

# AGENDA

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**Meeting:** Eastern Area Planning Committee  
**Place:** Wessex Room - The Corn Exchange, Market Place, Devizes, SN10 1HS  
**Date:** Thursday 21 April 2016  
**Time:** 6.00 pm

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Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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## **Membership:**

Cllr Charles Howard (Chairman)	Cllr Nick Fogg MBE
Cllr Mark Connolly (Vice Chairman)	Cllr Richard Gamble
Cllr Stewart Dobson	Cllr Jerry Kunkler
Cllr Peter Evans	Cllr Paul Oatway

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## **Substitutes:**

Cllr Terry Chivers	Cllr James Sheppard
Cllr Ernie Clark	Cllr Philip Whitehead
Cllr Anna Cuthbert	Cllr Christopher Williams
Cllr Dennis Drewett	

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# AGENDA

## Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 16*)

To approve and sign as a correct record the minutes of the meeting held on 10 March 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 Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Thursday 14**

**April 2016.** Please contact the officer named on the front 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**

To receive details of the completed and pending appeals.

7 **Planning Applications**

To consider and determine the following planning applications.

7a **15/08373/FUL - Land at Lady Godley Close, Tidworth, Wiltshire**  
*(Pages 17 - 34)*

A report by the case officer is attached.

7b **16/00736/FUL - The Coach House, High Street, Avebury, Wiltshire, SN8 1RF** *(Pages 35 - 46)*

A report by the case officer is attached.

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**

## **EASTERN AREA PLANNING COMMITTEE**

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**DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING  
HELD ON 10 MARCH 2016 AT WESSEX ROOM - THE CORN EXCHANGE,  
MARKET PLACE, DEVIZES, SN10 1HS.**

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**Present:**

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman),  
Cllr Stewart Dobson, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Paul Oatway,  
Cllr James Sheppard (Substitute) and Cllr Christopher Williams (Substitute).

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**8. Apologies for Absence**

Apologies were received from Cllr Peter Evans who was substituted at the meeting by Cllr Chris Williams, and from Cllr Jerry Kunkler who was substituted at the meeting by Cllr James Sheppard.

**9. Minutes of the Previous Meeting**

**Resolved**

**To approve and sign the minutes of the meeting held on 28 January 2016 as a true and accurate record.**

**10. Declarations of Interest**

There were no Declarations of Interest received.

**11. Chairman's Announcements**

There were no Chairman's Announcements.

**12. Public Participation and Councillors' Questions**

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

13. **Rights of Way - Highways Act 1980 and Wildlife and Countryside Act 1981 - The Wiltshire Council Baydon 2 (Part) and 11 (Part) Diversion Order and Definitive Map and Statement Modification Order 2015**

**The following person spoke against the proposal**

Mr Gallagher of The Ramblers Association

**The following people spoke in support of the proposal**

Mrs Sally Johnson, the applicant.

Mr Michael Wood, the agent.

Mr Tony Prior, a local resident.

Cllr Andy Knowles, Chairman Baydon Parish Council.

The Rights of Way Officer introduced the report which recommended that the Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination.

The Rights of Way Officer referred Members to the Diversion Route map as detailed on page 59 of the agenda pack, and it was explained that the existing route was unavailable for use as it was obstructed by garden fencing and hedging. It was further explained that the alternate route shown as 'Y-X' on the diversion route map was initially proposed, but was not taken forward as the land owners' were not in agreement.

The Officer advised that the proposed 'E-F-G' route satisfied the legal tests for the making of a Diversion Order under Section 119 of the Highways Act 1980, and there had been no new evidence submitted during the formal objection period that would lead Wiltshire Council to no longer support the making of the Order.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

Within debate the views of local residents, as detailed by the Parish Council, were noted and it was encouraging that the applicants had considered the views and opinions of local residents.

**Resolved**

**To forward "The Wiltshire Council Baydon 2 (part) and 11 (part) Diversion Order and Definitive Map and Statement Modification Order 2015 to the**

**Secretary of State for the Environment, Food and Rural Affairs for determination, with a recommendation from Wiltshire Council that the Order be confirmed with a modification to the statement for Baydon 11 to replace text missing in Part 3. After "...at its junction with Baydon 30" add "where BRIDLEWAY leading south for approximately 60 metres to its junction with Baydon path no. 2."**

14. **Planning Appeals**

The Committee received a report which set out details of completed and pending appeals. The Chairman drew attention to the proceedings relating to application no. E/2013/0083/OUT, Land at Coate Bridge adjacent to Windsor Drive which was due to commence on 5 April 2016.

**Resolved**

**To note the contents of the report.**

15. **Planning Applications**

**15.1 15/12705/FUL - Land at West View House, St Johns Court, Devizes, Wiltshire, SN10 1BU - Proposed new dwelling (new design to replace previously approved)**

**The following people spoke in support of the application**

Mr Howard Waters, the agent.

Mr Richard Jackson, the applicant.

The Senior Planning Officer presented the application and noted that a letter and accompanying photograph had been presented to members of the Committee by the applicant since the agenda pack had been published.

It was explained that the proposal was to replace a previously approved permission with a larger scale dwelling. It was noted that the Highways Officer had expressed concern with regard to adequate parking at the site, and had raised an objection to the application on that basis. The officer's report concluded that the application should be refused on the basis that the height, mass, bulk and design would have an adverse impact on both the setting of nearby listed buildings and the conservation area; and would be in contrary to Sections 7 and 12 of the NPPF and policies CP57 and CP58 of the Wiltshire Core Strategy.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

The Divisional Member, Cllr Sue Evans, spoke in support of the application and explained that the application had received full support at a recent Town Council meeting in preference to the previous application. The Town Council were satisfied that the new proposal would not impact on the views of the Church or Castle, and that the quality of the building would reflect its surroundings. Cllr Evans advised that the proposed dwelling mirrored that of buildings in the town centre, and therefore fitted in with the imposing structure. Cllr Evans noted that the Highways Officer objected to the proposal on the grounds of parking, but this issue could be resolved and should not be a reason for refusal.

The Officer responded that the proposal, within the context of the surrounding buildings, would look out of character, and the previously approved design of a smaller scale building would be better suited and more appropriate within its surroundings.

During debate, it was noted that the previous design was a compromise, and that a lot of care and attention had been put into the new design in terms of fitting into the historic surrounding area. A concern was raised with regard to parking and vehicle access, and it was suggested a condition be included within the recommendation on that basis. It was also noted that the views of the Town Council should be taken on board in that they had a good understanding on what they believed to be suitable for their town.

It was also noted that the design was too grand for its setting and that the new design may look incongruous in context of the smaller bungalows surrounding it. Concern was also raised that the proposal did not meet CP57 in that it did not fit into the locality and was beyond what was appropriate for the location.

## **Resolved**

**To approve the application subject to the conditions set out below:**

- 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 Application form, the "Design and Access Statement and Heritage Statement" dated 14/12/2015 and the following approved plans: Site location and block plans, dwg no. 1268.08; Site layout and section, dwg no. 1268.09; Plans and elevations, dwg no. 1268.10-B; Existing and Proposed views, dwg no. 1268.12**



**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 All new brickwork shall be constructed using a Flemish bond.**

**Reason:** To secure harmonious architectural treatment.

- 5 No development shall commence on site until architectural details of all eaves, verges, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details**

**REASON:** The 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 Conservation Area and the setting of the Listed Building.

- 6 No works shall commence on site until details of all new external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details and maintained as such thereafter.**

**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 preserving the character and appearance of the setting of the listed building and of the setting of the Conservation Area.

- 7 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.

- 8 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, including any screening, hedgerow, walls, fences and repairs to existing;**
- \* all hard and soft surfacing materials;**
- \* retained historic landscape features and proposed restoration, where relevant.**

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

- 9 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.

- 10** The dwelling hereby approved shall not be occupied until sufficient space for the parking of 3 vehicles together with a vehicular access and turning area thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

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

- 11** 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.

- 12** The tree on the site which is protected by a Tree Preservation Order shall, before any work commences, be enclosed in accordance with British Standard 5837 (2005) Trees in Relation to Construction by braced Heras fencing (or other type of fencing to be agreed in writing by the local planning authority). Before the fence is erected its position shall be agreed with the local planning authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including stacking of soil, shall be allowed within it.

**REASON:** To enable the local planning authority to ensure the retention of an important tree on the site in the interests of visual amenity.

- 13** The development hereby approved shall be carried out in accordance with the "Written Scheme of Investigation for an Archaeological Watching Brief" dated June 2013 and the "Interim Statement on an Archaeological Watching Brief" dated 19/02/14.

**REASON:** To safeguard the sites archaeological interest.

- 14** Construction work on the site shall only take place between the hours of 08:00 and 17:30 on weekdays, between 08:00 and midday on Saturdays, with no work taking place on Sundays or Bank Holidays.

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

- 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), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted unless planning consent is granted by the Local Planning Authority.**

**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.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans unless planning consent is granted by the Local Planning Authority.**

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

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in any of the roofslopes of the development hereby permitted unless planning consent is granted by the Local Planning Authority.**

**REASON:** In the interests of residential amenity and privacy and in the interests of the character of the dwelling and that of the area.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no television / radio aerial / satellite dish or other form of antenna shall be installed / affixed on the exterior of any building forming part of the development hereby permitted unless planning consent is granted by the Local Planning Authority.**

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

- 19** Before the development hereby permitted is first occupied the bathroom windows in the north and south elevations shall be glazed with obscure glass only, to an obscurity level of no less than level 4 and the windows shall be maintained with obscure glazing in perpetuity.

**REASON:** In the interests of residential amenity and privacy.

- 20** The dwelling hereby approved shall achieve a level of energy performance equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until evidence has been submitted to and confirmed in writing by the local planning authority certifying that this level or equivalent has been achieved.

**REASON:** In the interests of creating a sustainable form of development in accordance with Policy CP41 of the Wiltshire Core Strategy.

- 21 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.

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

**15.2 15/12362/FUL - The Drummer Boy, Church Street, Market Lavington, Wiltshire, SN10 4DU - Change of use and conversion of existing Public House to two 3 bed dwellings, and erection of 1 two bed dwelling to rear of site, with associated amenity space and parking**

**The following people spoke against the application**

Mrs Ann Earley, local resident.

Mr Bob Gordon, local resident.

Cllr Teresa Steele, Market Lavington Parish Council.

**The following person spoke in support of the application**

Mr Phil Easton, Architect.

The Senior Planning Officer presented the application for the change of use and conversion of an existing Public House to two 3 bed dwellings, and the erection of one 2 bed dwelling to the rear side, with associated amenity space and parking.

The officer explained that there would be no adverse impact in terms of design or the impact on the conservation area, but it was noted that concerns had been raised with regard to access and as to whether the proposal would make a significant difference in terms of additional vehicle movements. The planning officer concluded that the scheme was considered to be of an acceptable design, having no adverse impact upon reasonable living conditions of the occupiers of adjoining residential properties. The officer's report recommended that approval be granted with conditions, including that of a condition for a construction management plan to be submitted and approved by the Local Planning Authority before development could commence.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

Cllr Gamble, Divisional Member, noted that the proposal would bring an old building back into use and the design was of an acceptable standard, but the one fundamental issue of access for vehicles was unsatisfactory and dangerous. Cllr Gamble advised that the proposal did not meet CP61 of the Wiltshire Core Strategy, and would have a severe impact upon the safety of road users and pedestrians.

During debate, it was noted that a decision to encourage additional vehicle movement would be unwise, and that the height of the dwelling was a potential over development which could have an adverse impact on neighbours.

After discussion,

## **Resolved**

### **To refuse the application for the following reasons:**

**The access by reason of its restricted width, height and inadequate visibility is such that it makes manoeuvring into and out of the site difficult and dangerous having a severe impact upon the safety of road users and pedestrians on Church Street. The proposed development is therefore not capable of being served by a safe access to the highway network contrary to Core Policy 61 of the Wiltshire Core Strategy 2015 and to Paragraph 32 of the National Planning Policy Framework 2012.**

**15.3 15/12652/FUL - Woodlands Farm, Witcha, Ramsbury, Wiltshire, SN8 2HQ - Demolition of existing bungalow, and erection of replacement dwelling with associated garaging, turning, landscaping, private amenity space, and creation of a new vehicular access point.**

### **The following person spoke against the application**

Mr Stephen Martin, local resident.

### **The following person spoke in support of the application**

Mr Mark Pettitt, representing the planning agent.

The Senior Planning Officer presented the application and reported that he had received a communication from the County Ecologist withdrawing objections to the proposal since publication of the agenda.

The officer explained that the proposed dwelling would increase the floor space by 190% compared to the original area, which would be in contrary to Policy HC25 of the Kennet Local Plan listed in Annex D of the Wiltshire Core Strategy. It was explained that the proposed dwelling would be detrimental to the landscape as its height, size and positioning would impact on the scenic quality of the Area of Outstanding Natural Beauty (AONB), and would conflict with CP51 and CP57 of the Wiltshire Core Strategy. The officer's report therefore recommended that the application be refused.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

During debate it was noted that members of the committee were in agreement to the planning officer's recommendation in that the proposal was not suitable

for its setting and would have a detrimental impact on the AONB, and the proposed increase of 190% to the floor space was in conflict with the policies of the development plan.

After discussion,

### **Resolved**

**To refuse planning permission for the following reasons:**

- 1 The scale of the replacement dwelling and garage is significantly larger than the original structure. As such, it does not comply with the terms of saved Policy HC25 of the Kennet Local Plan listed in Annex D of the Wiltshire Core Strategy 2015.**
- 2 By reason of its height, size, scale and positioning in the open landscape the proposed dwelling would have a detrimental impact upon the landscape character and scenic quality of the area and the North Wessex Downs AONB. There are no material circumstances sufficient to justify approval that outweigh the conflict with Core Policies 51 and 57 of the Wiltshire Core Strategy 2015, to Supplementary Planning Guidance contained within the Wiltshire Landscape Character Assessment (2005) and with central government policy contained within Section 11 of the NPPF.**

16. **Urgent items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.15 pm)

The Officer who has produced these minutes is Jade Urbanski, of Democratic & Members' Services, direct line 01225 718038, e-mail [adam.brown@wiltshire.gov.uk](mailto:adam.brown@wiltshire.gov.uk)

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



## REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No.1

<b>Date of Meeting</b>	21 <sup>st</sup> April 2016
<b>Application Number</b>	15/08373/FUL
<b>Site Address</b>	Land at Lady Godley Close, Tidworth, Wiltshire
<b>Proposal</b>	Demolition of existing garage block and construction of two pairs of 3 bed semi detached dwellings and associated works.
<b>Applicant</b>	Aster Communities
<b>Town/Parish Council</b>	TIDWORTH
<b>Electoral Division</b>	TIDWORTH – Cllr Mark Connolly
<b>Grid Ref</b>	423344 148325
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Adam Madge

### Reason for the application being considered by Committee

Cllr Connolly has requested that the application be considered at committee in order to consider car parking issues related to the site.

#### 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 application be approved

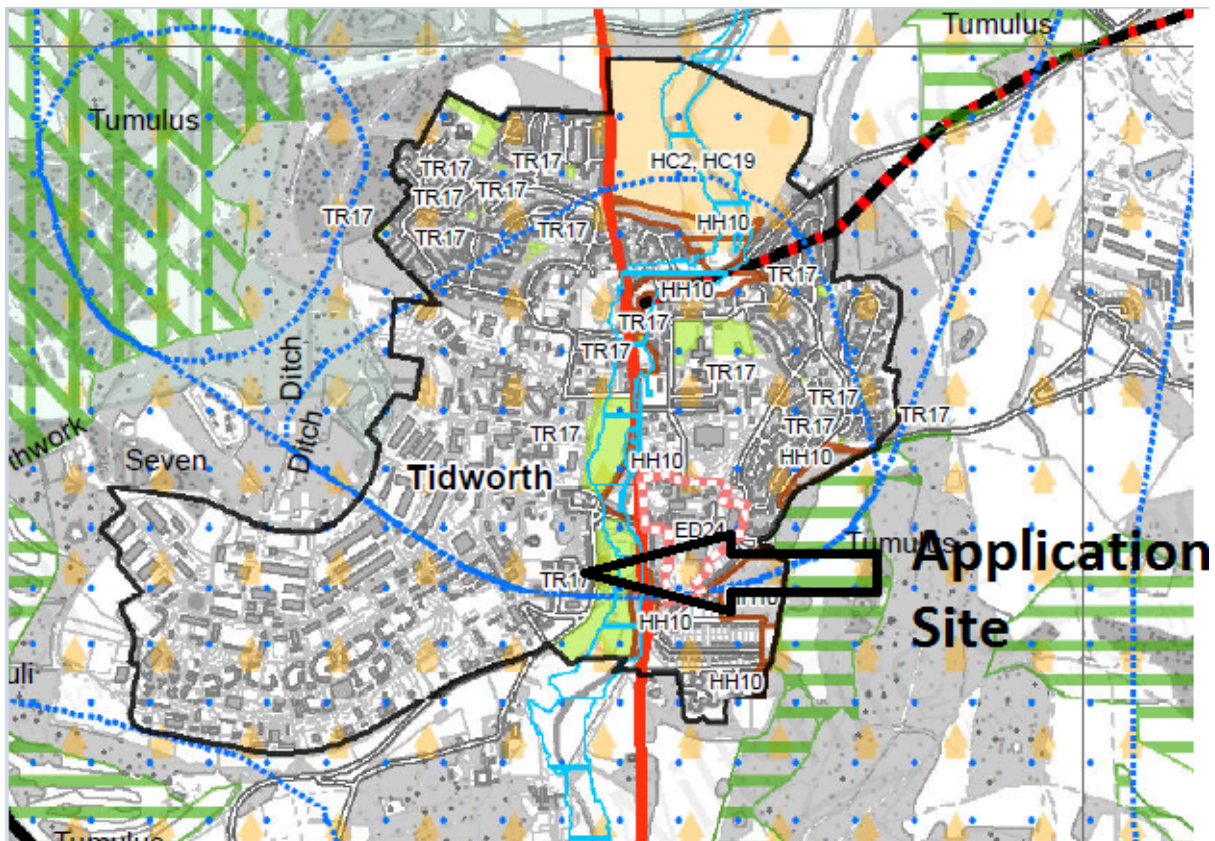
#### 2. Report Summary

The main issues to consider are:

- a) Highways and parking
- b) Amenity and neighbourliness
- c) Design
- d) Other considerations

#### 3. Site Description

The site is an existing block of 12 garages which were built as part of the surrounding residential estate for houses in Lady Godley Close. The site also includes a small part of grass/amenity land laid out at the same time as the estate. The site lies Close to Tidworth Army Barracks which lie to the North and West. To the East is the Tidworth Oval recreation ground. The site slopes in an East- West direction.



#### **4. Planning History**

There is no significant planning history associated with this site.

#### **5. The Proposal**

The proposal is for the demolition of the existing 12 garages on the site and the erection of 2 pairs of 3 bedroomed houses along with 2 parking spaces per property and an additional four parking spaces adjacent to these. A further six parking spaces (five in Avon Road and one at the other end of Lady Godley Road are also proposed.)

The houses proposed would be open market housing, with the applicant stating that the income generated would then feed back into the company to support the construction of new build affordable housing elsewhere.



## 6. Local Planning Policy

The development plan is the Wiltshire Core Strategy which was adopted in January 2015 and contains the following relevant policies

- CP1 – Settlement strategy; CP 2 – Housing Delivery Strategy; CP3 – Infrastructure requirements; CP26 – Tidworth Community area; CP45 Meeting Wiltshire’s Housing Needs; CP50 Biodiversity and geodiversity; CP51 Landscape; CP52 Green Infrastructure; CP57 High Quality design and place shaping; CP58 Ensuring the conservation of the historic environment

National Planning Policy context.

- National Planning Policy Framework (NPPF)

## 7. Summary of consultation responses

**Tidworth Town Council** - Tidworth Town Council have concerns about the parking provision (or lack of) for the development. Accordingly, we have advised that this Application is “called in” and Cllr M Connolly has done this.

**Wiltshire Council Highways** - I have been made aware of the revised plans for the above planning application. The proposal is to erect 2 pairs of semi-detached 3 bedroom dwellings and to provide them with the required 2 off street car parking spaces per dwelling. This will meet Wiltshire’s parking standards.

Of the existing 16 garages, I understand that only 3 are currently occupied and additional unrestricted car parking will be made available by demolishing 4 of the garages in the rank on the east of the site.

Therefore after careful consideration, I do not wish to raise a highway objection providing the following condition is imposed:

*No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plan, reference P1-1552 Plan2.dwg. The areas shall be maintained for those purposes at all times thereafter.*

*REASON: In the interests of highway safety.*

**Wiltshire Council Drainage** - Application form states foul disposal to public sewer – please note that Wessex Water are NOT the sewerage undertaker for this area (was Veolia Water but not sure if still is) – assume capacity exists in existing system for the additional flows. Applicant needs to contact undertaker to confirm no public sewers crossing the site that may affect proposed layout.

Application form states storm disposal to be via soakaway – topographical survey shows existence of gullies and chambers within the site – needs to confirm if these relate to an existing soakaway or positive drainage system.

Site is in FRZ 1 and not at risk of surface water flooding

### **Conditions:**

*Condition 1 - No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.*

*REASON: To ensure that the development can be adequately drained*

*Condition 2 - 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*

*Condition 3 - No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.*

*REASON: To ensure that the development can be adequately drained*

*Condition 4 - 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*

**Wiltshire Council Ecology** - The proposal seeks to demolish a line of garages and construct two pairs of semi detached dwellings in their place. The garages are of a construction type and size very unlikely to support any protected species such as bats or nesting birds and the surrounding hard standing and area of short mown amenity grassland have negligible value for conservation. There is therefore no mechanism by which the proposed development could result in adverse effects on local biodiversity. I therefore make no objection.

**Wiltshire Fire and Rescue** - The proposed development has been assessed and the detail on the attached schedules relates to the following areas:

Recommendations identified under B5 of Approved Document B relating to The Building Regulations 2010

Recommendations to improve safety and reduce property loss in the event of fire

## **8. Publicity**

17 letters of objection have been received raising the following points: –

- A) **Parking** – Parking is an issue in the close, two properties don't presently have cars and two properties have created off street parking spaces which have helped ease the situation but some properties have two or three cars which make parking difficult. The parking area by the garages is used as a turning area for service and other vehicles to turn round in. The area around the garages is at weekends filled to capacity with visitor's cars and second/third cars.

One way to alleviate these parking issues would be to provide residents with off street parking by dropping the kerbs on the western side of the road. Also understood the grassed area outside no 4 police cottages was not within the applicant's ownership and should be retained for future residents.

Non residents often park at the site to attend the medical centre as do people visiting the oval sports facilities. Emergency vehicles including ambulances find it difficult to get through.

It is suggested a trial period take place where the existing garages are blocked off to see what effect the development may have.

Because the parking spaces proposed are tandem spaces it is likely that some of the new residents will park near to their front doors which potentially will mean additional parking in Avon road.

If the garages were in a decent state of repair, were a usable size for modern cars and had electricity then I think many more residents would be willing to pay the £50+ rental a month. Therefore they wouldn't be empty.

- B) Concern is expressed about the boundary treatments around the site and how these will be addressed when the development takes place.
- C) Concern is expressed that the currently unfettered access at the North end of the site across the open spaces past the garages will be closed off to pedestrians wishing to walk in that direction.
- D) Wildlife that currently use the green area to be built on will lose the ability to use this land.
- E) Construction traffic should not access the site via Lady Godley Close and should use Avon road which is less populated. Access to the remaining garages should not be blocked during construction.
- F) There was a lack of consultation with the surrounding residents prior to submitting the application.
- G) There is a lack of information with the application including information on site levels, boundary treatments and the proposed ramps. Heights and levels are important because of the sloping nature of the site.
- H) The extension of the application site and dwellings into the adjacent open space would appear as a harsh and incongruous form of development
- I) The existing trees and planting shown for removal are considered important features
- J) The existing properties in Lady Godley Close have good size front gardens which are well set back from the road which these properties are not.
- K) The proposed layout is unlikely to comply with secure by design standards as parking spaces for plots 2 and 4 are not overlooked by properties and rear alleyways would provide an easy route through from the adjacent open space.
- L) It is considered that the applicant's proposals conflict with the NPPF in that they are not good design and layout and do not contribute positively to the layout of the area. Paragraph 74 of the NPPF says that open space should not be built on unless appropriate equivalent open space is provided elsewhere.

- M) Considers that the empty buildings could be used by bats and that trees could provide habitat for birds. Considers that the habitats regulations require an assessment of ecological features
- N) There would be disturbance and a loss of amenity from the grant of this planning application and a loss of privacy.
- O) Considers the amended plans showing additional parking spaces to be a “joke” considers these will not be used because they are too far away and will be used by the army houses.
- P) Details of the proposed ramp should be submitted at this stage to consider its impact on amenity of neighbours and its visual impact.
- Q) It is considered that there is a public footpath running through the site which cannot simply be built on.
- R) The setting of St Michael’s church should be considered as a heritage asset.

## **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.

### **9.1 Principle of development**

The principle of development accords with CP1 of the adopted Wiltshire Core Strategy (WCS) which sets out where development will take place. Core Policy 26 sets out that Tidworth and Ludgershall are regarded as ‘Market towns’ for the purposes of the core strategy and that –

*Outside the Principal Settlements, Market Towns are defined as settlements that have the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self containment and viable sustainable communities.*

The site is within the settlement boundary and as primarily brownfield land the site is in principle acceptable for development.

Part of the site is currently part of a much larger open space and would be built on as part of this development. The NPPF states that –

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

*- an assessment has been undertaken which has clearly shown the open*

*space, buildings or land to be surplus to requirements; or*

*-the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

*-the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

There has been no assessment by the applicant of the need for this open space and whether it is surplus to requirements or not. However the open space is a minor part of a much larger open space and contributes little to the overall character or usability of the much wider open space. Therefore whilst this proposal does not strictly comply with paragraph 74 of the NPPF it is considered that the principle of building on this part of the open space is none the less acceptable.

Core policy 52 of the Wiltshire Core Strategy which covers green infrastructure states –

*“Development shall make provision for the retention and enhancement of Wiltshire’s green infrastructure network, and shall ensure that suitable links to the network are provided and maintained. Where development is permitted developers will be required to:*

- i. retain and enhance existing on site green infrastructure*
- ii. make provision for accessible open spaces in accordance with the requirements of the adopted Wiltshire Open Space Standards*
- iii. put measures in place to ensure appropriate long-term management of any green infrastructure directly related to the development*
- iv. provide appropriate contributions towards the delivery of the Wiltshire Green Infrastructure Strategy*
- v. identify and provide opportunities to enhance and improve linkages between the natural and historic landscapes of Wiltshire.”*

The proposal does not meet criteria i of this policy which is similar to the requirement in the NPPF that green spaces be preserved or replaced. As noted above it is considered that as the area proposed to be developed is a relatively minor part of the overall green space the loss of this is acceptable and does not amount to a tenable reason for refusal.

There is no additional green infrastructure directly related to this development and therefore there is no need for long term management to be put in place for this. Contributions towards Wiltshire Green Infrastructure Strategy would be dealt with via CIL if the application were to be approved.

It is not appropriate in this circumstance to deal with the natural and historic landscapes in Wiltshire via this relatively small proposal.

Having taken account of the above it is considered that in policy terms the principle of the proposal is acceptable.



## 9.2 Highways and Parking

It can be seen from the neighbour letters and from the ward member call in that there is considerable local concern about the potential for parking issues within Lady Godley Close. The applicant's current proposal is for two parking spaces per property to be built. These will be adjacent to the new properties, accessed through Lady Godley Close. In addition the applicant is proposing four additional spaces at this end of the Close where garages are to be demolished; a further space at the other end of Lady Godley Close and 5 further spaces in Avon Road.

The proposed parking spaces comply with the councils requirements in terms of number of parking spaces for new dwellings. The councils parking strategy requirements for a development of four 3 bedroom properties is for eight parking spaces and one visitor parking space which the applicant has shown on the submitted plans. In addition the applicants are proposing a further 10 unallocated parking spaces in Lady Godley Close and Avon Road. The applicants have stated that little use is made of the existing garages at this site. As the proposal provides all the parking spaces required and indeed provides 10 more than are required, the councils highways officer has offered no objections to the scheme subject to a condition requiring the parking to be carried out in accordance with the details submitted prior to first occupation of the dwellings.

Notwithstanding the above, residents have concerns about building on the area that the garages are presently situated. Residents have made it clear that at present there is insufficient parking within the Close for the number of vehicles that need to park there. During the day relatively high levels of on street parking take place and officers understand at weekends and evenings residents and visitors park in and around the garaging area that it is proposed to build on. One resident has forwarded a photograph of this. Other residents have stated that the garaging area is also used as a turning space for service vehicles and delivery vans. Use is currently therefore made of the development area for parking and turning notwithstanding the fact that the garaging area is in the private ownership of the applicant and could therefore be closed off.

The garaging that is presently situated at the end of the close was built to serve the existing dwellings at a time when car ownership is likely to have been lower. The garages which are now, it is understood, in a relatively poor state of repair, are not of a size standard that are ideal for modern day larger vehicles. The applicant has stated that only 1 of the garages in the block of eight to be demolished is currently let and only a couple of garages in the further block. Given that there is little use made of them the applicant makes the point that their demolition would have little impact on parking ability in the Close. One of the residents has stated that the reason that the garages are little used is because they are in a poor state of repair in that they leak, they have no electricity supply and they are expensive to rent, not because people do not wish to use them. The applicant has informed officers that rental for the garages is standard across all of their properties and that they presently rent 1565 garages in Wiltshire, of which 325 are currently void (20%). They have stated that some garages are difficult to rent and the garages in Lady Godley Close fall into this category.

Other points made by residents are that the tandem parking spaces provided for the new dwellings will be awkward and difficult to use as they are one behind the other meaning that

they will be less likely to be used by the residents of the new properties, which will mean further parking on street. This will also lessen the amount of on street parking available. The point has also been made that if these parking spaces are awkward to use, the residents of the new properties fronting Avon road may park in Avon road itself thus reducing the number of parking spaces on this road. In order to alleviate this potential problem it was suggested to the applicants that they may like to place some additional parking spaces on the piece of vacant land in Avon road. However the applicant's agent responded as follows –

*“My client is not interested in entering into a land deal (to which there are likely to be both time and cost implications) for a scheme to which there is no highways objection, provides suitable parking to serve the development and can provide 10 additional public spaces which are all within easy reach of the existing residences.”*

It is clear that the applicants do not wish to provide any additional parking on land that they do not currently own, however they have provided 5 additional spaces at the Southern end of Avon road, this should help if additional parking starts to occur on Avon road from the new properties.

The applicants have further stated the following -

*“Please also bear in mind that our clients are an RSL, with a dwindling income and financial support from the Government. Developing under-utilised sites such as this, can represent a better use of land not only to help meet the Council's housing targets for providing more housing in sustainable locations, the importance of which continues to be publicised by the Government on a regular basis, but also by enabling Aster to reinvest in existing and new resources to support the supply of affordable housing, rather than expensive investment in the upkeep of garage sites for which there is limited demand. Due weight should therefore be afforded within the decision making process to the benefits of the proposed development including the provision of new homes and the synergy that the income will be reinvested in affordable housing.”*

The applicants have tried to address parking issues raised by local residents with the provision of a further ten parking spaces in the surrounding area and this can only help the situation. It has to be borne in mind that the land that the applicants have applied to put housing on is privately owned and therefore could be gated off at any time in any case whether or not the dwellings were built. The solution put forward to alleviate any potential parking problems caused by the building of the new properties is reasonable and appropriate given the potential fallback position of the applicants and the fact that the parking proposed complies with the councils adopted policies.

### **9.3 Amenity and neighbourliness**

The nearest neighbours to these properties would be at no 11 Lady Godley Close. These have no windows on the elevation facing the development and the nearest wall to no 11 on the development is also shown as having no windows. As each property will be 'side on' to each other there is unlikely to be any adverse impact from the new properties to the old. There will be a degree of overlooking from the first floor windows of the new properties into the rear gardens of the nearest properties in both Lady Godley Close and Avon Road. This

however would be no worse than already exists from properties in those two roads and there would be no direct overlooking window to window.

The properties are shown on a sloping site and therefore any effect that this has on amenity either of existing properties or between the properties proposed has to be considered. In this case the proposed properties are shown to be 21M apart as a back to back distance which is considered acceptable as it meets the standards in the former Kennet Local Plan. Similarly as the properties 'continue the line' from the existing properties in Lady Godley Close and Avon Road the effect of the slope on the neighbourliness of these properties is considered acceptable and would therefore comply with policy 57 of the adopted Core strategy.

#### **9.4 Design**

The design of the four proposed properties is modern. They are situated in two pairs each with a pitched roof. Externally they are shown to be brick built with a small area of wood cladding to the front and rear. The roofs are to be tiled. The dwellings are of a simple design which is in keeping with the modern design of neighbouring properties elsewhere on the estate. Although not specified it would be appropriate to make sure that the bricks are similar to that used on the existing dwellings in Lady Godley Close to tie the new properties into the old.

The properties although located on a sloping site would primarily be seen from around the two closes of Avon Road and Lady Godley Close as well as from St Michaels Green further north of the site. It is considered that the two storey nature and modern design of the proposal would not be out of character with the surrounding area and as such would be in accordance with policy 57 of the adopted core strategy.

#### **9.5 Other Considerations**

The boundary treatments are not specified on the plans as they would normally form part of a condition requiring details to be submitted. None the less following queries from neighbours, officers have clarified that boundary treatments are likely to consist of two metre high close boarded fencing.

There will be no pedestrian access across the site as there is 'informally' at the moment, although access from Avon Road will continue. Whilst it would be preferable to have such an access for permeability it cannot be a requirement of the application as the site could be closed off to pedestrian access anyway as it is in private ownership whether the houses are built or not.

There are no indications of protected species on the land and in its current mown state would support little in the way of wildlife. The councils ecologist has assessed the site (see comments above).

Site levels were requested from the applicant due to the sloping nature of the site and now form part of the application. Site boundaries will be dealt with as part of the conditions if planning consent is granted.

It is not considered that the trees to be lost as part of this proposal are significant enough to be retained or to warrant by themselves refusal of this application. A landscaping scheme is requested by condition should members resolve to approve the application.

It is extremely unlikely that the existing flat roofed garages would provide a habitat for bats as bats require space to live which is usually provided in buildings with pitched roofs not in flat roofed garages such as those proposed to be demolished. The council's ecologist has been consulted on the application and has raised no objections.

A ramp for pedestrian access to the two dwellings on Avon Road is proposed at the Western end of the site adjacent to Avon road. The applicant has provided no details of what this ramp will look like and it is therefore considered appropriate to require details of this prior to commencement of development. It is considered possible to construct this without having an adverse effect on amenity of neighbours and as such the detail of this can be conditioned.

There are no registered public rights of way through the site.

St Michael's church is situated to the North West of the site and is considered to be an undesignated heritage asset. It is considered that this proposal will not have an effect on the setting of that heritage asset. The proposal which is for a similar style and size of house to that which already exists in Avon Road is not considered to have an effect on the setting of this unlisted church.

## **10. Conclusion**

The main issue of concern with this application is car parking. However, the applicant is meeting the Council's parking standards for new dwellings and is providing a further ten spaces nearby. The garage site is in the ownership of the applicant and could be closed off at any point with the loss of that existing parking and without the provision of further parking with or without developing these four dwellings. In view of this and in view of the additional parking being provided, it is considered that the proposal is acceptable. The development will provide four additional dwellings to add to the housing stock and approval is recommended, subject to the conditions set out below.

### **RECOMMENDATION: Grant Planning Permission subject to 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)** Notwithstanding the details shown on the plans submitted no development shall commence on site until the 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.

- 3) 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.

- 4) 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;
- 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.

- 5) 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.

- 6) No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plan, reference P1-1552 Plan2.dwg. The areas shall be maintained for those purposes at all times thereafter.

REASON: 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), 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.

- 8) 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 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.

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

Block Plan P2 – 1552 plan 2.dwg dated 25/2/16  
Location Plan LOC\_A-1552 Plan 2.dwg dated 17/8/15  
Floor plans and elevations P1\_B-1552 Plan 2.dwg dated 9/9/15  
Site sections P1\_A-1552 Plan 2.dwg  
Supporting statement received 21/8/15

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

- 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. 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)** Prior to commencement of the development of plots 3 and 4 details of the proposed ramp shown at the Western end of the site shall be submitted to and approved in writing. The development shall be carried out in accordance with the details submitted and plots 3 and 4 shall not be occupied until completion of the ramp has taken place.

REASON: In the interests of visual amenity.

- 13)** Prior to first occupation of the development, details shall be submitted to and agreed in writing of a method of marking out the 5 additional parking spaces in Avon road, one additional parking space at the Southern end of Lady Godley Close and four parking spaces at the Northern end of Lady Godley Road for use by residents and visitors to those roads. The spaces shall then be marked out in accordance with the details agreed prior to first occupation of the development and shall be maintained as such in perpetuity.

REASON: In the interests of providing adequate car parking for the proposed development.

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## REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 2

<b>Date of Meeting</b>	21st April 2016
<b>Application Number</b>	16/00736/FUL
<b>Site Address</b>	The Coach House, High Street, Avebury, Wiltshire, SN8 1RF
<b>Proposal</b>	Proposed outdoor seating for use by the food outlet within the courtyard front and rear of the Coach House. Erection of screened refuse area within the coach house courtyard. Extend the opening hours of the food outlet to 7 days per week 11am - 5pm
<b>Applicant</b>	Mr Peter Sides
<b>Parish Council</b>	AVEBURY
<b>Electoral Division</b>	WEST SELKLEY – Councillor Jemima Milton
<b>Grid Ref</b>	410160 169956
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Jennifer Allen

### Reason for the application being considered by Committee

This application has been brought before the Committee at the request of the Division Member, Councillor Milton if recommended for approval on the following grounds:

- Visual impact on the surrounding area
- Design – bulk, height, general appearance
- Environmental and highway impact
- Car parking
- It goes against the World Heritage Site action plan

### 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 application be approved

### 2. Report Summary

The main issues to consider are:

- Planning History
- Impact on setting of Listed building
- Impact on Conservation Area
- Impact on World Heritage Site
- Impact on visual amenity including Area of Outstanding Natural Beauty and design
- Impact on residential amenity including noise

- Impact on highways

### 3. Site Description

The site is located within the Avebury and Stonehenge World Heritage Site; within the Conservation Area of Avebury and within the North Wessex Downs Area of Outstanding Natural Beauty. The site is located within the built form of the village next to the Red Lion pub. It is occupied by a storey and a half building set towards the centre of the site with courtyards to the front and rear and a paddock with a small orchard to the rear. The front boundary is onto the High Street with a narrow pedestrian path and is formed by a wall and a couple of gates. Part of the existing building is used as public toilets for visitors to the village, whilst the other part of the building is used as a food outlet. High Street has double yellow lines along the road and there is a bus stop outside the Red Lion Pub.



*Site Location*

### 4. Planning History

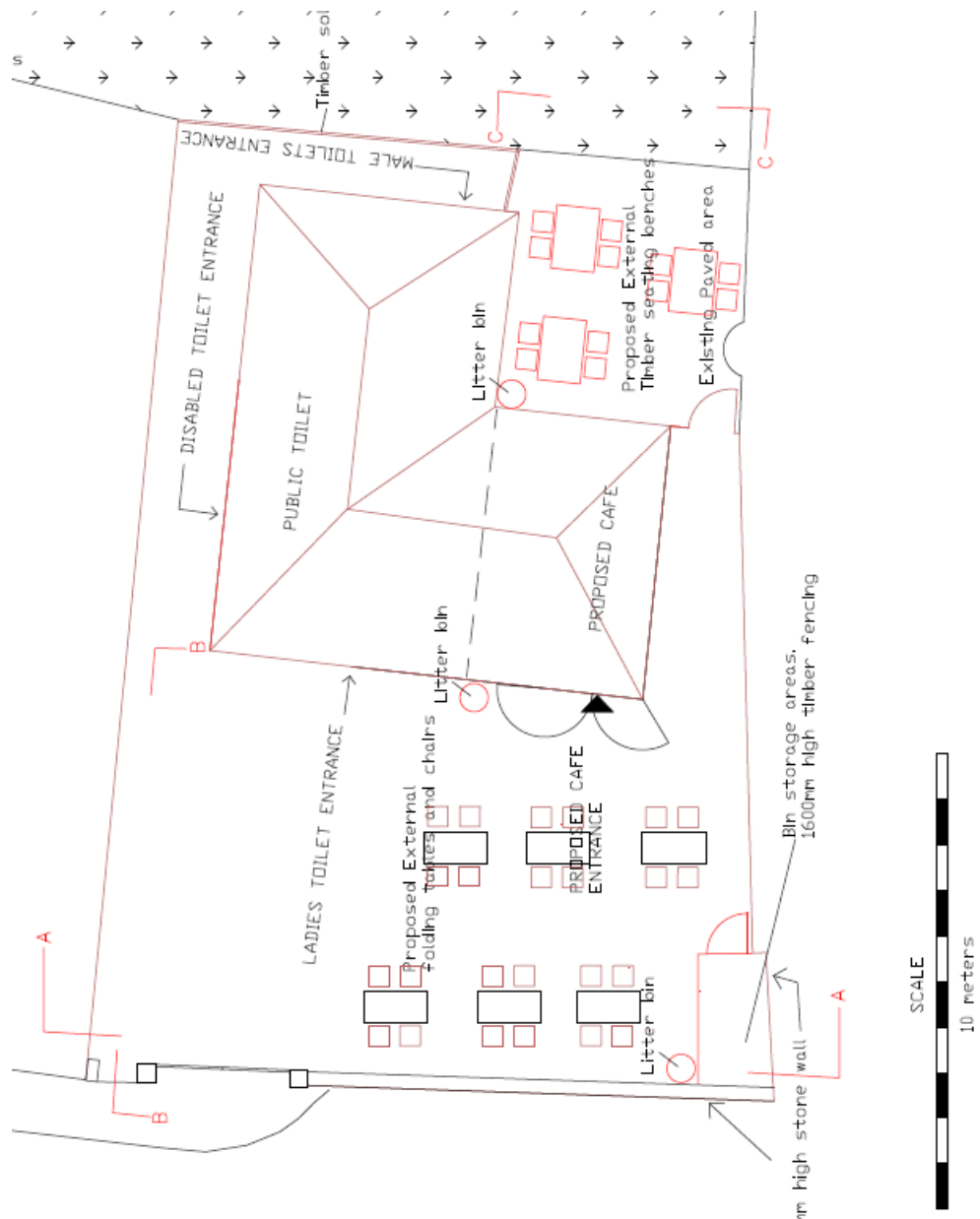
E/10/0837/FUL - Change of use of building to cafe/food outlet and food preparation area. - Approved with conditions - 11/08/2010

### 5. The Proposal

The change of use of the building to a café/food outlet was approved in 2010. There were no conditions limiting the opening days of the facility, which was shown on the application forms as operating throughout the year. However, it is understood that since its installation in 2011, the facility has only been used to cover the solstice events. The original proposal in 2010 envisaged a few tables/chairs to the front that would be removed when not in use. Opening hours on the original application were 10am (11am Nov-Jan) - 3:30 from November–March and 10am-5:30 pm April-October. The proposed opening hours under this application are

'approximately 11am-5 pm, with the opening period from March-October. Thus the only increase in hours is 90 minutes from 3:30pm – 5pm in March.

As the use of the building has already been established, the current proposal simply seeks to provide more permanent seating/table units and a screened refuse area. The outdoor seating would be picnic tables, 6 located to the front of the building and 3 to the rear. The screen around the small refuse area would be constructed from close boarded fencing with a gate to enter the bin store and would be no higher than the stone wall to the front. The application has been amended to remove the reference to fast food. The use will remain as a café with outdoor seating area.



## **6. Local Planning Policy**

### Wiltshire Core Strategy 2015

Relevant policies are CP57 Ensuring high quality design and place shaping; CP58 Ensuring the conservation of the historic environment; CP 59 the Stonehenge, Avebury and Associated Sites World Heritage Site and its Setting

From the point of view of the historic environment a primary consideration is the duty placed on the Council under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character or appearance of the surrounding Conservation Area and the duty under the Planning & Listed Buildings Act to have special regard to the desirability of preserving the setting of a listed building (The Red Lion public house is a listed building)

## **7. Summary of consultation responses**

### **Avebury Parish Council**

Object.

The Parish Council considered this application at its meeting on 1 March 2016.

The Parish Council is aware that the Coach House stands in a very sensitive position within Avebury Henge. The World Heritage Site Management Plan 2015 is a material planning consideration. Policy 1d states that 'Development which would impact adversely on the WHS, its setting and its attributes of OUV should not be permitted'. The applicant is a signatory to the Plan.

The Parish Council believes any development in this location should achieve world class standards in line with the ethos of an internationally important World Heritage Site. The Parish Council wishes to see the Coach House brought into a productive use that meets such standards, and believes that the applicant should engage in a process of local consultation to help produce a successful result.

The following issues are relevant:

1. The proposed development is an intensification of the use of the property.
2. The WHS Management Plan aims to avoid concentrating visitors in the centre of the Henge by dispersing them to other parts of the World Heritage Site. The proposal runs directly counter to this objective.
3. The fast food outlet would represent a significant increase in the commercialisation of the centre of Avebury, as evidenced in part by the proposed increase in staffing levels.

This commercialisation would impact on almost all visitors, residents and others in Avebury during its opening hours.

4. No evidence has been offered on increases in demand for fast food and drink in this location, or on the need for a fast food outlet at the Coach House. The outlet has rarely been open over the past five years which seems to indicate limited demand.

5. Litter significantly detracts from the Outstanding Universal Value of the WHS, and from the amenity enjoyed by visitors and local people. The Design and Access Statement says that food will be served in take-away containers with non-reusable crockery. Such take-away containers and crockery will inevitably become a source of litter and are likely to become a major problem, especially in busy periods. The applicant makes no provision outside the outlet for litter collection of discarded take-away fast food containers. Such litter will be time consuming and expensive to collect, or not collected at all. Recommendations by Wiltshire Council's Waste Management Services address the collection of waste from the Coach House, but do not address the need for street cleaning and daily collection of litter.

6. The provision of take-away containers and non-reusable crockery represents poor sustainability practice. Even if some environmental savings may be made in avoiding some dish-washing processes, a 'throw away' image detracts from world class standards in the centre of a World Heritage Site. The Parish Council is not aware of take-away fast food outlets in the centre of other World Heritage Sites internationally.

7. The outlet will attract passing trade from motorists. Additional parking and congestion will be caused in this central location in the village, and the grass triangle opposite the Coach House is likely to be further damaged and its geometry compromised.

8. The proposal may take trade away from local voluntary initiatives, such as 'Teas for Tourists', to the detriment of community causes and organisations.

9. Take-away hot fast food would require Class A5 permission, whereas the application appears to be for Class A3 use as a cafe. If take-away hot fast food will be provided then the current application for Class A3 use should be refused. Any later application for Class A5 use would be a very significant intensification of use and should also be refused.

10. Cooking odours and noise from ventilation systems will arise from the outlet.

11. The public lavatories beside the proposed fast food outlet are in a very poor state and are not included in the application. Any application should provide for them to be upgraded.

12. It is not clear if opening times are limited from March to October (Design and Access statement), or all year round (Section 20 of application form).

13. It is not clear whether the outlet will be open six or seven days a week (see sections three and 20 of the application, or the Design and Access Statement).

Given the sensitiveness of the location and the unknown consequences of the proposal, the Parish Council OBJECTS to the proposal on the above grounds.

The Parish Council has requested Cllr Jemima Milton to call in the application.

The Parish Council believes that the Coach House should be brought into productive use and would be pleased to help develop a proposal that was in keeping with this important site.

If any consent is given, the Parish Council urges that it is limited to a 12 month experimental period and that a review is then held by all interested parties.

#### **World Heritage officer**

No major concerns about impacts on the World Heritage Site (WHS) and its attributes of OUV related to this proposal for additional seating as the area is concealed from view.

#### **Wiltshire Council Conservation Officer**

The proposal is not considered to have a significant impact on the character and appearance of the conservation area and I have no particular comments to make on the application from a Conservation point of view.

#### **Heritage England**

No comment. The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

#### **Wiltshire Council Environment and amenity services**

No comment

#### **Wiltshire Council Public Protection**

No environmental grounds to object to the proposal. May be prudent to condition opening hours. Only other comment is that customers using the outside seating area to the rear, will inevitably notice some odour and noise impact from the extraction system that serves the Red Lion, but any impact would not be significant enough to raise an objection.

### **8. Publicity**

The application was advertised by site notice/press notice /neighbour notification with an expiry date of 10 March 2016.

Summary of points raised:

The Avebury Society object to the proposal.

12 letters of objection received. Comments relate to:

- No need for the additional outlet
- Existing toilets in poor condition
- No consultation or impact study done on impact on the community
- Traffic congestion
- Increased pedestrian footfall
- World Heritage Site Plan proposal goes against what was agreed
- Seating in view of the henge opposite is contrary to 10Core Policy 58 and 59
- Rear courtyard and garden could sit 20-30 people
- Opening up the rear would create a thoroughfare from the front of the coach house to the rear
- Views from the henge of the areas for seating
- Historic assessment is inadequate to address the significance of the World Heritage site



- Operating a café at the centre of the largest stone circle would detract from the character, appearance, setting and OUV and its designation as a WHS
- Fails to comply with policy TR6 of the Kennet Local Plan
- Licensing application is of concern as the sell of alcohol could be permissible
- A food outlet as proposed would have a negative impact on the outstanding universal value of the site
- The refuse area, the longer opening hours and outdoor seating will increase noise levels, smells and litter in the environs
- Does not protect nor enhance the quality of the historic environment
- Courtyards unhygienic
- Objection to original application in 2010
- Use of the site at present
- Concerns over the increased opening times
- Further signage indicating toilets and café would further detract from the site
- No issue with the forecourt tables only those to the rear
- Rat infestation
- Litter
- Toilets in poor state
- Position of A board
- Neon sign currently
- Smell
- Noise nuisance

## **9. Planning Considerations**

### **9.1 Planning History & the Nature of the Proposal**

As set out above, the use of the café has already been established with the planning permission granted in 2010. The only changes being sought in this permission are the erection of the screen fence within the courtyard; the use of the more permanent tables and a minor extension of opening hours in March only, from 3:30pm-5pm (opening hours in April-October already being longer in the existing permission than those now requested).

### **9.2 Impact on Character and appearance of the area & Heritage Assets.**

The site is located within the World Heritage Site and the Avebury Conservation Area. The Red Lion pubic house, a listed building, is adjacent. However, the courtyard area to the front of the building is effectively screened by the boundary wall that runs adjacent to the High Street and would largely screen any tables from view from the opposite side of the road. Similarly, the existence of such seating and tables alongside the rendered wall of the Red Lion Inn would have no adverse impact on its setting. As the use of the site for the café facility has already been established, there will be no change in the character of the area. There are no tenable reasons for opposing the application on the grounds of the impact on heritage assets or the character and appearance of the area.

### **9.3 Residential Amenity**

The proposed changes will have no significant impact on the amenity of nearby residential properties compared to what has already been approved. The use already has planning permission and the addition of 90 minutes in opening hours from 3:30pm to 5pm in March will have little additional impact.

The seating to the rear would be positioned within the courtyard which sits within the side wall of the Red Lion and the side wall of the café and toilets. The proposal does not propose tables within the grass paddock to the rear of the building. To ensure that no tables are located in this area a condition needs to be imposed to preserve the residential amenity.

Concerns have been raised regarding litter but the proposal includes a new bin store and bins within the site. This will help address these concerns. Being a café use it is unreasonable to restrict the food items to be consumed within the site.

#### **9.4 Highways**

The site is located on the High Street with double yellow lines outside the front. Tourists are encouraged to park in the designated parking areas. Again, as noted above, as the use has already been approved, the changes proposed will have no demonstrable impact on highway matters.

#### **10. Conclusion**

It is considered that the limited changes proposed in this application will not harm the historic character or appearance of the area or the amenities of local residents.

The proposal complies with planning policy and planning permission should be granted subject to conditions.

#### **RECOMMENDATION**

##### **To Grant planning permission subject to the following conditions**

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

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

- 2 The development hereby permitted shall be carried out in accordance with the application form and the following approved plans and documents:

Design and access statement, statement of operation, PA1-205-2 Rev A "Proposed cafe outlet external seating elevations" received on 3 March 2016

PA1-205-1 Rev C "Proposed cafe outlet external seating" received on 14 March 2016

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

The opening hours shall be no earlier than 10 am in the morning and the sale of food from the premises shall end no later than 5pm in the evening.

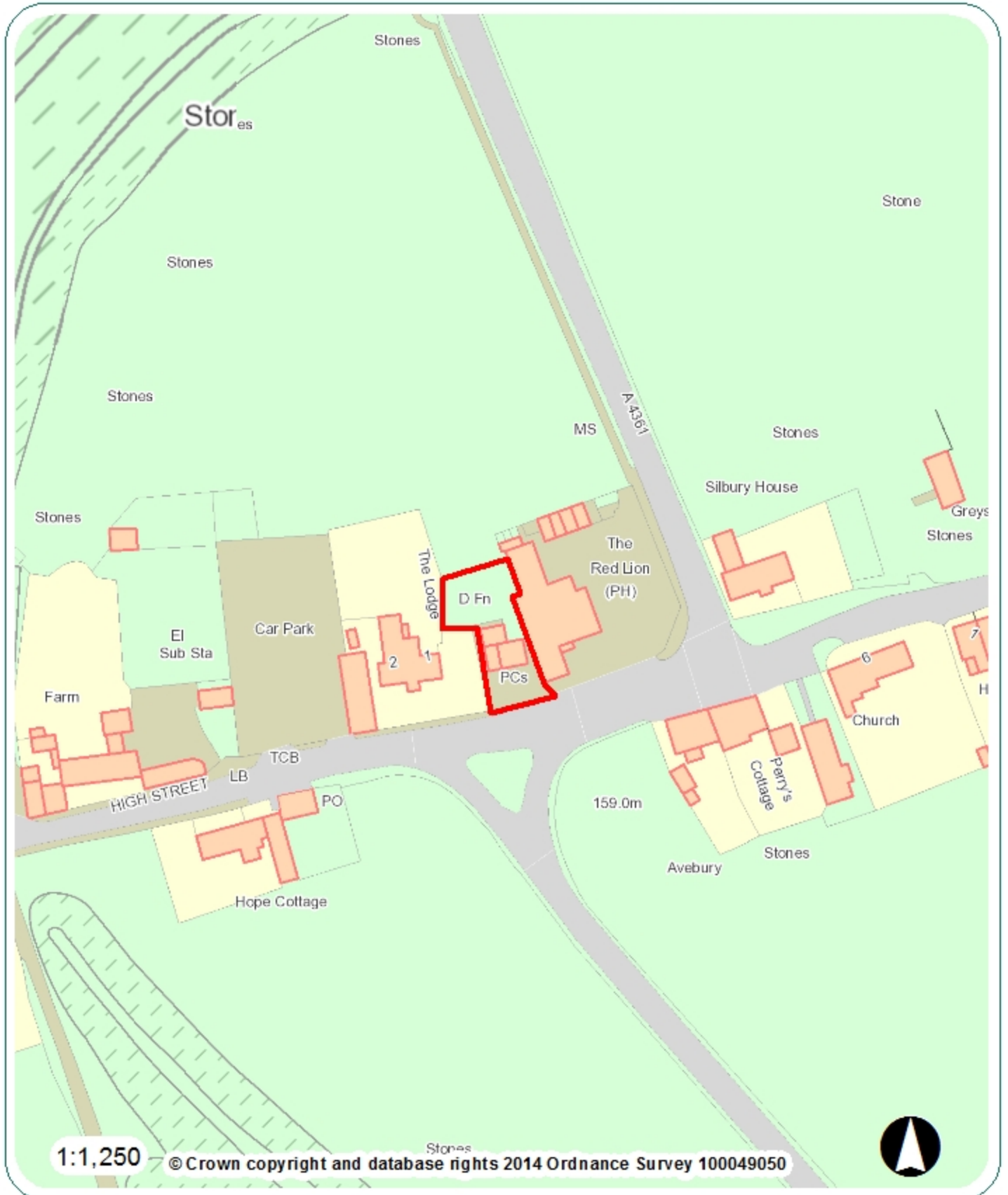
REASON:

To protect the amenity of nearby residents.

- 4 The seating hereby approved shall only be located in the areas indicated on the approved plan PA1-205-1 Rev B and not within the grassed area and orchard to the rear.

REASON: To preserve the amenities of the surrounding neighbours.

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