

Regulatory Committee

21st April 2005

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Item 1:

APPLICATION: K/51693/F
PARISH: ALDBOURNE
APPLICATION TYPE: Full Planning Permission
PROPOSAL: Change of use from retail to hot food takeaway.
SITE: Butchers Shop, The Square, Aldbourne
GRID REF: 26446 75621
APPLICANT: W Humphries & Co
AGENT: Mr K Evill
DATE REGISTERED: 21st February 2005
CASE OFFICER: Mrs C Coombs

SITE & LOCATION

The application site is located in The Square, almost opposite The Crown Public House. The building is of modern brick construction and currently accommodates a butchers shop.

DESCRIPTION OF DEVELOPMENT

The application proposes the change of use of the premises to a hot food takeaway. The type of takeaway and the proposed user are not known at this stage.

PARISH COUNCIL COMMENTS

Aldbourn Parish Council: no objections although comment that it would be useful to ensure that a litter bin is made available outside the property for rubbish.

CONSULTATIONS

Wiltshire County Highways (Paul Galpin) - no objections. There is no on-site provision for parking although there is parking available in The Square and vicinity. A hot food takeaway does attract parking at the door, which would be encouraged further by the limited availability of on street parking in the vicinity, particularly in the evening. The shop fronts the B4192 and such parking would most likely be on this road or within the junction to The Square, which under current white lining arrangements should not be encouraged.

There is however scope to rationalise the white lining to delineate areas of carriageway for vehicle and pedestrian movement and parking. No objection is raised to this change of use provided that a scheme to improve the delineation of the adjacent highway is made a condition of the grant of planning permission.

KDC Environmental Health Officer – no objections provided that conditions are attached to the planning permission to require the details of the extract equipment to be agreed, a noise condition limiting noise from the premises to no more than 5dB above background level at neighbouring properties and a condition limiting hours of operation to no later than 23:00.

REPRESENTATIONS

Forty letters of objection have been received from local residents. These letters are available on the file for inspection but for the purposes of this report are summarised below:

- Increase in traffic, congestion and likely parking problems
- Impact upon amenity due to smell, noise and litter
- Loss of valued community facility

- Village is currently served by mobile hot food retailers
- Query whether the use will be considered as an A5 use under the Use Classes
- Order which comes into effect on the 21 April
- Adverse impact upon the Conservation Area
- Use would not promote healthy eating habits
- Concerns over the handling of the application by the Parish Council
- Use will encourage traffic from outside the village
- Conflicts with KDC policies

POLICY CONSIDERATIONS

Kennet Local Plan - policies PD1, HH5 and ED28 are of relevance to the application.

PLANNING OFFICERS COMMENTS

The property is located centrally within the village, and The Square is characterised by its mix of both residential and commercial properties. The application provides for the continued commercial use of the property and it is considered that there is no objection in principle in policy terms to an alternative commercial use that provides a service to local residents.

Reference has been made to Policy ED28 which seeks to retain community facilities such as shops within villages. The policy does not, however, preclude alternative commercial uses. The primary aim of the policy is to retain community facilities in the face of increasing pressure for closure and conversion to residential properties. It can be argued that a takeaway use would in fact provide a service to the local community in accordance with the policy.

The site lies within the Aldbourne Conservation Area. The council has a statutory duty to consider whether the proposal would preserve or enhance the character or appearance of the area. No external changes are proposed and the shop frontage would be retained. The impact of the development upon the area would, therefore, be a neutral one and, as such, it is considered that no adverse impact would result. This is subject to appropriate controls over any necessary external alterations such as ventilation/extraction equipment, and a condition is recommended accordingly.

Regarding residential amenity, the site lies centrally within the village and close to a public house. Within this setting it is not considered that nuisance would be caused by evening operation of the business. A condition is, however, recommended to restrict very late night opening.

With regard to highway safety, no objection is raised by Wiltshire County Council subject to a condition requiring changes to white-lining in the vicinity of the site before the change of use takes place.

The council's Environmental Health Officer raises no objections in principle in relation to potential noise and smells from the use. Conditions are recommended to ensure adequate ventilation and extraction equipment is installed, and to limit noise levels from such equipment.

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 premises to which this permission relate shall be used solely for purposes within Class A5 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Use Classes Amendment Order 2005, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON:

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

3 - Prior to the first use of the premises as a hot food takeaway, details for the means of providing ventilation and extraction equipment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved which shall be installed prior to the first use of the building.

REASON:

To ensure that the equipment is of a satisfactory appearance and is effective at dealing with odour and noise.

4 - The use hereby permitted shall only be open between the hours of 0800 and 2300 from Mondays to Saturdays (inclusive) and between 0800 and 22.30 on Sundays. The use shall not be open at any other time .

REASON:

To protect the amenities of the area.

5 - Noise emitted from the site shall not exceed 5dB above background level during the hours of opening when measured at neighbouring residential properties.

REASON:

In order to protect the amenities of nearby residential properties.

6 - No development shall take place until a scheme for the rationalisation of white lining on the highway in the vicinity of the site is submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the first use of the building as a hot food takeaway.

REASON:

In the interests of highway safety.

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, HH5, ED28.

Item 2:

APPLICATION:	K/51735/F
PARISH:	ALDBOURNE
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Change of use of verge to enlarged garden
SITE:	Kandahar, Lottage Road, Aldbourne
GRID REF:	26664 76141
APPLICANT:	Mr N D Convey
DATE REGISTERED:	4th March 2005
CASE OFFICER:	Mrs C Coombs

SITE & LOCATION

The application site is located on the western side of Kandahar, a residential cul-de-sac located off Lottage Road. From the duck pond in the village centre, travel north in the direction of Baydon, and Lottage Road can be found on the left hand side.

SITE HISTORY

K/45530 – The erection of a bungalow with garage – refused on the 16 July 2002 and subsequently allowed at appeal.

DESCRIPTION OF DEVELOPMENT

The application proposes the incorporation of an area of grass verge into the garden of this recently constructed dwelling.

PARISH COUNCIL COMMENTS

Aldbourn Parish Council: object to the application on the basis of a loss of amenity and alteration to the street scene. Also concerned that the proposal would set a precedent.

CONSULTATIONS

Wiltshire County Highways (M Wiltshire) – no objections subject to a condition requiring the maintenance of the visibility splay across the site.

REPRESENTATIONS

One letter of objection has been received from a local resident commenting that the use of the land as garden and the fencing that has been erected is out of character with the open plan nature of the estate.

POLICY CONSIDERATIONS

Kennet Local Plan 2011 - policy PD1 is relevant.

PLANNING OFFICERS COMMENTS

It is considered that the use of the land as enlarged garden does not have a detrimental impact on the street scene or neighbouring properties in view of the overall 'suburban' character of the surrounding area where the majority of land is in use as gardens.

Of greater concern is the potential for garden structures to be erected on the land as 'permitted development' which may have a detrimental impact on the open plan character of the area. Already fences have been erected at the site prior to the submission of this application which did not require planning permission. To enable

control to be retained over potential further structures a condition is recommended removing permitted development rights. A condition is also recommended to ensure adequate visibility is maintained at the access.

RECOMMENDATION

Approve with Conditions

1 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting or amending that Order) no buildings, or structure, or wall, fence, or other means of enclosure shall be erected or placed on the site other than those existing at the date of the grant of this planning permission.

REASON:

In the interests of visual amenity.

2 - The land shall be kept clear for visibility purposes at a height not exceeding 1 metre above the carriageway level over a strip 2 metres wide, parallel and adjacent to the carriageway edge, over the entire site frontage edged red.

REASON:

In the interests of highway safety.

3 - 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 3:

APPLICATION:	K/51796/F
PARISH:	ALDBOURNE
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Conversion and extension of existing attached garage to provide additional habitable accommodation. Erection of first floor extension over garage
SITE:	53 Whitley Road, Aldbourne
GRID REF:	26108 75321
APPLICANT:	Mr G Salman & Miss D Sprules
DATE REGISTERED:	11th March 2005
CASE OFFICER:	Miss G Salisbury

SITE & LOCATION

The application site is located on the western edge of Aldbourne on the south-west end of Whitley Road. It is a modern semi-detached dwelling with an attached single storey garage to the side which connects no. 53 Whitley Road to 54.

DESCRIPTION OF DEVELOPMENT

This application proposes the conversion and extension of the existing attached garage to provide additional habitable accommodation and the erection of a first floor extension over. At ground floor level the existing garage will be extended 1.2 metres to the rear. The height of the first floor extension is 6.3 metres to the ridge and includes a dormer window on the front (north-east) elevation measuring 1.7m wide by 2.1m high. The materials proposed are to match the existing property.

ADDITIONAL STATEMENT BY THE APPLICANT

In support of their application the applicants state;

"We feel that our design blends with the neighbouring property, matching almost exactly the extension already provided at the adjacent no. 54, and will ensure that our young growing family will be able to remain in this community. In addition our proposal will not decrease the current level of parking. The present garage as constructed is not wide enough to accommodate a family car and therefore cannot be used as such".

PARISH COUNCIL COMMENTS

No objection in principle to the upper storey extension but strongly oppose the loss of a garage in an area with very limited parking.

CONSULTATIONS

County Highways (Paul Gaplin) – No objection as there remains two spaces for parking on the site.

REPRESENTATIONS

Two letter of objection have been received from neighbouring residents. There concerns are that;

- The roof height of the first floor extension is lower than that of the extension at 54, Whitley Road;
- A terraced effect would be created by the extension between 52, 53, 54 and 55 Whitley Road.

POLICY CONSIDERATIONS

Kennet Local Plan 2011 – Policy PD1 (Development and Design) is relevant.

PLANNING OFFICERS COMMENTS

The main issues in this case are the impact of the proposed extension on the character of the area and highway safety.

The parish council has expressed concern that this development would result in the loss of a garage in an area with very limited parking. However, two parking spaces would remain on the site and no objection has been raised by Wiltshire County Council. Consequently a refusal decision for this reason could not be sustained, particularly as the garage could be converted on the ground floor to accommodation under permitted development rights.

Concern has been raised that the extension would result in the semi-detached properties taking on a terraced appearance. Whilst the extension would connect 53 to 54 Whitley Road at first floor level, it would be set back 1.25m from the main dwelling and would be 2.1m lower in height. This design would ensure that the dwellings in the row as a whole retain their individual identities without harm to their amenities or appearance in general.

Finally, while the proposed development will be lower than the extension at no. 54, the extension is considered to be well designed and not harmful to the character and appearance of the 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 - 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.

3 - 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 4:

APPLICATION:	K/51484/F
PARISH:	COLLINGBOURNE DUCIS
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Fifteen new dwellings and two B1 (office/light industrial) buildings
SITE:	Bourne Works, High Street, Collingbourne Ducis,
GRID REF:	24429 53966
APPLICANT:	Mr N Hyde & Mrs M Bayfield
AGENT:	Michael Fowler Architects
DATE REGISTERED:	14th January 2005
CASE OFFICER:	Mr R C Cosker

SITE & LOCATION

The site is approximately 0.58 hectares in size and is located on the eastern side of the A338, which is also known as the High Street, just to the south of the Cadley Road crossroads. The site forms part of a larger employment area which extends from the High Street up to the embankment of the old railway line. Vehicular access to the site is currently through a one-way system off the High Street.

The site rises from the High Street up to the embankment which forms the western boundary of the site. The old Station House is situated within the site at the top of the embankment. To the north lies Saunders Meadow, a modern estate of 18 houses whilst residential gardens lie to the south of the site. Further industrial units and one residential property lie between the High Street and the main development area of the site.

The site lies within the Collingbourne Ducis Conservation Area and in the North Wessex Downs Area of Outstanding Natural Beauty.

SITE HISTORY

K/50890/F – This application was for the demolition of the fertilizer plant and an adjacent industrial unit with 30 new dwellings and 2 new industrial units proposed. The application was withdrawn on 15 November 2004.

DESCRIPTION OF DEVELOPMENT

The application proposes the demolition of the fertilizer works, (whilst retaining the existing adjoining light industrial building) and the construction of 15 dwellings together with 2 new light industrial buildings. Vehicular access to the remaining and new industrial units would continue from the High Street whilst vehicular access for the residential units would be from a new access onto Station Approach. The access would slope down into the site with the dwellings laid out in short terraces. The dwellings are of 'traditional' design but with a variety of details to provide interest. A commuted sum is proposed in lieu of equipped play space which is not provided on site. As part of the application Station Approach will be upgraded and highway improvements to improve pedestrian movements will be made at the junction of the High Street and Cadley Road and on Chicks Lane.

PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The applicant has submitted amended plans showing changes to the site access and relating to the positioning, height, design and slab levels of some of the dwellings, in

particular plots 1 and 2 (which are the highest units adjacent to Station House) have been lowered, plots 3 and 4 have been re-orientated and plots 5 to 8 have been amended and lowered. One of the industrial units has also been lowered.

ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has submitted a Design Statement with the application which sets out the background and reasoning behind the proposal. A copy is available on the planning file.

PARISH COUNCIL COMMENTS

Original plans – The Parish Council objects to the application on the following grounds;

1. The proposed highway improvements do not address the problem of increased volume of traffic using Cadley Road. There are already three other roads leading to Cadley Road within 60m of Station Approach. The Council is also opposed to some of the off site works. Much work has previously been done by County and TRL, these current proposals are inferior to the previous design put forward, and the widening of the pavement to the north of the Cadley Road junction will encourage pedestrians to congregate on the corner further decreasing visibility for traffic. Vehicles turning into Cadley Road from the north will also encounter a tighter turn. Furthermore there is little point improving a small footway on the corner of Chicks Lane when pedestrians then will have to cross Chicks Lane to access the footway up to Bourne Rise and the school. We consider the changes could further the accident risks at this junction.
2. A review of the Wiltshire Structure Plan has suggested that no further housing allocations are required in Kennet. This development, although greatly reduced, is still significant at 15 dwellings.

Amended plans – Nothing to add to previous comments, other than to say that the access to the development and the extra traffic it will engender on Cadley road and the junction with the A338 presents a major risk to the community.

CONSULTATIONS

Wiltshire County Highways (Mr Wiltshire) – Initially recommended refusal as the proposals to upgrade Station Approach were inadequate and/or lacking information. Further objections were raised concerning the technical issues with the internal layout. These matters have now been resolved to their satisfaction.

However, the highway authority continues to object on the grounds that the replacement of an existing employment site with residential development would be unsustainable in that it would increase the need to travel, especially by car.

County Archaeologist – No objections subject to the imposition of a planning condition requiring archaeology investigations to take place.

Environment Agency – No objection but recommends conditions concerning contaminated land and surface water drainage.

Wessex Water – No objections

KDC Environmental Health – Revised plans reduce noise exposure levels for residents by moving them further away from existing noise sources. Concerned about future use of the large retained unit and require southern boundary to be of brick construction and 2m high to minimise noise nuisance.

KDC Housing Development Manager – Satisfied with the provision of 5 affordable housing units. This number is justified in this instance by the abnormal development costs associated with this scheme.

REPRESENTATIONS

Eight letters of objection and nine letters of support have been received concerning this application. The points raised in the letters of objection can be summarised as follows;

1. There are too many houses crammed into the site and three storey dwellings will be very noticeable and out of keeping with village style.
2. The use of Station Approach as access will be a disaster with Cadley Road already being very busy, including lorries and even tractors. Daily traffic flowing down Station Approach into Cadley Road will make this worse. Safety will be a problem particularly with the new school. This is also the location of the village shop.
3. Station Approach is inadequate for cars to pass safely and the proposed pinch points demonstrate this.
4. The alterations to the Cadley Road junction and on Chicks Lane appear only cosmetic. We cannot believe this will make a difference to the congestion.
5. A previous application for a dwelling on station yard was refused because it would impose on the skyline.
6. Plot 5 will block out daylight and sun to the rear of my property, that property is also much higher than mine.
7. The design of plots 5, 6, 7 and 8 are not in keeping with the surrounding houses.
8. The plan submitted shows that part of the development is on my land.
9. The proposed development would reduce local business opportunities.
10. Why build new employment buildings when there are others already empty?
11. The banks around my property will suffer landslides when building work takes place and large vehicles start using the road.
12. Would the access road be safe for vehicles on top of the high bank as no access barriers are proposed? Any accident would have a high probability of killing or seriously hurting anyone present in our garden or house.
13. Privacy of my property will be impeded by the road which is level with my bedrooms, the access road will cause noise and air pollution.
14. Street lighting on Station Approach could be a problem.
15. There is no fencing around my property due to restrictions so how can I make the garden safe for my three year old?
16. Our boundary fence is only there to stop our children getting out of the garden; it is not designed to stop vehicles or stop people getting into the garden, nor is it designed for privacy or noise reduction. If this proposal goes ahead why should we be forced into renewing our boundary fencing. We would require a barrier for safety reasons and to reduce noise and light pollution.
17. A more direct pedestrian route to the village is needed to reduce additional problems of pedestrians on Station Approach.
18. Teenagers already use the road and throw litter into gardens, this will only get worse together with other anti social behaviour such as skateboarding and football games in the road.
19. Although not a planning matter there are concerns about the adequacy of the services in the village including electricity and sewage.
20. How will construction traffic access this site?

The points raised in the letters of support can be summarised as follows;

1. The well designed small houses are preferable to an unsightly fertilizer plant which is inappropriate in the centre of the village.
2. Residential development is preferable as there are currently problems with large lorries passing within 1 metre of our house wall.
3. Low cost housing is welcomed.
4. Increased resident population will enhance viability of shop and school etc.
5. Office/light industrial buildings would provide continued employment opportunities.
6. Only reservation is impact of traffic congestion at the junction of Cadley Road and possible impact on the water table.

POLICY CONSIDERATIONS

Kennet Local Plan 2011 - policies PD1, HC22, HC32, HC34, AT10, NR8, ED12 and HH5 are considered most relevant to the determination of this application.

PLANNING OFFICERS COMMENTS

This application raises a number of key issues. These include the principle of residential use on this site (including the issue of residential development on employment land); the impact on the conservation area; the impact on highway safety and the impact on the residential amenity of occupiers of neighbouring properties.

The principle of residential development on the site

The application site lies within the limits of development (LOD) of Collingbourne Ducis. In the Kennet Local Plan, this is identified as a village with a range of facilities. The relevant policy to consider in addressing the issue of the principle of development is therefore HC22. This policy states that within the LOD the redevelopment of existing buildings or small groups of houses will be acceptable provided the development is in harmony with the village in terms of its scale and character and conforms with other policies of the plan. Within the glossary of the local plan small housing sites are defined as "less than about 10 dwellings". Whilst this proposal is for 15 dwellings it is for the redevelopment of existing buildings where it is considered that a proposal for less houses would not be the most efficient use of previously developed land as required by other policies within the local plan (eg policy HC6) and government guidance in PPG 3. It is further considered that, notwithstanding the comments of the highway authority concerning the unsustainability of the proposal, 15 dwellings are not excessive for a village with this level of facilities.

The second element in considering the principle of the residential use of the site concerns the loss of employment land. Policy ED12 seeks to protect employment sites within villages and sets out three criteria where other uses will be permitted. In this instance it is considered that criteria c) is relevant. This states that alternative uses will be permitted where, "the redevelopment for an alternative use will remove a use which is demonstrably incompatible with neighbouring property". The fertilizer plant has existed on the site since 1987 and essentially raw material is brought to the site and processed to create the end product. The process gives off a noxious smell and can create dust where the raw materials are stored. The council's Environmental Manager has carried out a risk assessment of the site, under the Environmental Protection Act and Pollution Prevention and Control Act, and classified it as a high risk installation. The operation of the site also involves deliveries of the raw materials by large articulated vehicles, as well as smaller more numerous vehicles leaving the site with the finished product, using sub-standard accesses off the main High Street. Historically the Council's Environmental Manager has received numerous complaints about the operation on this site and, although there have been none made in the last

18 months, your officers consider that the fertilizer plant is an incompatible use in the centre of this village close to residential properties. The removal of the use will also remove the large delivery vehicles accessing the site.

Policy ED 12 goes on to set out what alternative proposals would be acceptable where one of the criteria is met. These include mixed use proposals where the development provides for housing together with buildings for employment or tourism uses. Any housing element of a mixed use development should provide equal numbers of general market housing and affordable housing. This current proposal is amended from the previous scheme in that the number of dwellings has been reduced from 30 to 15 because, as well as building two new employment buildings, the applicant is also now retaining an existing employment building on the site. Your officers are therefore now satisfied that a sufficient element of employment use is retained on the site. With regards to affordable housing, whilst policy ED12 would require 7 out of the 15 dwellings to be affordable, the applicant has stated that 5 dwellings will be affordable dwellings transferred to a Registered Social Landlord. In justifying the reduced level of affordable housing the applicant has submitted details of the 'out of the ordinary development costs' for this site which include decontamination works and the costs of providing the access of Station Approach which is required as access of the High Street is unacceptable to the highway authority. Your officers consider that, in this instance, it is necessary to take into account these abnormal development costs and balance the shortfall in the affordable housing units with the positive benefits of the removal of the incompatible employment use and conclude that the level of affordable housing is acceptable in this instance.

Impact on the Collingbourne Ducis Conservation Area

The site lies within the Collingbourne Ducis Conservation Area and there is therefore a statutory duty to pay special attention to the need to preserve or enhance the character or appearance of the conservation area. The historic settlement pattern is of development along the bottom of the valley with the wooded slopes of the valley and the old railway line forming a characteristic visual enclosure to the valley and settlement. Historically the old Station House was the only development on the valley side. The adjacent Saunders Meadow development has however created an area of 'in depth' development, albeit cut into the slope, and the fertilizer plant itself is a visual feature on the valley side. The removal of the fertilizer plant could therefore also be seen as a benefit to the character and appearance of the conservation area. It is however acknowledged that the form of development proposed, which turns its back on the main High Street by reason of its layout and with a cul-de-sac access from the rear, is not the best approach to integrate the development with the remainder of the village. However the approach taken by the applicant has been restricted as access from the High Street is unacceptable for highway safety reasons and the wider mixed use redevelopment of the commercial area is ruled out due to multiple land ownership.

The original application proposed changes to formalise Station Approach, which would have lead to the removal or damage to trees and hedgerows bounding the access. These were considered damaging to the conservation area. The current proposal however incorporates areas of restricted width, whilst still providing sufficient passing places, to ensure those important landscape features can be retained. The applicant has also submitted advice from a structural engineer, who is satisfied that no engineering works (such as possibly unsightly retaining walls) are required for the widening of Station Approach, and a highway engineer who has advised that metal safety barriers will not be required alongside the access track and that the use of a 'wooden birdlip fence' would be sufficient if a visual barrier was

desirable. The highway authority has also advised that they have no requirement to install street lighting on Station Approach of the remainder of the site and would only consider it if requested by the parish council. Your officers are therefore satisfied that the required improvements to station approach will preserve the character and appearance of that part of the conservation area.

The significant public views into the main part of the site are from the High Street and the western side of the valley. Following negotiations, the current application has been further amended to reduce the heights of some of the dwellings and the levels they are built at to reduce their visual impact and to also reduce the impact on adjoining dwellings in Saunders Meadow. Whilst some dwellings have a third storey in the roofspace these are still less than 9.6 metres high to the ridge and sited on the lower levels of the site. It is considered that whilst the views into this site will be significantly changed the scheme now proposed will ensure the visual impact of the redevelopment of this site will be minimised and on balance, having regard to the wider benefits of removing the fertilizer plant, will preserve the character and appearance of the conservation area.

Impact on amenities of occupiers of adjacent properties

As previously stated the northern boundary of the main part of the site is formed by the dwellings in Saunders Meadow. These dwellings are set at a lower ground level than currently exists on the site and as such amendments have been negotiated to reduce the ground levels and heights of the proposed dwellings to minimise the impact. The normal standard 'back to back' and 'back to flank' distances are achieved between plots 3, 4 and 5 and the adjacent dwellings although, even with the reduced floor levels proposed the new dwellings will still be higher than the existing adjacent properties. It is considered that the differences on those plots are acceptable and will cause no demonstrable harm, with regard to loss of privacy or over dominance, due to the limited differences in levels and/or the particular relationships between individual properties. With regard to the relationship between plot 1 and the adjacent property 9 Saunders Meadow, this has again been amended due to the significant difference in levels. The difference in floor levels is still 2.16 metres although the reduced height of the dwelling on plot 1 means the ridge level will be only 0.96 of a metre above that of 9 Saunders Meadow. Whilst plot 1 will still sit above the garden of 9 Saunders Meadow the dwelling has been designed to minimise any impact and windows have been positioned to prevent overlooking.

A further issue concerning amenity relates to the use of Station Approach as vehicular access to the site and the impact this will have on properties in Saunders Meadow and Bridge House that are adjacent to the road. The road has historically been used by commercial vehicles and still is the only access for a commercial premises further along the railway embankment. Whilst it is accepted that the use of the road to access 10 dwellings will impact on those adjacent dwellings it is not considered that the traffic generated would create disturbance at such levels to warrant the refusal of this application.

Highway issues

Whilst the use of Station Approach as the vehicular access for the site will increase the level of traffic entering onto Cadley Road near the junction with the A338 no objection is raised by the highway authority on this point. In fact, it was the highway authority who requested Station Approach to be used as they consider the existing access onto the High Street to be unsuitable. Whilst safety concerns have been raised about the use of Station Approach, particularly with regard to the adjacent drops in land levels into neighbouring gardens, the advice of specialist engineer is that no stabilising work is required and that the stability of the existing banks are not

jeopardised. With regard to the use of safety fencing the consultant highway engineer has advised that, due to the low traffic speeds and the historical use of the track by vehicular traffic, major safety fencing is not required. Your officers have however recommended a planning condition requiring a visual barrier to be erected in accordance with the details to be first submitted to the local planning authority.

With regard to the off site highway works proposed, whilst the Parish Council has objected to them as they are inferior to previous proposals discussed with the highway authority, the off site works shown on the submitted plans have been included at the request of the highway authority to help improve pedestrian movements at the A338/Cadley Road junction and in Chicks Lane.

To conclude, it is considered that that the proposal as amended is acceptable and that planning permission should be granted, subject to the prior completion of a legal agreement to ensure the provision of 5 affordable housing units and to require the payment of £25,010 (index linked) in lieu of providing equipped play space on the site.

RECOMMENDATION

Grant full planning permission, subject to the prior completion of a legal agreement and subject to the conditions set out below:-

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 - This permission relates to the scheme of development as submitted except insofar as amended by the revised plans 021105-105 Rev C, 021105-106 Rev B, 021105-101 Rev A , 021105-107, 021105-103 Rev A, 021105-104 Rev A, and 022105-18 Rev G received on the 30 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.

4 - 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.

5 - Prior to the commencement of development details of all eaves, verges, windows (including joinery, head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies to be used shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those approved details.

REASON:

To secure a harmonious architectural treatment.

6 - Prior to the first occupation of any dwelling hereby permitted the north elevation of the retained industrial unit shall be made good in accordance with the details first submitted to and approved in writing by the local planning authority.

REASON:

In the interests of the visual amenity of the area.

7 - Before any work commences on site the ground floor slab levels for all buildings shall be agreed in writing with the local planning authority. The development shall be carried out in accordance with the approved details.

REASON:

In the interests of visual amenity.

8 - No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform, together with details of any retaining walls or structures proposed. Development shall be carried out in accordance with the approved details.

REASON:

To ensure a satisfactory landscaped setting for the development and to ensure the retention of the trees on the site.

9 - No development shall take place until there has been submitted to and approved by the local planning authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON:

To ensure a satisfactory landscaped setting for the development.

10 - 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.

11 - The trees or hedgerows on the site, or overhanging the site, (including Station Approach) which are shown as retained shall, before any work commences (including demolition of existing buildings) be enclosed by protective fencing in accordance with a scheme first submitted to and approved in writing by the local

planning authority, the scheme shall include details of the type and exact position of the protective fencing. Once the protective fencing has been erected it shall be maintained for the duration of the works (unless previously agreed in writing by the local planning authority) and no vehicle, plant, temporary building or materials, including stacking of soil, shall be allowed within it, nor shall the land levels within the protective fencing be changed unless agreed in writing with the local planning authority.

REASON:

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

12 - The construction of the highway improvements along Station Approach shall be carried out in accordance with a method statement first submitted to and approved in writing by the local planning authority. The method statement shall include details of the means of construction and details of the existing trees and hedgerows on or adjacent to the road will be protected during the course of the works to the road.

REASON:

To enable the local planning authority to ensure the retention of trees and hedgerows on the site in the interests of visual amenity and to ensure no construction works are carried out which could undermine the stability of the adjacent banks.

13 - No dwelling shall be occupied until the parking space(s) shown for it on the approved plans, together with the access thereto, have been provided. The access shall be constructed in accordance with the approved drawing 021105-18 Rev G.

REASON:

To ensure that adequate parking space and access has been provided before the occupation of any dwelling in the interests of highway safety and the amenity of future occupants.

14 - Details of the surface finishes and kerbing of all roads, footpaths, access ways, parking areas and drives shall be submitted to and approved in writing by the local planning authority before being constructed. The development shall be carried out in accordance with the approved details.

REASON

To secure harmonious architectural treatment.

15 - Prior to the first occupation of any dwelling hereby permitted wooden 'birdlip' fencing (or other fencing or barrier agreed by the local planning authority) shall be erected along the Station Approach in accordance with the details first approved in writing by the local planning authority. The fencing shall be retained in that form thereafter.

REASON:

In the interests of highway safety.

16 - Before the construction of any boundary wall, fence or other means of enclosure (including retaining structures) is commenced details of the height position and materials of which they are to be constructed 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:

In the interests of visual amenity.

17 - Notwithstanding the details shown on the approved plans, prior to the first occupation of the dwellings on plots 5-15 a 2 metre high brick wall shall be erected along their rear boundaries in accordance with the details first submitted to and approved in writing by the local planning authority. The wall shall be maintained in that form thereafter.

REASON:

To ensure sufficient mitigation measures are provided to future residents against the activity from the adjacent industrial buildings.

18 - Details of the means of disposal of foul sewage shall be submitted to and approved by the local planning authority in writing before development commences on the site. The development shall be carried out in accordance with those approved details.

REASON:

To ensure satisfactory foul water drainage.

19 - No development approved by this permission shall be commenced until a scheme for the means of the disposal of surface water from roads, paved areas and roofs has been submitted to and approved in writing by the local planning authority. The scheme shall include surface water run-off limitation and pollution prevention measures. The development shall be carried out in accordance with the approved plans.

REASON:

To ensure satisfactory surface water drainage, prevent the increased risk of flooding and to prevent pollution of the water environment.

20 - No development approved by this permission shall be commenced until a site investigation to deal with possible contamination of the site has been submitted to and approved in writing by the local planning authority. This scheme shall include an investigation and assessment to identify historical use with relation to potential ground contamination followed by a soils investigation to identify the level of soil contamination on the site, the mobility of the contamination (using leachability tests) the remediation measures proposed and the validation of the remediation measures employed. The scheme shall also include a detailed water interests survey to identify all wells, boreholes, springs and watercourses within 100m of the site boundary. Development shall not be commenced until measures approved in the scheme have been implemented.

REASON:

To prevent pollution of surface and groundwaters.

21 - No development shall take place within the area of the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

REASON:

To safeguard the site of archaeological interest.

22 - 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 shall be inserted in the northern elevation of plots 1 and 5, the eastern elevation of plot 3 and the southern elevation of plot 8.

REASON:

In the interests of the privacy of the neighbouring properties.

23 - 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 dwellings hereby approved shall be erected, nor shall any building or structure be erected in the curtilage of any of the dwellings.

REASON:

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

24 - The garages on plots 1, 2, 3, 4 and 8 (notwithstanding the details shown on the approved plans), shall not be fitted with doors and shall be maintained as open fronted car ports thereafter.

REASON:

In the interests of highway safety and convenience.

25 - No external construction work shall be carried out before 0800 or after 1800 on Monday to Friday or before 0800 and after 1300 on Saturdays and there shall be no external working at any times on Sunday or Bank Holidays.

REASON:

In the interests of residential amenity.

26 - Commercial building A and B shall be constructed to fitting out stage, and the associated access and parking provided, before any of the dwellings hereby permitted are first occupied.

REASON:

To ensure the provision of the employment element.

27 - The commercial buildings A and B shall be used solely for purposes within Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON:

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

28 - 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, HC22, HC34, ED12 , AT10, NR8 and HH5.

Item 5:

APPLICATION:	K/51679/F
PARISH:	COLLINGBOURNE DUCIS
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	First floor extension above existing garage
SITE:	Semarak, Ludgershall Road, Collingbourne Ducis
GRID REF:	24462 53644
APPLICANT:	Mr and Mrs S Jones
AGENT:	Spencer Architecture
DATE REGISTERED:	18th February 2005
CASE OFFICER:	Mr N Britton

SITE & LOCATION

'Semarak' is a large modern bungalow situated behind the grounds of a thatched house on the roadside. It has access from Mill Lane, an unsurfaced bridleway to the south which leads up through a wooded area towards open countryside. Behind the bungalow, the garden rises very steeply to an old overgrown railway embankment. At the northern end of the bungalow is a double garage with a flat roof which is on slightly higher foundations. The garage has been extended to the rear to form a small en-suite bedroom, and is also linked to the main bungalow by a recently constructed conservatory.

The site is within the Collingbourne Ducis Conservation Area and the North Wessex Downs AONB.

SITE HISTORY

K 43900: Planning permission was granted for a conservatory on 30 September 2002

DESCRIPTION OF DEVELOPMENT

It is proposed to build a first floor extension on top of the existing flat-roofed double garage, forming a new en-suite bedroom and landing. The height of this structure will more than double, increasing from 2.5 metres to a new ridgeline of 6 metres. The main roof ridge will run at right angles to the existing bungalow roof, and will be linked to it by a subordinate roof ridge aligned with the existing roof of the bungalow but 1 metre higher. The new accommodation will be lit by large windows in the three new gable ends.

PARISH COUNCIL COMMENTS

Collingbourne Ducis Parish Council objects to the application on the grounds that the proposed extension is disproportionate to the size of the bungalow which is also within the conservation area.

POLICY CONSIDERATIONS

Kennet Local Plan 2011 - policy HH5 requires the character and appearance of conservation areas to be preserved or enhanced. Policy NR8 requires priority to be given to the conservation of the landscape of the AONB. Policy PD1 requires a high standard of design in all development, including consideration of scale, height, massing, relationship to townscape and landscape context and historic features, elevational treatment and the impact on residential amenity. The Collingbourne Ducis

Conservation Area Statement was approved as supplementary planning guidance in October 2002.

PLANNING OFFICER'S COMMENTS

The edge of the Collingbourne Ducis conservation area is defined at the rear of the grounds of 'Semarak' by the old railway embankment which forms a wooded backdrop to all the properties on Ludgershall Road. Although not all of these (including Semarak itself) are of architectural interest, the linear pattern of development along a stream valley is typical of chalkland villages in this area of the North Wessex Downs AONB.

At present, the low roof of the bungalow is not prominently visible from the main road, and the double garage is concealed. There are public views of the wooded railway embankment as it rises to the rear, and also a public view between the roof of Semarak and the main face of the unlisted but attractive thatched property which stands forward of it (22 Ludgershall Road).

The proposed two-storey extension would form an incongruous raised addition to the unobtrusive form of the existing low roof and its impact would be exaggerated by the apparently arbitrary choice of a large round-headed window which would have to be obscure-glazed for privacy reasons and which has no apparent precedent in the immediate area. The extension would also interrupt established public views and would compete with the attractive south front of number 22, albeit this is not a listed building.

The proposal would be out of character with the existing bungalow, and would harm the village scene generally, the setting of the village within the AONB and the character and appearance of the conservation area.

RECOMMENDATION

Refuse for the following reasons:

1 - The proposed extension would be detrimental to the character and appearance of the Collingbourne Ducis Conservation Area and the character and scenic quality of the landscape of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) by reason of its incongruous raised appearance and its intrusion into public views towards the wooded area which forms part of the setting of the conservation area and the village within the AONB. The proposal would therefore be contrary to Policies C8 and HE7 of the Wiltshire Structure Plan 2011 and Policies HH5 and NR8 of the Kennet Local Plan 2011.

2 - The proposed extension by reason of its scale, height, massing and elevational treatment in relation to the existing dwelling, and its relationship to townscape and landscape context and historic features, is of unsympathetic design and would thus be contrary to Policy PD1 of the Kennet Local Plan 2011.

Item 6

APPLICATION:	K/51837/F
PARISH:	ROWDE
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Extension to ground floor and loft conversion.
SITE:	Stovey Croft, The Common, Rowde
GRID REF:	96726 62855
APPLICANT:	Mr D Pullen
AGENT:	Mr K Joyce
DATE REGISTERED:	16th March 2005
CASE OFFICER:	Miss V Longdon

BACKGROUND

One of the ward members, Councillor Mrs Giles, has called this application to committee.

SITE & LOCATION

The application site is located in the open countryside outside of Rowde village. It can be found by taking a left turning off of the High Street, when heading in a westward direction, into Cock Road. At the end of Cock Road there is a crossroad, go straight over this, the application site can be found approximately 0.6 miles on the right hand side of the road.

Stovey Croft is a detached concrete and stone bungalow sat in a large plot in an elevated position above the roadside. There are no immediate neighbouring properties.

SITE HISTORY

There is no relevant planning history.

DESCRIPTION OF DEVELOPMENT

This application proposes to extend and alter the bungalow to create additional living accommodation. It is proposed to extend the bungalow by 2 metres at the front, square off the north-eastern corner and alter the roof so that the ridge would be 1.95 metres higher and run east to west rather than north to south. Rear and front dormers are also proposed to enable first floor accommodation.

PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The scheme has been amended so that the size of the dormer windows facing the roadside have been reduced.

ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has noted officer's concerns and has stated on the amended plans that they would be willing to take advice and soften the appearance of the gable by, for example, hanging tiles on the top part of the gable or creating a hipped roof on the top part of the gable.

PARISH COUNCIL COMMENTS

No objection.

REPRESENTATIONS

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

POLICY CONSIDERATIONS

Kennet Local Plan 2011 - policy PD1 regarding design is the pertinent consideration.

PLANNING OFFICERS COMMENTS

It is considered that the key issue in the determination of this application is whether the design and appearance of the scheme is acceptable. There are no immediate neighbours.

Although in its current form Stovey Croft is of no significant architectural merit, it is unassuming and relatively unobtrusive in appearance despite its elevated position above the roadside. The bungalow is simple in form and well-proportioned.

Whilst the principle of extending the property to create room in the roofspace is considered acceptable, the problem with the current proposal is that it results in building that has a much larger physical impact and is therefore more obtrusive in the countryside. This arises because it is intended to extend the dwelling as well as alter the shape and height of the roof. This would result in an increase of the ridge height from 4.7 metres to 6.65 metres and the creation of an 11.6 metre gable span, two metres larger than the existing. The combination of the wide gable span and overall height would give rise to a large and bulky property which would be ill-proportioned and unduly prominent from public views. With regard to the dormers, these have now been amended and, although still large, they are considered acceptable.

RECOMMENDATION

Refuse for the following reasons;

1 - The proposed extension would result in a dwelling which, by virtue of its increased scale and bulk, would have an adverse impact on the appearance of the area. The proposed development would therefore be contrary to policy PD1 of the adopted Kennet Local Plan 2011.

Item 7:

APPLICATION:	K/51658/F
PARISH:	RAMSBURY
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Formation of small private golf course (part retrospective)
SITE:	Howe Mill, Newtown, Ramsbury
GRID REF:	28105 71434
APPLICANT:	Sir M Arbib
AGENT:	Jeffrey Charles Emmett
DATE REGISTERED:	14th February 2005
CASE OFFICER:	Mrs C Coombs

BACKGROUND

This application is presented to the Regulatory Committee at the request of the Ward Member, Cllr S Findlay.

SITE & LOCATION

Howe Mill is located on Newtown Road in Ramsbury, the lower road leading out of the village running past The Bell Public House.

DESCRIPTION OF DEVELOPMENT

The application proposes the creation of a four hole golf course on land to the south west of Howe Mill. The land forms part of the River Corridor serving the Kennet, much of which is a designated SSSI. The site falls outside the boundary of the SSSI but is immediately adjacent to it.

ADDITIONAL STATEMENT BY THE APPLICANT

The applicant has provided a detailed statement which sets out the background to the application and a consideration of the planning merits. The statement is available on the planning file for inspection.

PARISH COUNCIL COMMENTS

Ramsbury Parish Council: objects to some aspects of the application. Comment that the bridge is not in keeping with the surroundings and that a small wooden bridge would be more appropriate. There is a good deal of non-native planting in place, mainly laurel, which gives an urban impression and should be removed. Comment that the application is contrary to the Kennet Landscape Conservation Strategy.

If the application is granted, the Parish Council considers that conditions should be attached to the consent to restrict the use of the site to a private golf course that is basically enhanced grassland. The maintenance system is a vital part of the application and method statements should be imposed to maintain the stewardship in perpetuity.

CONSULTATIONS

Wiltshire County Council (Archaeology) – no objections subject to a condition requiring an archaeological watching brief.

English Nature – comment that the site is adjacent to the River Kennet Site of Special Scientific Interest (SSSI). English Nature considers that the development need not cause significant damage to the nature conservation interests of the SSSI provided that appropriate conditions are attached to ensure the river system is protected. The proposal to leave only 1 yard of natural vegetation along some sections of the bank stream will not enhance the SSSI. It is recommended that a greater area (between 3 and 5 metres) be left as natural vegetation along the SSSI back stream. English Nature accepts that in one or two locations this can be reduced to one metre to maintain access for fishermen to the stream.

Environment Agency – object to the proposed development. Much of the site lies within flood zone 3, the high-risk zone for planning purposes. The development results in the raising of levels and the flood risk compensation measures proposed are insufficient. Also comment that the buffer strip between fairway 4 and the River Kennet should be increased. Management plans should be in place for the maintenance of the wildflower meadow.

REPRESENTATIONS

CPRE – The development results in substantial changes to the land that are inappropriate to the river corridor and landscape character of the area. The proposals are contrary to Kennet Local Plan Policy NR2 and to the enhancement priorities set out in the Kennet Landscape Conservation Strategy. Concerns raised about source of water supply to irrigate the greens and over the design of the bridge. Suggest that a management agreement be imposed should the scheme be permitted to encourage the conservation management of the land.

Action for the River Kennet – comment that the planting of non-native trees is undesirable in this location and should be reconsidered.

One letter of objection has been received from a local resident commenting that the development is a further encroachment on water meadows/riverside fields in the Area of Outstanding Natural Beauty. These areas should not be converted into private back gardens hidden from view destroying public enjoyment of the rural scene.

POLICY CONSIDERATIONS

Kennet Local Plan 2011 - The site is located within the countryside, North Wessex Downs Area of Outstanding Natural Beauty and river corridor. Policies NR7, NR8, NR11, NR17 together with advice contained within PPS7 and the Draft Kennet Landscape Conservation Strategy are of relevance.

PLANNING OFFICERS COMMENTS

It is considered that the use of this land as a domestic golf course raises a number of planning issues. These are identified in turn below.

Principle of the development

The site lies in the countryside and AONB. Policy NR8 of the Kennet Local Plan states that in the AONB, priority should be given to the conservation of the character and scenic quality of the landscape and that development will be generally restricted to that which is essential to the rural economy, the social well being of the community or desirable for the enjoyment of its amenities.

Guidance contained within PPS7 states that 'designated areas such as AONB's have been confirmed by the Government as having the highest status of protection in

relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas’.

The provision of a private golf course to serve a single domestic property offers no benefit to the local community and it cannot be considered to be essential to the rural community. It is therefore considered that as a matter of principle, the proposed development conflicts with the aims of this planning policy.

Landscape Impact

The site forms part of the river corridor of the Kennet and is adjacent to the designated SSSI. A strong objection is raised in terms of the impact of the proposal on the landscape quality of the area particularly as it lies in an extremely sensitive part of the River Kennet valley and is of high visual and ecological value. The proposal and the work that has been carried out to date has involved the remodelling of the meadow land, the creation of bunkers, water features, importation of material, removal of trees and the planting of non native species. As a consequence the development has severely degraded the character of the area. The development, therefore, conflicts with Policies PD1, NR6 and NR8 of the Kennet Local Plan and guidance contained within the Kennet Landscape Conservation Strategy.

Flood risk

The site lies within zone 3 of the Environment Agency’s Flood Risk Maps. This is the most sensitive zone for the purposes of considering planning applications. The development proposes the remodelling of the land that forms part of the designated floodplain. The Environment Agency has objected to the scheme on the grounds that the compensation measures proposed in the Flood Risk Assessment are insufficient to mitigate against the loss of the current flood plain areas. The application therefore conflicts with Policy NR17 of the Kennet Local Plan and advice contained within PPG25.

Nature Conservation

English Nature has been consulted and has raised no objections in principle to the development. As such, it is considered that an objection in terms of the impact of the development upon the ecology of the SSSI cannot be substantiated.

Conclusion

In sum, it is considered that this proposal represents an inappropriate form of development in a nationally designated area. If approved the development would result in a significant change to the character of the area which will have a harmful impact upon the landscape character of the area. The development would also impact on the floodplain. For these reasons the application is recommended for refusal.

RECOMMENDATION

Refuse for the following reasons

1 - The site is located within the North Wessex Downs Area of Outstanding Natural Beauty where development is restricted to that which is essential to the rural economy, social well being of the community or desirable for the enjoyment of its amenities. The creation of a private domestic golf course makes no such contribution to the area and the development is therefore considered to be contrary to Policy NR8 of the Kennet Local Plan as a matter of principle.

2 - The proposed development, which involves the remodelling of the land and the introduction of alien features such as greens and bridges, will have an adverse impact upon the landscape character and appearance of the countryside, North Wessex Downs Area Outstanding Natural Beauty and the river corridor in which it is located. As such the proposal conflicts with Policies NR8, NR7, NR11 and PD1 of the Kennet Local Plan together with Supplementary Planning Guidance contained within the Kennet Landscape Conservation Strategy.

3 - The proposed development has resulted in, and would result in, the changing of ground levels in the floodplain through the creation of golfing features. As a consequence the development has, and would, result in a loss of flood water storage areas over the site, and while a Flood Risk Assessment has been provided, the compensation measures proposed are insufficient to fully mitigate against this loss. As such the proposal is contrary to Policy NR17 of the Kennet Local Plan and advice contained within PPG25: Development and Flood Risk.

Item 8:

APPLICATION:	K/51616/F
PARISH:	TIDWORTH
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Single storey extension
SITE:	1 Bourne Cottage, Plassey Road, Tidworth, Wiltshire, SP9 7LE
GRID REF:	23492 49083
APPLICANT:	Mr and Mrs Pope
AGENT:	
DATE REGISTERED:	3rd February 2005
CASE OFFICER:	Miss V Longdon

SITE & LOCATION

The application site is located on Plassey Road which can be found in the north of Tidworth. Plassey Road can be reached by taking a left turning off of Pennings Road when heading northwards from the town centre direction. The site can be found immediately on the right hand side of the road.

No 1 Bourne Cottage is a red brick detached dwelling. It is one of a pair of modern thatched properties whose rear gardens back onto a large area of open green land adjacent to Pennings Road. No.421 Plassey Road, the neighbouring property, is a grade II listed building.

SITE HISTORY

K/47254 – planning permission for a three-storey rear extension and single-storey extensions was refused on design and neighbour amenity grounds in April 2004. An appeal into this refusal was dismissed.

DESCRIPTION OF DEVELOPMENT

This application proposes single-storey side and rear extensions built of brick with a slate roof projecting a maximum of 4 metres to the rear and with a height of 3.5 metres.

PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The application has been amended to reduce the size of the rear-single storey projecting extension from 7.3m to 4m.

PARISH COUNCIL COMMENTS

The Parish Council have objected to the original and revised schemes on the following grounds:

- (a) The proposed extension is too large for the existing thatched cottage. It would be out of keeping with the adjacent property and an overdevelopment of the site.
- (b) The extension is out of keeping with the existing thatch cottage, e.g. slate roof, solar panels and velux windows.
- (c) The site plan is incorrect.

REPRESENTATIONS

Four letters of objection and one of support have been received to the original application. These are summarised as:

- (a) The extension is too big and would drastically harm the pleasing elevations as seen from public viewpoints.
- (b) The site plan is inaccurate.
- (c) The proposed extension [as originally submitted] is built on land believed to be owned by the MoD.
- (d) Access to the neighbouring property at the building stage may be compromised.
- (e) The plans appear to show the extension extending onto the boundary of 421 Plassey Road and does not accurately reflect what is on the site or the boundary with 2 Bourne Cottages.
- (f) The extension will spoil the appearance of the two identical cottages when seen from public viewpoints.

The occupiers of 421 Plassey Road have stated that they have no objection to the scheme.

POLICY CONSIDERATIONS

Kennet Local Plan - policy PD1 regarding general development and design principles and HH8 regarding development affecting a listed building are the relevant policy considerations.

PLANNING OFFICERS COMMENTS

This application proposes a single-storey side and rear extension. The main issues in determining this application are considered to be the design of the scheme and the impact upon the occupiers of the neighbouring dwellings. A number of issues raised by objectors, such as the detail on the site plan and land ownership issues, are not planning considerations.

Design

In its amended form the application is now considered acceptable. The design is in keeping with the scale and appearance of the host dwelling and it is not considered excessive in terms of its size or height. From public viewpoints the extensions will appear as minor additions and will not be unduly prominent or detract from the appearance of the dwelling or streetscene. The Parish Council have stated that the design would be out of keeping with the host dwelling and neighbouring property. However, a clay tiled single-storey extension has been added to the adjacent thatched listed building and therefore a single-storey extension with a slate roof is not considered an unacceptable addition to this property. Velux windows are evident on neighbouring properties.

Amenity

The extension is 3.5m high and adjacent to the boundary with No.421 Plassey Road, a grade II listed building. A 1.8m high fence exists between the two properties. It is considered that the extension is of such a size and position that there will be no detrimental impact upon the reasonable living conditions of the occupiers of this property or the setting of the listed building. The occupiers of 421 Plassey Road have not objected to the scheme.

Conclusion

This is considered a relatively minor addition to the property which is in keeping with its scale and appearance. Members are therefore recommended to approve the application subject to 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 002/04a received on the 3rd 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 - The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in colour and texture those used in the existing structure.

REASON:

To secure harmonious architectural treatment.

4 - INFORMATIVE TO APPLICANT:

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

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

Item 9:

APPLICATION:	K/51800/F
PARISH:	OGBOURNE ST ANDREW
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Extension and alterations to chalet bungalow to form two storey house.
SITE:	The Marr, Ogbourne St. Andrew SN8 1SB
GRID REF:	18891 72259
APPLICANT:	Mr and Mrs Fraser
AGENT:	N B Armstrong
DATE REGISTERED:	11th March 2005
CASE OFFICER:	Mr P Smith

SITE & LOCATION

The site is located in the village of Ogbourne St Andrew and is reached by travelling along the A346 from Marlborough. Turn left at the War Memorial at the northern end of the village and follow the road into the centre of this part of the village. The Marr is situated on the left hand side of the road immediately after Church Lane.

The property is a chalet bungalow which is set back slightly from the road and is in an elevated position due to the land being approximately 1.2 metres higher than the lane. The front boundary comprises a brick retaining wall and driveway leading to a garage located on the side of the dwelling.

To the left of the bungalow Church Lane separates the property from the neighbouring house to the south known as Sunrise. Immediately to the north of The Marr is the side garden area of the property known as The Old Cottage, which is constructed from Sarsen stone and thatch. This property is presently overlooked by a first floor window on the application site, although some conifer trees on the neighbours land partially obscure these views.

SITE HISTORY

A planning application to increase the height of the chalet bungalow and to erect a two storey front extension (ref. K/51178/F) was withdrawn in December 2004 following a number of objections.

DESCRIPTION OF DEVELOPMENT

The application seeks permission for an extension and alterations to the chalet bungalow to form a two storey house. This would involve increasing the ridge height by 1.6 metres, inserting two dormer windows on the front and rear elevations and cladding the first floor external walls with decorative tile hanging.

PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

No amendments have been submitted.

ADDITIONAL STATEMENT BY THE APPLICANT

The agent responds to concerns raised in the previous application with the following changes incorporated in the current scheme:

1. Roof materials have been amended to red plain clay tiles throughout, instead of concrete tiles;

2. First floor wall coverings have been amended to plain tile hanging with decorative tiles as a band feature. The render finish has now been omitted;
3. The two storey front extension has been removed from the scheme in favour of a porch to meet the requirements of the Village Design Statement (VDS) with the front door now facing the road;
4. All new windows have been amended to a cottage style. The existing windows on the front elevation are to be replaced in the same style with brick arches added over the windows as requested;
5. Half hips to both ends of the roof have been increased so that they are more in proportion with the size of the roof;
6. No amendments are now proposed to the front wall;
7. Any extension over the side garage is considered to be unviable at this stage, but may be revisited in the future.

PARISH COUNCIL COMMENTS

Ogbourne St Andrew Parish Council: very pleased with the changes made to this application but remain concerned with two aspects; its height in comparison to neighbouring buildings and the front wall.

The Conservation Area Statement indicates that it would like to see the front retaining wall revert to a bank and planting. This would soften the impact of the new build and enhance the house and the surrounding area.

With the house in a prominent and elevated position its height is sensitive to the surrounding buildings and should not detract from the roofline of the area.

Clay roof tiles should harmonise with its neighbouring buildings. Light brown tiles on one side and thatch on the other side. Perhaps light brown tiles would be preferable to red. Consideration should be given to the hanging tiles on the first floor to blend with the roof colour and facing bricks.

The latest design is a significant improvement over the previous application and if these changes could be incorporated we would be happy to endorse the application.

CONSULTATIONS

No consultation responses received.

REPRESENTATIONS

Two letters of objection have been received summarised as follows:

- The increased roof height would not fit in and would spoil the existing property;
- An engineers report should be required to ensure the foundations are suitable;
- The existing bungalow is already elevated and holds a dominant position. If increased in height it would become more intrusive;
- It would dominate the area and be completely out of scale with nearby thatched cottages and cause severe environmental damage;
- Objection to use of concrete tiles and rendering;
- The existing listed and significant unlisted buildings in the conservation area should be allowed to remain in their present environment without being compromised by ill-considered and intrusive development;
- The privacy of The Old Cottage would be jeopardised by extra windows placed on the northern side of The Marr and these windows would also be

seen from the street further eroding the harmony of the unique style of the village.

POLICY CONSIDERATIONS

Kennet Local Plan 2011 - Policies PD1 (Design and Development), HH5 (Development in Conservation Areas) and HH8 (Listed Buildings) are relevant planning policies in the adopted Kennet District Local Plan (2004).

In addition, The Ogbourne St Andrew, Maizey, and Rockley Village Design Statement (VDS) and the Ogbourne St Andrew Conservation Area Statement are adopted supplementary guidance and are material considerations in the determination of this application.

PLANNING OFFICERS COMMENT

The key issues associated with this proposal are the impact of the development on the character or appearance of the conservation area and the impact on the amenity of neighbouring residents.

The existing bungalow dates from the 20th Century and is of little architectural or historic interest and contributes little to the character or appearance of the conservation area. The proposed development seeks to increase the height of the existing building in order to provide additional accommodation on the first floor. This would change the existing building from a chalet style bungalow to a two storey house with dormer windows. The resulting building would be of greater bulk and scale than the existing bungalow.

It is recognised that the bungalow occupies an elevated position above the road and that the proposed increase in height would increase the prominence and presence of the building on the street. However, it is not considered that the resulting house would appear unduly dominant or intrusive within the street scene, or detract from the character or appearance of the conservation area or setting of the neighbouring listed building.

The parish council has made reference to alterations to the front boundary wall, however, no changes are proposed to the current front boundary and the existing wall would remain in place. In view of this it is not possible to insist on changes in this area.

The design incorporates materials and detailing which reflect the local scene and those characteristics of the village which are identified within the VDS. The VDS identifies that extensions should be sympathetic to the existing property and take account of current wall and roof materials and the style size and shape of windows and doors.

The proposed tile hanging and decorative banding is sympathetic for cladding the first floor of the building. Previously, this was intended to be rendered. In addition, the front porch is a simple lean-to shape characteristic of vernacular buildings. Brick arches have been introduced over the existing ground floor windows, which are a traditional feature and plain clay tiles, which are a common material in the locality, are proposed for the roof.

Whilst the alterations proposed to the building will change its appearance, it is considered that they will serve to enhance the existing building, which is of little intrinsic merit, and will preserve the rural village character of the conservation area.

Concerns have been raised regarding the privacy of the occupants of The Old Cottage to the north of the site. The Marr already has a single first floor window facing towards The Old Cottage which is separated from the bungalow by approximately 15 metres. Views from this window are partially obscured by conifer trees in the neighbours' garden. It is proposed to retain this window. No new side windows are proposed in this elevation. As such, no additional overlooking or loss of privacy would result for the occupier of The Old Cottage.

It is not considered that the new dormer windows would result in any loss of privacy to any other residents and the increase height of the roof is unlikely to cause any significant overshadowing or loss of light to justify withholding planning permission.

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.

REASON:

To secure harmonious architectural treatment.

3 - 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 (side) elevation of the building hereby permitted.

REASON:

In the interests of the privacy of the neighbouring properties.

4 - INFORMATIVE TO APPLICANT:

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

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

