

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 1 June 2016
Time: 3.00 pm

Please direct any enquiries on this Agenda to Natalie Heritage, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718062 or email natalie.heritage@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Tony Trotman (Chairman)	Cllr Chuck Berry
Cllr Peter Hutton (Vice Chairman)	Cllr Terry Chivers
Cllr Christine Crisp	Cllr Howard Greenman
Cllr Mollie Groom	Cllr Howard Marshall
Cllr Mark Packard	Cllr Chris Hurst
Cllr Toby Sturgis	

Substitutes:

Cllr Philip Whalley	Cllr Linda Packard
Cllr Desna Allen	Cllr Graham Wright
Cllr Glenis Ansell	Cllr George Jeans
Cllr Mary Champion	Cllr Melody Thompson
Cllr Dennis Drewett	Cllr Bill Douglas
Cllr Jacqui Lay	

RECORDING AND BROADCASTING NOTIFICATION

Wiltshire Council may record this meeting for live and/or subsequent broadcast on the Council's website at <http://www.wiltshire.public-i.tv>. At the start of the meeting, the Chairman will confirm if all or part of the meeting is being recorded. The images and sound recordings may also be used for training purposes within the Council.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and/or training purposes.

The meeting may also be recorded by the press or members of the public.

Any person or organisation choosing to film, record or broadcast any meeting of the Council, its Cabinet or committees is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

Details of the Council's Guidance on the Recording and Webcasting of Meetings is available on the Council's website along with this agenda and available on request.

If you have any queries please contact Democratic Services using the contact details above.

AGENDA

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 26*)

To approve and sign as a correct record the minutes of the meeting held on 4 May 2016.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chairman.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above (acting on behalf of the Corporate Director), no later than 5pm on Tuesday 24 May 2016, in order to be guaranteed a written response prior to the meeting. Any question received between the above deadline, and no later than 5pm two clear working days before the meeting, may only receive a verbal response at the meeting.

Please contact the officer named on the first page of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Decisions and Updates** (*Pages 27 - 30*)

An appeals update report is attached for information.

For the Committee to note the update on recent planning decisions.

7 Planning Applications

To consider and determine planning applications as detailed below.

7a **16/01382/FUL - Land Adjacent to Ashley Lane, Box, Wiltshire, SN13
8AN (Pages 31 - 40)**

8 Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 MAY 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Chuck Berry, Cllr Howard Greenman and Cllr Howard Marshall

Also Present:

Cllr Simon Killane, Cllr Alan Hill

50 **Apologies**

Apologies were received from Cllr Chivers.

Cllr Groom was substituted by Cllr Whalley.

51 **Minutes of the Previous Meeting**

The minutes of the meeting held on 20 April 2016 were presented:

Resolved:

To approve and sign as a correct record the minutes of the meeting held on 20 April 2016.

52 **Declarations of Interest**

Cllr Trotman declared that in reference to agenda item no. 7c; the building in question was on a strip of land that had previously been owned by the Trotman family; however this was no longer the case. Cllr Trotman also declared that he was the Calne Area Board representative on the Calne 'Our Place' Project. The councillor would participate in the debate and vote on each item with an open mind.

53 **Chairman's Announcements**

The Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

54 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and that there were no questions submitted.

55 **Planning Appeals**

The Committee noted the contents of the appeals update.

56 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7a and 7c as listed in the agenda pack.

57 **15/09143/OUT - The Vale of the White Horse, Minety**

The planning officer, Lee Burman, introduced the report and outlined that the proposal was previously reported to Committee under application (reference 14/08912/OUT) with recommendation for refusal, for various reasons. Members had identified requirements in respect of tying the proposed development to enhancements to the public house; this would aim at securing its long term future as a valued community facility in respect of any future application proposals, which would lead to support for a revised scheme. The proposed application was for the erection of 6 dwellings and was a resubmission of application 14/08912/OUT. A map and blueprints of the proposed development were shown.

It was detailed that the proposed application proposal's design, following extensive revisions, was of a high quality and that that the location was not within a defined settlement boundary. The planning officer informed the meeting that the scheme would secure funding for works to the nearby public house tied to occupation of the properties, would make a contribution to affordable housing and that the applicant had agreed to a section 106 agreement in this respect. It was stressed that the proposal had significant support from the local community. Attention was drawn to the late observations provided with 'Agenda Supplement 1'.

Members of the Committee were invited to ask technical questions. Mr Burman confirmed that the previously proposed development had been for 12 houses, which had been revised down to 8 prior to the previous report to committee; however, the current proposal was for the erection of 6 houses.

Members of the public were then invited to speak as detailed below:

Jamie Denman spoke in support of the application.

Cllr Berry spoke in support of the application, in his capacity as the local division member.

In the debate that followed several members commented that there was a large amount of local support for the scheme. Attention was drawn to the recommendation which was set out in 2 parts. The point was raised that the benefits of the scheme largely outweighed any negative points and that the scheme was very workable.

Cllr Berry moved the officer's recommendation that authority be delegated to the Area Development Manager to grant planning permission, subject to conditions and the completion of a section 106 legal agreement within 6 months, and that in the event of failure to complete the section 106 agreement within this timeframe, that permission be refused. Cllr Greenman seconded the motion.

The motion was put to the vote and passed.

Resolved:

That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing and is therefore contrary to Policies CP1 CP3 & CP43 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act

2004.

2. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

(a) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

GTB-646-10-3D

GTB-646-10-4D

GTB-646-50B

GTB-646-52A

GTB-646-53

REASON: For the avoidance of doubt and in the interests of proper planning.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

6. No development shall commence on site until the exact details and 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

7. Prior to the commencement of development details including design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other boundary treatments and means of enclosure shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied

REASON: In the interests of visual amenity and the character and appearance of the area.

8. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment. i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

9. No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity.

10. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

11. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

12. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

13. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

14. Prior to commencement of development and Ecological Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be in general accordance with Section

6 of the submitted Ecological Appraisal (AD Ecology, dated 26th October, 2015) and include full details of:

- **Construction methods for works in or near the pond and retained trees to reduce damage and disturbance to species and habitats**
- **Details of re-profiling and restoration of the pond margins**
- **The location and design of all bat and bird roosting / nesting features**

The development shall be carried out in full accordance with the approved Ecological Mitigation Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of Nature Conservation

15. No development shall commence on site until a noise impact assessment and scheme for protecting the residential properties and their curtilages against noise from both road traffic and railway noise has been submitted to and approved by the Local Planning Authority. Any works that form part of the scheme shall be implemented in full before any permitted dwelling is first occupied.

General: In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.

REASON: In the interests of residential amenity.

16. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837:

2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus

materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 “Tree Work – Recommendations” or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

17. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

INFORMATIVES:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

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 their 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.

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

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 [INSERT].

58 **15/10251/FUL & 15/10390/LBC - 6 Oxford Street, Malmesbury, Wiltshire, SN16 9AX**

The planning officer, Sam Croft, introduced the application and explained that the application was for the proposed change of use from ground floor shops to residential, conversion and extension of existing Brew House to a residential unit, conversion and extension of existing garages and stores to residential unit, as well as the proposed refurbishment and extension to the dilapidated red brick dwelling and other associated works. Photographs, blueprints and a map of the area were shown. The proposals relate to a designated Heritage Asset Grade II Listed Building.

The planning officer outlined that the proposed development would result in four residential units being on site. It was highlighted that, in terms of the principle of development, the site was located outside the secondary retail frontage area of Malmesbury and the site itself was not protected from conversion. Mr Croft detailed that the building had been redundant for a number of years and, as a result, had become dilapidated. It was noted that the proposed development complied with Core Policies 1, 2 and 13 and was considered by officers to have a positive impact on the conservation area. Furthermore, no objections had

been raised from Heritage England, ecology or highways officers, or in terms of the impact on local amenity.

The Committee was then invited to ask technical questions. The planning officer confirmed that there would be 2 parking spaces as a result of the development and there would be sufficient turning space for vehicles. Highways officers had raised no objections to the proposals. Officers advised that each unit would have access to a small amenity space and then a larger community space. The secondary frontage area was confirmed as being decided upon the policies and supporting proposals map set out in R1 and R2 of the North Wiltshire Local Plan 2011, as saved by the Wiltshire Core Strategy 2015 and these plans showed that the site sat outside the secondary frontage area.

Members of the public were then invited to speak as detailed below:

Kim Power spoke in objection to the application and read out statements against the application, on behalf of Stuart Shape and Francesca Caiton.

Ian Maslin and Lisa Gozzer spoke in support of the application.

Cllr Budgen, Malmesbury Town Council, spoke in support of the application.

Cllr Killane was then invited to speak in his capacity as the local division member and spoke against the application. He raised several points, which included the following: that the North Wilts Plan had not been open to consultation, as the Neighbourhood Planning Document had been; that Malmesbury was a great place to visit and such an experience should be maintained. He also commented that he had not objected to the existing residential units in the area remaining as residential units.

Following questions raised by the local member, the planning officer confirmed that the extract from the North Wilts Local Plan showed that the site was located outside of the secondary frontage area.

In the debate that followed, several points were raised, which included the following: Malmesbury needed an equilibrium of retail and residential units; also, the proposed development would serve as a restricted retail unit and therefore, the optimum use for the unit could be seen to be residential. It was further discussed that a site on the extremity of the secondary frontage area and neighbourhood plan allowed for conversion from a retail to a residential unit and therefore, the application could not be refused on the grounds of conversion. It was identified that the proposals would result in the preservation and enhancement of a listed building and this was an important benefit of the scheme. Attention was drawn to the Construction Method Statement – as laid out in the conditions and informatives – and that it should be closely adhered to; as the flow of traffic in Malmesbury relied on a delicate system. Some members noted that the Town Council, other consultees and community groups had been

supportive of the proposed development and thus, this implied that the proposed development could be taken as, largely, positive.

Cllr Hutton proposed, seconded by Cllr Sturgis, that the application be granted planning permission, subject to the conditions and informatives outlined in the report and that listed building consent be approved, subject to the conditions outlined in the report.

The motions were put to the vote and passed.

Resolved:

That planning permission be approved, subject to the following conditions:

Planning Permission is APPROVED subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from 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 part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON:

In the interests of highway safety.

3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- **location and current canopy spread of all existing trees and hedgerows on the land;**
- **full details of any to be retained, together with measures for their protection in the course of development;**
- **a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
- **finished levels and contours;**
- **means of enclosure;**
- **car park layouts;**
- **other vehicle and pedestrian access and circulation areas;**
- **all hard and soft surfacing materials;**

- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

REASON:

The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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 and the protection of existing important landscape features.

5 The development hereby permitted shall not be occupied until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON:

In the interests of public health and safety.

6 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

7 The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

Heritage Assessment

Design and Access Statement

Bat Survey 2015

Structural Report

4173/11 Site Location Plan

4173/50 Rev B Proposed Cellar Floor Plan

4173/52 Rev D Proposed First Floor Plan

4173/53 Rev D Proposed Second Floor Plan

4173/54 Rev D Proposed Attic Floor Plan

4173/55 Rev C Proposed South Elevation

4173/56 Rev C Proposed North Elevation

4173/57 Rev C Proposed East Elevation

4173/58 Proposed West Elevation

Received on 14/10/2016

4173/51 Rev F Proposed Ground Floor Plan and Site Plan

Received on 02/03/2016

REASON:

For the avoidance of doubt and in the interests of proper planning.

8 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

9 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

10 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 their 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.

11 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

12 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and

full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

That Listed Building consent be approved, subject to the following conditions:

1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON:

To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON:

In the interests of visual amenity and the character and appearance of the area.

3 No external stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON:

In the interests of visual amenity and the character and appearance of the area.

4 No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies 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:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

5 No paint or stain finish shall be applied to external timber (including window joinery), until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied.

REASON:

In the interests of visual amenity and the character and appearance of the area.

6 No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON:

In the interests of visual amenity and the character and appearance of the area.

7 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);
- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Full details of proposed meter and alarm boxes;
- (vi) Large scale details of proposed eaves and verges (1:5 section);
- (vii) Full details of proposed internal service routes;
- (viii) A full schedule and specification of repairs including:
- (ix) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects

- (x) proposed timber and damp proof treatment**
- (xi) proposed method of cleaning/paint removal from historic fabric**
- (xii) a full schedule of internal finishes to walls, ceilings and floors**
- (xiii) Full details of external decoration to render, joinery and metalwork;**
and
- (xiv) Full details and samples of external materials.**

The works shall be carried out in accordance with the approved details.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

8 No works shall commence on site until a watching brief has been arranged to be maintained during the course of the works affecting the historic fabric of the building. The watching brief shall be carried out in accordance with a written specification which shall have been first agreed in writing by the Local Planning Authority, by a professional archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to safeguard the identification and recording of features of historic and/or archaeological interest associated with the fabric of the building.

9 No works shall commence on site until a scheme for the protection of existing architectural / historic features in situ (including fireplaces, doors, windows, staircases, staircase balustrading and other woodwork) has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

10 The works hereby granted consent shall be carried out in such a manner as to ensure that the existing building(s) is/are preserved and not structurally or superficially altered in any way whatsoever, save in accordance with the approved plans and the said building(s) shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.

REASON:

To preserve the special architectural and historic interest of the listed building.

59 15/12651/FUL - The Pippin, Calne

The planning officer, Chris Marsh, introduced the report and outlined that the application was for the proposed erection of a building comprising of 32 retirement apartments with associated communal facilities, parking, access and landscaped grounds. The proposal also detailed a rear access path and 3 car parking spaces for bank premises on the High Street. A map, blueprints and photographs of the area were shown. Attention was drawn to the officer's recommendation, as amended by the late observations. The late observations contained details of further comments, additional suggested conditions and details of a petition submitted in respect of the application

The Committee was then invited to ask technical questions. The planning officer confirmed that there was no provision listed for the service road that lead to the Iceland supermarket and that any potential buyers were seen to be aware of the expected level of noise and activity that a town centre location afforded and as a result, public protection officers had raised no objection in relation to potential noise complaints from the site. Mr Marsh also confirmed that the public open space officer was satisfied with the provision of open space associated with the level of the development. It was further confirmed that the proposed development had allocated 19 parking spaces; excluding the car parking spaces allocated to Lloyd's Bank, as a part of their building's disabled access. It was reiterated that highways officers had deemed the proposed car parking arrangement to be sufficient; as the site was in a town centre location, where other parking was available. It was noted that there would also be mobility scooter storage within the proposed building and that, due to the age bracket of potential buyers of the properties, car ownership was expected to be lower and therefore, parking provision was adequate.

It was also confirmed that the Conservation Officer had not objected to the scheme proposals, on the basis of harm to designated Heritage Assets. Officers acknowledged that there was no replacement provision within the submitted scheme for the existing retail unit on site, or proposals for new retail units as indicated as necessary in the emerging Town Centre Masterplan. Officers

further confirmed that there were no adopted policies requiring the retention of existing retail facilities in this location and that as an emerging document at an early stage of preparation, significant weight could not be given to the provisions of the Town Centre Masterplan.

Members of the public were then invited to speak as detailed below:

David Williams, Janey Blackburn and Jonathan Jones spoke in support of the application.

Naomi Beal (Chairman of the Steering Group - Calne 'Our Place' Project), David Dillamore and Linda Roberts spoke in objection to the application.

Cllr Hill, Calne Town Council, spoke in objection to the application and noted that it was important that the Committee consider whether the proposed development was right for Calne's town centre.

A fire alarm was then sounded, which caused the meeting to be adjourned from 17:03 until 17:21.

Cllr Marshall spoke against the application, in his capacity as the local division member.

In response to questions, the planning officer confirmed that the provision of parking was commonplace for the type of proposed development, especially so, given the site's town centre location. It was also confirmed that the application could not be weighted upon the Neighbourhood and Master Plans; as these documents did not hold sufficient grounds to provide reasons for the refusal of the application.

In the debate that followed, some members raised concern over the loss of a potential retail site in the centre of the town and the effect this could have on the local economy. Councillors highlighted that the Calne Community Area wanted to develop a vibrant town centre and the application would be detrimental to this approach. It was noted that national planning policy encouraged that developments should ensure the vitality of town centres. It was suggested that a mix of both residential and retail units on the site would be more appropriate. Also, as both the Masterplan and Neighbourhood Plan would be given greater weight once they had been submitted to Wiltshire Council; it could be prudent to only consider such an application once both the Masterplan and Neighbourhood Plan had had the opportunity to develop and therefore, come to fruition.

Concern was also raised over the parking allocation as councillors considered that further provision should be made for visitor and service vehicle parking. It was also commented that the proposal was large in scale and would not enhance the character and appearance of the conservation area.

The meeting was adjourned from 18:10 to 18:25; to allow officers to consider the implications of matters raised and policies mentioned during the course of the debate and to prepare advice to the Committee on the basis that the debate concluded that the applications should be refused.

Cllr Marshall proposed, seconded by Cllr Crisp, that the application be refused for the reasons listed below:

The motion was put to the vote and passed.

Resolved:

That the application be refused for the following reasons:

1. The proposed development by reason of the loss of an existing retail unit would perpetuate an imbalance of residential and retail uses in Calne thereby prejudicing self containment of the settlement and promoting out commuting and prejudicing the delivery of the Town Plan/Town Centre Masterplan contrary to National Planning Policy Framework paragraphs 23 & 70: Wiltshire Core Strategy CP1, CP8 and paragraph 5.41 bullet points 1 and 7; and CP36.

2. By virtue of the scale, bulk, mass, positioning and use of materials the proposed development would result in harm to the setting of the designated heritage asset, Grade II Listed Building Zion Chapel, and the character and appearance of the Calne Conservation Area. The proposal is therefore contrary to and in conflict with National Planning Policy Framework Paragraphs 131, 132 & 134; and Wiltshire Core Strategy CP58.

3. The proposed fails to make adequate provision for off street parking to service the development and is therefore contrary to Wiltshire Core Strategy Policy CP57 Bullet point 14; and CP61 and CP64 point D.

4. The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing & Waste; and is therefore contrary to Core Policies 3 and 43 of the Wiltshire Core Strategy Adopted January 2015 and Paragraphs 50, 73 and 204 of the National Planning Policy Framework March 2012.

INFORMATIVE TO APPLICANT:

The applicant is advised that the Refusal Reason 4 is capable of being addressed and resolved through the preparation of a Section 106 Agreement to meet the identified Service & Infrastructure requirements arising from the development proposed.

60 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00-18:32)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line 01225 718062 , e-mail natalie.heritage@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

This page is intentionally left blank

**Wiltshire Council
Northern Area Planning Committee
1st June 2016**

Forthcoming Hearings and Public Inquiries between 18/05/2016 and 31/12/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Date	Overturn at Cttee
13/07132/OUT	Land at The Forty Cricklade, Wiltshire	CRICKLADE	Residential Development for upto 70 Dwellings Including Access (Outline)	DEL	Inquiry	Refuse	24/05/2016	No
14/09744/WCM	Lower Compton Waste Management Facility, Lower Compton, Calne, Wiltshire SN11 8RB	CALNE WITHOUT	Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development	COMM	Inquiry	Refuse	06/09/2016	Yes
14/10433/OUT	Land North & East of Barrow Farm Chippenham, Wiltshire, SN15 5LX	LANGLEY BURRELL	Residential Development for up to 500 Dwellings (C3), Two New Roundabout Accesses, Two Form Primary School (D1), up to 4000m ² of Employment (B1), up to 500m ² of Assembly & Leisure (D2), up to 300m ² Retail Uses (A1), Play Areas, Open Space, Landscaping, Drainage & Ancillary Works	COMM	Inquiry	Refuse	11/10/2016	No

Planning Appeals Received between 22/04/2016 and 18/05/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
15/09565/FUL	Hither Dairy Stanley Lane, Stanley, Wiltshire, SN15 3RE	BREMHILL	Demolition of Existing Barn with Extant Consent for a Conversion to a Single Dwelling House and Erection of a Replacement Dwelling with Associated Hard/Soft Landscape Works, Drainage and Parking.	DEL	Written Representations	Refuse	10/05/2016	No
16/00590/PNCOU	Upper Dudgeamore Farm, Hayes Knoll, Purton Stoke, Swindon Wiltshire, SN5 4JL	PURTON	Change of Use of Agricultural Barn To Dwellinghouse (Use Class C3)	DEL	Written Representations	Refuse	27/04/2016	No
16/00744/FUL	Longcroft 6 Station Road, Purton Wiltshire, SN5 4AQ	PURTON	Extension and Alterations to existing dwelling	DEL	Householder Appeal	Refuse	22/04/2016	No

Planning Appeals Decided between 22/04/2016 and 18/05/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
14/07602/OUT	Land at Oxford Road Calne, Wiltshire	CALNE	Erection Of Up To 41 Dwellings (Outline).	DEL	Inquiry	Refuse	Withdrawn	25/04/2016	No
15/08270/FUL	David Horton Demolition School Hill, Grittenham Wiltshire, SN15 4JN	BRINKWORTH	Proposed Extension to Existing Contractors Yard	DEL	Written Reps	Refuse	Dismissed	11/05/2016	No
15/08629/FUL	Warwick Farm Ballards Ash Royal Wootton Bassett, Wiltshire SN4 8DY	LYDIARD TREGOZ	Proposed Timber Clad, Timber Frame Structure for Usage of Bird Housing Including Rabbits & Guinea Pigs as Rescued (Retrospective)	DEL	Written Reps	Refuse	Dismissed	11/05/2016	No
15/09386/PNCOU	Building at Pooks Corner Farm Heddington Wiltshire, SN11 0PF	HEDDINGTON	Notification For Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3)	DEL	Written Reps	Refuse	Allowed	11/05/2016	Yes
15/09535/FUL	Brentwood Swindon Road Hilmarton, Wiltshire SN11 8SD	HILMARTON	Proposed Construction of Detached Chalet Bungalow	DEL	Written Reps	Approve	Dismissed	10/05/2016	No

15/12651/FUL - The Pippin, Calne

With respect to Item 7C of the Agenda for the previous meeting, held on 4 May 2016 (15/12651/FUL Proposed Erection of a Building Comprising 32 Retirement Apartments with Associated Communal Facilities, Parking, Access & Landscaped Grounds. Rear Access Path & 3 Car Parking Spaces for Bank Premises on High Street) members are requested to note the addition of an INFORMATIVE, in support of refusal reason 4. The informative reads as follows:-

INFORMATIVE TO APPLICANT:

The applicant is advised that the Refusal Reason 4 is capable of being addressed and resolved through the preparation of a Section 106 Agreement to meet the identified Service & Infrastructure requirements arising from the development proposed.

This is a standard informative attached to decision notices; in respect of the refusal of applications on the basis of the absence of a Section 106 agreement to address identified Service/Infrastructure requirements, as is set out in refusal reason 4. In the event of an appeal against a refusal of consent, the relevant refusal reason and informative are necessary to ensure that Service/Infrastructure requirements are addressed. The refusal reason was referenced in the report and officer presentation to the Committee. The Informative is a supporting note for the applicant and is a procedural matter.

It is common practice for Applicants/Appellants to seek to address the refusal reason by preparation of a Section 106 agreement, in conjunction with the Local Planning Authority through the appeal process and in the lead to an Inquiry/Hearing; so that the matter does not waste Inquiry/Hearing time. In preparing and submitting the report to Committee in respect of this application, the applicant had indicated an intention to address the identified requirements through the preparation of a Section 106 agreement, hence the Officer recommendation. As such it is considered that the Informative is appropriate.

This page is intentionally left blank

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	01 June 2016
Application Number	16/01382/FUL
Site Address	Land Adjacent to Ashley Lane, Box, Wiltshire, SN13 8AN
Proposal	Erection of American barn and associated works
Applicant	M Regnard
Town/Parish Council	BOX
Electoral Division	BOX AND COLERNE – Cllr Parker
Grid Ref	0 0
Type of application	Full Planning
Case Officer	Charmian Burkey

Reason for the application being considered by Committee

The application has been called in by the local member Councillor Sheila Parker in order to consider the scale of the development, its design and highways impact.

1. Purpose of Report

To consider the above application and to recommend that planning permission is GRANTED, subject to conditions.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.
- Impact on the openness of the Green Belt.
- Impact on the landscape quality of the Area of Outstanding Natural Beauty.
- Access/highways.
- Enforcement issues.

Box Parish Council have not yet commented and 10 letters of objection and 3 letters of support have been received.

3. Site Description

The site is a field of approximately 4 hectares within the Cotswolds Area of Outstanding Natural Beauty and the Bath Green Belt. The site access is via Ashley Lane and the residential properties of Ashley are located approx 100m to the east.

There are mature trees along the northern boundaries which partially screen the site, which is at a higher level (approx 1.2m) than the lane. To the South (on higher land) is Wormcliffe Lane, with mature hedging which screens the site.

The site is currently divided into smaller fields and there are 2 field shelters on the higher slopes. The existing stables and 2 containers are along the northern boundary (all as permitted under 14/09422/FUL). The site access is tarmac/hardcore.

4. Planning History

14/09422/FUL Change Of Use From Agricultural To Equestrian Use, Erection Of 2 Stables, storage building & 2 Mobile Field Shelters. (Part-Retrospective)- permitted at committee 28th January 2015.

5. The Proposal

Planning permission exists under reference 14/09422/FUL for the change of use to equestrian use and the erection of 3 stables, a storage building and hay store and 2 mobile field shelters. There is a condition (condition 1) which allows up to 10 horses to be kept on site at any one time.

The application seeks to provide a purpose built timber American barn to provide stabling facilities for 4 horses, hay, machinery, tack room and WC (the application has been amended at the request of the case officer, these changes have resulted in the number of stables being reduced from 6 to 4 stables, with reduced storage and rest facilities).

The building has a concrete base and skirt around it. The manure pit is to be sited between the building and the northern boundary. It is proposed to keep the 10m of hardstanding and create a turning area of hexapath, filled in with grass seed. All fencing is to be upgraded to post and rail.

Surface water drainage will be collected via an underground 4800litre rainwater harvesting system with any excess overflow drained to a soakaway.

The proposal will mean that all buildings on the site (other than the field's shelters) will be removed; as the building is designed to accommodate all the stabling and storage facilities that are required.

6. Local Planning Policy

Wiltshire Core Strategy:
Core Policy 51 (Landscape)
Core Policy 57 (Ensuring high quality design and place shaping)
Core Policy 61 (Transport and development)

National Planning Policy Guidance Sections 9 (paras 87 and 89 in particular) and 11 (paras 115 and 125 in particular).

7. Summary of consultation responses

Box Parish Council- Object to the proposal, even as reduced, and maintain their original strong objection on the grounds that the building is overly large in the Green Belt and AONB; there is no business justification; the hardstanding is the subject of an enforcement investigation and the sewage system is at full capacity.

Highways- No objection but wish the previous condition on the number of horses to be re-applied. In terms of the access, the use of a consolidated material with an aco drain to ensure water does not run off onto the highway is required. A condition is suggested.

Cotswold Conservation Board- Object. Although the Board recognises that equestrian uses are not uncommon in the AONB landscape, nevertheless there can be negative impacts on the character and special qualities of the AONB through new and intensive equestrian uses, particularly on greenfield sites. The Board has guidance on keeping horses in the AONB and recommends that the site is only suitable for 4 horses. The site is within the "Enclosed

Limestone Valley” landscape character type and specifically within “4D Lower By Brook Valley Landscape Character Area”. The Board produces guidance on this and the impact of the proliferation of “horsiculture” in the area. They conclude that this proposal will result in new development and an intensification of use that will have a negative impact on the character and special qualities of the AONB.

8. Publicity

The application was advertised by way of a site notice and neighbours were notified. 10 objections were received raising the following concerns:

- The building is too large having a negative impact on the Green Belt and AONB. There is a need to protect the landscape quality of the AONB.
- Storage of horseboxes would also negatively impact on the environment.
- The siting is clearly visible from the road.
- There is no need for tea and WC facilities and there are poor and problematic connections to the existing system.
- The hexapath surfacing will become visible and lead to rainwater run off.
- The applicant has ignored enforcement/lack of enforcement.
- Concern about lighting.
- There are stabling facilities nearby that could be used.
- The amount of land available for grazing.

3 letters of support have been received On the basis of the following:

- Supporting rural businesses and rural lifestyle.
- Flooding has always occurred on the road.
- The building will be screened by trees and is well sited.
- Hexapath is a suitable alternative for parking vehicles.
- The materials are suitable for such a location.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development

The principle of keeping horses on the site and accepting some built form was accepted in the granting of planning application 14/09422/FUL. That application was mainly for retrospective development and required a number of buildings/structures to be removed from the site, including a mobile home and 2 green storage containers. The mobile home was removed, but the containers have remained because the applicant has stated that there is insufficient storage on site and this application seeks to address that issue by providing all the stabling and storage in one building.

The proposal has been amended since its original submission which was for a building measuring approx 21m x 11m and 4.25m in height to contain 6 stables, a hay store, tackroom, team room and machinery store.

The proposed building is now approximately 14m x 10.5m and 4.2m in height with 4 stables, hay store, small machinery store, WC and tack room.

The concrete surround has been significantly reduced to approximately 2.5m, the area for the parking of horse boxes removed and an element of enhanced planting along the northern boundary shown.

The tarmac entrance has been retained, but the parking and turning area has been shown to be hexapath; which will allow grass to grow through it and be permeable rather than hardcore. This is considered to be a visually acceptable solution in this AONB and Green Belt area.

The applicant has said that he does not have enough storage on site, but permission for this building will provide that and he is willing to remove the containers and stables from the site.

Design and appearance of the development

The building itself is agricultural in appearance (and similar to one in the nearby vicinity) and has the benefit of providing for all the paraphernalia associated with keeping horses, to be stored inside. The use of land for the keeping of horses for leisure purposes is an appropriate use within the Green Belt and, subject to careful controls, should not negatively impact on its openness nor on the landscape quality of the Area of Outstanding Natural Beauty. The building itself is typical of many buildings in such locations.

Impact of the development on the Cotswolds AONB

The comments of the Cotswold Board are noted, but relate more to the principle of the proposal (established by 14/09422/FUL) than the specifics.

However, it should be noted that the NPPF presumes that designated landscapes, including AONBs, should be protected for their own sake and should therefore be guarded against incursion; by overtly urbanising and cluttering influences, including the expansion of settlements. In the case of equestrian development in the open countryside, buildings typically associated with such activities are frequently comparable with modest agricultural buildings and of similar understated impact in the most sensitive of landscapes; provided they are properly designed and sited. In this application, the building is now modestly proportioned and positioned to minimise impact and well designed; and will therefore not unduly intrude on the character of the protected landscape. It will also replace a range of buildings and storage containers that exist on site and its simpler design makes it less intrusive. The use of hexapath and the reduction in hardstanding around the building will minimise its urbanising effect.

Official Guidance has been issued in respect of the keeping of horses within the Cotswolds AONB, as it is acknowledged that the clustering of equestrian development in particular can have an adverse impact on the character and appearance of the landscape. In particular, the document 'The Keeping of Horses and Ponies in the Cotswolds AONB' notes in particular that:

“The physical structures and equipment associated with horse keeping, if not sited correctly and sympathetically, can have a detrimental effect on the quality of the landscape. There needs to be appropriate siting of stabling, field shelters, manèges, fencing, muck heaps, parking for horse boxes, lighting, schooling rings and jumps.”

This sentiment is agreed entirely and, it is considered, reflected properly through the recommended conditions. Additional planting is proposed to screen the development from Ashley Lane and views from Wormcliffe Lane are already reduced by existing vegetation and distance, together with the building being sited against a backdrop of trees. It is considered that the impact on the landscape character of the Cotswold AONB is acceptable when the conditions proposed are applied and the existing structures on site are removed.

Highways

This application proposes to retain the access as it is and to provide a hexapath surface for parking and turning. In terms of highway safety, it is considered that the consolidated surfacing to the entrance is acceptable as it prevents mud etc being taken out onto the highway.

There is now nowhere dedicated to park a horsebox and the condition restricting this can be re-applied.

Green Belt

The guidance in the NPPF states that new buildings in the Green Belt are inappropriate unless they are (inter alia) for provision of appropriate facilities for outdoor sport and outdoor recreation provided that the openness of the Green Belt is preserved. It is considered that keeping and riding horses falls within this definition and that, subject to design, the proposed building is not inappropriate in principle. The openness of the Green Belt will, in fact, be improved by the removal of the existing stables and containers which are more sprawling in their layout. The proposal currently under consideration rationalises existing buildings on site into one location and minimises if not improves the openness of the green belt.

It is therefore considered that the proposal falls within the definition of appropriate development.

Other Matters

The local residents have raised a number of matters including lack of enforcement. The site has been the subject of negotiations with the local planning authority's enforcement officer, which has led to this submission. The applicant has consistently stated that there is not enough storage on site and this application is submitted to address that. The existing stables on site, together with the containers will be removed.

There have been concerns raised about flooding of the road, but this cannot be demonstrated to be attributable to the development and in any case the proposal provides for collection of run-off from the site (highways condition) and collection of run off on site (underground storage tank), which will improve the situation..

There is now no space allocated to park a horse box and lighting is to be controlled by way of planning condition. The provision of a WC is not unusual in such a remote location and although there may be other livery stables nearby, each application must be judged on its own merits.

The siting of the building has been chosen to be relatively near to the entrance and is partially screened by existing trees. Additional planting is proposed. It is not considered that the siting is prominent or detrimental to the street scene.

Conclusion

The proposal is considered to be appropriate in this AONB and Green Belt setting and to be compliant with policies CP51 and CP57 of the Wiltshire Core Strategy and advice in the NPPF, particularly section 11 on Green Belts.

RECOMMENDATION:

Planning Permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from 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 development hereby permitted shall be carried out in accordance with the following approved plans: layout plan PL05C & PL07A; elevations and floor plan PL01B, side elevations PL02A dated 4th April 2015.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 There shall be no more than 10 horses kept on site at anyone time, including foals at foot.

REASON: To prevent over grazing of the land to the detriment of the landscape quality of the Area of Outstanding Natural Beauty.

- 4 Within 2 months of the date of the first occupation of the development hereby permitted being occupied, the existing stables on site (not field shelters) and 2 containers on site, including any fixtures and ancillary pipework, shall be fully removed from the site.

REASON: To protect the amenity and landscape quality of the Area of Outstanding Natural Beauty and Green Belt.

- 5 No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 6 The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.

- 7 There shall be no parking of horse boxes, caravans, trailers or other vehicles during the hours between dusk and dawn on the site.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 8 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 9 No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item

whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

- 10 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 11 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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 and the protection of existing important landscape features.

INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website
www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructur

elevy.

INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

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 their 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.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.



This page is intentionally left blank