silenced to ensure that the equivalent continuous A-weighted sound pressure level (LAeq) from any plant or machinery does not exceed the background noise level (LA90) by more than +5db at the boundary of any domestic premises.

No adverse comments were made by the Food Team in respect of the proposed dining room.

Wessex Water – no objection in principle. The development is located within a foul sewer area and it will therefore be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal, which can be agreed at the detailed design stage. The Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal. There is a public water main and foul sewer close to the site and there would normally need to be a 3 metre easement width for the purposes of maintenance and repair. With regard to water supply, there are water mains within the vicinity of the proposal, however, connection can be agreed at the design stage. It is recommended that the developer agrees a connection onto Wessex Water infrastructure prior to the commencement of works on site.

WCC Highways (Mr Wiltshire) – the maximum parking standard for this use class is now 1 space per 25 square metres of floorspace, which the proposed development (ie. existing and proposed small extension) will meet. The road north of The Swan Inn is of reasonable width and at this quiet location is suitable to accommodate some on-street parking. To have a public house within the village is sustainable and should be encouraged from the point of view of reducing car use. Consequently, no objection is raised.

## REPRESENTATIONS

Two petitions (containing a total of 120 signatories) and one letter in support of the proposal and 28 letters of objection have been received. In the letters of objection, the following key concerns were raised:

1. There is no provision for additional parking. The available car park only has spaces for 7 cars and will not be able to accommodate the additional vehicles generated by the proposal. It has been mentioned that additional parking will be available elsewhere eg. the church car park, however, this has not been confirmed.
2. The proposal will exacerbate current congestion problems along the narrow Long Street.
3. Long Street is not well-lit and there is no pavement for pedestrians, which presents a further traffic hazard.
4. The area has been badly flooded twice in the last three years and the proposal could exacerbate flooding problems. In addition, the bank behind the houses on the south-eastern side of Enford is full of springs. The proposal could cause a blockage, then any spring will change course and arise at other points of least resistance, which could threaten the foundations etc. of nearby properties.
5. The sewage problem is an ongoing issue in Enford. The sewage system is up to capacity and the treatment works is also up to its limits, so the proposal would put additional pressure on the system and could potentially result in overflowing out of the manholes.
6. The pub does need to be refurbished, however, a function room seems extremely costly and will push prices up out of the reach of local residents.
7. The area will become a parking lot, which will have a detrimental impact on the character and appearance of the conservation area.
8. The enlargement of the premises will be detrimental to its original character. Furthermore, the use of slate roofing is not in keeping with the thatch covering of The Swan and other buildings in the vicinity.
9. The proposal will result in an increased noise nuisance, from the extra visitors and music and as a consequence of construction work. Light pollution will also be a problem.
10. There is already another pub in the village and a village hall and consequently, the additional facilities proposed are excessive for such a small village.
11. The actual construction of the extension will be problematic, as the only access to the back of The Swan is via the narrow side entrance, which will make material movements very difficult.

In the letter of support, the following key points are made:

1. The concerns about parking problems are exaggerated, as during the summer when people are out and about, The Swan can have some 40 or so people in the garden sitting down and quite a few sitting in the pub itself, with most visiting by vehicle.

2. With regard to sewage, the underground systems would be used at off-peak times and in any event, the main sewers are to be overhauled in 2008.
3. With regard to noise and events, the manager and his wife have made it clear that they have three children and would not wish their family to suffer. Also, they have no intentions of extending their present trading hours, with the exception of special occasions, which happens at present with no complaints.
4. The Swan is the only meeting place in the village, with the exception of the church.

#### POLICY CONSIDERATIONS

The Swan is a grade II listed building and lies within the Enford Conservation Area. Policies PD1, HH5 and HH8 in the Kennet Local Plan 2011 are relevant to the consideration of the application.

#### PLANNING OFFICERS COMMENTS

This application raises a number of issues, each of which will be addressed in turn.

##### Impact on the Listed Building

This issue has been addressed in detail in the report for the counterpart listed building application, which is the previous item on the agenda. In summary, it is considered that the proposal is acceptable in terms of its impact on the listed building.

Specific concerns have been raised about the choice of materials for the roof to the extension ie. slate instead of thatch. Slate is considered to be an appropriate material, as it has already been used on the single-storey wing to the side of the main pub building. Furthermore, if thatch were to be used, then the extension would appear far bulkier and potentially no longer subservient to the main building.

##### Impact on Conservation Area

As the extension would not be clearly visible from public viewpoints, it is not considered that it would have a detrimental impact on the character and appearance of the Enford Conservation Area.

Local residents have raised concerns about the impact of parked cars on the conservation area. As the parking of vehicles is transient rather than permanent, it would be unreasonable to argue that this would be detrimental in visual terms.

##### Parking

There is currently an area for parking in connection with the public house on Long Street, which can accommodate approximately seven cars. Local residents have raised concerns that the proposal will lead to overspill parking on the narrow Long Street, which will exacerbate existing congestion problems. They also consider that confirmation should be given that parking can be accommodated elsewhere in the village eg. the church car park.

Whilst the concerns about parking are acknowledged, the local highway authority has raised no objections to the proposal for a number of reasons. Firstly, the maximum parking standard for this particular use class is now 1 space per 25 square metres of floorspace, which the proposed development (ie. existing and the proposed extension) would meet. Secondly, the road north of The Swan is of reasonable width and at this quiet location, is suitable to accommodate some on-street parking. Thirdly, it considers that having a public house within a village is sustainable and should be encouraged from the point of view of reducing car use.

With regard to the issue of alternative parking, no details have been provided as part of the application. Even if alternative parking were to be offered as part of the proposal, it would only be possible to secure its provision by way of condition if the land is within the applicant's ownership or control. If not, the condition would not be enforceable.

#### Flooding

The issue of flooding has been raised by local residents, who are concerned that existing problems would be exacerbated as a result of the proposal.

The Environment Agency's 1 in 100 year and 1 in 1000 year flood zone maps indicate land that is likely to suffer from river flooding. This includes the lower parts of Enford, which do flood. However, The Swan lies outside of these river flood zones and there is no history of recent river flooding of the property. For this reason, the Environment Agency has advised that the proposal lies outside of its remit.

The Council's Engineering and Design Manager has also been consulted on the proposal. He considers that the proposed development is not at risk of river flooding and would not have any impact on the extent, duration or frequency of river flooding in Enford. Consequently, it is not considered that a refusal on the ground that the proposal would exacerbate river flooding problems could be substantiated.

Local residents have also raised specific concerns about the risk of internal ground water flooding to the proposed extension and the possibility of diverting spring water elsewhere. The advice of the Council's Engineering and Design Manager is that the risk of ground water flooding can be removed through the provision of underslab drainage and that consequently, there are no grounds for objection.

With regard to the issue of diverted spring water, the Council's Engineering and Design Manager has advised that, for the majority of the time, the soakaways will reduce the amount of surface water reaching the highway and during times when the springs are active, the amount of water reaching the highway will be unchanged from present. He also considers that the new and repaired highway drainage systems will not stop flooding caused by the river when it is in spate, but the duration of the flooding will be reduced as the water will be able to drain away once the river level has fallen. Again, there is no justification for objecting to the development on flooding grounds, as the proposal would not affect the extent, frequency or duration of the ground water flooding in Enford.

In light of the above advice, it is recommended that an informative is imposed if planning permission is granted, advising the applicant to a) provide drainage under the slab and behind the retaining walls to reduce the risk of internal flooding from ground water; b) to use the shallowest foundations possible to cause the least amount of obstruction to the flow of water in the ground; and c) that soakaways may not work during high ground water levels and the design will need to take this into account to prevent surface water flooding of the property. These measures can be incorporated at the Building Regulations stage.

#### Disposal of Foul Water

Concerns have been expressed about the impact of the proposed development on the sewage system. Wessex Water has been consulted on the proposal in relation to the foul sewage system and has raised no objections, merely commenting that the developer will need to agree a point of connection onto the foul sewer system for the satisfactory disposal of foul flows generated by the proposal.



### Impact on Residential Amenity

Concerns have been raised about the potential noise nuisance that would arise as a result of the proposal. However, it is not considered that the proposal will significantly increase the level of noise currently associated with the public house use. Furthermore, the Council's Environmental Health Department has raised no objection to the proposal on noise grounds, provided that a standard noise condition is imposed requiring the building to be acoustically treated and/or machinery silenced. Such a condition would ensure that the necessary safeguards are in place to protect the occupants of neighbouring properties from noise disturbance.

In conclusion, it is considered that the proposal is acceptable in all regards and accordingly, the approval of planning permission is recommended.

### **RECOMMENDATION**

Approve with Conditions

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

#### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 - No development shall take place until details of the materials to be used for the external walls and roofs (including samples if requested) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The new brickwork shall be constructed to the appearance of Flemish bond (to match the appearance of the existing brick and slate extension) and shall be bedded and pointed in a lime mortar.

#### **REASON:**

To secure harmonious architectural treatment.

3 - Prior to the construction of the new retaining walls and steps within the garden, details of materials, bond, mortar, coping and any guarding shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

#### **REASON:**

To secure harmonious architectural treatment.

4 - The building shall be acoustically treated and/or machinery silenced to ensure that the equivalent continuous A-weighted sound pressure level (LAeq) from any plant or machinery shall not exceed the background noise level (LA90) by more than +5dB at the boundary of any domestic premises. The method of assessment shall be carried out in accordance with British Standard 4142: 1997 - 'Method for rating industrial noise affecting mixed residential and industrial areas.'

#### **REASON:**

In the interests of protecting the reasonable living conditions of the occupants of neighbouring properties.

5 - INFORMATIVE TO APPLICANT:

As there is a history of groundwater flooding in Enford, the applicant is advised of the following:

- a) to provide drainage under the ground floor slab and behind the retaining walls to reduce the risk of internal flooding from ground water;
- b) to use the shallowest foundations possible to cause the least amount of obstruction to the flow of water in the ground; and
- c) that soakaways may not work during high ground water levels and therefore, the design will need to take this into account to prevent surface water flooding of the property.

6 - INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to the contents of the attached letter from Wessex Water and dated 3 February 2005.

7 - INFORMATIVE TO APPLICANT:

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

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policies PD1, HH5 and HH8.

Item 4:

APPLICATION:	K/51371/F
PARISH:	DEVIZES
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Conversion and re use of building to provide eight flats (revised scheme)
SITE:	Bluemay Works, Lower Wharf, Devizes
GRID REF:	00124 61724
APPLICANT:	Gaiger Bros. Ltd.
AGENT:	LPC (Trull) Ltd
DATE REGISTERED:	8th December 2004
CASE OFFICER:	Mr R C Cosker

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#### SITE & LOCATION

This application concerns this former two storey office/industrial building which is located at Lower Wharf in Devizes. The access to the site is between a short row of terraced properties (Cyprus Terrace) and the Assizes courts just to the south east of the bridge over the Kennet and Avon Canal. The site lies within the Devizes Conservation Area.

#### SITE HISTORY

K/50883/F – This application was also for conversion to 8 flats but was withdrawn on 3 November 2004.

#### DESCRIPTION OF DEVELOPMENT

The application proposes to convert this former office/industrial building into 8 two bedroom flats which would also necessitate the insertion of new windows in many of the elevations. The proposal makes provision for 10 car parking spaces, using land previously used for car parking associated with the office use.

#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

None have been made.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted a supporting letter setting out the policy background to the site and providing information concerning the unsuitability of the building for employment purpose. The applicant has also provided a copy of a letter from Atwell Martin providing details of their previous unsuccessful attempts to sell the property for employment use.

#### TOWN COUNCIL COMMENTS

Devizes Town Council – No objections

#### CONSULTATIONS

Highway Authority (Mr Wiltshire) – The existing access has good visibility but is sub-standard in width, but the traffic generation of the proposed development will be less than the site were it re-used for its permitted use. No objection is therefore raised provided one car parking space is allocated to each flat and the other two spaces are demarked as being for visitors.

British Waterways – No objections to the proposal but advise they are currently in discussion with the applicant to secure the option of a footpath along the canal in the future.

## REPRESENTATIONS

Two letters of observation have been received which raise the following matters;

1. The windows proposed for the first floor flats will remove the privacy residents currently have in their gardens and homes.
2. The extra traffic generated by the proposal will be hazardous to users of Lower Wharf and those using the rear access to Cyprus Terrace.
3. The flats will have a door opening straight out onto Lower Wharf, which is used by large commercial vehicles which is dangerous for users of the proposed flats.
4. The proposal will impact on nesting sites of swans and moorhens.
5. The canal side path would compromise security for the rear of Cyprus Terrace.
6. The south elevation of the flats will look straight out onto the derelict Assize Courts.
7. Welcome the use of the building so it will not remain vacant.

## POLICY CONSIDERATIONS

Kennet Local plan 2011 - Policies PD1, ED7, ED19, ED22, HC4, HH5 and AT1 are considered relevant to the determination of this appeal.

## PLANNING OFFICERS COMMENTS

In terms of considering the principle of the residential re-use of this building, policies ED7, ED19, ED22 and HC4 of the local plan need to be examined;

- Policy ED7 states that proposals for non employment generating uses on existing employment sites, within Devizes Town Centre, will be subject to special scrutiny to ensure that the proposed use contributes to the vitality and viability of the town centre.
- Policy ED19 provides for changes of use to use classes other than A1, again within the wider town centre, where it does not create major breaks in the existing commercial frontage, introduces activities likely to enhance the vitality and viability of the centre and integrates with the existing historic fabric of the town.
- Policy ED22 states that development proposals at the Lower Wharf (which includes this building) should build upon the scale and pattern of existing development and provide for the retention of good quality buildings in the area. The proposals should also improve access to the canal and provide canal based employment opportunities.
- Policy HC4 states that within settlements the re-use of vacant buildings will be permitted provided it does not reduce the vitality and viability of the town centre and does not conflict with other policies which seek to protect local services, amenity and employment.

Having regard to the above policies the applicants have advised that in total the building had been marketed for over 2 years before they purchased it. The agents at that time (Atwell Martin) have advised that during the first period of marketing a total of four viewings occurred but no offers were made with viewers raising concerns that the access, parking and servicing arrangements were too restricted for the type and size of floor space available. Certainly it is accepted that the servicing arrangements are of no comparison with other business premises available in the Devizes area. The applicants therefore conclude that the building has remained vacant for a

number of years, and with no demand to retain the site for employment use a new appropriate use for the building is sought.

Your officers consider that whilst the property was marketed on the basis as B1 offices it does not appear that the site was marketed for other possible uses, including tourism, and it is also of note that the site was being offered for sale only with no option of letting with the possibility of sub-division. It is however accepted that the buildings location provides many constraints for business uses. When considering the proposed residential use and the loss of the employment site regard must be had to the draft masterplan for the Town Wharf (which included the Lower Wharf) which was prepared by British Waterways for Kennet District Council. This, having regard to policy ED22, identified the application site for possible residential redevelopment with the employment uses proposed further to the north east adjacent to 'The Forge'. A canal side footpath link was also proposed to link the Lower Wharf to the bridge. Although the masterplan showed the demolition of the Blue May building the 'new build' residential development was reliant on the purchase of parts of the rear gardens of properties in Cyprus Terrace, something that cannot be guaranteed. Indeed the applicant has advised that approaches have been made to the adjoining landowners who unwilling to sell. Whilst this master plan was only in draft form it has given the indication that residential development may be an option for part of the Lower Wharf, indeed policy ED22 does not rule out residential use on part of the Lower Wharf area. It is having regard to this background that your officers consider that there should be no 'in principle' objection to the proposed residential use. This view is reinforced by the recent government advice requiring authorities to look favourably on planning applications for housing on land allocated for employment purposes where the land is no longer needed for such use.

Turning to the other issues raised by this proposal, a major concern for adjoining local residents in response to this and the previously withdrawn application, concerns the potential loss of privacy to their properties due to the insertion of the new windows in the northern and western elevations where currently there are none. At the time of the original applications officers advised the applicants that 6 of the new windows proposed on those elevations; which served living rooms, bedrooms, bathrooms and kitchens, would have an unacceptable impact on the amenities of the occupiers of adjacent dwellings. As part of this application the applicant has retained the 6 windows in those positions but proposed a number of measures to reduce the level of overlooking that could be achieved. A high level window is proposed to one of the living rooms (this is only a secondary window to that room) and obscure glazing is proposed for a bathroom thus removing the issue of overlooking from these windows. The remaining 4 windows (which serve 2 bedrooms, a kitchen and a secondary window to a living room) have been redesigned so that they are oriel windows, triangular in plan form, but with solid panels facing towards the adjoining gardens and properties. The glazed sections face towards the existing building and the canal but still provide sufficient light and means of escape to those rooms. It is accepted that the oriel windows will still allow some overlooking of the ends of the adjacent gardens but these areas are some way from the houses and lesser used, thus your officers consider that the level of overlooking would not cause such material harm to warrant refusal of this application on loss of privacy grounds. Planning conditions are proposed to agree full details of the windows and to secure their retention in the agreed form in perpetuity.

With regard to the highway issues raised, the highway authority accept that, whilst the access of the site is of a sub-standard in width, the traffic generation from the proposed use will be less than that associated with the authorised employment use

of the building. Therefore provided 1 parking space is provided for each flat plus 2 visitor spaces, as proposed by the applicant, then no highway objections are raised.

As stated earlier the building lies within the Devizes Conservation Area but it also lies immediately adjacent to the Grade 1 listed Assizes Courts, it is therefore necessary to consider whether the proposal preserves or enhances the character or appearance of the conservation area and whether it would harm the setting of the adjacent listed building. It is your officer's opinion that the re-use of the building with the limited associated external works would have a neutral effect, and thus preserve the character and appearance of the conservation area and the setting of the listed building. The scheme does not seriously prejudice the future regeneration of the wider area.

One area where this proposal does address the council's wider aims is to make provision for a canal side footpath. The securing of the provision of the footpath is complicated as part of the land for the footpath is owned by British Waterways and part by the applicant. The applicant is also hoping to purchase part of the land owned by British Waterways. The applicant has however agreed to construct a 2 metre wide footpath (except for a 'pinch point' caused by the corner of the building) along the length of land in their ownership. They will also extend the footpath across the land that is currently owned by British Waterways if it is brought into their ownership. The completed footpath would then be transferred to Kennet District Council. It is therefore proposed that, if members are minded to grant planning permission authority should be delegated to the Planning Services Manager to issue the permission once an appropriate legal agreement has been completed to secure the construction of the footpath and transfer to Kennet District Council.

## **RECOMMENDATION**

Approve subject to prior completion of legal agreement -

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

### **2 - INFORMATIVE TO APPLICANT:**

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the \*\*\*\*\*.

3 - Prior to their installation full details of the proposed new windows, doors, balcony railings and any external plumbing (or other external services proposed) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

### **REASON:**

To secure a harmonious architectural treatment.

4 - Prior to their installation full details of the oriel windows proposed shall be submitted to and approved in writing by the local planning authority. The windows shall be installed in accordance with the approved details and shall be retained in that form thereafter.

REASON:

In the interests of the privacy of the neighbouring properties.

5 - The high level window proposed for the living room on the west elevation, as shown on the approved plans, shall have a sill height no lower than 1.7 metres above the finished floor level of that room. The window shall be retained in that form thereafter.

REASON:

In the interests of the privacy of the neighbouring properties.

6 - The bathroom window on the west elevation, as shown on the approved plans, shall be glazed with obscured glass and shall be so maintained.

REASON:

In the interests of the privacy of neighbouring properties

7 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted above ground floor level in the northern and western elevations of the building (for the avoidance of doubt these are the two elevations where the oriel windows are proposed).

REASON:

In the interests of the privacy of the neighbouring properties.

8 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting or amending that Order) wall, fence, or other means of enclosure shall be erected or placed on the site shown coloured red on the site location plan.

REASON:

In the interests of visual amenity.

9 - Prior to the first occupation of any of the flats hereby approved the 10 car parking spaces shown on the approved plans shall be made available for use by the occupiers of the flats with two of them demarked as visitor spaces. The parking spaces shall be maintained thereafter for this use in connection with the flats.

REASON:

To ensure adequate provision of car parking spaces in the interests of highway safety.

10 - Before works commence, details of the canalside footpath, including design and materials, shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing by the local planning authority, the footpath shall be constructed in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved.

REASON:

To ensure the provision of a canalside footpath, to enhance the character and accessibility of this part of the conservation area.

11 - INFORMATIVE TO APPLICANT:

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

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1, ED7, ED22, HC4, and AT1.



Item 5:

APPLICATION:	K/51551/F
PARISH:	DEVIZES
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Conversion of stable building into a 2 bedroomed bungalow
SITE:	East Lodge Farm, Old Park, Devizes, SN10 5JW
GRID REF:	99907 60505
APPLICANT:	Mr C Owen
AGENT:	Mr D G D Tucker
DATE REGISTERED:	26th January 2005
CASE OFFICER:	Mr R Parker

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#### BACKGROUND

This application has been brought to committee at the request of the local ward member (Cllr Parsons).

#### SITE & LOCATION

The application relates to a site on the edge of Devizes. To reach the site head along Hartmoor Road and turn right into Old Park. Bear off to the right at East Lodge and the site is on the right hand side approximately 80 metres further on. The site covers an area of approximately 0.1 hectares and is presently occupied by a stable building. The building is constructed in masonry with a corrugated iron roof. It has a footprint of 5.4m x 15.3m.

#### SITE HISTORY

K/035749/O – Outline planning permission was refused on the 8<sup>th</sup> June 1998 for the erection of three detached houses and garages.

#### DESCRIPTION OF DEVELOPMENT

The proposal is for the conversion of the stable building into a 2 bedroom bungalow.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has not submitted a statement in support of this application.

#### TOWN COUNCIL COMMENTS

No objection.

#### CONSULTATIONS

Wessex Water – No objection.

Wiltshire County Highways (Mr Wiltshire) – Recommends that the application be refused on highway grounds for the following reasons:

1. The proposed dwelling located remote from services, many employment opportunities, and being not well served by public transport would be unsustainable in that it would increase the need to travel, particularly by car.
2. The junction of the private Old Park road with the county unclassified road Hartmoor Road is unsuitable and inadequate by reason of its narrow width insufficient for two vehicles to pass, its poor visibility, lack of entrance radii

and its acute angle with Hartmoor Road to safely and conveniently cater for the additional traffic movements which would be generated by the proposed development.

## REPRESENTATIONS

One letter has been received raising the following objections:

- a) The proposal would be detrimental to highway safety. The access is over a narrow unadopted lane with no passing places and speed humps which cause intrusive noise and vibration for neighbours. The junction with Old Park is substandard, as is the junction with Hartmoor Road.
- b) The proposed development lies outside of the Limits of Development defined for Devizes and adjacent to an Area of Minimum Change. It is therefore contrary to local plan policy.

Another letter has been received neither objecting nor supporting the application but requesting that an old right of way be re-established across the site.

## POLICY CONSIDERATIONS

The site lies immediately outside of the Limits of Development defined for Devizes in the adopted Kennet Local Plan 2011. Policies HC26, NR6, NR10 & PD1 of the local plan are relevant to the consideration of this application.

## PLANNING OFFICERS COMMENTS

Officers consider this proposal to be unacceptable for three reasons:

### Principle

In policy terms the application site lies outside of the Limits of Development of Devizes in a location where Policy HC26 of the Kennet Local Plan 2011 restricts residential conversions to the following three circumstances:

- a) The provision of accommodation for the essential needs of agriculture, forestry or other employment essential to the countryside;
- b) The provision of holiday accommodation; and
- c) Where the conversion of a listed building to residential use is the only economic means of retaining the historic structure.

None of these circumstances apply and therefore the proposals are contrary to Policy HC26.

In addition, although described as a conversion, the reality of the situation is that the resulting building would be substantially a re-build, as it would need a new front wall and new roof as a minimum. This is not a conversion of a traditional and valued vernacular building in the countryside that needs a new use to preserve it, but an attempt to obtain a dwelling in the countryside based on a rudimentary stable building that was not even in existence in 1923.

### Landscape Setting

The site lies within the Landscape Setting of Devizes. Policy NR10 of the Kennet Local Plan 2011 states that planning permission will not be given for development of land within or adjoining the Landscape Setting if it would adversely affect the distinctive character or appearance of landscape features and uninterrupted views. Notwithstanding the fact that the proposal is for the conversion of an existing building, the domestic paraphernalia associated with a dwelling would be visually

intrusive and thereby harmful to the rural character of the area. The site occupies a prominent location atop a steep slope, which is clearly visible from both the valley below and Caen Hill to the north.

#### Highways

The Highway Authority has objected to the application on two grounds (see above). Officers do not consider that the first of these can be substantiated on appeal, given that the site is on the edge of Devizes, within walking distance of the town centre and therefore not remote from services, employment and public transport. The second reason, however, is perfectly valid and therefore forms a reason for refusal below.

One of the third parties raises an issue regarding a right of way which he claims once crossed the site. There is no record of this on the definitive footpath maps and therefore this matter is not relevant to the consideration of this application.

### **RECOMMENDATION**

Refuse, for the following reasons:

1 - The site lies in the open countryside, outside of the Limits of Development defined for Devizes in the Kennet Local Plan 2011. Policy HC26 of the local plan restricts residential conversions in the countryside to the following three circumstances:

- a) The provision of accommodation for the essential needs of agriculture, forestry or other employment essential to the countryside;
- b) The provision of holiday accommodation; and
- c) Where the conversion of a listed building to residential use is the only economic means of retaining the historic structure.

None of these circumstances apply in this instance and therefore the proposal is contrary to Policy HC26 of the Kennet Local Plan 2011.

2 - The site occupies a prominent position atop a steep slope, which is clearly visible from both the valley below and Caen Hill to the north. The domestic paraphernalia resulting from the conversion of this building to a dwelling would be visually intrusive and thereby harmful to the Landscape Setting of Devizes. The proposals are therefore contrary to Policy NR10 of the Kennet Local Plan 2011.

3 - The junction of the private Old Park road with the county unclassified road Hartmoor Road is unsuitable and inadequate by reason of its narrow width insufficient for two vehicles to pass, its poor visibility, lack of entrance radii and its acute angle with Hartmoor Road to safely and conveniently cater for the additional traffic movements which would be generated by the proposed development. The proposals are therefore contrary to Policy PD1 of the Kennet Local Plan 2011.

Item 6:

APPLICATION:	K/51602/F
PARISH:	GRAFTON
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	New dwelling and single garage in the garden of 269 East Grafton.
SITE:	Land to the rear of 269 East Grafton
GRID REF:	25614 60546
APPLICANT:	Executors Of Late Mrs E Vallis
AGENT:	Michael Fowler Architects
DATE REGISTERED:	2nd February 2005
CASE OFFICER:	Mr P Horton

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#### SITE & LOCATION

269 East Grafton is a mid-terraced grade II listed thatched property which fronts on to the Green at East Grafton. The application site concerns its rear garden, which is served by an existing access directly off the A338 some 35m west of the Green. There are a number of outbuildings within the garden.

#### SITE HISTORY

A previous application for a dwelling on the site was withdrawn in October 2004 (ref.K/50842/F).

Listed building consent was granted in March 2005 for the demolition of various outbuildings on the site (ref. K/51605/LBC).

#### DESCRIPTION OF DEVELOPMENT

The proposal is for the erection of a four bedroom brick and tile dwelling together with detached single garage. The dwelling would have a ridge height of 7.4m.

The siting of the existing access would be altered in order to maximise visibility. In addition, the beech hedge of the property to the west ('Hollydene') would be relocated further back from the highway, in order to create a visibility splay.

#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

Revised plans have been submitted shifting the position of the proposed dwelling a little further from a visually important holly tree which it is wished to retain.

#### PARISH COUNCIL COMMENTS

Grafton Parish Council: No objection. Request that County Highways look carefully at the access on this busy corner of the A338. Believe that although negotiations are underway with the owners of the adjoining property to achieve greater visibility, nothing has yet been finalised.

#### CONSULTATIONS

County Highways (Mark Wiltshire): No objection subject to conditions.

County Archaeology: No comment.

Thames Water: No objection.

## REPRESENTATIONS

Objections have been received from 4 local residents. Their main concerns can be summarised as follows:

- The proposal is an overdevelopment of the site. It would take up the majority of the garden of 269 East Grafton. The dwelling would be much taller than its neighbours: a smaller, lower cottage would be more in keeping;
- The dwelling would be too close to 'Hollydene', resulting in overlooking and loss of light;
- The ground level is higher than the surrounding cottages. This, together with the height of the dwelling, would alter the skyline of the area, particularly when viewed from the Green;
- The proposed access is dangerous: it opens on to a narrow section of the A338 on a bend and there is restricted visibility to the west;
- The proposed single garage plus one parking space is totally inadequate for a four bedroomed house. Where will visitors park? Furthermore, it would not be safe to park on this section of the A338, parking on The Green is prohibited and public transport is infrequent;

## POLICY CONSIDERATIONS

Kennet Local Plan 2011 - East Grafton is a village without a range of facilities, hence policy HC24 applies.

The site is within East Grafton Conservation Area and also the curtilage of a listed building. Hence policies HH5 and HH8 are relevant. So too is the general policy PD1.

## PLANNING OFFICERS COMMENTS

The site constitutes an infill plot within a village and hence its development is acceptable in principle.

The biggest obstacle to the development of the site has been the poor visibility from the existing access. However a combination of moving the access eastwards and creating a visibility splay to the west (by relocating the neighbouring property's beech hedge further back) has satisfied the highway authority that the proposal is acceptable. It would be unreasonable to require more than two parking spaces for a single dwelling.

The design of the proposed dwelling and garage is considered acceptable. Although the height and scale is greater than either 269 East Grafton (an old thatched cottage) or 'Hollydene' (a bungalow) and the dwelling would be visible from the Green, the ridge of 7.4m is not excessively tall, particularly when compared to recent new developments at Grafton Place and Dark Lane. The impact is, therefore, not considered to be so significant to justify a refusal decision for this reason.

The dwelling would be sited 25m away from the listed building, and hence would have little impact on its setting. 'Hollydene', by contrast, would be much closer, and Hollydene's eastern windows on its southern wing would be just 8m away from the proposed dwelling. However there would be no direct overlooking and the amenities of 'Hollydene' would be comparatively unaffected.

The neighbouring beech hedge could be re-located in such a way both to ensure its survival and without harming the character of the conservation area.

## **RECOMMENDATION**

Approve with Conditions

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 - This permission relates to the scheme of development as submitted except insofar as amended by the revised plan 040504-01D received on the 16 March 2005.

### **REASON:**

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

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

### **REASON:**

To secure harmonious architectural treatment.

4 - The windows and doors (including garage doors) to be used in the development hereby permitted shall be of timber construction and shall be permanently so maintained.

### **REASON:**

To secure harmonious architectural treatment, given that the site lies within East Grafton Conservation Area.

5 - Notwithstanding the details shown on the approved 1:100 site plan, no development shall take place until there has been submitted to and approved by the local planning authority a fully detailed scheme of hard and soft landscaping, which shall include: (a) full details of all proposed new hedge and tree planting; (b) full details of proposed works to the holly tree; (c) a full method statement for the beech hedge relocation, and; (d) a full method statement for the no dig construction of the new access

### **REASON:**

To ensure a satisfactory landscaped setting for the development.

6 - All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the dwelling or the completion of the development whichever is the sooner, with the exception of the works to the holly tree which shall be carried out before any development commences; any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the

development or in accordance with a programme to be agreed in writing with the local planning authority.

REASON:

To ensure a satisfactory landscaped setting for the development.

7 - Before any work commences on site the ground floor slab levels shall be agreed in writing with the local planning authority.

REASON:

In the interests of visual amenity.

8 - Before the dwelling hereby permitted is first occupied, the existing outbuildings shown on the approved 1:100 site plan as for removal shall have been demolished and the resultant materials removed from the site.

REASON:

In the interests of the proper planning of the area and of residential amenity.

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

REASON:

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

10 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no first floor windows or other openings shall be inserted in the eastern or western side elevations of the dwelling hereby permitted.

REASON:

In the interests of the privacy of the neighbouring properties.

11 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any other Order revoking and re-enacting or amending that Order with or without modification), no fences or walls shall be erected between the northern elevation of the dwelling and the highway.

REASON:

In the interests of visual amenity.

12 - No development shall commence until a detailed plan has been submitted to and approved in writing by the local planning authority specifying the provision of access and two parking spaces for no. 269 East Grafton. The access and parking spaces shall then be provided in accordance with the approved details prior to the new dwelling being occupied. Thereafter the access and parking spaces shall be permanently retained as agreed.

REASON:

In the interests of highway safety.

13 - Before the dwelling hereby permitted is first occupied, the highway visibility area shall be cleared and kept free of all obstructions to sight above 1 metre above the adjoining carriageway from a point 2.0 metres from the edge of the carriageway measured along the centre line of the access, to a point on the edge of the carriageway 90metres to the west from the centre of the access.

**REASON:**

In the interests of highway safety.

14 - The development hereby permitted shall not be occupied until the access is altered as detailed on the approved 1:100 site plan, with the existing lowered kerbs being altered to suit the adjusted access provision, and the footway resurfaced to suit the revised levels.

**REASON:**

In the interests of highway safety.

15 - Before the development hereby permitted is first brought into use, the first 4.5 metres of the access shall have been surfaced in a well-bound consolidated material (not loose stone or gravel).

**REASON:**

In the interests of highway safety.

16 - The dwelling hereby permitted shall not be occupied until measures have been put in place to prevent the discharge of surface water from the access out on to the public highway.

**REASON:**

In the interests of highway safety.

17 - Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

**REASON:**

In the interests of highway safety.

**18 - INFORMATIVE TO APPLICANT**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside his/her control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

**19 - INFORMATIVE TO APPLICANT:**

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

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policies PD1, HC24, HH5 and HH8.



Item 7:

APPLICATION:	K/51162/F
PARISH:	BAYDON
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Alterations to existing outbuilding to enable use as annex accommodation. Erection of glazed link to original house. Erection of detached garage/store together with re-arranged driveway and vehicular access
SITE:	Forge Cottage, Ermin Street, Baydon, Marlborough, SN8 2JF
GRID REF:	28235 77924
APPLICANT:	Mr and Mrs D Owen
AGENT:	
DATE REGISTERED:	2nd November 2004
CASE OFFICER:	Miss G Salisbury

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#### SITE & LOCATION

Forge Cottage is located on the southern side of Ermin Street, 30 metres south-east of Ermin Close. It is a dormer bungalow with detached outbuilding and single garage all of which front the highway to the north of the site.

#### SITE HISTORY

There is no planning history relating to the application site.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has not submitted an additional statement in support of this application

#### DESCRIPTION OF DEVELOPMENT

This application proposes to demolish the existing flat roof single garage and erect in its place a new 1.8 to 2.2m boundary wall to the front of the site running 6.5 metres from the edge of the cottage to the proposed vehicular access. Alterations to the access are included in the proposal.

It is also proposed to erect a link from the original cottage to the outbuilding. This is to be glazed on the south elevation and brick and tiled on the north elevation facing the road. Alterations to the existing outbuilding are included in this application that will enable it to be used as annex accommodation. These include alterations to the windows on the north elevation facing the road and the insertion of three French doors and rooflights on the south elevation.

In addition it is also intended to erect a detached garage/store in the rear garden of the site, measuring 8.2m wide by 5.7m deep and 4.5m to the ridge.

#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

Following an objection from the local highway authority to the scheme the plans for the re-arranged driveway and access have been amended to create a turning space on site by removing the small flower bed shown on the original plans. This will enable cars to exit the site in a forward gear. The plans have also been amended to show the extension of the existing dropped kerb towards the handrail on the footpath in line with the recommendations of the highways authority.

Following concerns raised by neighbouring residents over the size of the garage/store, the site of the garage is now to be excavated to the level of the existing driveway, resulting in a 0.5m reduction in the height of the building in relation to neighbouring properties. The design of the roof has also been amended from two gable ends to a double pitched roof. This has reduced the bulk of the garage and moved the highest point of the roof 3.3 metres away from the boundary with 20a, Ermin Close.

#### PARISH COUNCIL COMMENTS

Baydon Parish Council - no objection.

#### CONSULTATIONS

County Highways (Mark Wiltshire) – No objection to the amended plans subject to planning conditions. These are specified at the end of this report.

#### REPRESENTATIONS

Three letters of objection have been received from neighbouring residents regarding the original plans. Their concerns were that;

- a) The rooflights in the converted outbuilding will result in overlooking and a loss of privacy to 20, Ermin Close,
- b) The size of the proposed garage/store is too big for the existing plot, being nearly the same size as the cottage itself,
- c) The size of the garage is not in keeping with the local surroundings,
- d) The proposed garage is too high, imposing on other properties in Ermin Close. In particular concern has been raised that the garage would have an overbearing impact on 20a, Ermin Close and result in a loss of light to this dwelling. This is because of the 1 metre difference in ground level between Forge Cottage and 20a, Ermin Close, and
- e) The garage/store may be used as a motorbike workshop.

Amended plans - no further representations have been made to date (re-consulted 4/2/05). All previous objectors were consulted.

#### POLICY CONSIDERATIONS

Kennet Local Plan 2011 – Policy PD1 is relevant to the consideration of this application.

#### PLANNING OFFICERS COMMENTS

The main issue is the impact of the garage/store. This proposed building is set back at the rear of the site and will be well screened in views from the road by the new boundary wall. As such only the roof of the development will be visible from public vantage points. The development therefore will not harm the character and appearance of the area and instead will improve the appearance of the site following the removal of the run down flat roofed garage to the front of the site.

The main issue is therefore the impact of the garage/store on the amenity of neighbouring residents. Objections have been raised on the grounds that this building would have an adverse impact due to its size and height, exacerbated by the difference in ground level between Forge Cottage and 20a, Ermin Close. While the garage is situated on the boundary with 20a, 22 and 23 Ermin Close, the amendments made to this application have reduced the height of the building by 0.5m in relation to the surrounding properties. In relation to 20a Ermin Street in particular, only the roof of the development will now be visible with the rest of the

garage screened by the existing retaining wall and boundary fence. Amendments to the design of the roof also mean that the highest point of the roof will now be 3.3 metres away from the boundary with 20a, Ermin Close. In light of these changes to the scheme it is now considered that the proposal would not be significantly overbearing or result in an unacceptable loss of light to neighbouring residents.

Concern has also been raised that the rooflights in the converted outbuilding will result in overlooking of the garden of 20, Ermin Close. However, due to their small size and the obscure angle of view from their position in the roofslope, it is considered that the rooflights will not result in any significant loss of privacy.

## **RECOMMENDATION**

Approve with Conditions

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 - This permission relates to the scheme of development as submitted except insofar as amended by the revised plans 192/1 and 192/2 amended received on the 3rd February 2005.

### **REASON:**

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

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

### **REASON:**

To secure harmonious architectural treatment.

4 - Before the construction of any boundary wall(s) is commenced details of the materials of which they are to be constructed shall be submitted to and approved in writing by the local planning authority.

### **REASON:**

In the interests of visual amenity.

5 - Before the access hereby permitted is brought into use the turning area shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained and kept available for the purposes of vehicle turning.

### **REASON:**

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

6 - Before the access hereby permitted is brought into use the existing lowered kerbs shall be extended by a further 3 metres on the eastern side of the access, as detailed on the submitted plan.

REASON:

In the interests of highway safety.

7 - The new gates hereby permitted shall be made to open inwards only.

REASON:

In the interests of highway safety.

8 - Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the local planning authority.

REASON:

In the interests of highway safety.

9 - All new ground floor windows facing the public highway shall either be made to be non-openable or made to open inwards only.

REASON:

In the interests of highway safety.

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

REASON:

To protect the amenities of this primarily residential area.

11 - INFORMATIVE TO APPLICANT

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside his/her control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

12 - INFORMATIVE TO APPLICANT:

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

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

Item 8:

APPLICATION:	K/51699/F
PARISH:	CHUTE FOREST
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Single and two storey extensions and alterations. Detached triple garage
SITE:	Hazel Grove, -, Chute Forest
GRID REF:	30885 51714
APPLICANT:	Mr and Mrs S Parrott
AGENT:	Mr L Rose
DATE REGISTERED:	21st February 2005
CASE OFFICER:	Miss V Longdon

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#### SITE & LOCATION

The site lies on the southern side of the main road which runs through the hamlet of Chute Forest. It lies opposite the Old Dairy and adjacent to the row of properties known as Orchard Cottages. The current dwelling sits in a very large plot and is set back from the road frontage by approximately 30m. It was most probably erected in the 1950's and already possesses two single-storey side extensions.

#### SITE HISTORY

No relevant planning history

#### DESCRIPTION OF DEVELOPMENT

This application proposes to extend and modify the existing dwelling to provide additional living accommodation and alter the overall appearance of the property. This is to be done by extending the property and altering the roofshape as well as revising the window design and rendering and painting the property. Dormers are also proposed in the roof.

It is also proposed to erect a detached 2-bay garage with storage space.

#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The application has been amended so that:

- (a) The three dormer windows have been repositioned further down the roofslope and on the front elevation.
- (b) The eastern gable end window has been removed.
- (c) The garage has been reduced in height and size and repositioned nearer the main house.
- (d) The boundary walls and piers have been removed from the scheme.

#### ADDITIONAL STATEMENT BY THE APPLICANT

In a letter accompanying the application, the agent has set out an evaluation of the current dwelling and its context; the design principles behind the scheme and the design solutions. This is summarised as:

- (a) The surrounding properties are of mixed sizes in regular plots with established gardens in a rural setting. In comparison, Hazel Grove is set in an irregular garden with crude planting and poorly placed shrubs.

- (b) The immediate property styles are predominantly 20<sup>th</sup> century with no particular overriding architectural style. Hazel Grove is a 1950's brick town house which has been altered to include single storey extensions on the east and west gables.
- (c) The building and its gardens are divorced from its surroundings through isolated setting, unsympathetic architecture, crude alterations and planting.
- (d) The design principle behind the proposed scheme was to produce a vernacular design of coordinated form whilst avoiding a pastiche period style. The aim was also to ensure that the proposals do not dominate the existing setting in scale, material or situation and to respect the quality of the local area as well as improve the buildings relationship with its surroundings.
- (e) The design is derived from Georgian principles. Locally evident materials and traditional finishes are also incorporated.
- (f) The extensions are a continuation of the existing building's form or located to the least visually exposed sides of the property.
- (g) The use of slate, render, stone and the architectural detailing reflect styles evident in the general area.
- (h) The works will be an improvement on the relationship between the building and the garden and its wider setting.

#### PARISH COUNCIL COMMENTS

The Parish Council have objected to the original scheme on the following grounds:

- (a) The windows will affect the privacy of neighbours.
- (b) The boundary wall is out of character with the area and may affect highway safety.
- (c) The roof materials are inappropriate for the area.
- (d) The overall size and height of the scheme is objected to.

A number of letters from the occupiers of neighbouring properties were attached to the Parish Council's response and these can be viewed on the planning file.

No comments on the amended scheme have been received at the time of writing this report (notified 17/3/05). Any which are subsequently received will be reported verbally at the meeting.

#### CONSULTATIONS

None

#### REPRESENTATIONS

Eight letters of objection have been received to the original scheme. These are summarised as:

- (a) The new windows will result in overlooking to the neighbouring properties.
- (b) Trees to screen the development and overlooking problems will be required.
- (c) The size and height of the dwelling is unacceptable as it will dominate the surrounding properties.
- (d) The proposed walls and entrance gates are not in keeping with the surrounding area and would be detrimental to highway safety.
- (e) Security lighting, if intended, should be dimmed security lighting.
- (f) The design is inappropriate for this settlement.
- (g) The dormer windows will give the building the appearance of a three-storey dwelling which is not in keeping with the surrounding dwellings.
- (h) The tennis court will result in the loss of two trees.
- (i) The slate tiles are out of keeping with the surrounding properties.

- (j) The applicants have failed to achieve their own design principles. Overall, the dwelling will appear as a large pseudo Georgian style house which is unsuitable for such a rural location.
- (k) The triple garage is excessive.

#### POLICY CONSIDERATIONS

Policy PD1 regarding general development and design principles is the pertinent policy consideration.

#### PLANNING OFFICERS COMMENTS

This application proposes a relatively significant change to the overall appearance of the dwelling as well as extending upon the existing footprint. It is therefore considered that the main issues are the resultant design and scale of the property; its relationship to the streetscene and rural setting; the impact upon the privacy of the neighbouring properties and the design, scale and location of the detached garage. These issues are discussed below:

##### Design and scale

The current dwelling is not of any particular architectural style or merit and, indeed, could be said to fail to respond to and reflect its very large setting. This application proposes to address this situation by extending the property and altering its fenestration. It is intended to extend above the two existing flat roof ground-floor extensions at first-floor height and add an additional bay onto this. The overall length of the dwelling is therefore only being increased by 2.15m. Although objections have been received to the height of the dwelling, there is no change to the ridge height. The dwelling is being extended at either gable end at the same height as the existing. As a result the roofshape is changing to a hipped style. The fenestration will be altered by revising the window style and positions. In order to unite the old and new elements, the dwelling will be rendered and painted white.

It is accepted that the new dwelling will be more prominent than the existing dwelling but this is not considered detrimentally so. The design, although rather pastiche, is considered acceptable and an improvement upon the appearance of the existing dwelling. The dwelling is situated in a large rural plot which typically commands a larger and more “proud” dwelling. There is no particular overriding style of property and the resulting Georgian style appearance is considered acceptable.

The three dormers are proposed on the front elevation to remove overlooking concerns from the rear and also serve to break up the roofscape. In their amended position the dormers are considered acceptable. Furthermore, dormer windows are a common feature on surrounding properties and, as such, they will not be out of keeping with the streetscene.

##### Streetscene

As previously stated, there is no particular overriding architectural style within Chute Forest. The immediate properties are dormer dwellings of a smaller scale and are sited within regular plots. Hazel Grove is sat back some 30 metres into a much larger curtilage and, as such, will not be read as a direct comparison to these properties. A suitable landscaping scheme can be secured by condition and would play an important part in assimilating the altered property into the streetscene and softening its visual impact within this rural setting.

##### Impact upon neighbouring properties

Some concerns were raised about the resulting level of overlooking to the neighbouring dwellings. The amended scheme has addressed these concerns by

moving the dormer windows to the front elevation and removing the first floor eastern gable end window. It is now considered to be an acceptable relationship. Views from the new rear first floor windows will be at an oblique angle and are not considered to result in an adverse level of overlooking in comparison to the existing situation. It is not therefore considered that the scheme will have an adverse impact upon the neighbouring properties.

#### Detached garage

This has now been reduced in both height and size and scaled down from a triple garage to a double garage with storage space. The garage has also been repositioned so that it is closer to the dwelling and not in such an exposed location. This is now considered acceptable.

#### Walls and gates

The walls and piers on the boundaries of the site have been removed from the scheme. A timber gate is proposed on the eastern boundary and some fencing is proposed within the site to screen the oil tank and create a bin storage area. These will not be prominent features and are considered acceptable.

#### Conclusion

It is considered that the amended proposals represent a much improved scheme in terms of its impact upon the privacy of the neighbouring properties as well as its design and relationship with the streetscene. Although the altered dwelling will be more prominent this will not be detrimentally so and the dwelling is acceptable in terms of its design and relationship with its rural context. Members are recommended to approve the scheme subject to the application of the relevant conditions.

### **RECOMMENDATION**

Approve with Conditions -

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

#### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 - This permission relates only to the scheme of development shown on the revised plans 04/134/01 Revision C to 04/134/06 Revision C received on the 17th March 2005.

#### **REASON:**

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

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

#### **REASON:**

To ensure a satisfactory landscaped setting for the development.



4 - All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development whichever is the sooner; any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the local planning authority.

**REASON:**

To ensure a satisfactory landscaped setting for the development.

5 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted in the rear (south) roofslope or above ground floor level in the eastern gable end of the extension hereby permitted.

**REASON:**

In the interests of the privacy of the neighbouring properties.

**6 - INFORMATIVE TO APPLICANT:**

The landscaping scheme required under conditions 03 and 04 of this permission shall make provision for hedge and tree planting on the northern and eastern boundaries. This is required to soften and screen the visual impact of the large expanse of extensions and the detached garage.

**7 - INFORMATIVE TO APPLICANT:**

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

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

Item 9:

APPLICATION:	K/51654/F
PARISH:	STERT
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	First floor extensions and alterations
SITE:	Hidden View (formerly Two Trees), Etchilhampton SN10 3JH
GRID REF:	04431 60109
APPLICANT:	Mr and Mrs P Whitehead
AGENT:	Digby Rowsell Associates
DATE REGISTERED:	14th February 2005
CASE OFFICER:	Miss V Longdon

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#### SITE & LOCATION

The site lies in the south-western corner of Etchilhampton, at the end of the lane which leads to three houses. Two Trees is on the right-hand side as you head down the lane. It is a detached red-brick bungalow, largely hidden by the front boundary hedge.

#### SITE HISTORY

K/51364/TR: consent was granted in January 2005 for the felling of three trees on the northern element of the site.

#### DESCRIPTION OF DEVELOPMENT

This application proposes to extend and alter the bungalow to create a one and a half storey house.

#### AMENDMENTS TO THE SCHEME

A cross-section of the proposed dwelling and its position in relation to the street and Ernle Cottage has been submitted to supplement the original plans.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted a general statement as part of the original submission, a full copy of which can be found on the file. The report is summarised as:

1. All of the houses on the lane, apart from Hidden View are two-storey
2. A two-storey dwelling did stand on the site but was burnt down shortly after the war. Hidden View was constructed in the 1970's and now joinery to the windows and doors require urgent attention/replacement.
3. With the introduction of the first floor, great care has been taken to avoid lifting the ridge and eaves height unnecessarily, with the proposed eaves only 1.3m higher and the ridge only 2.5m above the existing.
4. The floor plate takes into account the elevation facing Ernle Cottage with only one bedroom located on this elevation. All other rooms along this elevation are either WC's or non-habited rooms.
5. Materials which fit the rural scene have been chosen (existing walls to be limewashed and handmade bricks used elsewhere; oak boarding and posts; handmade plain tiles; slate and timber windows).
6. As well as improvements to the property, the applicants have already commenced with planting mixed native hedgerows and mixed native trees to enhance the surrounding area and land to the rear of the property.

## PARISH COUNCIL COMMENTS

Although the site lies within the village of Etchilhampton, it falls within the parish of Stert. Both Stert and Etchilhampton Parish Councils were therefore consulted on this application.

Stert Parish Council: Large alterations to the property are proposed which may well have a significant impact on the surrounding area and properties. However, the property is totally isolated from Stert and Etchilhampton Parish Council has agreed to adopt the application and provide a response to KDC.

Etchilhampton Parish Council: No objection, but comment that 'We note with approval the desire to enhance the building but we observe that those parishioners most closely affected believe the present plans, in particular the roofline, will have a detrimental impact on them.'

## CONSULTATIONS

None.

## REPRESENTATIONS

Seven letters of objections have been received to the application. The comments are summarised as:

1. The proposals will have a serious impact upon the amenities of the occupiers of Ernle Cottage, a grade II listed building, which is set lower than the lane itself. Two Trees is set in an elevated position above the lane. If Two Trees is converted to two storeys this difference in levels will be further exacerbated and the property will have an overbearing form and appearance. English Heritage recognises the importance of Ernle Cottage.
2. The proposals are out of keeping with and will have a serious effect upon the character and appearance of the Conservation Area. The current bungalow is largely hidden from view but the proposed house will be much higher, prominent and dominating upon this part of the Conservation Area.
3. The style of the property is unsympathetic to a Conservation Area and to that part of it in particular.
4. The previous two-storey dwelling on the site was more akin to the size of Periwinkle Cottage before it was extended and was lower than Ernle Cottage.
5. The works will detract from the setting of Ernle Cottage, a grade II listed building. This building currently forms an imposing and pleasant façade at the end of lane and its setting should be preserved.
6. There is sufficient space in the garden for a reasonable size extension at ground floor level.
7. The applicants have submitted photographs intended to indicate a state of dereliction. There is none; the building is sound, albeit rather neglected.
8. Prior to submitting the present application, approval was obtained for the felling of 3 specimen trees which would have been in the way of the extension. The applicants were then able to state that the proposal did not involve the felling of trees.
9. A number of objectors raise concerns about unauthorised changes of use on the site.

## POLICY CONSIDERATIONS

Kennet Local Plan 2011 - The application falls within the Conservation Area and is opposite a Grade II listed building. Policies PD1, HH5 & HH8 are therefore pertinent to the consideration of the application.

## PLANNING OFFICERS COMMENTS

It is considered that the main issues in determining this application are the impact upon the character and appearance of the conservation area; the impact upon the setting of the listed building opposite and the impact upon neighbour amenity.

### Impact on conservation area

The existing red-brick bungalow lacks architectural quality and, although largely hidden by the roadside hedge, is out of keeping with this historic area. It is your officer's view that the current property fails to make a positive contribution to the Conservation Area.

It is considered that the remodelling of the property will result in a much improved design and, as such, the scheme is considered visually acceptable. The dwelling will have ridge heights of 6.6m and 7.4m which are not excessive for a one and a half storey building and although it will be sat taller because of the raised ground level, it is considered acceptable. The dwelling will be more prominent than the existing property but this is not considered to be a detrimental change. The two adjacent properties are two-storey and, as a result, the extended property will not be out of keeping with scale of the surrounding dwellings or unduly prominent within the conservation area. The proposed materials and detailing are traditional in nature which will help assimilate the property into its historic context. The proposed dwelling is an improvement on the design, detailing and appearance of the existing dwelling and, as such, is considered to preserve the character and appearance of the Etchilhampton Conservation Area.

### Impact on nearby listed buildings

It is not considered that the resultant property will have an adverse impact upon the setting of the grade II listed building. It is not of such a height or proximity that the new dwelling will dominate or compete against the listed building in terms of the streetscene. Its increased prominence is not of such a level that it will dominate the streetscene or be read in the immediate context of the listed building. There is at least 21m between the two properties and, as such, the proposed dwelling has a neutral impact upon the setting of the listed building. The cross-section submitted as an additional plan helps to demonstrate this relationship.

### Neighbour Amenity

It is not considered that the scheme will result in an adverse impact upon the amenity of the occupiers of the neighbouring dwellings.

### Unauthorised Uses

These will be investigated as a separate matter to this application.

### Conclusion

It is your officer's view that although the dwelling will be more prominent than existing and will result in a significant change in the views experienced by the occupiers of the immediate neighbours, these changes are not considered excessive or detrimental to the character and appearance of the conservation area. The dwelling will not be excessively tall and will be in keeping with the size and scale of the neighbouring properties. Members are therefore recommended to approve the application subject to the conditions set out below.

## **RECOMMENDATION**

Approve with Conditions -

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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

### **REASON:**

To secure harmonious architectural treatment.

3 - The windows, doors, fascias and bargeboards hereby approved as part of the development shall be constructed of timber and painted.

### **REASON:**

In the interests of visual amenity within the designated Conservation Area.

4 - The rooflights hereby approved shall be of the flush fitting conservation style.

### **REASON:**

In the interests of visual amenity within the Conservation Area.

5 - The windows at first floor level shown on the approved plans on the north elevation shall be glazed with obscured glass and shall be so maintained.

### **REASON:**

In the interests of the privacy of neighbouring properties

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

### **REASON:**

In the interests of the privacy of the neighbouring properties.

### **7 - INFORMATIVE TO APPLICANT:**

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

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policies PD1, HH5 & HH8.

Item 10:

APPLICATION:	K/51575/F
PARISH:	WINTERBOURNE BASSETT
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Rear, sides and roof extensions to existing dwelling
SITE:	Camelot, Winterbourne Bassett, Swindon, SN4 9QB
GRID REF:	09981 75066
APPLICANT:	Mr and Mrs D Keig
AGENT:	Humberts
DATE REGISTERED:	28th January 2005
CASE OFFICER:	Miss G Salisbury

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#### SITE & LOCATION

Camelot is located at the western edge of Winterbourne Bassett on the southern side of the road through the village. It is the last dwelling within the existing built up area of the village on this side of the street. Camelot is a dormer style bungalow with flat roof dormers, a single storey garage and rear extensions along the party boundary with Mavison to the east.

#### SITE HISTORY

K/51542/F – Planning permission was granted in March 2005 for a change of use of land to domestic garden.

K/43132 – Planning permission was refused in May 2002 for the erection of extensions and alterations to the existing dwelling. This was on the grounds that the increase in height and bulk would have an adverse impact on the character and appearance of this part of the settlement.

#### DESCRIPTION OF DEVELOPMENT

This application proposes the erection of single storey, lean-to extensions to the east and rear of the property. It proposes to erect a two storey extension on the western side of the property and a first floor extension above the existing dining room on the front elevation. In addition it is proposed to raise the ridge of the dwelling by 1.10m, insert two dormer windows on the front elevation and replace the existing flat roof dormers to the rear of the dwelling with three individual pitched roof dormers. The materials proposed are plain clay roof tiles, and reclaimed artificial stone and concrete block work and render. The overall impression will be that the existing dormer bungalow will take on the appearance of a house.

#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

There have been no amendments to this application.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant's agent states in their supporting statement that;

"The applicant's have endeavoured to follow the majority of the guidelines received from the District Council and, in order to mitigate the effect on the street scene, have set the two storey extension some three metres back from the face of the building. The height of the proposed extension now falls within the parameters set by the District Council in their letters of the 2<sup>nd</sup> July 2003 and 28<sup>th</sup> September 2004".

“Since purchasing the property, extensive screen planting has taken place along the westerly boundary of the site, which already materially reduces the impact of the proposals when viewed from the adjacent Cricket Field. It is the intention of the applicant’s to allow this new plantation to grow to a height similar to that of the native hedge on the remainder of the western boundary. We hope that the applicant’s attention to the directions of the District Council will allow them to support this application and grant planning permission”.

#### PARISH COUNCIL COMMENTS

Winterbourne Bassett Parish Council - objects to this application because of the visual impact that this significant extension will have on the site and the surrounding area. Reference is made by the Parish Council to comments made by the District Council’s Landscape Officer on the previously refused application ref: K/43132 and pre-application advice given by a Planning Officer to the applicant.

#### CONSULTATIONS

There are no consultation responses.

#### REPRESENTATIONS

One letter of objection has been received from a neighbouring resident. Their main concerns are with the size of the proposal which will increase the ‘living space’ of the house by approximately 70-75%. This they consider to be a rebuild rather than an extension, and are concerned that allowing the application would set a precedent for similar styles of redevelopment.

In addition they are concerned that a rebuild of this size and the addition of a second storey would change the nature of that end of the village, especially as it is the last house within the village boundary on the south side of the road.

They also see a potential risk of this rebuild being used, if approved, for the support of the heavily disputed Piggery Field proposed development.

#### POLICY CONSIDERATIONS

Kennet Local Plan 2011 – Policy PD1 is relevant to the consideration of this application.

#### PLANNING OFFICERS COMMENTS

Concern has been raised about the size of the proposed extension and its proximity to the reasonably modest bungalow next door. While the eastern elevation will be more substantial than the existing, the side extension nearest the boundary is single storey lean-to only. In addition the highest part of the building, which will be 1.10m higher than existing, will be 9 metres from the nearest part of the neighbour’s dwelling. This is because an existing double garage separates the two dwellings. In view of this it is not considered that the proposal would be overbearing in relation to the adjacent bungalow.

The parish council express concern that a development of this size would be visually unacceptable and result in a significant and detrimental change in the character of the area. However, the size and design of the proposal is considerably smaller than the previously refused application. It is considered that the scheme is now better designed and will result in a building more attractive than the existing dormer style bungalow.

In terms of its impact on the character of the area the proposed extensions and alterations will result in a larger dwelling different in scale and design to neighbouring bungalows on the south side of the road. However, it is considered that that this proposal has addressed the previous reasons for refusal and that the extension now proposed can be accommodated without causing significant harm to the character of the surrounding area. It is important to note that other two storey dwellings can be seen in the immediate vicinity of the site including, for example, 22 and 24 Winterbourne Bassett opposite the site. As such it can not be argued that creating a two storey dwelling in this location is so far out of keeping with other properties in the area that it would result in a significant and detrimental change to the character of the area.

The western side of the site is open with views of the site possible from the cricket pitch and the road. However, existing vegetation along this boundary already helps to screen the dwelling and it is the applicant's intention to allow their new plantation along the western boundary of the site to continue along the remainder of this boundary and grow to a similar height to the existing native hedge. This, according to the agent currently stands at approximately 3.5 metres in height. This will help to reduce the impact of what is already considered to be an acceptable development in views from the west against the 'suburban' form of established development.

## **RECOMMENDATION**

Approve with Conditions

1 - The development hereby permitted shall be begun before the expiration of five years of the date of this permission.

### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2 - The development hereby permitted shall not be commenced until details of the colour of the lime render to be used on the external walls of the development has been submitted to and approved by the local planning authority in writing.

### **REASON:**

To secure harmonious architectural treatment.

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

### **REASON:**

To ensure a satisfactory landscaped setting for the development.

4 - All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development whichever is the sooner; any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the



approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the local planning authority.

**REASON:**

To ensure a satisfactory landscaped setting for the development.

**5 - INFORMATIVE TO APPLICANT:**

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

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

Item 11:

APPLICATION:	K/51647/F
PARISH:	MARSTON
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Retention of two small timber sheds
SITE:	Field, north side of Long Street, Marston
GRID REF:	97069 56504
APPLICANT:	Mr R Sanderson & Ms J Pollock
AGENT:	
DATE REGISTERED:	14th February 2005
CASE OFFICER:	Miss R Yeomans

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#### SITE & LOCATION

The site may be found by proceeding through the village of Marston from the Devizes direction, until reaching the junction at the common. At this 'T'-junction, proceed straight ahead onto a lane. The field can be found approximately five fields along on the left hand side. This lane is a no through road, with wide grass verges to either side and mature hedging forming the boundary with the field. Currently the site has a large field shelter erected away from the boundary, post and rail fencing, an area of hardstanding at the western side, and is used for grazing to the eastern side. A footpath runs through the western half of the field. The topography is quite flat and low lying, and the surrounding fields appear to be in agricultural usage.

#### SITE HISTORY

K/41546 – full planning permission granted on 17<sup>th</sup> September 2001, for the erection of two livestock shelters and one hay/ straw store.

#### DESCRIPTION OF DEVELOPMENT

The proposal is for the retention of two small timber sheds. One of these is up against the western boundary, and is screened with mature shrubbery / hedging. The other shed is located a little way inwards from this boundary.

#### PARISH COUNCIL COMMENTS

The Parish Council object on the basis that they are concerned that the site should not become a 'shanty town', and have suggested that one larger shed would have been preferable to the two smaller ones, and may set a precedent for further sheds to be erected.

#### CONSULTATIONS

Wiltshire County Highways (P L Tilley) – No objection

#### REPRESENTATIONS

One representation has been received which can be summarised as:

1. The new sheds are not necessary if the existing store/shed was used for the intended purpose.
2. The site now looks like a 'shanty town' type of development.

#### POLICY CONSIDERATIONS

Policies PD1 & NR7 of the adopted Kennet Local Plan 2011 are relevant to the consideration of this application.

#### **PLANNING OFFICERS COMMENTS**

The sheds are reasonably well screened from view from Long Street, but are visible from the public footpath which runs through the field. However, the small scale of the sheds, the mature screening hedge and the fact that they have been painted green means that the development is not considered to have an adverse impact on the landscape, particularly when given the precedent of the existing field shelter which was approved under reference K/41546.

#### **RECOMMENDATION**

Approve, with the following informative:

##### **1 - INFORMATIVE TO APPLICANT:**

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

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policies PD1 & NR7.

Item 12:

APPLICATION:	K/51714/F
PARISH:	MARSTON
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Retrospective application for retention of pigeon loft
SITE:	Loft, Close Lane, Marston, Devizes, SN10 5SN
GRID REF:	96733 57063
APPLICANT:	Mr S Dowdle
AGENT:	
DATE REGISTERED:	22nd February 2005
CASE OFFICER:	Miss V Longdon

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#### SITE & LOCATION

The site lies on the right-hand side of Close Lane, Marston near the end of the Lane by Close Farm. Close Lane can be accessed by taking a left-hand turning off of Norney Road when heading from the Worton direction into Marston.

The application relates to a building that has been erected within the curtilage of the property known as The Loft on its south-western boundary. It is visible from the public footpath that runs east from Close Lane and passes the foot of the garden

#### SITE HISTORY

No relevant planning history.

#### DESCRIPTION OF DEVELOPMENT

This is a retrospective application for a pigeon loft. It is a stained timber panelled building with clay roof tiles.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has not provided an additional statement in support of the application.

#### PARISH COUNCIL COMMENTS

The Parish Council have objected to the scheme stating that they are concerned that it is a retrospective application and that the new pigeon loft is so close to the boundary of Orchard View Cottage, a Grade II listed building.

#### CONSULTATIONS

KDC Environmental Health: No objection.

#### REPRESENTATIONS

One letter of objection has been received. This states that the works have been carried out within three feet of a public footpath and if permission is granted it should be repositioned further away from it.

#### POLICY CONSIDERATIONS

Kennet Local Plan 2011 - The building lies adjacent to the boundary with a Grade II listed building and adjacent to a public right of way which runs along the south-western boundary of the site. Policies PD1 regarding general design principles, AT22 regarding rights of way and HH8 regarding development affecting a listed building are relevant to the determination of this application.

#### **PLANNING OFFICERS COMMENTS**

This is a retrospective application for the retention of a pigeon loft. It is considered to be a relatively minor structure which does not have an adverse visual impact. It appears very similar in appearance to a long timber garden shed and, as such, does not appear out of place or unduly prominent within this residential location. Although visible from the public footpath, it is your officer's view that there is no adverse visual impact. The building is sited just over 1m from the path and has no detrimental impact upon its use.

In terms of its relationship to the adjacent listed building, the loft is not considered to have an adverse impact upon its setting. There is an existing panelled fence along the boundary of the property which is approximately 2m high. An additional 1.3m of structure above this is considered acceptable.

Members are therefore recommended to approve the application subject to the relevant conditions.

#### **RECOMMENDATION**

Approve with the following informative;

##### **1 - INFORMATIVE TO APPLICANT:**

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

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policies PD1, AT22 & HH8.

Item 13:

APPLICATION:	K/51697/ADV
PARISH:	STANTON ST BERNARD
APPLICATION TYPE:	Advertisement Consent
PROPOSAL:	Display of English Nature interpretation board mounted on two-legged lectern style stand.
SITE:	Pewsey Downs National Nature Reserve, Grid Ref: SU 10236380, Stanton St Bernard
GRID REF:	10169 63780
APPLICANT:	English Nature
AGENT:	
DATE REGISTERED:	21st February 2005
CASE OFFICER:	Miss R Yeomans

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#### SITE & LOCATION

The site is in a remote location on the downs. It can be accessed by firstly proceeding to Alton Barnes from Devizes, and turning left at the junction. There is a car park located on the right (eastern) hand side at the top of the hill. From here, the road has to be crossed and a footpath followed for well over a mile to the west in the direction of the white horse. The site is not readily identifiable on the ground, but is on the right hand side, after passing the white horse on the right, just before reaching a cross dyke.

The site is located within the North Wessex Downs Area of Outstanding National Beauty, and is a Site of Special Scientific Interest (SSSI). The location is in open countryside, however the proposed siting will be partially screened by existing gorse bushes.

#### SITE HISTORY

There is no site history directly relevant to this application.

#### DESCRIPTION OF DEVELOPMENT

The application proposes the display of an English Nature interpretation board, mounted on a two-legged lectern style stand. The panel dimensions are 715mm x 970mm and the height above the ground to the centre of the panel is 950mm.

#### PARISH COUNCIL COMMENTS

Stanton St Bernard Parish Council - no objection providing the stand will not show above the horizon.

Alton Barnes Parish Council - strongly object as they consider the proposed site to be unsuitable as the display board would be visually intrusive within the Area of Outstanding Natural Beauty and SSSI. The PC suggests that a better site would be in the car park at Knap Hill or next to the existing display panel, by the memorial seat next to the path from the lay-by at the entrance to the Pewsey Downs SSSI.

#### CONSULTATIONS

County Archaeologist – No objection.

County Footpaths Officer – No objection

Wiltshire Archaeological & Natural History Society (WANHS) – Although there will be no physical damage to archaeological features, the board will not enhance the setting. They comment that the proposed siting of the board is unsuitable as it would be visually intrusive and detract from the character of the open countryside. They suggest it may be better for the information to be presented in leaflet form, or for the board to be sited at the edge of the car park or at the beginning of a footpath on the Downs.

#### **REPRESENTATIONS**

No further representations had been submitted at the time of writing. Any comments which are subsequently received will be verbally reported at the meeting.

#### **POLICY CONSIDERATIONS**

Kennet Local Plan 2011 – Policies NR2 & NR8 are relevant to the determination of this application.

#### **PLANNING OFFICERS COMMENTS**

The key issue is the impact of the proposed interpretation board on the landscape. In this respect it is considered that notwithstanding the isolated location, the scale of the proposal is very small and the gorse will help to limit the impact.

Whilst it is recognised that the location is particularly sensitive in terms of the Area of Outstanding Natural Beauty and SSSI designations, the scale of this proposal is very small and the content should enhance people's enjoyment and understanding of the area. The site has been chosen to maximise natural screening and still allow the information to be displayed where it is most relevant. Therefore the proposal is not considered to be detrimental to the amenity of the area and to warrant resiting.

#### **RECOMMENDATION**

Approve with Conditions

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

#### **REASON:**

To comply with Regulation 13(1) of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

2 - The display of the advertisement(s) hereby approved shall be for a period of five years from the date of this consent.

#### **REASON:**

To comply with Regulation 13(1) of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

3 - Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

#### **REASON:**

To comply with Regulation 13(1) of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

4 - Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

REASON:

To comply with Regulation 13(1) of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

5 - No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON:

To comply with Regulation 13(1) of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

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

REASON:

To comply with Regulation 13(1) of the Town and Country Planning (Control of Advertisements) Regulations, 1992.



