

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 3 August 2016
Time: 3.00 pm

Please direct any enquiries on this Agenda to Libby Beale, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718214 or email Elizabeth.beale@wiltshire.gov.uk

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

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Membership:

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

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 Chris Hurst
Cllr Jacqui Lay	Cllr Bill Douglas

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AGENDA

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 13 July 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 **Wednesday 27 July** 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 Appeals** (*Pages 13 - 14*)

An appeals update report is attached for information.

7 Planning Applications

To consider and determine planning applications as detailed below.

- 7a **15/07244/FUL- Land at Moor Lane Farm, Minety, Wiltshire** (*Pages 15 - 32*)
- 7b **16/02433/FUL & 16/02612/LBC - The Old Stables, Grittleton House, Grittleton, Wiltshire, SN14 6AJ** (*Pages 33 - 42*)
- 7c **16/03644/VAR - Barncroft , The Barton, Upper Common, Kington Langley, Wiltshire, SN15 5PF** (*Pages 43 - 56*)

8 Urgent Items

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

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

2.a

2.b

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 13 JULY 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

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

Also Present:

81 Apologies

Following the meeting of Council on 12 July 2016, Councillor Mark Packard had been replaced by Councillor Glenis Ansell as a member of the Committee.

Apologies were received from Councillors Glenis Ansell and Howard Marshall.

Councillor Marshall was substituted by Councillor Philip Whalley.

82 Minutes of the Previous Meeting

The minutes of the meeting held on 22 June 2016 were presented for consideration, and it was,

Resolved:

That subject to inclusion of Councillor Tony Trotman among the attendees, to approve as a true and correct record and sign the minutes.

83 Declarations of Interest

There were no declarations of interest.

84 Chairman's Announcements

There were no Chairman's announcements.

85 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation, including that no lobbying of members would be permitted once debate had started.

86 **Planning Appeals**

The Committee noted the contents of the appeals update.

87 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and included in the agenda supplement.

88 **16/02586/FUL and 16/02820/LBC The King's Arms, Calne**

Public Participation

Mr Andrew Tregay, agent, spoke in support of the application.

The Development Control Team Leader, Mr Lee Burman, presented the report which recommended permission be refused for creation of a new pedestrian access at The King's Arms, Calne. Key issues included the principle of the proposal, impact upon the setting, character and appearance on the listed building and the area and impact on amenities. It was confirmed there were five existing ground floor accesses into the building, and there had not been a door at some stage in the proposed location for the new access.

Members of the Committee had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

A debate followed, where the historic and present nature of the building was discussed, along with the impact of the proposal, and whether there were any public benefits to outweigh any harm to the character and appearance of the building.

A motion was moved by Councillor Peter Hutton, seconded by Councillor Howard Greenman, to refuse the application in accordance with the officer's recommendation.

Subsequently to the vote, a motion was moved by Councillor Peter Hutton, seconded by Councillor Chuck Berry, to refuse the listed building consent in accordance with the officer's recommendation.

Resolved:

That planning permission is **REFUSED**, for the following reason:

- 1 The works proposed would not contribute to the significance or sustainability of the heritage asset and would result in the unjustified loss of historic fabric, which fails to preserve or enhance the listed building. The works, resulting in less than substantial harm, are not required to secure the optimum viable use of the heritage asset and would have no public benefits. The proposal is therefore contrary to Core Policy 58 of the Wiltshire Core Strategy, Paragraphs 131, 132 and 134 of the National Planning Policy Framework and Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.**

That listed building consent is **REFUSED**, for the following reason:

- 1 The works proposed would not contribute to the significance or sustainability of the heritage asset and would result in the unjustified loss of historic fabric, which fails to preserve or enhance the listed building. The works, resulting in less than substantial harm, are not required to secure the optimum viable use of the heritage asset and would have no public benefits. The proposal is therefore contrary to Paragraphs 131, 132 and 134 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.**

89 **16/04077/FUL- Oak Hill House, Upper Seagry**

Public Participation

Mr Andrew Miles, agent, spoke in support of the application.

Mr Mark Staincliffe, Development Control Team Leader, presented the recommendation that permission be granted for the erection of two detached dwellings within the grounds of Oak Hill House, Upper Seagry. Key issues were stated to include the principle of the development, impact on the character and appearance of the area and the proposed access. It was stated an appeal had been granted at the site for two dwellings with an indicative layout, and that the village had a mix of styles of dwellings.

Members of the Committee had the opportunity to ask technical details of the officers. Clarification was sought on the specific area covered by the application, which did not include all the land in the possession of the applicants, and it was confirmed the proposed dwellings remained within the site application line.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Committee then debated the application, noting the acceptance of the principle of two dwellings and assessing if the proposed dwellings were not

excessive. It was also noted the site lay within the village boundary line, making the proposals infill development.

The Committee also discussed drainage concerns and discussed the proposed access which had been granted on appeal, and whether the addition of a white line permitting parking on one side of the road had any impact upon the lack of objection from Highways.

A motion was moved by Councillor Toby Sturgis to approve the application delegate to the Area Development Manager to approve the application in accordance with officer recommendations, subject to confirmation from officers from Highways that there remained no objection to the proposed access in light of the street parking located opposite the site entrance. The motion was seconded by Councillor Molly Groom.

Resolved:

To delegate to the Area Development Manager to approve that application subject to confirmation from the Council Highways Officer that no objection is raised in relation to the proposed access, and 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 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.

- 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:**
 - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - means of enclosure;

- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or [DELETE as appropriate] 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 first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 6** No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 7** 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 8** 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.

- 9** The development hereby permitted shall not be occupied until details of and the location of the bin storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to first occupation and thereafter be maintained in accordance with the approved details thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

- 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 in consultation with the sewerage undertaker. 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

- 11** 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. 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

- 12** 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 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 the amenity of adjoining properties.

- 13** 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.

- 14** The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan

LPC/3074/SD1/1C

LPC/3074/SD1/2B

LPC/3074/SD1/3B

LPC/3074/SD1/4B

LPC/3074/SD1/5C

LPC/3074/SD1/6

LPC/3074/SD1/7A

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

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.

Councillor Howard Greenman requested his abstention to the motion to approve the application be recorded.

90 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.45 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line , e-mail

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

Wiltshire Council
Northern Area Planning Committee
3rd August 2016

Forthcoming Hearings and Public Inquiries between 22/07/2016 and 31/01/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Date	Overturn at Cttee
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	Approve with Conditions	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 4000m2 of Employment (B1), up to 500m2 of Assembly & Leisure (D2), up to 300m2 Retail Uses (A1), Play Areas, Open Space, Landscaping, Drainage & Ancillary Works	COMM	Inquiry	Refuse	11/10/2016	No

Planning Appeals Received between 01/07/2016 and 22/07/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
16/0813/FUL	St Mary's Church 20 Station Hill Chippenham, Wiltshire SN15 1EG	CHIPPENHAM	Proposed Extension to Provide Cloakroom & Meeting Room & Disabled Access	DEL	Written Representations	Refuse	14/07/2016	No
16/02019/FUL	Raybarrow Cottage Nettleton Shrub Nettleton, Wiltshire SN14 7NN	NETTLETON	Second Storey Rear Extension (Resubmission of 15/08209/FUL)	DEL	House Holder Appeal	Refuse	08/07/2016	No
16/02585/FUL	Avon Cottage Bransdown Hill Road Pinkney, Wiltshire SN16 0NZ	SHERSTON	Erection of a Single Storey Oak Framed Garden Room and Replacement Porch.	DEL	House Holder Appeal	Refuse	06/07/2016	No

Planning Appeals Decided between 01/07/2016 and 22/07/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded
15/10707/PNCOU	The Farm Yard South Farm Water Eaton Swindon, Wiltshire SN6 6JU	LATTON	Notification of Prior Approval - Proposed Conversion of Agricultural Building to Form Two Dwelling Houses	DEL	Written Reps	Prior Approval Refused	Dismissed	01/07/2016	No
15/11821/PNCOU	Scotts Smith Farmyard Sodom Lane Dauntsey, Wiltshire SN15 4JA	DAUNTSEY	Notification for Prior Approval for a Proposed Change of Use of an Agricultural Building to a use falling within Class C3 (dwellinghouses).	DEL	Written Reps	Prior Approval Refused	Dismissed	18/07/2016	No

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	03 rd August 2016
Application Number	15/07244/FUL
Site Address	Land At Moor Lane Farm, Minety, Wiltshire
Proposal	Proposed Construction of Solar Farm Comprising Solar Arrays, Inverters, Transformers, Equipment Housing, Security Fencing, CCTV Cameras, Internal Tracks & Ancillary Equipment.
Applicant	Rochester
Electoral Division	MINETY – Chuck Berry
Grid Ref	402653 191552
Type of application	Full Planning
Case Officer	Mathew Pearson

Reason for the application being considered by Committee

The application was previously consider at Committee on the 20th April 2016. Councillors requested further information regarding a number matters and resolved to defer the application.

1. Purpose of Report

To consider the further information submitted on the above application and recommend that planning permission is approved subject to conditions.

2. Report Summary

The following issues were identified at the Committee as requiring further information/clarification. The report focuses on these matters and also updates the previous report with regard to recent case law and changes in approach since April on conservation and heritage matters. The following matters were identified;

1. Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.
2. Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.
3. Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).
4. Details of realistic proposed routes for cable and connection to national grid.
5. Confirmation that there will be no raising of ground level within the site.
6. Further details that the right of way will be retained and safe access will be provided for the public.

The original report has been appended to this document for reference which covers other planning matters not listed above, such as the principle of the development, landscape and ecology.

3. Site Description

The application site is located at Lower Moor, just to the north of Minety. The site is entirely pasture land and comprises two fields with a total area of approximately 9.2 hectares. The

site slopes gently from north to south and is enclosed by mature hedgerows and tree belts with a water course at the southern end. A Right of Way runs across the site. To the south of the site a railway line runs from east to west and the village of Minety lies beyond this about 0.5 miles away. A minor road lies to the south of the site linking Lower Moor to the B4696 and Ashton Keynes approx. 1.5 miles to the north east.

The site lies some 6 miles east of the Cotswolds Area of Outstanding Natural Beauty just south of the Cotswold Water Park. The site lies at the eastern end of landscape character area 05: Minety and Malmesbury Rolling Lowland' and to the north of landscape character area '11B: Minety Rolling Clay Lowland. Historically this area was part of Braydon Forest (royal hunting forest), but unlike Braydon Forest this landscape character area has been continuously occupied by man. It retains a largely medieval field pattern with copses and small woodlands remaining in a number of locations. The existing landscape character of this area is derived from the combination of gentle topography, the patchwork of small irregular fields, mature hedgerows and large oaks. To the east and west of the site are a number of designated heritage assets all of which are Grade II listed farmhouses. The nearest is Lower Moor Farm to the west

4. Planning History

13/06231/FUL	Change of Use of Agricultural Land & Buildings to Equestrian & Creation of Menage & Horse Walker. – This application is for the field to the east of the site and was approved with conditions.
15/07109/SCR	Screening Opinion Request for Proposed Solar Photovoltaic Farm - Environmental Impact Assessment was not required

5. The Proposal

The proposed development involves the installation and operation of a solar park, with associated infrastructure and equipment. The solar park will have a peak output of approximately 4.5MW. The plans show a series of typical elevations for solar infrastructure. The solar panels will measure 2.9m high at their highest point, with a series of inverter and transformers (2.5m high) located around the site. The panels are mainly sited to the east of the Right of Way (RoW) in the southern field and to the west in the northern field. Access to the site is located to the south with larger infrastructure located at this location including two 3.5m high substations and a 5m satellite pole. Security fencing (2m high) is proposed around the site and alongside the RoW and it will be screened by enhancements to existing hedgerows and new planting either side of the RoW. A permanent road will be located to the southwestern side of the site which will cross the RoW and be gated at this point.

The application was originally accompanied with the following documents;

- Agricultural Land Report
- Construction Method Statement
- Cumulative Impact Statement (an addendum to the LVIA)
- Design and Access Statement (DAS)
- Flood Risk Assessment
- Historic Environment Desk-Based Assessment
- Landscape and Visual Impact Assessment (LIVA)
- Planning Statement
- Preliminary Ecological Assessment

Following a request for further survey work from the Council's Ecologist further assessment was carried out and Habitat and Species Assessment was submitted.

Following the previous committee further submitted documents include;

- Revised Cable Route Plan
- Site Access Arrangements
- Revised Construction Traffic Management Plan

6. Local Planning Policy

Wiltshire Core Strategy (WCS) (adopted January 2015)

- Core Policy 42: Standalone renewable energy installations
- Core Policy 50: Biodiversity and geodiversity
- Core Policy 51: Landscape
- Core Policy 52: Green Infrastructure
- Core Policy 57: Ensuring high quality design and place shaping
- Core Policy 58: Ensuring the conservation of the historic environment
- Core Policy 60: Sustainable transport
- Core Policy 61: Transport and new development
- Core Policy 62: Development impacts on the transport network
- Core Policy 67: Flood Risk

7. Summary of consultation responses

Please note this is only a summary of responses received following the submission of revised plans

Minety Parish Council - I, as Chairman of the Minety Parish Council, am writing strongly to affirm the Parish Council's objection to this proposed development. This proposal was discussed again on 14th June 2016 at the Council's regular monthly meeting.

At the Planning Committee Meeting on 20th April 2016, the Committee was unconvinced by the presentations of both the Planning Officer and the applicant, saying that there was insufficient detail in the application on which to base a decision. The Committee resolved that the application be deferred and brought back to the Committee as soon as reasonably possible, once the following additional information had been submitted to the Council and considered by officers and local residents:

- Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically, the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.
- Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.
- Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).
- Details of realistic proposed routes for cable and connection to national grid.
- Confirmation that there will be no raising of ground level within the site.
- Further details that the right of way will be retained and safe access will be provided for the public.

This letter of objection takes each of these points in turn:

1. Flooding. The applicant provided a flood risk assessment as part of the original application and has added nothing to it in the further information. The assessment considered that a one in 100 years event could lead to some flooding but as recently as 11th May this year there was extensive flooding in the area as a result of rainfall. This was the fourth such event in the last 9 years. The photographs at Appendix 1 show the effects both on the proposed site entrance and on adjoining properties. Similar photos have already been submitted by other objectors. The construction

period is over the months of November to March when the ground, almost totally clay at the surface and thus already greatly impermeable, will be permanently wet and on-site heavy vehicle movements will increase ground compaction which in turn will reduce adsorption and increase run-off from the site.

2. Access and Culverts. There appears to be no mention of culverts in the additional documents. The revised access and exit splays are impressive but suggest that vegetation only up to a height of 2M will be removed whilst the eye height of truck drivers must be at about 3M above road level. The wheel tracking diagrams indicate that vehicles will drive both in and out of the site going forwards but there are no suggestions in any documents about how vehicles will turn round to achieve this. On the clay that is the site basis an extensive vehicle manoeuvring area would be required and there is no indication of how this will be achieved other than the large number of deliveries of hardcore to the site.
3. Transport Plan. The Construction Management Transport Plan has been amended to show these deliveries of hardcore. The original proposal was that 52/53 HGV movements would occur and this has now increased to 151 with the majority being for hardcore, whilst there is no mention of the delivery of “tracked pile driving vehicles” or their use mentioned in the construction methodology.

The applicant states that hardcore deliveries would be in 6-wheel trucks. These by law would be at a maximum all up weight of 25tonnes travelling on an access road rated at only 7.5 tonnes. Each would then deliver 15tonnes of hardcore. However, in re-instating the site only 8 loads of hardcore are removed. What happens to the missing 765 tonnes of hardcore which apparently remain on site? How does this weight/volume of additional material affect the drainage of the site specifically with respect to flooding? What does this weight/volume of material do for the level of the site with respect to neighbouring properties? How does this weight/volume of abandoned material fit with the requirement that the site is eventually returned to its original state?

The construction period remains at 10 weeks albeit with the proviso that this is dependent on weather and external influences neither indicated nor analysed. Over the period November to March disruption due to weather is likely to be considerable. The site enabling period in the original proposal lasted 4 weeks. In the revised proposal, having acknowledged the need for more ground preparation and the early installation of fencing, this initial phase has reduced to 2 weeks. The construction phase has expanded to fill the additional time thus created, but the apparent work has not changed. Judging by similar developments of solar farms in the area, this forecast of 10 weeks appears wildly optimistic.

Traffic Routing. One of the PC's original objections to the proposal was on the routing of traffic both on arrival and when departing through the village of Minety. That issue remains unaddressed.

Incoming construction traffic would use Ashton Lane. Our previous objection addressed the 7.5tonne weight restriction, narrowness of the lane (single track for 0.7m) and lack of passing places. The passing places on this lane are rudimentary, to say the least, and certainly cannot accommodate 16M long articulated trucks. Over the winter months damage to verges would be considerable and there surely is a very high risk of large vehicles becoming bogged down in rain softened verges. An apparently but superficially safe solution could be the use of temporary traffic lights, at least on the single track section. However, there is nowhere for lorries, especially those of the length of articulated trucks, to wait at the entrance to Ashton Lane to

allow other traffic to clear the single lane section. This also calls into question the applicant's proposal that delivery drivers will contact site management before turning down Ashton Lane, as there is nowhere safe for them to pull up and await clearance instructions.

For departing traffic 10tonne 6 wheelers (now empty of their hardcore loads) and 16M long articulated low loaders would be required to depart:

under Skew Bridge - a blind approach from the South for other traffic approaching construction traffic head on,

- up Sawyers Hill, then down to the junction with Hornbury Hill for right angle left turn by the school - being downhill there will be considerable noise not just of bouncing empty trailers but also of braking (in addition, this area is frequently congested with cars parked on the school side of the road at times beyond the 8.00-9.00am and 3.00-4.00pm no-movement windows proposed by the applicant.),
 - round the right turn into Silver Street, where there are again considerable numbers of parked vehicles and regular pedestrian traffic, and through the centre of the village,
 - and only then joining the B4040. This is an entirely unacceptable, disruptive and dangerous proposal using, as it does, roads not designed for the wear and tear of such traffic and with little space for large construction vehicles to manoeuvre. This can lead not only to disruption and risk to the community but also to damaged road surfaces and edges with risk also for parked vehicles. Quite simply none of these roads is intended to carry traffic in such numbers or of such sizes.
4. Cable Routing. The revised cable routing is far more sensible and would avoid the longer term disruption of the original. However, although it is not part of the planning process, has this routing been agreed with the landowners concerned and could permission be granted only on the basis of its being successfully negotiated?
 5. No Raising of Ground Level on the Site. Please see the comments and question at paragraph 3a although the developer without explanation asserts that levels will remain unchanged.
 6. Rights of Way. The developer provides an assurance the PROW will be maintained. The developer also assures that the safety of the public will not be compromised. However, in neither case is there any detail to support.

In summary, therefore, this is an ill-conceived proposal to place a solar farm in the wrong place. It proposes to develop in an area already known, and very recently proven yet again, to be at high risk of flooding both for itself and for neighbouring properties and would only increase that risk. It would rely on road links which are at a minimum inappropriate and not designed to carry the kind of traffic necessary for the development but, additionally, could be viewed to be disruptive and even dangerous. There are no conceivable benefits for the village which would need to live with these. The Minety Parish Council, therefore, strongly requests that this planning proposal be finally rejected.

Wiltshire Council Drainage - I have already commented on this one favourably but as more information has been requested and received, I will comment anew.

The area is one with a well-known flood history and the upper reaches of the current drainage system coincides with this application's location. In fact the drainage route starts at The Moor and travels to the Three Bridges road junction along the Ashton Road open

watercourse system. Surface water runoff generated on this area uses the road route towards the River Thames and when the River Thames exceeds its flood capacity, water heads in the opposite direction towards The Moor. This phenomenon is a result of the almost flat downhill gradient from The Moor and the superficial geology which is predominantly clay making infiltration drainage unworkable. The whole system of drainage can be compared to a macadam car park with very little fall and no positive drainage pipework.

H2O consultants have recognised this phenomenon and proved mathematically that the very small increase in rainwater runoff can easily be stored on site in shallow swales and disposed of as if the water was running off the original field. The overall effect is to maintain the drainage status quo.

The installation of an individual photovoltaic assembly relies on it being supported by vertical piles driven into the clay and I understand that there may be an old system of land drainage likely to be disturbed by the new solar assemblies. Decommission of the assemblies would not repair this damage if indeed damage was caused. I asked myself if this old system was still serviceable and have to say that in all probability it did not work anyway so the need to repair it is arguable. The system is assumed to be 900mm deep and surrounded with coarse sand. I am not aware that this system has received any maintenance in tend of years and the surface has been used as pasture for cattle or horses so the clay surface will have been worked over and over again by hooves and therefore combined with the natural consolidation of the clay will form an impermeable surface making any historical drainage system unworkable. The proof of this would be a proliferation of hollow stemmed grasses which have taken many years to become established to indicate a sodden upstream catchment in the area of the application.

So I consider that the application doesn't significantly influence the present flood risk and the so called historical field drainage to be a red herring because if it does exist, it will have fallen into disuse many years ago.

Wiltshire Council Highways - I note the details supplied. The details have not completely addressed all the concerns in the Construction Traffic Management Plan – but additional points have been conditioned.

I can confirm that the 'details have not been completely addressed' have now been addressed in my conditions. ie 1.) chapter 8 signage and banksman 3.) suitable wheel washing facilities and parking areas/ compound.

I would also like to confirm that I consider that there are no grounds of highway refusal that will withstand appeal. Consideration of paragraph 32 of NPPF states, proposals should only be refused where residual impacts are severe.

I would also like to note that highways/ planning have negotiated a traffic routing scheme that will reduce impact on community as much as possible.

I raise no highway objection subject conditions.

Wiltshire Council Right of Way – Support subject to signage where the track crosses the footpath is a stop sign which also says "public footpath" underneath so it reminds drivers of the reason they have to stop and look. Drivers should also all be briefed that there is a public footpath so must watch for walkers.

8. Publicity

Six further letters of objection were received following the previous committee, although it should be noted that three further objections were received following the publication of the previous Committee Report before it was heard at Committee. Highlighted key issues were flood risk and traffic and transport.

- **Flood Risk** - All of the objections noted that the development would cause further flooding to an area that has repeated been flooded, with an objector provided photographic evidence of recent severe flood events.
- **Transport** – Objections were received with regard to construction traffic being routed on a single-track road to the site and departing via another single-track road to pass by the village school. The route is considered too narrow with 90 degree bends in between and disruption and damage likely to cause further issues and affect highway safety.

Other noted issues were around the loss of agricultural land and the effect on ecology and nearby SSSIs

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.

1. Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.

It is clear from consultation responses that increased flood risk is probably the largest issue for local residents. The applicant has highlighted the key section of the existing flood risk report which deals with the swales and the Council's Drainage Engineer has commented extensively on this issue and existing land drainage issues.

The Council's Drainage Engineer states that the existing Flood Risk Assessment (FRA) has;

'proved mathematically that the very small increase in rainwater runoff can easily be stored on site in shallow swales and disposed of as if the water was running off the original field. The overall effect is to maintain the drainage status quo.'

He comments that flooding in the area is caused by the River Thames exceeding its flood capacity and water running 'back to the Moor. Core Policy 67 looks for development to improve run-off rates unless site or environmental conditions make these measures unsuitable. The Drainage Engineer has noted that the superficial geology, which is predominantly clay, makes infiltration drainage unworkable. Nevertheless, the submitted FRA includes recommendations that will see marginal reductions in run off rates by using swales, this is set out in sections 8.0 and 9.0 of the submitted FRA. The Council's Drainage Engineer has stated that he is satisfied that the proposals and the application is considered to be in accordance with Core Policy 67 and paragraph 103 of the National Planning Policy Framework (NPPF).

In terms of any existing drainage systems the Council's Drainage Engineer has commented that in his opinion the use of the field as pasture would have made any historic drainage systems unworkable and therefore fallen into disuse. The applicant has suggested that on decommissioning they are contractually obliged to return the field to its original condition. However, if any existing drainage system has already fallen into disuse it would be disproportionate to expect this to be repaired on decommissioning. The previous

recommendation to the committee included a condition to provide a scheme of decommissioning. Added to this condition is a specific note explaining that this will need to include an up-to-date flood and drainage assessment as part of any decommissioning programme in order to address any potential concerns at this time.

- 2. Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.**
- 3. Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).**

The applicant has provided an updated Construction Traffic Management Plan which provides comprehensive transport plans and access plans and visibility splays. The Councils' Highways Team have no objection to the scheme and are satisfied with the transport aspect of the Construction Traffic Management Plan but have requested some further details be conditioned. These are in regard to banksman and signage at the site entrance and to ensure that suitable wheel washing facilities and parking areas/compound is provided. The comments by the Parish with the regard to the culvert are noted but the applicant has set out at section 6 of the Construction Traffic Management Plan that they intend to use the existing culvert that is in place.

Following the revised submission a number of further conditions have been proposed in line with the recommendations of the Construction Traffic Management Plan. It should be noted that wider aspects of the construction in terms ecology and landscape will be addressed by the Construction Environmental Management Plan (CEMP) which will sit alongside the Construction Traffic Management Plan and provide for the recommendations and implementation of any ecological and landscape measures and proposals.

Construction traffic has also been highlighted as a key concern for local residents. It is acknowledged that during the construction phase there will clearly be a level of disturbance for residents in and around Minety. However, the applicant has worked proactively with the Council's Highway Team in order that routes and timings of HGV deliveries cause the least amount of disruption and over the 30 year lifetime the construction period of HGV movements will be a 10 week period. The NPPF is clear that *'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. (paragraph 32)'*.

The residual impacts of the scheme are limited and confined to the construction and decommissioning stage, where a similar period of disruption can be expected. The Construction Traffic Management Plan shows that steps have been taken to appropriately mitigate, as far as possible, any adverse impacts and it is considered that the proposal is in accordance with Core Policy 62 and the NPPF.

- 4. Details of realistic proposed routes for cable and connection to national grid.**

Revised plans have been submitted in regards to the Cable Route which show two potential points of connection. The applicant is still waiting for Southern and Scottish Electric to confirm which connection they prefer. The alternative connection to the substation to the northwest now crosses three fields and the highway perpendicularly in the most direct route avoiding any potential disruption involved with using highway verges. The preferred connection remains to the north of site which will cause minimal disruption. The final details of the route and construction will remain conditioned with full details provided at the point the decision is taken on which will be the final route.

- 5. Confirmation that there will be no raising of ground level within the site.**

The applicant has confirmed there is no intention to raise ground levels in the site and there are no plans that show such development. Comments from the Parish are noted with regards to the access tracks and hardcore. These matters will be addressed in detail by the landscape plans.

6. Further details that the right of way will be retained and safe access will be provided for the public.

The applicant has sought to clarify the proposals for the right of way;

'The safety of the public using the PRow will be ensured by the fact that the security fence will be installed prior to commencement of development. This will ensure that the majority of the route is fenced off. Where the PRow crosses over the site track, signage will be used to ensure both the public and construction worker are aware of each other. At the entrance to the site a banksman will hold construction traffic until the public are safely past. Once development has been completed, the footpath will remain unobstructed.'

As per the recommendations of the Highway Team further details are conditioned in regards to signage and a banksman at the site entrance. The access to the public right of way is included in the Construction Traffic Management Plan under section 15. A condition has been added to ensure that the public right of way remains in place and that security fencing is in place prior to construction

Conservation of Designated Heritage Assets and Recent Case Law

Recent case law (Butler, R v East Dorset District Council EWHC 1527 [28 June 2016]) has clarified issues regarding the reporting of harm to conservation and heritage assets and outlined the importance of clarifying the relationship between local plan policy and the NPPF. This case has also set out further the weight, or lack of, that can be given to the temporary nature of any harm to preservation and setting of listed heritage assets.

Previously it was noted that the proposals were likely to have an impact on the setting of Lower Moor Farm to the west of the site, a Grade II listed farmhouse. It was reported that;

'It is considered that this impact will be less than substantial and in line with paragraphs 131, 132 and 134 of the NPPF and Core Policy 58. Where a development proposal is likely to have some harm to a designated heritage asset the public benefits of the scheme should be weighed against the impact.'

It was also noted that some weight could be given to temporary nature of the scheme in relation to the impact heritage assets.

Core Policy 58 requires development to protect, conserve or where possible enhance the historic environment. The case law, referred to above, sets out that where local planning policy requires such measures, if harm is identified to a heritage asset then the scheme cannot be seen to comply with that policy. This is different from the NPPF where policies state that less than substantial harm should be weighed against the public benefit of the scheme. Furthermore, neither Core Policy 58 or the NPPF differentiate between temporary harm or permanent harm and therefore no weight should be given to the temporary nature of the scheme in terms of heritage assets.

Therefore, it should be reported to the committee that the scheme fails to meet the requirements of Core Policy 58 and that previous statements regarding the temporary nature of the harm in regard to heritage assets, even though this consideration was given 'very limited weight' in previous report, should be disregarded.

Nevertheless, as noted in the opening paragraph of the section, determination of applications should be made in accordance with Development Plan unless material considerations indicate otherwise. The NPPF, as national policy, is an important material consideration and paragraph 134 states that where less than substantial harm is identified then the public benefits of the scheme should be weighed against this impact. The overall benefits of scheme in terms of sustainable development and reducing carbon emissions mean that it was, and still is, considered that the public benefits of scheme outweigh the harm to a designated heritage asset.

The scheme is in conflict with Core Policy 58 but material considerations in the form of national policy mean that the application should be considered for approval in regards of conservation and the historic environment.

Other Matters

Please note that a number of matters highlighted in the previous report remain conditioned with final details required before development can commence. These include;

- Final detailed landscaping plans in line with the submitted Landscape and Visual Impact Assessment (LVIA)
- A comprehensive Landscape and Ecological Management Plan that will sit alongside the CEMP referred to above.
- Final details of all external finishes and colours for the various equipment housing and fencing across the site.
- The final cable route

Other conditions that will remain in place include the limiting of external lighting, comprehensive tree protection measures, restrictions on the storage of items following construction and the submission of a scheme for decommissioning. These are listed at the end of this report.

10. S106 contributions

None

11. Conclusion (The Planning Balance)

The proposed development as a whole contributes towards acknowledged sustainability objectives and would not result in the loss of high quality agricultural land. The principle of the development for renewable energy on this site is supported in planning policy. The various studies and assessment including, the LIVA, ecological assessments and FRA, have demonstrated that the proposed solar park would not harm any protected species, have a highly detrimental visual impact or exacerbate flood risk in the area.

While it is acknowledged there will be an impact on residents during the construction phase, this will predominantly relate to deliveries and the movement of HGVs. It not considered that this impact can be considered so detrimental as to be able to sustain a transport objection of planning policy grounds.

The recommendation for approval is accompanied by suitably worded planning conditions that can adequately address potential impacts and ensure the correct mitigation is secured. Overall it is considered the application is broadly in accordance with planning policy, where conflicts have been identified, material considerations overcome these issues and the application is recommended for approval.

RECOMENDATION

Approve with 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:

Plans

Location Plan Drawing No: D03 (July 2015)

Array Cross Section Plan Drawing No: D04 (July 2015)

Prefabricated Housing DNO Switchgear Plan Drawing No: D05 (July 2015)

CCTV Pole Elevation Plan Drawing No: D06 (July 2015)

Fence 7 Gate Elevation Plan Drawing No: D07 (July 2015)

Inverter & Transformer Elevation Plan Drawing No: D08 (July 2015)

Substation Elevation Plan Drawing No: D09 (July 2015)

Satellite Pole Elevation plan Drawing No: D10 (July 2015)

Storage Container Elevation Plan Drawing No: D11 (July 2015)

Revised Cable Route Plan Drawing No: D12 (July 2015)

Revised Site Access Plan Drawing No: WLTS95-1T-001 (May 2016)

Reports

Habitat and Species Report by Windrush Ecology Nov 2015

Planning Statement by DLP Planning July 2015

Flood Risk Assessment by H2O July 2015

Landscape and Visual Impact Assessment by Sightline Landscape July 2015

Design and Access Statement By DLP Planning July 2015

Construction Traffic Management Plan by Elgar Middleton May 2016

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

- 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);

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 commencement of development; 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 mitigation measures of SUDs and a Scrape detailed in the approved Flood Risk Assessment (FRA) [July 2015 / J-5489-CFM / H2OK] shall be carried out in full prior to the first bringing into use of the development in accordance with the approved timetable detailed in the FRA.

REASON: In the interests of flood prevention.

- 6 The mitigation measures in accordance with the recommendations of the submitted Habitat and Species Assessment (November 2015/ Windrush Ecology 2015) shall be carried out in full prior to the first bringing into use of the development in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

- 7 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an 30 year period);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

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 adequate protection, mitigation and compensation for protected species, priority

- 8 No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of 'biodiversity protection zones'
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The location and timing of sensitive works to avoid harm to biodiversity features including
 - " Protection measures for hedgerow, woodland and other habitat features
 - " Methods to avoid and minimise impacts on retained grassland;
 - " A Precautionary Method of Working for the protection of great crested newts/amphibians, including timing of construction works (November-March inclusive);
 - " Prevention of pollution to watercourses;
 - " Pre-commencement bat surveys of the mature willow tree
 - " Measures to avoid impacts upon breeding birds and their nests
 - e) The times during construction when specialists ecologists need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 9 No development shall commence on site until details of the external finish and colour, including any paint to be used externally on the Fencing, Security Cameras, Inverter Substation, DNO Connection Substation, Auxiliary Transformer and Connection Substation 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 brought into use.

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

- 10 No development shall commence on site until full details of the proposed cable route have been submitted and approved in writing by the Local Planning Authority. This will include any details of access and works to third party/public land. The permitted development will only provide a single access route as identified in the scheme.

REASON: In the interests of amenity and to protect from unnecessary noise and disturbance from the site.

- 11 The proposal shall be carried out in accordance with the 'Construction Traffic Management Plan' (dated May 2016). The vehicle routes to and from the site shall be in accordance with the CTMP and signage in accordance with Chapter 8 guidelines. For all HGV movements at the deliveries a banksman shall be used at the entrance. If there are any departures from the plan, this will need to be agreed in writing by the LPA prior to actions or works being carried out on site.

REASON: In the interests of Highway safety

- 12 No development shall commence on site until the 'Site access Arrangement' (in accordance with drawing WLTS-1T-001 B) has been constructed. The access points shall be properly consolidated and surfaced (not loose stone or gravel) for a minimum of the first 10m. A scheme for discharge of surface water from both sites (including surface water from access) and piping of the ditches shall be provided. The development shall not be first commenced until the access has been constructed in accordance with the approved details. The access shall be maintained as such thereafter.

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

- 13 No part of the development shall commence until the parking area (temporary construction compound), turning area and wheel washing facilities (this shall be suitable for HGV), have been constructed and laid out in accordance with details to be submitted and approved in writing.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 14 No development shall commence on site until visibility splays have been provided at both access points and have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres either side of the entrance from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway. (In accordance with drawing 'Site Access Arrangement' WLTS95-1T-001 Rev B.

REASON: In the interests of highway safety.

- 15 A condition survey of the highway network relating to the access routes to the site shall be carried prior to the commencement of the works, the survey shall be carried out by the applicant in conjunction with the highway authority, in compliance with Section 59 of the Highways Act, to ensure that as a result of the proposal the existing condition of

the highway network is maintained. If as a result of the construction phase damage to the highway network has been identified, within 3 months of the identification the damage, the works shall be remedied.

REASON: In the interests of maintaining the existing condition of the highway network

- 16 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.

- 17 The detailed landscaping plans to be submitted pursuant to condition no. 3 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

- 18 REASON: To ensure the retention of trees on the site in the interests of visual amenity. 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

- 19 Following completion of Construction 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.

- 20 The Local Planning Authority shall be notified in writing within one month of the event that the solar array hereby approved has started to feed electricity to the Grid. The installation hereby approved shall be permanently removed from the site and the surface reinstated within 31 years and six months of the date of notification and the local planning authority shall be notified in writing of that removal within one month of the event.

REASON: In the interests of amenity and the finite operation of this type of development.

- 21 Within six months of the commencement on site, a scheme for the decommissioning and restoration of the development shall have been submitted to and approved by the Local Planning Authority, the details of which shall include how the land will be restored back to fully agricultural use upon the development no longer being in operation or upon the expiry date of 30 years from the date of the development starting to feed electricity to the Grid, whichever is sooner. The scheme will need to condition further survey work with regards to flood risk which will need to be carried out at the time of decommission. The Decommissioning and Restoration scheme of this development shall be carried out in accordance with the scheme so agreed.

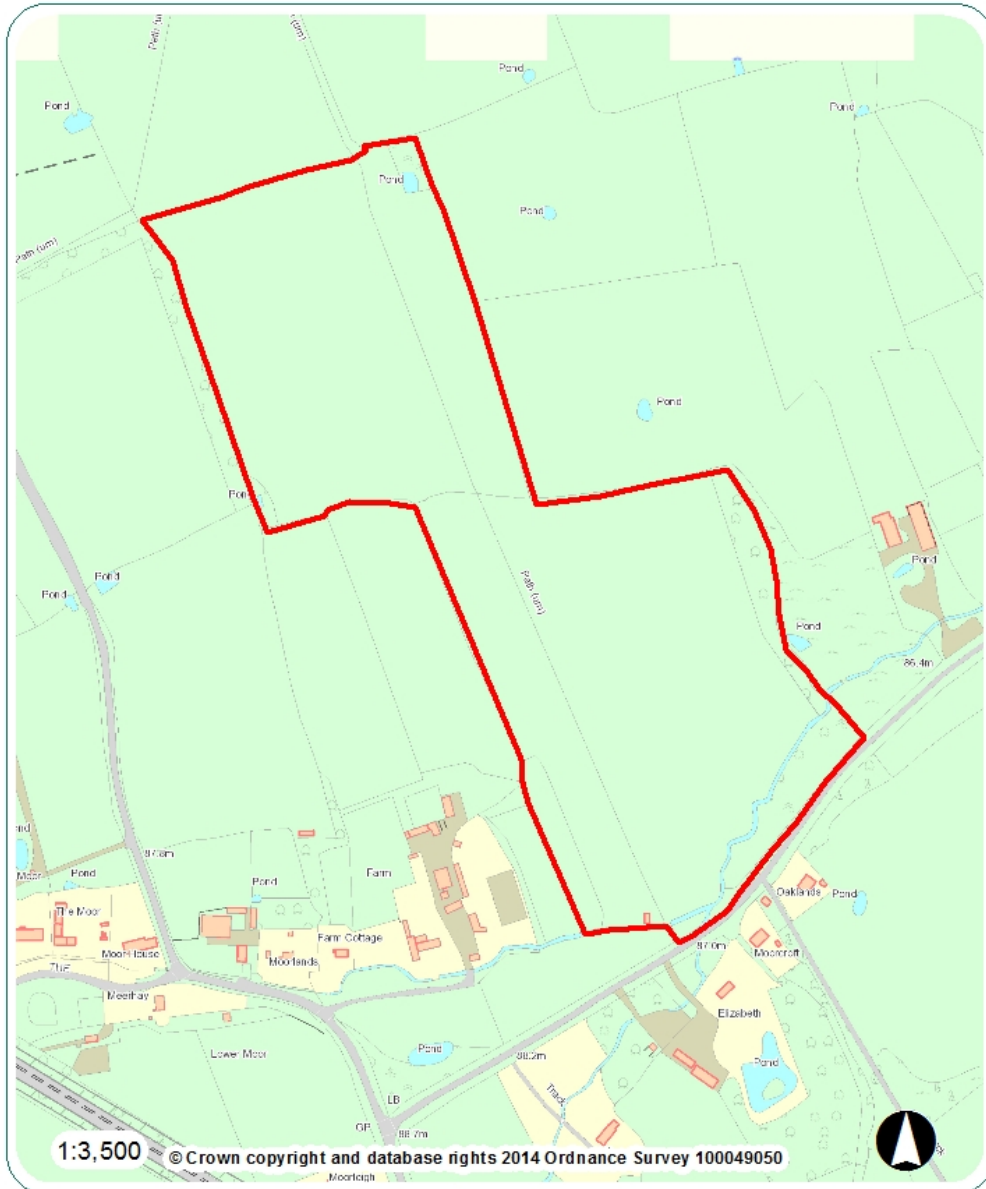
REASON: To ensure upon the development no longer being in use, the complete removal of all development allowed under this permission and the restoration of the land to its former condition

- 22 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.

- 23 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.

- 24 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.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	3 August 2016
Application Number	16/02433/FUL & 16/02612/LBC
Site Address	The Old Stables, Grittleton House, Grittleton, Wiltshire, SN14 6AJ
Proposal	Proposed Conversion of Stables to form Dormitories for Grittleton House School.
Applicant	Grittleton House School
Town/Parish Council	GRITTLETON
Electoral Division	BY BROOK – Cllr Baroness Jane Scott OBE
Grid Ref	386101 179654
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The applications have been called in by the local Member, in order to consider the wider community benefits of the scheme.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the applications are refused.

2. Report Summary

The main issues in the consideration of the proposals are as follows:

- Principle of development;
- Impact on the significance of the listed building(s);
- Impact on the setting of the listed buildings and Grittleton House;
- Impact on the significance of the Grittleton Conservation Area;
- Impact on the Cotswolds AONB; and
- Impact on local highways

Grittleton Parish Council has registered its support for the proposals, and no further public comments have been received. No objection is raised by the Highways Officer, whilst Historic England and the Council's Senior Conservation Officer have commented on the applications as detailed later in this report.

3. Site Description

The proposals relate to the historic stable complex on the southern side of the Grittleton House estate, the main house (most recently a school) of which is Grade II*-listed. Sitting some 250m from the main house and accessed separately via the entrance to

the West, the stables are collectively Grade II-listed in their own right (as is the stable lodge at the western end of the access track and historically associated cottage 'Emu Paddock'). Approaching from the West, the complex comprises first an almost enclosed courtyard of decorative single-storey stables, with dual arches providing a direct route through to a further, more loose-knit yard and buildings. The buildings are collectively noted for their formal layout and completeness, including historic internal stable tiling, timber panelling and ironwork.

Citing declining pupil numbers, the school announced on 1 June 2016 that it would be closing at the end of that term. It is understood that at the time of Committee, the school will have permanently closed. The site is located within the Grittleton Conservation Area, which extends to wash over the whole Grittleton House estate, and also the Cotswolds Area of Outstanding Natural Beauty.

Planning permission and listed building consent granted in 2009 (08/00876/FUL & 08/00877/LBC refer) enabled the conversion of three of the latter group of buildings to holiday accommodation, in order to provide activities and income outside of term time. Following the discharge of conditions in relation to submission of architectural details and works on site, planning permission was further relaxed with the removal of a condition restricting use/occupancy to that ancillary to the school (10/01060/S73 refers). The similarly-proportioned stables further East have been extended significantly to the rear in order to create new ensuite dormitory rooms for students; an exercise understood to have not been altogether successful owing to a relative lack of borrowed light available to bedrooms. Applications 09/01441/FUL and 09/01255/LBC refer.

4. Planning History

N/08/00876/FUL	Proposed Conversion of Barns and Stables to Include Conversion of Existing Buildings to Field Study Centre – approved
N/08/00877/LBC	Proposed Conversion of Barns and Stables to Include Conversion of Existing Buildings to Field Study Centre – approved
N/09/01724/TCA	Fell 1 Hornbeam, 2 Ash & 1 Horse Chestnut – approved
N/09/01441/FUL	Extension to Outbuilding to Form Dormitory (Amendment To 08/00876/FUL) – approved
N/10/01060/S73	Proposed Conversion of Barns and Stables to Include Conversion of Existing Buildings to Field Stud Centre Without Compliance of Condition 3 of 08/00876/FUL (The Development Hereby Permitted Shall Be Used Only for Purposes Ancillary to Grittleton House & Grounds) – approved but likely to have lapsed

5. The Proposal

Planning permission and listed building consent is sought in respect of the extension, alteration and conversion of the as yet unmodified stable building at the northern side of the main courtyard to provide 13no. ensuite dormitory rooms for resident students, together with an element of associated storage. Having initially comprised the wholesale removal of the rear wall and considerable extension of the building, the scheme has been revised so that the extensions are contained within an L-plan block leading from the building's northwest corner; the intervening space to be used as an outdoor teaching area. The historic stable block is to be divided into individual dormitory rooms with ensuites through a combination of new breakthroughs and stud walls, though maintaining much of the original plan and stable furniture as seen in the earlier scheme.

The proposed extension is to be configured as a series of dormitory rooms leading off of a single corridor, which follows the eastern/southern sides of the block. It is to be composed of single-storey proportions, albeit with a span greater than that of the historic stables, and finished predominantly in stone beneath a pitched slate roof. The eastern corridor is to be flanked by a series of full-height fixed glazed panels and glazed doors, providing access onto the courtyard, which is to be enclosed at its eastern end with a new stone wall. The proportions of the rooms vary, although each benefits from its own ensuite, with separate elements of storage, plant room, circulation and other internal amenity space incorporated into the layout. Although submitted prior to the announcement of the school's imminent closure, the application has been kept live subsequently.

6. Local Planning Policy

Wiltshire Core Strategy; Core Policies 1 (Settlement strategy), 51 (Landscape), 57 (Ensuring high quality design and place shaping), 58 (Ensuring the conservation of the historic environment).

National Planning Policy Framework; Paragraphs 14, 17, 64, 72, 115, 128, 131, 132 and 134.

Sections 16(2), 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

7. Summary of consultation responses

Grittleton Parish Council – support

Conservation – objections, citing the harm to the setting and significance of designated heritage assets

Highways – no objection

Historic England – *“Whilst we consider the level of harm to the historic fabric to have been reduced, we consider there to be moderate harm to the setting of the Grade II listed Grittleton Stables as well as to the relationship between the principal house and ancillary buildings, which Historic England does not support.”*

8. Publicity

The application was advertised by notification letter and site notice. No public representations were received.

9. Planning Considerations

Principle of development

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.

In principle, the extension and enhancement of educational facilities – including private schools – is consistent with the objectives of Paragraph 72 of the Framework. Although

this was the basis on which Officers sought to negotiate the original scheme, in light of the school's recent closure it is considered that this policy cannot reasonably be applied as there is no assurance that any such use will be continued. Moreover, it appears that Grittleton House continues to be promoted for private and corporate events and it is therefore assumed that this offers a more sustainable business model. If this is the case, this would represent an entirely different planning use of the land and buildings.

Optimum viable use

Referring back to the earlier permission, it has been accepted previously that notwithstanding their relatively complete condition, some viable future use is necessary to ensure the long term protection of the listed stables. At the present time, however, the proposed development does not provide any reassurance that it will instigate immediate and beneficial works that will prolong the lifespan of historic fabric, as there appears to be no incoming user to benefit from any conversion. Whilst on first inspection, the scheme offered a more closely-related occupation of the building than the subsequently relaxed approved scheme, thus contributing to a greater extent to the core term-time operation of the school, this is clearly no longer the case and it is unclear what the optimum viable use of the asset would be. An approved scheme with little to no realistic prospect of implementation can be afforded no greater weight than no permission at all and in this regard the proposals present no wider 'public benefit' arising from the development.

Impact on the significance of the listed building(s)

Having made clear that substantial demolition of the rear of the building was not an appropriate approach both at pre-application stage and upon receipt of the subsequent planning and listed building consent applications, it is considered an improvement to the scheme in principle that such works are no longer proposed. These works were met with strong opposition from Historic England and the Councils Conservation Officers due to the hugely disruptive and irreversible loss of historic fabric that would occur. This amounted to 'substantial harm', in respect of which the proposals failed to deliver the compensatory criteria set out at Paragraph 133 of the Framework. Whilst the extent of demolition has now been significantly reduced, however - and despite extensive attempts to negotiate - it is still not considered that the current alternative proposals adequately address many of the issues raised initially.

A defining feature of the building is its traditional proportions and formalised relationship to the surrounding stable yard, former coach house and cottages. Throughout the application, advice provided by Planning and Conservation Officers has sought to reduce the bulk of extensions and loss of historic fabric, in particular by employing a more modest 'link' to the physical fabric of the stables and minimising new openings. This advice has been mostly rebutted however; the extensions to the northwest corner remains of substantial form, with the 'link' of the same considerable span in order to maximise accommodation, and results in the unwarranted loss of fabric.

Notwithstanding the poorer condition of this corner – where some of the rear wall is built over a boundary wall – the opportunity to use a single breakthrough to provide material that could be used to 'make good' the surrounding area has not been taken into account (the normal course of action in these situations would be localised repairs to the fabric concerned rather than wholesale demolition). Instead, the layout is tenuous and includes a standalone bathroom with no internal doorway, another with a fully glazed wall to the adjacent courtyard and the unjustified removal of original fabric from the rear wall of the stables.

It is not considered that the revised scheme has followed elementary conservation principles, resulting in a poor form of development that makes little concession to its historic setting. This comes despite efforts to negotiate improvements, most of the substantive points of which having been rebutted by letter rather than proactively employed as amendments to the scheme. Although the matching traditional materials of stone and slate are to be employed – as has been the case nearby – the widened proportions and overly ‘domestic’ fenestration of the extensions remove any prospect of these being perceived as contemporaneous with the yard, even from a distance. It is agreed that the Historic England guidance on the treatment of agricultural buildings¹ is relevant in this instance; notwithstanding their historic service/equestrian use, the stables are of modest, functional form capable of supporting either small-scale traditional extensions or referential, subservient additions of more modern form – for instance using glazing and timber cladding. In this instance, it is considered that the extensions lack any distinctive quality or design language in their own right and will read as overly domestic additions that detract from the host building.

Impact on the setting of the listed buildings and Grittleton House

Sections 16(2) and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 require that the desirability of preserving the significance of listed buildings and their settings is given substantial weight in the consideration of listed building consent and planning applications respectively. Historic England have concerns with the applications both initially due to the substantial demolition of the Grade II-listed stables and latterly due to the impact on the setting and significance of the Grade II* Grittleton House. This is a significant consideration that, aside from any weighting in the planning balance provided by the public benefits of the scheme, clearly indicates that the proposals would not accord with Sections 16(2) or 66(1) of the Act.

Clearly the stable complex is a historically ‘planned’ arrangement, comprising a series of defined spaces and functions associated with the former house and wider estate; a relationship that is continued with the modern day school. Whilst an incidental function would be maintained, the proposed extensions by reason of their bulk and unsympathetic design would detract from the considered hierarchy of the original outbuildings, as well as interrupting the physical relationship between the yard, grounds and main house. The creation of an additional courtyard would, in the view of Historic England, misconstrue the stables’ integrity and historic setting, and would certainly reduce the legibility of the existing arrangement, exacerbated by the extensions’ falling awkwardly between the traditional and modern in terms of form and finish.

Impact on the significance of the Grittleton Conservation Area

It is considered that, as the proposals will have a harmful impact on the grouping and significance of the historic stables, which form an important component of the Grittleton School estate, this harm equates to a wider loss of historic legibility to the Conservation Area. Notwithstanding the relative lack of public views into the affected part of the site, the coherence of the planned estate is clearly valued as a characteristic of that Conservation Area as evidenced by its specific inclusion within the designation. National Guidance makes clear that the value of heritage goes beyond the immediately visible and to this end it is considered that the shortcomings identified above have a wider, adverse impact on the significance of the Conservation Area that fails to conserve or enhance its character or appearance. It is considered that the proposals therefore fail to accord with Core Policy 58 or Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 for these reasons.

¹ *The Conversion of Traditional Farm Buildings: a guide to good practice*, Historic England 2006

Impact on the Cotswolds AONB

The proposals will be contained to the area immediately surrounding the historic stable yard, and it is noted that the earlier extensions to the eastern stables already project out into this currently open area. As the land forms part of a wide buffer to the extended estate/sports pitches of the school, it is not considered that the works overall will compromise the openness of the Cotswolds AONB. From beyond the school grounds, the extensions will not be apparent and therefore it is considered that the scheme will conserve the overall character and appearance of the AONB and preserve existing public views intact.

Impact on local highways

The Council's Highways Officer has been consulted on the proposals and has confirmed that no objection is raised in respect of the principle of conversion, proposed use or layout of the site. The Officer notes that there is precedent in this respect and that there are adequate arrangements for parking and turning within the site sufficient for the low and sporadic level of vehicular traffic associated with accommodation of this type, irrespective of the details of the accommodation's practical use. The junction arrangements at the stables entrance with the C-classified highway are to remain unchanged; this is considered an acceptable situation in relation to the proposals.

Conclusions

As discussed above, the substantive scheme represents an improvement upon its predecessor, which would have led to large-scale demolition and substantial harm to the heritage asset(s). However, it is considered that due to a lack of suitable concessions to the importance of the affected historic fabric in terms of the final design, the scheme remains considerably short of demonstrating that the significance and setting of heritage assets can be fully protected. The scheme represents development that is harmful to the character and appearance of heritage assets currently forming an important and legible local resource, contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy.

The viable future use of the heritage asset(s) is a recognised public benefit of development warranting consideration, however in light of the school's closure this cannot be assured in any way and no weight can be given to Paragraph 72 of the Framework. Due to the degree of identified harm, albeit less than substantial, it is not considered that any benefits of the scheme outweigh the demonstrable adverse impacts on the listed building, its setting and the Grittleton Conservation Area, the character of all of which will be depleted by the works. Accordingly, it is considered that on balance the proposals fail to provide the justification required by Paragraph 134 of the Framework and are unacceptable in planning and listed building terms.

RECOMMENDATION

That planning permission is REFUSED, for the following reason:

- 1 The proposed development, by reason of its siting, bulk, massing, design and appearance, fails to conserve or enhance the character of the site or that of heritage assets, resulting in less than substantial harm that is not outweighed by any significant public benefits, including securing a viable use. Accordingly, the proposal fails to comply with Core Policies 57 and 58 of the Wiltshire Core Strategy, Paragraphs 64, 131, 132 and 134 of the National Planning Policy Framework and Sections 66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act

1990.

That listed building consent is REFUSED, for the following reason:

- 1 The proposed works, due to their unwarrantedly intrusive nature in relation to the existing stable building and its immediate setting, fail to preserve the significance or setting of the listed building(s) and will detract from the wider comprehension of the Grade II*-listed Grittleton House. Accordingly, the proposals conflict with Section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

This decision relates to the following plans/drawings:

4097/56 rev F – Proposed Ground Floor Plan, Elevations & Block Plan

Received 5 July 2016

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16/02433/FUL & 16/02612/LBC

The Old Stables
Grittleton House

Grittleton
Wiltshire
SN14 6AJ



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	03 rd August 0216
Application Number	16/03644/VAR
Site Address	Barncroft , The Barton, Upper Common, Kington Langley, Wiltshire, SN15 5PF
Proposal	Variation of Condition 2 of 15/03664/FUL and Relating to Repositioning of the Dwelling & Garage and Revised Garage Design
Applicant	Mr B Turner
Town/Parish Council	KINGTON LANGLEY
Electoral Division	KINGTON – Cllr Howard Greenman
Grid Ref	391973 176649
Type of application	Full Planning
Case Officer	Mathew Pearson

Reason for the application being considered by Committee

The application has been called into committee at the request of Cllr Greenman to consider issues regarding design and neighbour amenity.

1. Purpose of Report

The purpose of the report is to recommend the above application be approved subject to conditions.

2. Report Summary

The application is for a variation to a 2015 application which sought permission for the demolition of the existing bungalow within the site and erection of a large 6 bedroom dwelling and a detached 4 bay garage. The variation principally relates to revision in the site layout.

The key issues for consideration are;

- Principle of the Development
- Design and Access
- Site Layout and Impact on the Neighbouring Properties
- Impact on the Conservation Area and Listed Heritage Assets
- Changes to the Right of Way and further landscape plans
- Ecological Mitigation

The Parish Council initially supported the proposed development but subsequently objection on design and conservation grounds. Five letters of objection have been received

3. Site Description

The site is located toward the western end of Kington Langley within the Kington Langley Conservation Area and as is formed of an existing bungalow known as 'Barncroft' and its

curtilage. The original curtilage of Barncroft has been sub divided with a dormer bungalow being constructed on the north-western area of the plot under permission 15/03708/FUL. The application relates to the remaining curtilage which includes the original bungalow. The wider plot is of a substantial size but the site is currently overgrown and neglected. A public right of way (RoW) runs along the eastern boundary of the site.

Kington Langley is formed of a series of hamlets centred on village greens and ancient farmsteads. Most buildings either face, or are informally related to, the sinuous main street. The nearest dwellings are immediately to the east and are formed of 4no. smaller cottages including 2no. listed properties, 1 & 2 The Barton. Further dwellings are located to the north opposite the site and to the west beyond the dormer bungalow approved under application 15/03708/FUL.

4. Planning History

N/89/00702/OUT	Outline- Single Dwelling	Refused
N/94/02279/OUT	Outline - Shop With Living Accommodation Over And 9 No Bungalows Shop & 9 No Bungalows	Withdrawn
N/03/00708/OUT	Twelve Dwellings	Withdrawn
N/04/02168/OUT	Outline - Application For The Erection Of Eight Affordable Homes And Seven 4-Bedroom Homes	Refused
N/05/02043/OUT	Erection of Fifteen Dwellings	Refused
N/08/00855/FUL	Erection of Five Dwellings	Withdrawn
N/10/00967/FUL	Three Detached Dwellings and Associated Works	Refused
N/10/04596/FUL	Erection of 3 Detached Dwellings	Refused
15/03664/FUL	Demolition of Barncroft and the erection of a new dwelling and garage/carport	Approve with Conditions

5. The Proposal

The application is for a variation to the 2015 application which was granted permission for the demolition of the existing bungalow within the site and erection of a large 6 bedroom dwelling with a detached 4no. bay garage. Following revised plans the proposal is for near identical buildings with an amended site layout. The 4no. bay garage has been moved from the western edge of the site to eastern edge adjacent to the Public Right of Way (RoW). The main dwelling house has been located further back in the plot to the south and west to accommodate the garages' amended location. Further changes have been made to the driveway and hardstanding in the front of the property in order to access the new garage. The applicant has also submitted proposed plans showing the design and elevation for gates for the revised main access to the new dwelling

6. Local Planning Policy

Wiltshire Core Strategy (WCS) (adopted January 2015)

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 10: Spatial Strategy: Chippenham Community Area
- Core Policy 41: Sustainable Construction and Low Carbon Energy
- Core Policy 50: Biodiversity and geodiversity
- Core Policy 51: Landscape
- Core Policy 52: Green Infrastructure

Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Ensuring the conservation of the historic environment
Core Policy 60: Sustainable transport
Core Policy 61: Transport and new development
Core Policy 62: Development impacts on the transport network
Core Policy 67: Flood Risk

National Planning Policy Framework 2012:

Achieving sustainable development – Core Planning Principles (Paragraphs 7 14 & 17)
Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)
Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)
Chapter 8- Promoting healthy communities (Paragraph 75)
Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)
Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

7. Summary of consultation responses

Wiltshire Council Right of Way – No objection to the amended plans.

Kington Langley Parish Council – Originally support the application. However, following revised plans the Parish objected.

Kington Langley Parish Council originally supported this application but the applicant has since changed the positioning of the large garage for reasons of providing greater amenity space. On viewing the latest application, the repositioning does not appear to provide greater amenity space. Therefore:-

The Parish Council objects to the repositioning of the large garage for the following reasons:

- Core Policy 57 Ensuring high quality design and place shaping – 6.122 states that the development needs to be carefully planned to ensure that valuable features and characteristics are protected and enhanced. The subsequent core policy sets out how the Core Strategy will ensure that development contributes towards
- Achieving high quality buildings and spaces that reinforce a sense of identity.
- The garage if positioned as per the plans would encroach upon the neighbouring property which is a 300 year old cottage being restored to its original status, in the Conservation Area of Kington Langley. It would also create loss of light and therefore this cottage would be in danger of losing its identity.
- The proposed garage position does not respond positively to the existing features in terms of height, mass, scale, building line and plot size in relation to the adjoining 300 year old cottage in the Conservation Area.
- Core Policy 58 – Ensuring the conservation of the historic environment
The proposed is in the conservation area and its proposed positioning does nothing to protect or enhance the adjacent 300 year old cottage.

8. Publicity

Five letters of objection were received from 3no. neighbours. The main issues identified were around the relocation of the garage:

- **Design And Appearance** - The scale and height of the garage/carport are disproportionate for this type of outbuilding. The Cotswold stone wall will not match the adjacent cottages or the other stone buildings adjacent to us and will fail to reflect the vernacular of the existing buildings.
- **Location of the garage** - The significant changes to the proposed garage/carport design and positioning on the eastern boundary will be overbearing on properties to the east and is too close to the boundary. The rear wall of the garage should be kept on the same line as the original house plans and not positioned closer to the boundary, public right of way and existing cottages
- **Light and Privacy** - The position of the existing bungalow on the Barncroft site allows sunlight to enter into the side windows of the living room and bedroom of 3 The Barton. The major change in position and height of the proposed garage, compared to the existing bungalow, would significantly restrict sunlight into both these rooms making them very much darker.
- **Right of Way** - There is no reference to existing hedging on the planning drawings and we consider this to be relevant to the proposal. It would be very disappointing if there was an intention to remove hedges and trees without consultation with the Conservation department. The existing hedge and laurels along the boundary provide screening and privacy for neighbouring properties and they are also a habitat for wildlife and we would not want to see this environment lost.
- **Refuse Storage** - The proposal for the refuse enclosure to be positioned on the side of the garage is now much closer to the boundary. Smells and noise arising from the use of bins would create a disturbance and could also attract vermin.
- **Right of Access** – There is right of access for the Mill Cottage and this should be shown on the plans.

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. An important material consideration in relation to this application is previous permission (15/03664/FUL) granted under delegated powers.

Principle of development

It is acknowledged that the current dwelling is in a poor state of repair and in need of near total renovation. In line with Core Policies 1 and 2, which support infill development at small villages of which Kington Langley is classified, it is considered that the original wider site can easily accommodate 2no. dwellings. Although the plot has been subdivided in an irregular pattern, there is no objection in principle to the redevelopment of the part of the plot formerly known as Bancroft for single dwelling, alongside that already under construction to the north and west of the site.

Design and Access

As noted above, material to the consideration of this variation application is the extant permission for a dwelling and garage on site. It was noted by the Case Officer in respect of the design that the while the new dwelling is substantially larger than the existing, *'...it is considered that the replacement dwelling represents an overall visual improvement to the site than the existing 'Barncroft' bungalow.'* It was also noted that with the dwelling now positioned deeper within the plot and set back from the highway that its prominence would be reduced from within the streetscene. The Council's Conservation Officer commented that *'the proposal could be summed up as rather banal, but likely to have minimal impact on the character of the Conservation Area'* and had no objection to the scheme. When considering the previous application the then proposed garage was considered to be of an appropriate scale and design in comparison to the main dwelling. There are no specific changes to the

design details in terms of elevations for the main dwelling or materials. The proposed materials remain rough dressed reconstructed Cotswold stone walls with cast stone quoins and Cotswold roof tiles. The original garage was a single storey 4no bay building with two open car ports. The revised garage plans show a similar sized building but with less openings. The key changes relate to the positioning of the dwelling and garage within the site.

The wider area is characterised by a mix of properties with large dwellings set within substantial curtilages alongside a number of pockets of smaller dwellings, including older farm cottages and more modern circa 20th century semi-detached properties. The design of the property is considered broadly acceptable and there are no major changes to that permitted under the 2015 application. However, given the sites location within the Conservation Area final details for the roof and walling materials, including sample panels, will be conditioned. This is consistent with the approach taken with the previous approval. These conditions will ensure that the final construction details are of a standard the Council would expect for a Conservation Area. The previous application included a condition for obscure glazing to be used on all first floor side windows. Again, this condition is retained.

Highways Officers previously supported the proposed access arrangements and there are no changes that would amend this judgement. The only change in terms of the access is an additional plan detailing the proposed gates, which includes details of the rebuilding the boundary wall to the front of the property. The original submitted gates were considered to be out of keeping with the general modest proportions of the boundary treatments in and around this part of the Kington Langley. The applicant subsequently revised these plans to show a smaller gate design nearer to the height of the boundary wall and more in keeping the general modest proportions of the boundary treatments in the wider area. The new designs are for wrought iron gates with small feature gate piers coming off the boundary wall. The updated gate designs are considered appropriate and accord with the aims and principles of CP57 & CP58.

Site Layout and Impact on the Neighbouring Properties

As noted above, the major amendment of the revised proposals is the repositioning of the 4no bay garage from the western to the eastern edge of the site. A number of objections were received in regards to both the positioning and design of the revised garage proposals. The site has been realigned so that the garage has been brought forward within the site located adjacent to the RoW to the east, broadly in line with the neighbouring cottages 1 to 3 The Barton. The main dwelling house has moved further west and south in the site to accommodate the change in location of the garage with further hardstanding located to the front of the dwelling to provide a courtyard effect.

During the 2015 application the Council expressed concerns that the house was being located too far to the rear of the site to enable the property to have a meaningful amenity space. In light of these concerns the house was brought forward but also located closer to the eastern boundary. The revised site plans see the house sit centrally to the rear of the plot with a 150m² rear garden and large front garden, but also significant open amenity spaces to the side as well.

The relocation of the garage clearly benefits the amenity and outlook of properties to the west and the dwelling under construction to the north by removing the 4no. bay garage from the boundary, allowing the rear amenity spaces views over the open countryside to the south. However, it is also considered that there is some benefit from the revised layout for neighbouring properties to the east, as it means the larger bulk and mass of the main two storey dwelling house is further to the south and west away from their boundary. Previously it was located broadly in line the rear amenity space of cottages 1 to 3 The Burton. This creates a better view and outlook to the west for these properties.

Nonetheless, in terms of neighbour amenity the largest impact will be the relocated garage on the properties immediately to the east of the site. The Parish Council and neighbours have raised specific concerns regarding the location of the garage and have objected to the scheme. The original plans were for a two storey 4no. bay garage with a large area of storage proposed above, which would have measured over 5.5 metres to the ridge. The concerns around the garage, summarised above, include it having an overbearing impact on No.3 The Barton, with a potential loss of privacy and light, and nuisance from vehicle movements and the location of refuse storage.

Objectors have also commented on the design and appearance of the garage highlighting that in their view the vernacular and materials are not in keeping with local character, specifically the stone cottages that form 1 to 3 The Barton. Further objectors have commented that the justification for the relocation, the provision of further amenity space and better outlook of the dormer bungalow under construction, are not sufficient planning concerns to justify the relocating the garage building.

The Council also expressed concerns at the size and mass of garage and the effect on neighbouring properties. Following discussions the applicant has removed the proposed two storey element of garage in line with concerns raised, and amended the open car ports. The revised plans show a garage that is 2.2m at the eaves and 4m at the ridge. It will also be constructed of Cotswold stone on two sides with open bays only facing the north and west. The entire rear will be stone walling.

The proposed garage is located on similar building line to an existing garage which has been added to the 'Barncroft', with the north-east corner of both the proposed and existing garage in the a near identical position. However, the proposed garage will extend further south following the edge of the RoW deviating slightly form the existing building line. Objectors have stated that the garage would be only 4.5 metres from 3 The Barton. The distance is closer to 6 metres between the gable end and the rear of the garage with the RoW located between the boundary of the property and the garage.

It is considered that the revised scheme will not have an overbearing impact on the neighbouring properties, nor affect light or privacy. It is acknowledged that 3 The Barton is on slightly lower ground than the Barncroft site, but the garage will now provide a similar outlook to that existing from the first floor window located on that gable. It should also be noted that the larger bulk of the existing bungalow (to be demolished as part of this proposal) will be removed from this outlook. Overall the impact of the garage in terms of amenity for the neighbouring property is considered acceptable and in accordance with CP57 & Para?? Of the NPPF.

In terms of noise and nuisance from both the bin storage and car movements, the rear wall will ensure that any likely nuisance from vehicles will be suitably mitigated and the location of the bin store to the southern (rear) end of the garage is some distance from the neighbouring property and also considered unlikely to cause excessive nuisance.

Objections to the justification are based around the improvements to amenity for neighbouring properties to the west not being a material consideration. While justification is set out in the planning statement, there is no planning policy that compels applicants to demonstrate justification if the design and layout are considered acceptable. The original permission remains a material consideration but the justification for amending this plan is not considered relevant to the determination of this application.

Nevertheless, as summarised above, there are improvements in terms views and outlooks for neighbouring properties to the west and these concern the rear amenity spaces of these properties. Objectors have sought to compare the distances between the original location for

the garage and neighbouring properties to the west and the new location with neighbouring properties to the east. These comparisons are not considered valid as the difference in terms of impacts of building located to the rear of a property and one located to a side gable give rise to different expectation for outlook and distances. Further, the improvements in amenity space on each side of the proposed main dwelling house and the relocation of the main dwelling away from properties to the east, which benefits the outlook of the amenity space for properties to the east, are matters which do bear consideration

In terms of design the proposed garage is a mix of timber frame and stone walling with Cotswold roof tiles. The roof is hipped which further reduces the bulk of the garage. The materials are in keeping with the proposed main host dwelling and the wider conservation area. The proposed garage will appear as an outbuilding and is considered to be of an appropriate size and scale in the context of the area and in proportion to the main dwelling.

Impact on the Conservation Area and Listed Heritage Assets

Sections 16(2) and 66 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 require the preservation of the significance of listed buildings and their settings. Section 72 also mandates Councils to protect and conserve Conservation Areas. As noted above, the design of the dwelling is considered to have neutral impact on the Conservation Area and it is recognised that the site is currently in an overgrown and almost derelict state. Therefore, the redevelopment of the site will certainly preserve and even potentially enhance the Conservation Area.

In terms of the listed cottages to the east, the revised site plans will move the main dwelling house further away from the rear amenity spaces of the listed properties protecting the setting of these properties. The garage has been located in line with the existing cottages with 3 The Burton between the proposed garage and the listed cottages. Roughly 1 and a half bays of the garage (3.6 metres) will extend beyond the rear of the cottages. The garage will measure 2.2m to the eaves and 4m to the ridge with the majority of the section extending beyond the cottages part of hipped roof, thereby limiting views of the garage from the listed cottages and maintaining their setting from both public and private vantage points. The separation between the proposed garage and the listed buildings by virtue of 3 The Barton's amenity space, and the RoW mean that it is considered that the revised site plan will have no detrimental impact of the significance or setting of listed heritage assets.

Overall, it is considered that redevelopment of the site will preserve the Conservation area and heritage assets in line with Listed Building and Conservation Act and planning policies in the NPPF and the Wiltshire Core Strategy. The Council's Conservation Officer has no objection to the scheme

Changes to the Right of Way and further Landscape and Ecological Plans

The applicant intends to restore the RoW along its legal path to the east of the site and will provide a 3 metre wide gap to allow maintenance. The Council's Rights of Way Team have supported these proposals.

Objections have been received with regard to the RoW and potential removal of hedging in terms of both its ecological value and its amenity value as a boundary treatment. It should be noted that under the original permission further plans were required in regards to landscape schemes, ecological mitigation measures and all fences, gates and means of enclosure.

The key issue appears to be an area of informal hedging and vegetation located adjacent to the south of the amenity space of 3 The Burton, which will be removed in order to restore the right of way. Objectors have stated they do not want a fence on the boundary and want the vegetation retained as it provides privacy. However, restoring the legal line of the RoW must take precedence and the area of hedging that has grown across the RoW on the boundary

of the properties will need to be removed in accordance with any ecological mitigation measures as required.

Currently there are no plans for the boundary treatments of the RoW or the wider site and these will need to be submitted and approved as part of any submitted landscape plan. This conditioned has been retained.

Although the site does have some significant ecological value, the Ecological Report submitted under the previous application noted that *'The hedgerows on site are assessed as of local value and would be classified as unimportant under The Hedgerow regulations 1997 as they do not contain enough species to meet the criteria but would qualify as species rich under the Wiltshire BAP criteria.'* The Councils Ecology Officer was satisfied with ecological survey provided the application was conditioned to provide further ecological mitigation measures as recommended. Again, this conditioned has been retained.

Other Matters

An objection was received regarding a legal right over shared access. While not strictly a planning matter, a site plan has been submitted overlaying the shared right of way on the site plan and this will be included in the list of approved plans.

Given the size of the proposed main dwelling further development additions and/or the re-development of the garage for living accommodation would be detrimental to the character and amenity of the site and wider area. Therefore, similar to the previous decision further permitted development rights will be restricted.

A revised condition will be attached in regards to meeting Code Level 4 and Core Policy 41

10. S106 contributions

None required.

11. Conclusion (The Planning Balance)

The application is considered acceptable in terms of scale, layout and design in accordance with Core Policies 57 and 58. While the revised garage will impact on neighbours to the east, this impact is not considered overbearing and detrimental to the amenity of these properties. Furthermore, the improvements of the site will preserve and enhance the Conservation Area and appropriate ecological and landscape plans will ensure that the site protects the wider environment and long range views in and out of the site.

RECOMMENDATION

The application is recommended for approval with 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:

Plans

Drawing No: 02 Revised Site Plan with Egress Drievway Shown (dated 11 August 2014, received by LPA on 14 June 2016)

Drawing No: 03 House Floor Plans (11August 2014)

Drawing No: 04 House Elevations (11 August 2014)
Drawing No: 05 Garage Roof and Floor Plans (dated 9 March 2015, received by LPA on 14 June 2016)
Drawing No: 06 Garage Elevations (dated 9 March 2015, received by LPA on 14 June 2016)
Drawing No: 2001 Refuse Store (17 November 2015)

Statements

Extended Phase 1 Habitat Survey by Alder Ecology (April 2015)

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

- 3 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 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

- 4 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.

- 5 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, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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 that the development can be adequately drained.

- 6 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;
- * means of enclosure;
- * car park layouts;
- * all hard and soft surfacing materials;
- * minor artefacts and structures (e.g. furniture, play equipment, refuse and other

storage units, signs, lighting etc);

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.

- 7 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.

- 8 No development will commencement until an Ecological Mitigation Strategy for the property shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of replacement / compensatory habitat provision for bats, birds and reptiles. All compensatory habitat features shall be maintained in accordance with the approved strategy unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of protected species.

- 9 The dwelling 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.

- 10 No dwelling shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

- 11 The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 12 No part of the development hereby permitted shall be occupied 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.

- 13 Before the development hereby permitted is first occupied the first floor windows in the east and west side elevations shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 14 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 to, or extensions or enlargements of 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 enlargements.

- 15 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), the garage hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 16 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.

- 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 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.

- 18 INFORMATIVE TO APPLICANT: The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.

- 19 INFORMATIVE TO APPLICANT: The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could

- potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.
- 20 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.
- 21 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.

16/03644/VAR
Barncroft
The Barton
Upper Common
Kington Langley
Wiltshire SN15 5PF



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