

## **Regulatory Committee**

**30th March 2006**

### **Planning Services**

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

1 K/53809/RM (page 9)

Reserved Matters for : Residential development comprising 157 dwellings together with associated roads and landscape works including provision of public open space. Submission of reserved matters.

Former Kverneland Factory Site, Folly Road, ROUNDWAY

RECOMMENDATION: Approve reserved matters

2 K/53644/F (page 17)

Full Planning Permission for : Amended scheme to that approved under K/52837/F. Residential development of 11 units (previous approved scheme 10 units)

Land to the rear of Catleys, The Green, DEVIZES

RECOMMENDATION: Grant full planning permission

3 K/53741/F (page 24)

Full Planning Permission for : New dwelling in the garden of 269 East Grafton together with new single garage to serve 269.

Land to the rear of 269 EAST GRAFTON

RECOMMENDATION: Grant full planning permission

4 K/53729/F (page 29)

Full Planning Permission for : Extension to provide additional residential accommodation and annex accommodation.

The Old Vicarage CHARLTON SN9 6EU

RECOMMENDATION: Grant full planning permission

5 K/53607/F (page 33)

Full Planning Permission for : Rear two storey extensions to provide extra bedroom and larger kitchen and living room. Demolish existing single storey extension.

30 The Crescent PEWSEY SN9 5DP

RECOMMENDATION: Grant full planning permission

6 K/53831/F (page 35)

Full Planning Permission for : First floor extension over existing garage & single storey rear extension, new boundary wall.

30 Ashley Piece RAMSBURY SN8 2QE

RECOMMENDATION: Grant full planning permission

7 K/53441/F (page 39)

Full Planning Permission for : Extensions and alterations to form three bedroom house

The Weir Bungalow BROAD HINTON SN4 9NE

RECOMMENDATION: Grant full planning permission

**The plans and forms can be viewed on the Council's Web site:**  
**<http://mvm-planning.kennet.gov.uk/MVM/Online/PL/ApplicationSearch.aspx>**

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Item 1:

APPLICATION:	K/53809/RM
PARISH:	ROUNDWAY
APPLICATION TYPE:	Reserved Matters
PROPOSAL:	Residential development comprising 157 dwellings together with associated roads and landscape works including provision of public open space. Submission of reserved matters.
SITE:	Former Kverneland Factory Site, Folly Road, Devizes, Wiltshire.
GRID REF:	01531 62474
APPLICANT:	Kingsoak South West
AGENT:	Terence O'Rourke
DATE REGISTERED:	23rd February 2006
CASE OFFICER:	Miss K Whittington

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#### SITE & LOCATION

The application site lies on the north-eastern side of Devizes and extends to 3.29 hectares in size. It is accessed via Folly Road, which branches off London Road and leads to the hamlet of Roundway. The site is bounded to the north and west by open countryside and to the south by the Garden Trading Estate, which comprises a range of industrial and retail uses. Beyond this, to the south-east and south-west, the area is predominantly residential in nature. The south-west corner of the site is abutted by the back gardens of approximately 7 houses in Roundway Park. The land to the east of the site, on the opposite side of Folly Road, with the exception of three residential properties, contains industrial buildings.

The site has been levelled, but formally contained a large asbestos sheet clad building with a red brick office extension and a separate storage block.

The boundaries of the site are lined with mature trees, which are protected by tree preservation orders. The trees on the road frontage and the northern boundary are protected by virtue of Tree Preservation Order 393, which was made in October 2003. The trees on the north-west and south-west boundaries are protected by virtue of Tree Preservation Order 404, which was made in August 2002.

#### SITE HISTORY

K/53073/RM – a reserved matters application for the construction of 165 dwellings on the site, together with associated roads and landscape works (including provision of open space) was refused by the Council's Regulatory Committee in January 2006. This was on the following grounds:

*'The proposal, at 1.57 spaces per dwelling, makes inadequate provision for off-street parking in what is a rural location. The local planning authority consider that a higher parking provision is required to prevent the appearance of the area being harmed by an excess of on-street parking that would also have an adverse impact on road safety. The proposal therefore conflicts with policy AT9 of the Kennet Local Plan 2011 that requires 2 parking spaces per residential unit.'*

An appeal has been lodged in respect of the above refusal, which is being dealt with by way of written representations. The appeal has yet to be determined.

K/50281 – an outline application for the construction of approximately 150 dwellings on the site was refused in September 2004. The appeal that was subsequently lodged was allowed in March 2005.

K/46720 – an outline application for about 120 dwellings and 2000 square metres of B1 floorspace was also allowed on appeal in March 2005.

#### DESCRIPTION OF DEVELOPMENT

Outline planning permission was granted under K/50281/O for the construction of approximately 150 dwellings on the site. The only matter for approval at this stage was means of access to the site. The outline planning permission was subject to a Section 106 legal agreement which set out the agreed level and mechanism for providing affordable housing on the site. It also set out the financial contributions to be made in respect of sustainable transport provision, the updating of the Devizes traffic model, education needs, community facilities and recreation/open space provision.

This application is a reserved matters submission (seeking approval for siting, design, external appearance and landscaping) which follows on from the outline planning permission. Essentially, it attempts to overcome the refusal reason given for application reference K/53073/RM. The number of dwellings has been reduced from 165 to 157, thus enabling the provision of 2 parking spaces per unit. This equates to an overall provision of 314 parking spaces in connection with the development.

The proposal would comprise a mix of 2, 3 and 4 bedroom properties of varying heights (a mix of 2 and 3 storey).

In accordance with the Section 106 legal agreement on the outline planning permission, 50% affordable housing would be provided on the site ie. 30% subsidised dwelling units and 20% low-cost dwellings.

The proposal includes provision for 1116 square metres of equipped play space and 1476 square metres of equipped casual play space in the form of a central 'village green' area and a linear park/'trim trail' along the northern edge of the site.

Full landscaping details have been submitted with the application.

The application has been accompanied by the following supporting information:

- A statement of consultation, which contains details of the pre-application consultation that was undertaken, the responses received and how the issues raised have been incorporated within the final submission.
- A landscape strategy statement, which explains the concept behind the landscaping scheme.
- A landscape impact statement, which examines the potential impact of the proposal upon the existing townscape and the open countryside to the west and north of the site, and in particular the North Wessex Downs Area of Outstanding Natural Beauty.
- A vehicle tracking plan, which illustrates the accessibility of the site to refuse/emergency vehicles.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant's agent has submitted a supporting letter summarising the amendments to the previously refused reserved matters scheme. The key points raised in the letter are as follows:

- The amended layout retains many of the design principles of the previous scheme.
- The central apartment block has been retained in its original location as a result of its siting being restricted to the central southern part of the site, where its impact upon the neighbouring countryside is minimised, whilst also maximising the opportunity to screen the existing industrial buildings in the neighbouring Garden Trading Estate. In order to provide parking for these units, in line with the Regulatory Committee's previous decision, it has been necessary to re-orientate and in some cases remove units in proximity to this core block, which has resulted in the submitted layout.
- The detailed landscaping proposals for the site have been updated to accord with the proposed layout, but retain all of the principles agreed during discussions in relation to the previous planning application.

#### PARISH COUNCIL COMMENTS

Roundway Parish Council has raised no objections to the proposal.

#### CONSULTATIONS

County highways – the unilateral undertaking entered into in respect of this site (reference K/50281) must still apply. There must be no grant of planning permission until the applicants have entered into a further unilateral undertaking to secure an additional payment of £8400 (7 x £1200) towards transport improvements for the extra 7 dwellings.

The main block paved road running east to west should be paved in Rialta blocks from Marshalls. This has been done successfully in a similar situation at Drews Pond Lane Estate, Devizes. The Rialta block, with a slightly domed cobble effect, will serve to discourage some traffic movements from using this road as a shortcut, rather than the more appropriate tarmac road through the estate. If you take this point on board, you may wish to consider whether the adjoining footway should also be changed from burnt red, to a more appropriate colour, to tone with the Rialta colours.

KDC Housing Services Manager – no comments received in respect of this application, but raised no objections to the previous reserved matters application. Any comments that are subsequently received shall be reported verbally at the committee meeting.

#### REPRESENTATIONS

One letter of objection has been received, which raises the following key concern:

- Residential dwellings number 18 -29 are located only 4 metres from the site boundary. It is assumed that the windows along the southern elevation will consist of windows to principal rooms. However, due to the proximity of this residential block to the boundary of the site, the proposal would hinder potential development on sites adjoining this boundary. The proximity of this residential block so close to the boundary would severely restrict any potential development on the site adjacent to this boundary. If the adjacent site was to

be developed in the future for residential purposes, it would have to develop more than 16 metres away from the boundary to protect the outlook and privacy of the residents on both sides. An acceptable scheme would ensure that all windows to principal rooms are at least 10 metres away from the boundary of the site.

#### POLICY CONSIDERATIONS

Kennet Local plan 2011 - the site lies within the Limits of Development for Devizes and adjacent to the Devizes Landscape Setting and the North Wessex Downs Area of Outstanding Natural Beauty. Policies PD1, AT9, HC31 and NR10 in the Kennet Local Plan and the advice contained in PPG 3 and PPG 13 are relevant to the consideration of the application.

#### PLANNING OFFICERS COMMENTS

The principle of constructing approximately 150 dwellings on the site has already been established, by virtue of outline planning permission K/50281. The following matters have yet to be agreed and will therefore be considered in turn: exact number of units on the site, parking provision/site layout, design of buildings, affordable housing distribution, landscaping and trees and impact on residential amenity. Each of these matters will be considered in turn.

##### Number of Dwellings on the Site

Outline planning permission K/50281 allowed for the construction of approximately 150 dwellings on the site. This application seeks approval for 157 dwellings on the site. The advice previously given by the Council's Legal Department is that a figure not exceeding 10% of 150 would fall within the scope of the outline planning permission. As the number of dwellings proposed would be below the 10% threshold, it is considered that the level of development proposed is acceptable.

##### Parking Provision/Site Layout

Application K/53073/RM was refused by the Council's Regulatory Committee due to concerns that the proposed level of parking provision, at 1.57 spaces per dwelling, would be inadequate as it would be below the 2 spaces per dwelling maximum standard required by Policy AT9 of the Kennet Local Plan. It was also considered that this would have highway safety and visual implications, as a result of cars parking on roads within the estate.

The current scheme proposes the provision of 2 car parking spaces per dwelling ie. a total of 314 spaces for the development, which has been achieved by a reduction in the number of dwellings from 165 to 157. The layout of the housing is broadly the same as the refused scheme, with the exception of the central area, where the deleted units have been replaced with a large car parking area containing 66 parking spaces.

The level of parking provision proposed accords with the maximum standard for dwellings with up to 4 bedrooms, as set out in Appendix AT2 of the Kennet Local Plan (to which policy AT9 refers) and it therefore overcomes the refusal reason given for application K/53073/RM. Members should note, however, that the increase in the level of parking provision (and the reduction in the number of dwellings required to achieve this) has necessitated the provision of a large car park which dominates the central area of the development. It is therefore considered that the improvements to the car parking have been achieved to the detriment of the overall quality of the site layout, which was previously given careful consideration to ensure the creation of a well-designed townscape. This concept has been somewhat undermined since there

will now be a less attractive appearance in the central area where the parking areas will be more intrusive.

The highway authority has raised no objections to the parking arrangements, but does request that the paved road running east to west is surfaced with Rialta blocks from Marshalls. It also comments that the Section 106 legal agreement will need to be amended to reflect the increase in the number of units from 150, as approved at the outline stage, to 157 as proposed now. The former issue can be dealt with by way of condition. With regard to the latter issue, the outline planning permission was for the construction of approximately 150 dwellings on the site. As the number of dwellings proposed was only an approximate figure, the legal agreement was written in such a way that any financial contributions required could be calculated on a pro rata basis. As such, there is no requirement for the legal agreement to be amended.

#### Design of Buildings

The design of the houses is considered appropriate to the site's context. Where the site borders open countryside, those units facing north have been restricted to two-storey in height. It is considered that this would ensure that the Devizes Landscape Setting and the North Wessex Downs Area of Outstanding Natural Beauty, which are adjacent to the site, are not adversely affected. There are a limited amount of three-storey apartment blocks, the majority of which would be located towards the southern end of the site, where they would be less prominent. Furthermore, most of the three-storey blocks have been orientated so that the shorter elevations face north, thereby limiting their mass when they are viewed from the open countryside.

#### Affordable Housing Distribution

Policy HC31 seeks to prevent affordable housing being concentrated within one area on large housing sites and even goes as far as to say that it should not be clustered in groups of 'more than about 10'. The legal agreement on the outline planning permission (K/50281), which the reserved matters proposal is required to conform with, stipulates that the affordable housing should be grouped in 'a minimum of four areas within the application site'. The original scheme conflicted with both Policy HC31 and the wording of the legal agreement, as the affordable housing was concentrated in one central area within the site. The amended proposal still features quite a large concentration of affordable housing in the centre of the site, however, the remaining units (a total of 22) have been relocated to three other parts of the site and are interspersed with the open market units. This accords with the wording of the legal agreement, which requires the distribution to be within a minimum of four areas within the application site. Three of the areas accord with Policy HC31 as they are not clustered in groups of more than 'about 10'. The central area does exceed this number and whilst this does not strictly accord with Policy HC31, it is considered to be justified as it has resulted in the best layout solution. It is considered that breaking-up this central block further would have resulted in a less satisfactory layout, which potentially would have been unacceptable in visual terms. Members should also note that in this central area there is still a wide mix of tenure including, affordable rented, shared equity and low cost market dwellings.

#### Landscaping and Trees

The existing row of poplars and conifers along the north-west and south-west boundaries are protected by a tree preservation order. These trees were afforded this protected status August 2002 because of their visual prominence. A recent re-assessment, however, has revealed that the poplars are declining rapidly and for this reason, the Council's Landscape and Countryside Officer has recommended that they are removed and replaced with specimens of a suitable size and species before development commences at the western end of the site. Once full details of the

species and size at planting of each of the trees, together with the tree protection zone, are confirmed, a tree preservation order will be prepared. This will cover the whole row, thus ensuring that the replacement trees are protected from the day of planting. This control will ensure that the replacement trees provide an adequate buffer to the adjacent countryside and are the most appropriate species to be planted next to residential properties (which incidentally poplars are not). The replacement of the inappropriate and deteriorating trees on the site with more suitable specimens is considered, in the long-term, to be the most beneficial solution in visual terms.

The landscaping scheme for the site is considered to be acceptable, as is the proposed siting of the equipped play area and casual play space. These would be located at the northern end of the site, where they would provide an important transition between the development and the countryside beyond.

#### Impact on Residential Amenity

The only residential properties adjacent to the site are those in Roundway Park, which abut the south-west boundary. The gardens of these properties are a minimum of 12 metres from the principal windows of the proposed dwellings, which is considered to be a satisfactory distance. In addition, the conifers along this boundary are to be retained and any gaps between these trees filled with additional planting, which will provide an additional visual screen to the occupants of the properties in Roundway Park.

Concerns have been raised by a third party about the proximity of the proposed dwellings to the Garden Trading Estate and the fact that this could hinder the future residential development of that site. It is not considered reasonable to assess an application on the basis of what might happen in the future. At the present time, the land in question is used for industrial purposes. It is therefore not considered that any residential amenity issues would arise as a result of the proposed development.

#### Conclusion

The previously refused scheme was considered unacceptable by Members due to inadequate parking provision. The current scheme overcomes the previous refusal reason as 2 parking spaces per dwelling are proposed. As the previous application was considered acceptable in all respects except for the level of parking provision and this issue has now been addressed, the application is recommended for approval. Members should note, however, that this has resulted in a far less satisfactory layout than that previously proposed, due to the concentration of car parking in the centre of the development. It has also resulted in a reduction in the number of affordable houses being provided (reduced by 4 as the overall number of dwellings has been reduced by 8).

#### **RECOMMENDATION**

Approve with Conditions

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

Your attention is also drawn to the conditions imposed on the outline planning permission reference K/50281 dated 4 March 2005.

2 - This permission relates to the scheme of development as submitted except insofar as amended by the revised plans 737/10/00-01A, 737/10/00-02A, 737/10/00-03A, 737/10/10-01A, 737/10/10-02A, 737/10/10-03A, 737/10/10-04A, 737/11/00-01A, 737/11/00-02A, 737/11/00-03A, 737/11/10-01A, 737/11/10-02A, 737/11/10-03A, 737/11/10-04A, 737/20/00-01A, 737/20/00-02A, 737/20/00-03A, 737/20/10-01A, 737/20/10-02A, 737/20/10-03A, 737/20/10-04A, 737/21/00-01A,

737/21/10-01A, 737/28/00-01A, 737/28/10-01A, 171005/PL/L/500, 737/02E7304/12/A, 7304/13/A, 7304/03C, 7304/04/B, the amended Landscape Strategy Statement and the additional plan 737/60, the Landscape Impact Statement and the Arboricultural Site Appraisal, all of which were received on the 12th December 2005 and the revised plans 737/01G, the amended parking schedule and the additional parking distribution layout plan (737/61), which were received on 12 January 2006.

**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 - Notwithstanding the submitted details, prior to the commencement of development, details of the surfacing of the main block paved road running east to west and the adjoining footpath 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:**

In the interests of highway safety.

**5 - INFORMATIVE TO APPLICANT:**

The applicant is advised that the local highway authority recommends the use of Rialta blocks from Marshalls in the surfacing of the main block paved road. It is also recommends that the adjoining road is changed from burnt red to a more appropriate colour to tone with the Rialta colours.

6 - Prior to the construction of units 78 - 127, the trees that are to be made the subject of a Tree Preservation Order, shall be planted along the north-west and south-west boundaries of the site.

**REASON:**

To ensure a satisfactory landscape setting for the development.

7 - Prior to the commencement of development, details of the exact positioning of the service runs shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

**REASON:**

To ensure the protection of trees on the site, in the interests of visual amenity.

8 - The trees on the site which are to be retained shall, before any work commences, be enclosed at the outer edge of the overhang of their branches, by a protective fence that has been erected in accordance with the approved plans and the 'Tree Protection and Associated Arboricultural Method Statement'. After the fence has been erected, it shall be maintained for the duration of the works and no vehicle,



plant, temporary building or materials, including stacking of soil, shall be allowed within it.

**REASON:**

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

9 - 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, gates or walls or other means of enclosure (other than those shown on the approved drawing 171005/PL/L500 Rev A) shall be erected, or placed within the curtilage of any dwelling forward of any wall of that dwelling which front on to any road, driveway, courtyard or parking area.

**REASON:**

In the interests of visual amenity.

10 - 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.

**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.

11 - Prior to the installation of any external lighting, full details of its siting and appearance shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved details.

**REASON:**

In the interests of visual and residential amenity.

12 - Notwithstanding the details shown on the submitted landscape strategy master plan, the rear boundaries of plots 126-130 and the side (west) boundary of plot 138 shall be separated from the car parking area by a 1.8 metre high screen wall in place of the screen fencing shown on the submitted plans. This wall shall be erected before the dwellings on these plots are first occupied.

**REASON:**

To protect the appearance of the area.

**13 - 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, AT9, HC31 and NR10.

## Item 2

APPLICATION:	K/53644/F
PARISH:	DEVIZES
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Amended scheme to that approved under K/52837/F. Residential development.
SITE:	Land to the rear of Catleys, The Green, Devizes
GRID REF:	00777 61384
APPLICANT:	Renelec Groundworks Ltd
AGENT:	Peter Kent Architect
DATE REGISTERED:	25th January 2006
CASE OFFICER:	Miss K Whittington

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### SITE & LOCATION

The application site lies to the rear of Catley's Calor Gas Centre on Southbroom Road in Devizes and directly opposite the Kwik-Fit tyre-fitting centre. It comprises the bottled gas depot associated with the Catley's store, which is presently used for the storage and distribution of domestic and industrial gases. The access to the site is between Braids Fish & Chip Shop and 113 Southbroom Road. There are three buildings on the site, including a former brewery building, all of which would be demolished as part of the proposal. The site is bounded to the north by the retail units on Sidmouth Street, to the east and south by residential development and to the west by a baptist church.

### SITE HISTORY

K/45307 – an application to convert the former brewery building to two dwellings was withdrawn in May 2003.

K/52837 – planning permission was granted in November 2005 for the construction of 10 dwellings on the site.

### DESCRIPTION OF DEVELOPMENT

Further to the previous approval, this revised application proposes the construction of 11 dwellings on the site (ie one extra dwelling compared to the previous approval). This has been achieved by splitting a larger unit into two smaller units. Consequently, the footprint of the development is as previously approved.

The proposed dwellings would be served by the existing access. The majority of the units would run north-south across the site and would comprise two terraced blocks. The existing brewery building would be demolished and replaced with a terrace of three one-bedroomed dwellings. Fifteen parking spaces would be provided as part of the development proposal. The applicant would not be providing any play space on-site and instead would be making a commuted sum payment in lieu of this provision.

### TOWN COUNCIL COMMENTS

Devizes Town Council has objected to the application on the grounds that the scheme is an overdevelopment and that vehicular access on and off the main road would pose a significant danger.

### CONSULTATIONS

County highways (Mark Wiltshire) – no objection, subject to planning conditions being imposed requiring the provision of the vehicle parking and turning areas prior

to the first use of the development; the provision of the speed hump shown on the approved plans; that other than for emergency purposes, there shall at no time be vehicular access to and from the new development via the southern arched access; and the retention of the three bollards between the Mews Cottage and plot 3 in place at all times. The creation of a management company to ensure the long-term maintenance of the access way, secured by a section 106 legal agreement, is also requested.

KDC Environment and Amenity Services – residents will be expected to place their bins out in accordance with the Council's Household Waste Collection policy. This will cause problems in that refuse will not be collected from within the development, despite there being a place for residents to place it. The refuse cannot be placed within the entrance as it is too narrow. If refuse is placed on the adopted highway, it may block the pavement/cause problems with houses and technically, this would be an offence.

Environment Agency – no objection, but makes suggestions regarding pollution prevention, sustainable construction and water efficiency.

Wessex Water – no objection in principle.

## REPRESENTATIONS

Four letters of objection have been received which raise the following key concerns:

- The existing retaining wall at the bottom of the garden to 99 Southbroom Road is of historic interest and consequently, at least some of it should be retained. Methods for its partial conservation and protection should therefore be detailed. The east brewery wall should be retained up to a height sufficient not to disturb the three special arches ie. approximately 3 metres.
- Other boundary walls should be re-built/re-aligned using materials reclaimed from the brewery demolition.
- If the upper level arched opening on the east gable cannot be used elsewhere, they should be removed and relocated, with the two existing original iron swing-lift/gantries to first floor, as part of the new development.
- The materials, height and construction of the proposed boundary walls should be detailed.
- There is no statement of mandatory archive recording of the existing brewery building prior to the proposed demolition. Whilst not listed, it is an historic remnant of an important aspect of Devizes' social, cultural and trade activities. The obligation for professional historic recording should be a condition of the planning permission.
- There is no indication of how the new paving and general ground surfaces adjacent to the new north and west facing front entrance area merges sympathetically into the existing time-worn granite set pavements of much character. This should be a condition of any planning permission that is granted.
- The cobblestones are extremely uneven and pose a real danger to any pedestrians, especially the elderly.
- At present, the access is only used by 5 properties and on very few occasions by Catleys. If this development goes ahead, it opens up pedestrian access, not only to the residents of the new properties, but also to the general public.
- Bearing in mind that both 101A Southbroom Road and the adjoining properties are grade II listed, it would not be possible to erect notices (private road etc) on or around the archway.

- The highway access proposed would constitute a serious threat to the safety of pedestrians and other road users alike.

#### POLICY CONSIDERATIONS

Kennet Local Plan 2011 - the site lies within Devizes Town Centre and the designated conservation area. Policies PD1, HC21, ED19 and HH5 are relevant to the consideration of the application.

#### PLANNING OFFICERS COMMENTS

There is an extant planning permission for a residential scheme comprising 10 dwellings on the site. Consequently, it is only possible to consider whether the changes to the approved scheme are acceptable in planning terms. The current proposal is for 11 dwellings (one additional unit) and therefore it is a question of whether this amendment would have any increased impact on the character and appearance of the conservation area, upon highway safety or on residential amenity.

##### Impact on Conservation Area

As advised in respect of the previous scheme, it is considered that the proposal will enhance the appearance of the Devizes Conservation Area. The existing yard area is used for the storage of gas bottles and the buildings on the site are in a poor state of repair. The proposed development will greatly improve the appearance of the area by the removal of these eyesores.

The increase in the number of dwellings on the site by 1 would be achieved by subdividing one of the larger units in the approved scheme. As the footprint would be no different to that previously approved and the changes in the design of the units are minimal, it is not considered that there would be any increased impact on the character and appearance of the conservation area.

Concerns have been raised by the town council about the density of development on the site. PPG 3 encourages the more efficient use of land and recommends densities of between 30 and 50 dwellings per hectare. At approximately 71 dwellings per hectare, the proposal exceeds this threshold. It is also a slightly higher density than the previously approved scheme. Although this is the case, the proposal is not considered to constitute overdevelopment, as there is no change in the overall footprint. The high density has merely resulted from the incorporation of a high proportion of smaller (one and two-bedroomed) units. In visual terms, the proposal would be no more cramped than the approved scheme, which was considered acceptable in this regard.

##### Impact on Highway Safety

The existing access is presently used by lorries and vehicles in connection with the Catley's store. Although the current scheme proposes one additional unit on the site, it is not considered that the amount of traffic generated would be significantly greater than at present and consequently, a refusal on highway safety grounds could not be substantiated. The highway authority has raised no objections to the proposal in highway safety terms.

##### Impact on Residential Amenity

The scheme would not result in any additional neighbour amenity issues, in respect of overlooking, overbearing impact or blocking of light than the approved scheme. Consequently, the proposal is considered to be acceptable in this regard.

### Other Issues

Local residents have raised concerns about the proposed boundary treatment to the rear of the properties in Southbroom Road and have requested that the existing historic wall is retained if possible. It is suggested that a condition is imposed requiring the submission of a landscaping scheme (which would include any boundary walls) before development commences on site and consequently, this matter would be dealt with at that stage. Notwithstanding this, the applicant's agent has advised in an e-mail that the old warehouse will be taken down carefully, leaving the rear wall at 1.8 metres above ground level on the site side and retaining any features within the retained brickwork as far as is safe and practicable. The wall will be re-assessed and if judged to be completely safe, it will be retained with a new coping. If the wall is condemned, then a new wall will be built on the same building line, to a height of 1.8 metres above finished ground level on the site side, using bricks reclaimed from the demolitions.

Concerns have been raised about the treatment of the existing ground surfaces eg. the cobbles within the arched access. As this land is outside of the applicant's ownership, it is not possible to impose a condition requiring further details of this to be submitted.

It has been requested that a condition is imposed requiring the professional recording of the historic brewery building that is to be demolished. It will be necessary for the applicant to obtain conservation area consent for the demolition works, which the applicant can be advised of by way of an informative. If, when the conservation area application is submitted, it is considered that a historical record is required, a condition can be imposed at that stage.

The Council's Environment and Amenity Services Department has raised concerns about the collection of refuse. A condition was imposed on the previous planning permission requiring the submission of a plan indicating where refuse would be collected from. It is considered that a similar condition should be imposed in respect of the current proposal.

### **RECOMMENDATION**

Approve with Conditions

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

#### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the planning and Compulsory Purchase Act 2004.

2 - No development shall take place until details of the materials to be used for the external walls, windows, (including details of the depth of reveals), doors, drainage goods 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 - 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 buildings 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 - Prior to the construction of plots 4 to 10, details of a structural assessment of the stability of the retaining wall along the western boundary shall be submitted to and approved in writing by the local planning authority. Any suggested measures (such as repairs to the wall or its replacement) shall be carried out in accordance with details that have been submitted to and approved in writing by the local planning authority.

REASON:

To enable a full assessment to be made of the impact of the wall on the boundary trees.

6 - Before works commence, a management scheme shall be submitted to and approved in writing by the local planning authority, which shall include details of the long-term maintenance of the access road and the location and construction of areas for the placing of domestic rubbish for collection for those dwellings not served by an adoptable road. The approved areas shall be provided before the dwellings not served by the adoptable road are occupied and shall thereafter be retained for this purpose.

REASON:

In the interests of residential amenity.

7 - The development shall make provision for public open space, amenity areas and play areas in accordance with the local planning authority's adopted policy on 'Open Space, Amenity Areas, and Play Areas in Residential Development' (copy attached). The plans shall define the boundaries and shall include details of intended future uses of each area, in particular the user age groups of play areas together with features and items of play equipment it is proposed to install.

REASON:

To ensure a satisfactory provision of different forms of open space throughout the development.

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

REASON:

To safeguard the site of archaeological interest.

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 building(s) hereby approved shall be erected.

REASON:

To enable the local planning authority to retain control over the enlargement of the building(s) 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 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 application site.

REASON:

In the interests of visual amenity.

11 - The windows at first floor level on the rear elevation of plots 1 to 3, the part of the first-floor oriel window to the front elevation of plot 1 that faces north-east and the other first-floor window to the front elevation of plot 1 shall be glazed with obscured glass and shall be so maintained.

REASON:

In the interests of the privacy of the occupants of the neighbouring property.

12 - 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 side (east) and rear (south) elevation of plots 1 - 3 and the front elevation of plot 1 hereby permitted.

REASON:

In the interests of the privacy of the occupants of the neighbouring properties.

13 - Prior to the first occupation of the dwellings hereby permitted, the vehicle access, parking and turning areas as shown on the approved plans shall be provided and shall thereafter be maintained for the access, parking and turning of vehicles.

REASON:

To ensure the adequate provision of safe access, parking and turning space in connection with the development.

14 - There shall at no time be vehicular access to and from the development (except for emergency purposes) via the southern arched access next to number 99 Southbroom Road. The three bollards between the Mews Cottage and plot 3 shall remain in place at all times (except in an emergency).

**REASON:**

In the interests of highway safety.

**15 - INFORMATIVE TO APPLICANT:**

The applicant is advised that it may be possible to commute the equipped children's recreation requirements set out in condition 7 by the payment of an appropriate sum to the district council which will then be used to either provide children's recreational facilities in the vicinity of the site at a later date and/or enhance facilities.



### Item 3

APPLICATION:	K/53741/F
PARISH:	GRAFTON
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	New dwelling in the garden of 269 East Grafton together with new single garage to serve 269.
SITE:	Land to the rear of 269 East Grafton
GRID REF:	25614 60545
APPLICANT:	Redhorn Properties Ltd
AGENT:	Michael Fowler Architects
DATE REGISTERED:	13th February 2006
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

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

Planning permission was granted for a dwelling and single garage in March 2005 (ref. K/51602/F)

An application for a larger dwelling was withdrawn in December 2005 (ref. K/53315/F)

#### 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.

The proposed dwelling is identical to that previously approved, except in the following respects: (a) the two storey rear wing extends an additional 1.5m into the garden, and; (b) there would be an obscurely glazed bathroom window on the west elevation.

#### PARISH COUNCIL COMMENTS

No objection.

#### CONSULTATIONS

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

#### REPRESENTATIONS

Objections have been received from 5 local residents. Their main concerns can be summarised as follows:

- The proposal is an overdevelopment of a small site. It would take up the majority of the garden of 269 East Grafton. The dwelling would be much taller than its neighbours and would dominate this part of the village, particularly when viewed from The Green; a bungalow would be more in keeping;
- The dwelling would be forward of the building line of the adjoining properties;
- Despite the stated 'no dig' construction of the access drive, roots of a neighbouring tree would be damaged
- The proposed single garage plus one parking space is totally inadequate for a four bedroomed house;
- The proposed driveway would be steep and could present a hazard on to the A338.

#### 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 acceptability of the basic design of the proposed dwelling and garage has been established by the previous permission. 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 additional 1.5m length now proposed to be added to the rear wing of the property would not be seen from the A338. The visual impact from The Green would not be materially worsened as to justify a refusal.

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 the amenities of 'Hollydene' would not be materially affected.

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 Landscape & Countryside officer is satisfied that 'no-dig' construction will ensure against damage to the roots of the neighbour's tree adjoining the driveway.

## **RECOMMENDATION**

Approve with Conditions

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

### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the planning and Compulsory Purchase Act 2004.

2 - No development shall take place until 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.

3 - 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.

4 - 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) details of protection measures for existing adjoining trees; (d) a full method statement for the beech hedge relocation, and; (e) a full method statement for the no dig construction of the new access

### **REASON:**

To ensure a satisfactory landscaped setting for the development.

5 - 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.

6 - 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.

7 - 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.

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 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.

9 - 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 other than the bathroom window shown on the west elevation. The latter window shall be obscurely glazed and permanently so maintained.

REASON:

In the interests of the privacy of the neighbouring properties.

10 - 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.

11 - 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 for the agreed purpose.

REASON:

In the interests of highway safety.

12 - 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.

13 - 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.

14 - 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.

15 - - 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.

16 - 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.

17 - 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.

18 - 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 4

APPLICATION:	K/53729/F
PARISH:	CHARLTON ST PETER
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Extension to provide additional residential accommodation and annex accommodation.
SITE:	The Old Vicarage Charlton Pewsey SN9 6EU
GRID REF:	11754 56024
APPLICANT:	Mr and Mrs G Bowen
AGENT:	Tuttle Architectural Services
DATE REGISTERED:	13th February 2006
CASE OFFICER:	Miss R Yeomans

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#### SITE & LOCATION

This application relates to a site in the village of Charlton St Peter, and is situated on a no through road. To reach the site, when travelling on the A342 from the direction of Devizes, turn left into Charlton. There are two accesses to the property, the first being on the right hand side just before reaching the church, but the access nearest to the proposed extensions can be found by turning right at the T-junction and then the access is immediately on the right hand side.

#### SITE HISTORY

The site has had numerous planning permissions, but these are mostly relating to the erection of the adjacent dwellings. The most relevant application in relation to this application is K/53220/F for extensions to provide kitchen and ancillary annexe accommodation and a detached double garage. The application was withdrawn in view of an unacceptable garage and lack of justification for the loss of the existing garage building. The current application proposes the conversion of the existing garage building rather than its demolition.

#### DESCRIPTION OF DEVELOPMENT

The proposal is to replace an existing bay window, demolish the smaller outbuilding nearest the main house, construct single storey extensions to link the main building to the garage building, and convert/extend the existing garage to provide additional residential accommodation and an annex.

Taking the extension in three parts, the part nearest to the house measures 2.35m to eaves, 5.2m to ridge and projects 9.7m from the house, the middle section proposes an eaves height of 2.4m a ridge height of 4.25m and a length of 10 metres (of which part replaces the existing outbuilding), whilst the third section proposes a 2 metre extension to the existing profile of the garage.

#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

The disclaimer on the drawings has been deleted for clarity, and the agent has confirmed that the drawings are to scale and that the removal of trees and shrubs does not form part of the application.

#### PARISH COUNCIL COMMENTS

Welcome the removal of the detached garage from the application but continue to have concerns regarding the accuracy of the plans for the extension and conversion. There appears to be no change to the height of the proposed extension which will therefore have a detrimental effect to views enjoyed by the neighbour.

## REPRESENTATIONS

Four objections have been received, which raise the following key concerns:

- A request to list the property has been lodged to The Secretary of State for Culture Media and Sport, and the application should not be considered until this decision has been made.
- The boundaries and dimensions are not plotted accurately. The proximity of the garage to the neighbour's garage may pose a safety hazard.
- The new roof ridgeline will be raised by 1.5 – 2.0m and will obstruct light to the garden and views
- The three windows to be inserted in the roof of the extension will overlook the neighbouring property. Concerns that a further window will be inserted at first floor level in the main house.
- Concerns that the annexe will be used as a separate dwelling.
- The proposed extensions and annexe are not sympathetic to the character of the property itself, the conservation area and the context of nearby listed buildings.
- Concerns that the four metre high hedge between The Old Vicarage and The Lindens will be damaged / removed.
- Heavy construction traffic required to build the extension will create disturbance, cause a nuisance and will damage the village access road further. Concerns have also been raised about the hours of construction, noise and dust levels.
- Despite the garage being omitted from this application, there are concerns that a new application for a detached double garage will be submitted.
- The existing outbuildings have never been used for residential use, so this would set a dangerous precedent for further housing.
- The proposals amount to 'overdevelopment' of the site.

## POLICY CONSIDERATIONS

Kennet Local Plan 2011 – policies PD1 and HH5 are relevant to the consideration of this planning application.

## PLANNING OFFICERS COMMENTS

It is considered that the key issues in determining this application are the visual impact of the scheme, neighbour amenity and the impact on the conservation area. These issues are considered below:

### Visual amenity and impact on the conservation area

The application site is substantial, and the conversion of the existing buildings and extensions are considered suitable in terms of their scale and general form. The extensions would be partially visible from the 'no through road' to the north. However they are proposed only to be single storey, would be partially screened by the existing boundary treatment and modern properties to the side, and would not be unduly prominent. This application (unlike K/53220/F, which was withdrawn) allows for the retention and conversion of the existing garage outbuilding, rather than its

demolition and replacement. Consequently, it is considered that the proposal would not have a detrimental impact on the conservation area, nor would it adversely affect visual amenity.

The replacement bay window would improve the appearance of the property, and in any case, is not particularly visible from public viewpoints and is distant from neighbouring properties.

#### Neighbour amenity

The proposals are for single storey extensions, which would be approximately 7 metres from the flank elevation of the nearest adjoining house and partially screened by an existing boundary wall and hedge. In view of these site circumstances, it is not considered that the extensions would have a significant impact on neighbour amenity.

The three conservation rooflights proposed in the roof of part of the extension would be situated above eye level, and as such, no loss of privacy/overlooking of the neighbouring property would result. The boundary hedge would not be adversely affected by the extension or construction works.

#### Other issues

The request by third parties that the property should be listed cannot delay determination of this application.

The agent has confirmed that the dimensions of the proposals are correct.

A condition is recommended requiring the proposed annex accommodation to be used as such and not as a separate, self-contained residential property.

Loss of views from the neighbouring property would not amount to a sustainable reason for refusing planning permission.

### **RECOMMENDATION**

Approve with Conditions

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

#### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the planning and Compulsory Purchase Act 2004.

2 - No development shall take place until details of the materials to be used for the external walls and roofs (including samples 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 in the development hereby permitted, shall be constructed from timber. Within one month of their installation, the timber windows shall be painted to match existing, and maintained thereafter as such.



REASON:

To secure harmonious architectural treatment.

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

REASON:

To protect the amenities of this primarily residential area.

6 - 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.

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.

Item 5:

APPLICATION:	K/53607/F
PARISH:	PEWSEY
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Rear two storey extensions to provide extra bedroom and larger kitchen and living room. Demolish existing single storey extension.
SITE:	30 The Crescent Pewsey Wiltshire SN9 5DP
GRID REF:	16170 59922
APPLICANT:	T Plank
DATE REGISTERED:	20th January 2006
CASE OFFICER:	Mr N Britton

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#### SITE & LOCATION

The property is a semi-detached house on a development of former local authority houses to the west of the village centre. Externally it is constructed in cream coloured render under a slate roof. At the rear are a two-storey extension and a single storey ground floor extension which are shared with the attached property, No 32. The two storey extension has a shallower pitched roof than the front part of the house; this is an original feature common to other houses in this area. The rear garden is some 30 metres long and is served by a rear access.

#### DESCRIPTION OF DEVELOPMENT

It is proposed to construct a hybrid two storey rear extension across the whole width of the house. Firstly the single storey rear extension will be demolished, and in its place the rear extension with the shallower pitched roof will be further extended. This will project some 3.0 metres from the main house and will have a lower eaves with a small dormer window to light an extended bedroom. Beneath this will be an extended kitchen.

The other part of the new extension will be of full two storey height, also extending 3.0 metres from the rear wall of the house. It will have a fully hipped roof slightly lower than the main house ridge, and will provide a fourth bedroom over an extended living room.

#### PARISH COUNCIL COMMENTS

Pewsey Parish Council objects because of the visual impact and because it diminishes the neighbour's light.

#### REPRESENTATIONS

The neighbour at No 28 (the nearer of the adjacent pair to the east) has objected on the grounds that the extension will be too close to his property, and will cut out a lot of light to the house and garden.

#### POLICY CONSIDERATIONS

The whole of Pewsey is within the North Wessex Downs AONB where Policy NR8 of the Kennet Local Plan 2011 requires priority to be given to the conservation of the character and scenic quality of the landscape. Policy PD1 requires a high standard of design in all new development.

#### PLANNING OFFICER'S COMMENTS

Because of the curve in the road, the application property and the objector's house in the next pair stand at an angle to each other with the backs of the houses closer together than the fronts. The construction of the proposed extension within 1.1 metres of the boundary would bring them closer together, but this is not an unusual relationship between adjacent houses.

The proposed extension would be lower than the main house, and its depth of 3.0 metres is not excessive. There may be a minor loss of outlook from the neighbour's upstairs windows, but there should be no material loss of daylight or sunlight, particularly as the rear of the properties faces north. The lower roof of the other part of the extension will minimise the effect on the attached property on the other side, from which there has been no objection.

The design of the extension is in keeping with the house and the area, and being within the built-up area of Pewsey will have no impact on the AONB.

#### RECOMMENDATION

Approve with Conditions

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

#### REASON:

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the planning and Compulsory Purchase Act 2004.

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

#### REASON:

To secure harmonious architectural treatment.

#### 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: policies NR8, PD1.

#### 4 - 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.

Item 6:

APPLICATION:	K/53831/F
PARISH:	RAMSBURY
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	First floor extension over existing garage & single storey rear extension, new boundary wall.
SITE:	30 Ashley Piece Ramsbury SN8 2QE
GRID REF:	28013 71971
APPLICANT:	Mr and Mrs Jeffery
AGENT:	Tuttle Architectural Services
DATE REGISTERED:	28th February 2006
CASE OFFICER:	Miss R Yeomans

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#### BACKGROUND

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

#### SITE & LOCATION

From 'The Square' in Ramsbury (east end of the High Street), take the road on the left of The Bell Inn (Oxford Street). When the Crown & Anchor public house is reached, turn left into Crowood Lane. Take the second turning on the right into the Ashley Piece estate. No.30 is on the left hand side (on the corner of the second turning on the left).

#### SITE HISTORY

K/46156/F – Erection of single storey extension to provide family room and new wall to replace old wall to enclose garden. Approved in 2003 but not implemented.

#### DESCRIPTION OF DEVELOPMENT

The application proposes a first floor extension above the existing garage, which will measure 6.85m from ground level to ridge, with an eaves height of 5m, and depth of 7.15m. The ridge line will form a continuation of the existing ridge line of the house. Beyond the garage, a utility room with bathroom above would be built, in line with the rear wall of the existing house. In the garden beyond, a single storey rear extension measuring 4m in depth, 2.2m to eaves, 3.85m to ridge and 7.8m in width is proposed, together with a 1.8m high boundary wall to enclose the rear garden on the eastern side.

#### PARISH COUNCIL COMMENTS

At the time of writing, no representations from the parish council had been received. Any that are subsequently received will be reported verbally to members at committee.

#### REPRESENTATIONS

One letter of objection has been received from the immediate neighbour on the ground that:

- The proposed extension is too large, that it would appear too dominant and that it would be unsympathetic to the character of the estate.

- The windows proposed at first floor level would result in an increased opportunity for overlooking and would result in a loss of privacy.
- The proposed extension, by virtue of its size, height and proximity to the neighbouring boundary would have an unacceptable impact on neighbour amenity. The neighbour considers that the extension would be overbearing, and that it would result in harm to the reasonable living conditions of the occupants. Concerns are also raised about the loss of light and overbearing impact to the garden. Insufficient room has been allowed for its maintenance. Refusal of applications at number 6 Ashley Piece set a precedent.
- Concerns have also been raised that part of the extension – eaves, gutters etc. will overhang the boundary.
- The proposed extension would result in harm / the loss of the neighbour's hedge and trees
- The proposed boundary wall would spoil the open aspect of the estate and may be contrary to covenants.

#### POLICY CONSIDERATIONS

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

#### PLANNING OFFICERS COMMENTS

It is considered that the key issues are the impact on neighbour amenity and visual amenity.

Although concern has been raised about the size and height of the proposed extensions, the nearest dwelling is approximately 3.5 metres away from the nearest part of the proposed extension, and the two storey element of the proposals would not project any further to the rear than the rear plane of the existing properties. The neighbouring property has only one small secondary window at first floor level to this side elevation, with a lean-to green house on the ground floor. It is therefore considered that the first floor extension would not be significantly harmful to neighbour amenity to justify refusing the application. Should members be minded to approve the application, conditions may be imposed requiring first floor windows to be obscurely glazed, and permitted development rights for any further openings to these elevations can be removed, to limit the effect of the extension on neighbour privacy.

The applications at number 6 Ashley Piece referred to by the objector are not directly comparable as in that case the neighbouring property had been designed so that three principal window in the gable elevation faced the site of the proposed extension and it was considered that the impact of the two storey extension proposed for no.6 would have had a harmful effect on the reasonable living conditions of the occupiers of the adjacent property. In the current application, the design of the neighbouring house is different and there is only one narrow first floor window in the gable end. Hence, these refusals do not set a precedent for refusing the application.

The single storey lean-to rear extension proposed would have only a very limited impact on neighbour amenity, due to its height and the gap between the extension and the neighbouring house.

The design, scale and materials are considered suitable for this size of dwelling on a large corner plot. All materials are to match existing.

A similar boundary wall to that now proposed was approved as part of planning permission K/46156/F. The principle of a wall in that position has therefore already been accepted, and it is not considered that the one proposed would have a detrimental impact on visual amenity.

The concern about overhanging guttering etc. and restrictive covenants are private matters and not material planning considerations.

## **RECOMMENDATION**

Approve with Conditions

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

### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the planning and Compulsory Purchase Act 2004.

2 - Before the development is first brought into use the external walls shall be rendered and colour-washed in a colour to be approved in writing by the local planning authority.

### **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 in the west elevation, nor above ground floor level in the north elevation of the building hereby permitted.

### **REASON:**

In the interests of the privacy of the neighbouring properties.

4 - The windows at first floor level shown on the approved plans on the west (landing) and north (proposed bathroom window) elevations of the extension shall be glazed with obscured glass and shall be so maintained.

### **REASON:**

In the interests of the privacy of neighbouring properties

5 - 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.

6 - The development hereby permitted shall not be exercised in addition to or in combination with the development permitted by the permission granted under Ref: K/46156 dated 29/09/03.

REASON:

To avoid the overdevelopment of the site and an adverse impact on the appearance of the area.

7- 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.

8 - INFORMATIVE TO APPLICANT:

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

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

Item 7:

APPLICATION:	K/53441/F
PARISH:	BROAD HINTON
APPLICATION TYPE:	Full Planning Permission
PROPOSAL:	Extensions and alterations to form three bedroom house
SITE:	The Weir Bungalow Broad Hinton SN4 9NE
GRID REF:	11230 77043
APPLICANT:	Mr and Mrs S Quick
AGENT:	Four Square Design Ltd
DATE REGISTERED:	14th December 2005
CASE OFFICER:	Miss G Salisbury

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#### SITE & LOCATION

Weir Bungalow is a detached dwelling situated in an isolated countryside location on the western side of the A4361 at its junction with Yew Tree Lane, the road leading to Broad Hinton that leaves the A4361 opposite the lane leading to Uffcott.

#### BACKGROUND AND SITE HISTORY

Known originally as 'Green Bungalow' it is understood that the property was originally a hunting lodge moved to this site in the 1930's. In the 1980's planning permission was refused three times to replace the bungalow with a new dwelling (80/0097, 84/0704 and 85/0083) due to the location of the site within the open countryside of the North Wessex Downs AONB and lack of agricultural need. Application reference 85/0083 was then dismissed at appeal. Permission was then refused in 1986 to alter and extend the bungalow (86/0708) on the grounds that the development was tantamount to a new dwelling in an isolated and prominent site in the North Wessex Downs.

It appears that alterations were made to refurbish the property and in 1987 a number of works carried out were deemed not to require planning permission under Section 53 of the 1971 Town and Country Planning Act. An Enforcement Notice alleging unauthorised works to the structure of the bungalow was issued in 1988 but withdrawn by the Council in 1989 following legal advice that the notice was invalid and there was no merit in issuing another one.

In March 2005 planning permission was sought under K/51643/F to extend and alter the existing bungalow. The application was refused on the grounds that *'the proposed development, by reason of its size (and in particular its height), design and prominent siting within the open countryside, would detract from the openness and visual amenity of the countryside, neither preserving nor enhancing its status as an Area of Outstanding Natural Beauty'*.

#### DESCRIPTION OF DEVELOPMENT

This is a full application to extend and alter the existing dwelling. It is proposed to alter the ground floor layout and raise the height of the building by two metres to create a second storey. This will bring the height of the dwelling to 6 metres. Materials are painted render and slate with the colour and type to be reserved by condition should permission be granted. The proposals have been submitted with a landscape appraisal which proposes comprehensive landscaping for the scheme.



#### PRINCIPAL AMENDMENTS MADE FOLLOWING SUBMISSION

There have been no amendments made since the application was submitted.

#### ADDITIONAL STATEMENT BY THE APPLICANT

The applicant's agent states the following:

"Following the refusal of K/51643/F we undertook consultations with your department and our clients engaged landscape architects, Davis Light Associates who discussed the proposal with Will Harley. The scheme has therefore been amended to take account of the comments received and we trust that having resolved various issues, our clients can look forward toward a favourable recommendation".

#### PARISH COUNCIL COMMENTS

Broad Hinton Parish Council object to this application on the grounds that:

- a) Since 1980 there have been four refusals and one taken to appeal, for the replacement of the previous timber and tin roof building (former hunting lodge). In 1987 the building was reconstructed without planning permission resulting in two enforcement notices, resulting in two retrospective applications which were subsequently withdrawn. The enforcement notices were never enforced and planning permission never obtained;
- b) The proposed application is for a substantial house, that it will in effect be a rebuild which is not in keeping with its position close to the road in the countryside and will not blend into an Area of Outstanding Natural Beauty. If this application were to be approved it could set a precedent for further development in the countryside;
- c) This is a similar application to that previously submitted. The existing dwelling is in a prominent position at the corner of the busy crossroads of Broad Hinton and Uffcott, Wroughton and Devizes A4361. The proposed hedge roadside of the recently erected fence will create further visual problems for vehicle drivers.
- d) Such a proposal is contrary to policies PD1 and NR7 of the adopted Kennet Local Plan.

#### CONSULTATIONS

No consultee has submitted comments at the time this report was prepared. Any which are subsequently received shall be reported verbally at the meeting.

#### REPRESENTATIONS

No representations have been received at the time this report was written. Any which have subsequently been received shall be reported verbally at the meeting.

#### POLICY CONSIDERATIONS

Kennet Local Plan 2011 – Policies PD1 (Development and Design) and NR7 (Protection of the Landscape) are relevant to this application.

#### PLANNING OFFICERS COMMENTS

In its present form Weir Bungalow is an unattractive and incongruous feature in the landscape which is prominent in views from the A4361 and Broad Hinton Road. The extensions and alterations now proposed are much more modest than that previously applied for with the ridge height of the building 1.1 metres lower than the previous submission. It is accepted that the proposal would result in a larger, more substantial

dwellinghouse. However, the overall size, and design of the building is now considered to be acceptable and a considerable visual improvement over the existing dwelling.

As mentioned above, the proposal has been submitted with a landscape appraisal. This gives a detailed appraisal of the visual impact of the site and proposal and concludes that the site is capable of accommodating the proposed development without detriment to the wider AONB due to the limited extent of its zone of influence and the mitigating effects of both on and off site vegetation (existing and proposed). With adequate landscaping it is considered that the proposed development will be acceptable on this site. Dense hedge screens are proposed around the outside of the close boarded fence and 15 new trees are to be planted around the site. The proposed planting will substantially reduce the visual impact of the development and provide adequate mitigation for the increased height of the bungalow. As such it is considered that the proposal would not cause harm the landscape character and quality of this part of the North Wessex Downs Area of Outstanding Natural Beauty and offers an opportunity to improve on the existing situation.

As regards the parish council's reference to the close boarded fence and highway safety, this falls within the applicants permitted development rights. The Council therefore has no control over this matter.

### **RECOMMENDATION**

Approve with Conditions

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

#### **REASON:**

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the planning and Compulsory Purchase Act 2004.

2 - No development shall take place until details of the materials to be used for the external walls and roofs (including samples 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 - 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 - 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 NR7.

