

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 23 November 2016
Time: 3.00 pm

Please direct any enquiries on this Agenda to Jessica Croman, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718262 or email <mailto:jessica.croman@wiltshire.gov.uk>

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

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Membership:

Cllr Christopher Newbury (Chairman)	Cllr Magnus Macdonald
Cllr John Knight (Vice Chairman)	Cllr Pip Ridout
Cllr Trevor Carbin	Cllr Jonathon Seed
Cllr Ernie Clark	Cllr Roy While
Cllr Andrew Davis	Cllr Graham Payne
Cllr Dennis Drewett	

Substitutes:

Cllr Nick Blakemore	Cllr Keith Humphries
Cllr Rosemary Brown	Cllr Gordon King
Cllr Terry Chivers	Cllr Stephen Oldrieve
Cllr Fleur de Rhé-Philippe	Cllr Jerry Wickham
Cllr Russell Hawker	Cllr Philip Whitehead

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 10*)

To approve and sign as a correct record the minutes of the meeting held on 2 November 2017.

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** (*Pages 11 - 14*)

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 by phone, email or in person no later than 2.50pm on the day of the meeting.

The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice. 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.

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

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 16 November 2016 in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **18 November 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 Applications**

To consider and determine the following planning applications.

6a **16.07361.FUL - Bitham Brook County Primary School, Arundell Close, Westbury, Wiltshire, BA13 3UA** (*Pages 15 - 26*)

6b **16.08019.FUL - 6 Springfield Park, Trowbridge, Wiltshire BA14 7HT** (*Pages 27 - 36*)

6c **16.06851.FUL - 139 Winsley, BA15 2LB** (*Pages 37 - 52*)

7 **Planning Appeals and Updates** (*Pages 53 - 54*)

To receive details of completed and pending appeals and other updates as appropriate.

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

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 2 NOVEMBER 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Graham Payne

94 **Apologies**

There were no apologies.

95 **Minutes of the Previous Meeting**

The minutes of the meeting held on 12 October 2016 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 12 October 2016.

96 **Declarations of Interest**

Cllr Seed disclosed a non-pecuniary interest in the rights of way modification order – Codford Path no 15. Noting that he knew both supporters and objectors and had previously carried out work with the farmer.

97 **Chairman's Announcements**

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

98 **Public Participation**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

The Chairman referred to the agenda which included a question received from a councillor and answers from officers.

99 **CODFORD PATH No. 15 - RIGHTS OF WAY MODIFICATION ORDER 2016**

The Rights of Way Officer outlined the report which recommended that the Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs and that Wiltshire Council should take a neutral stance in the matter.

Members of the Committee were given the opportunity to ask technical questions of the officer which focused on; the sufficiency of evidence of use that may be accepted and to clarify conflicts of evidence.

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

Public Participation

Josh Stratton spoke in objection to the order.

Jonathan Cheal spoke in objection to the order.

Romy Wyeth spoke in support to the order.

Beth Richardson-Aitken spoke in support of the order.

David Shaw spoke in support of the order.

The Rights of Way officer clarified a point that the 'private road' signs could be considered to relate to vehicle access and not on those passing by foot or on horse.

A debate followed where a motion was moved to refuse the order. Key points of the debate were; the current signage was not relevant; the need to cross examine evidence, relevance of some evidence and lack of historical data information.

The motion to refuse the order was lost and a new motion to approve the officers' recommendation was moved.

Resolved

That "The Wiltshire Council Codford Path No. 15 Rights of Way Modification Order 2016" is forwarded to the Secretary of State for the Environment, Food and Rural Affairs and that Wiltshire Council takes a neutral stance in the matter.

100 **Planning Applications**

The Committee considered the following applications:

101 **15/03120/FUL - Rosefield House, Polebarn Road, Trowbridge, BA14 7EQ**

The case officer presented the revised report which recommended the application for a change of use of existing Stable Block at the rear of Rosefield House to form 2 residential units to include single storey lean-to extension replacing shed building, be granted.

The key points identified in the officer's presentation were outlined and comprised: the changes to the original plans and a light assessment results. Key planning issues referred to include; loss of employment land; ecology and parking and access.

Members of the Committee then had the opportunity to ask technical questions of the officer, key points included; the accuracy of the plans, where it was noted that there was a slight error with one plan drawing showing an erroneous line outside of the application site leading off proposed side extension. Officers however confirmed that the submitted plans were to scale and no development would take place or protrude beyond the application site/subject building.

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

Public Participation

Alan Hayes spoke in support to the revised application which resolved his previous concerns and objections.

A debate followed where a motion was then moved to approve officer's recommendation. The main focus of the debate was around the removal of asbestos and Members requested that an informative be added.

At the end of the debate it was;

Resolved

To grant planning permission, subject to the following conditions and informatives:

- 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 dwelling shall be occupied until parking spaces for four vehicles, together with the access thereto, have been provided in accordance with details to be submitted for approval in writing by the Local Planning Authority. The parking and turning spaces shall be retained for use as such thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

3. No demolition, development or other internal works shall commence prior to the assessment of the building for bats and nesting birds. The assessment shall be carried out by a licensed, professional ecologist. If the buildings are assessed as having low, moderate or high potential for roosting bats or other protected species, then subsequent presence/absence surveys shall be undertaken. If presence of bats or other protected species is confirmed, an impact assessment comprising detailed mitigation measures, a monitoring strategy and habitat enhancements shall be submitted to the Local Planning Authority before any demolition or other internal works are undertaken. The mitigation strategy, monitoring and habitat enhancements shall be carried out in accordance with the approved details and as modified by a relevant European Protected Species Licence from Natural England (where applicable).

REASON: In the interests of the protection of Protected Species.

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

CLCS/126/03 registered on 13 October 2016; CLCS/126/04 registered on 13 October 2016; CLCS/126/010 registered on 18 October 2016; and CLCS/ 136/104 REV A received on 11 August 2016.

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

PLANNING INFORMATIVES:

This Decision notice must be read in conjunction with that in relation to application 15/03181/LBC and the conditions applicable thereto.

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.

The applicant's attention is invited to the potential presence of asbestos in the out-building to be demolished and that appropriate measures should be taken to ensure that demolition takes place in terms of health and safety requirements.

102 **Planning Appeals and Updates**

The Planning Appeals Update Report for 30/09/16 – 20/10/16 was received.

A formal question was asked by a member of the public pursuant to whether and how the Council calculates greenfield windfall residential development as part of the annualised housing land supply statement, It was agreed that the committee clerk would pass the question to the spatial planning team and obtain a written response and for it to be made available at the next meeting.

Resolved:

To note the Planning Appeals Update Report for 30/09/16 – 20/10/16.

103 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.30 pm)

The Officer who has produced these minutes is Jessica Croman of Democratic Services, direct line 01225 718262, e-mail jessica.croman@wiltshire.gov.uk

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

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Wiltshire Council

Western Area Planning Committee

23 November 2016

Question From: Mr Francis Morland - Public

Question

Can officers clarify the manner in which windfall residential development is calculated as part of the annualised housing land supply statement? Does it include an allowance for greenfield windfall sites as well as brownfield sites?

Response

The windfall calculation method is detailed in Appendix 5 of the Housing Land Supply Statement. It is based on past housing permissions on non-allocated, brownfield land in accordance with the NPPF. The average number of permissions granted in each Housing Market Area per annum during the period 2009 – 2016 is calculated and a standard delivery rate applied, to provide likely future delivery from windfall sites.

Although the NPPF does not dismiss greenfield land (other than residential gardens) as an appropriate source of supply in calculating a windfall allowance, Wiltshire's method uses brownfield sites only. The NPPF promotes the use of brownfield land, and the majority of such sites are within settlement boundaries and therefore conform to local policy set out in the Wiltshire Core Strategy. The majority of greenfield sites are outside settlement boundaries and such sites that are not allocated in the Wiltshire Core Strategy or in a neighbourhood plan are thus contrary to local policy. As such it would be unusual to declare that we partially depend on sites that are contrary to policy to come forward in the future. However we acknowledge that greenfield sites have in the past made a contribution to delivery.

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Wiltshire Council

Western Area Planning Committee

23 November 2016

Question From: Cllr Graham Payne

Question

What is the protocol which governs the reasons why some appeals are reported to Area Committee and others go to SPC.

Response

The only appeals that are reported to Strategic Planning Committee are on the planning applications that the Strategic Planning Committee refused. (This is because they are accountable for them)

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REPORT FOR WESTERN AREA PLANNING COMMITTEE

Report No.1

Date of Meeting	23 November 2016
Application Number	16/07361/FUL
Site Address	Bitham Brook County Primary School Arundell Close, Westbury, Wiltshire, BA13 3UA
Proposal	Existing primary school extended in a 2 phase development, additional informal and formal hard play area added.
Applicant	Wiltshire Council
Town/Parish Council	WESTBURY
Electoral Division	WESTBURY EAST – Gordon King
Grid Ref	387684 151706
Type of application	Full Planning
Case Officer	Eileen Medlin

Reason for the application being considered by Committee

The council's scheme of delegation requires states that:

Applications submitted by Wiltshire Council will not be dealt with under delegated powers where an objection has been received raising material planning considerations.

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 discussed in this report are:

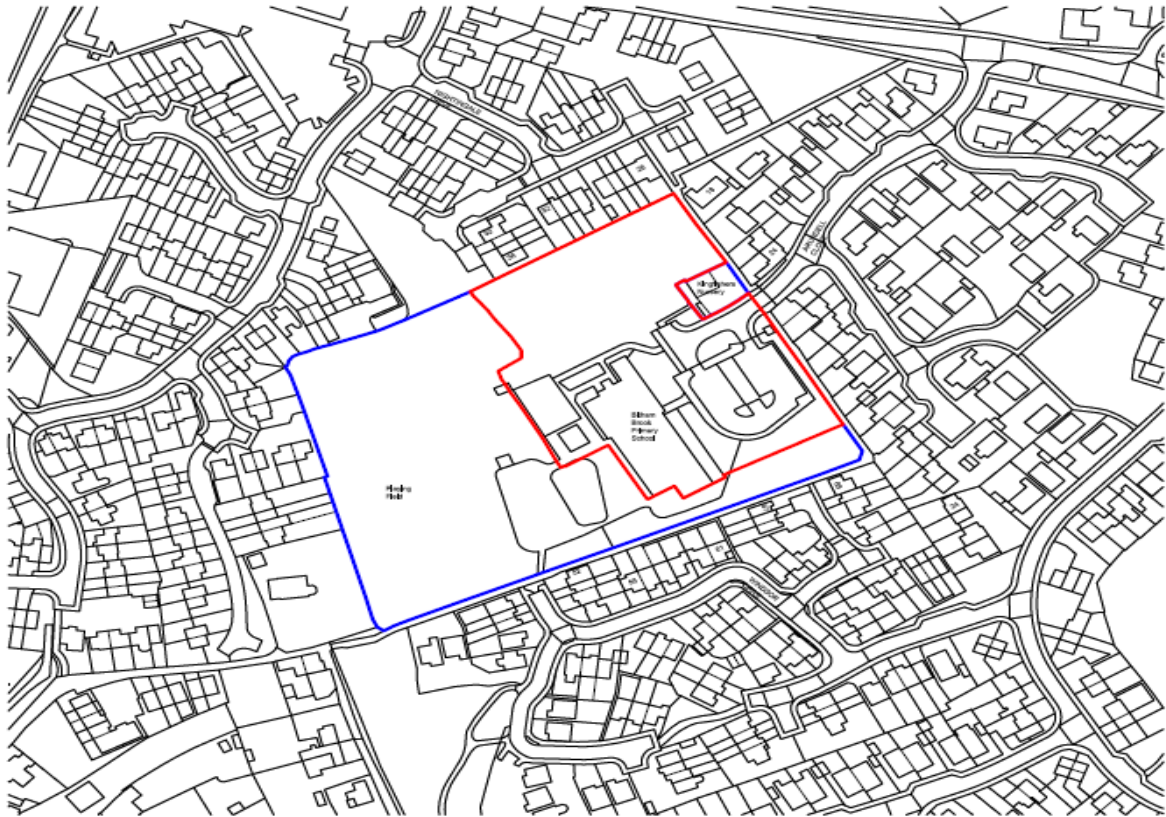
- The principle of the development,
- Impact on the character and appearance of the area,
- Impact on neighbouring residential amenities,
- Highway safety and parking.
- Archaeology

3. Site Description

The existing school is located off Arundell Close in Westbury, located in a predominantly residential area. The application site (which is illustrated on a reproduced plan on the next page) comprises the school building, parking areas and the landscaped area to the north of the school building. The application site is not located within the Conservation Area and the nearest heritage asset (located along Alfred Street) is over 200 metres away with numerous unlisted properties and streets in-between.

The school grounds also contain a playing field to the west and a nursery to the east. Vehicular access to the site is gained off Arundell Close via Bitham Park.

A public footpath (WEST1) runs along the eastern and southern boundary of the site providing good pedestrian links in all directions. There is a pedestrian gate on the southern boundary providing access for pupils living to the south and west of the site. The footpath on the east forms part of a pedestrian link to Coop Car Park to the north where the school has a park and stride arrangement.



4. Planning History

There have been about 28 planning applications since the 1980s on this site pursuant to the erection of the school, extensions and outbuildings, the nursery building and mobile classrooms (including numerous renewals of planning permission).

5. The Proposal

This application seeks permission to extend the existing primary school in two phases resulting in a two-form entry school. This would increase the school accommodation from the existing 300 roll capacity to 420 pupils. The first phase would comprise 2 additional classrooms, an extension to the hall, and provision of a covered external space (to be converted into a studio hall as part of Phase 2), circulation corridors and WCs. The second phase would comprise 4 class rooms, technology room, 2 small group rooms, a large group room, a studio hall (covered area converted into studio hall in this phase), circulation and WCs and associated external play spaces.

Overall there would be four new classrooms as one existing classroom would be converted to group rooms and the existing temporary classroom would be removed as part of the development.

The proposal would extend the existing school building to the north. The extension would be single storey with a maximum ridge height of 7.5 metres. Phase 1 would increase the gross internal floor area by 289sqm and Phase 2 would increase the floor area by a further 441sqm.

The proposal also includes the provision of covered bike storage to accommodate 80 cycles and bin storage to the west of the existing nursery building. In addition, a new Multi Use Games Area (MUGA) is proposed in the north eastern corner of the school site. It would be enclosed by a wire mesh fence. No floodlighting is proposed.

During the course of the application, on-site parking provision has been increased to provide 8 additional spaces with additional demarked drop-off spaces and a proposed designated no parking area to the front of the refuse collection point.

The following plans illustrate the proposed development.



Phase 2 East Elevation



Phase 2 West Elevation

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) was adopted on 20th January 2015 and therefore holds full weight in planning terms. The following Core Policies (CP) are relevant when assessing this application: CP1 (Settlement strategy), CP2 (Delivery strategy), CP3 (Infrastructure requirements), CP32 (Westbury Area Strategy), CP41 (Sustainable construction and low carbon energy), CP51 (Landscape), CP52 (Green Infrastructure), CP56 (Contaminated Land), CP57 (Ensuring high quality design and place shaping), CP58 (Ensuring conservation of the historic

environment), CP60 (Sustainable Transport), CP61 (Transport and Development), CP62 (Development impacts on the transport network), CP64 (Demand Management), CP67 (Flood Risk)

When adopting the WCS, some policies continue in force from the West Wiltshire District Local Plan (1st Alteration) (WWDLP) were saved. Those which are relevant to this application include: U1a (Foul Drainage/sewerage treatment)

Wiltshire Waste Core Strategy - WCS6 (Waste Audit)

The following Council publication also merits due consideration:

- Wiltshire Car Parking Strategy

7. Summary of Consultation Responses

Westbury Town Council – Supportive, but raised concerns about access and parking

Wiltshire Council Highway Officer: – No objection, following the increase in on-site car parking spaces and an updated travel plan.

Wiltshire Council Drainage Officer: – No objection following revisions to the drainage strategy

Wiltshire Council School Places Team: – Supportive of the provision of additional accommodation

Wiltshire Council School Travel Advisor: – Supportive, subject to condition seeking further updates to school travel plan

Wiltshire Council Archaeologist: – No objection, subject to condition.

Wiltshire Council Ecologist: – No objections

8. Publicity

Two site notices were erected near the site; one near the main entrance and one near the pedestrian entrance to the rear of the site. Individual neighbour notifications were also sent to neighbouring occupiers surrounding the school grounds.

Following the public notification process the following was received from third parties:

- A petition of 32 signatories was received from the residents of Arundell Close raising concerns about access and parking;
- A further 6 letters of objection have been received raising concerns about the following:
 - Access
 - Parking including illegal and inconsiderate parking
 - Congestion
 - Visual Impact to Nightingale Drive

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 The principle of the development - The application proposes the extension of an existing primary school within the settlement of Westbury. Core Policy 1 supports the growth of market towns such as Westbury and where necessary the expansion of existing facilities to

support this growth. The need for additional places at Bitham Brook Primary School is largely a result of the residential development currently under construction at The Mead (ref: 13/03568/OUT) and the recently approved planning application for residential development at Bitham Park (ref: 14/09262/OUT). The first phase of development would accommodate the increase in pupils coming from The Mead and the second phase of development would accommodate the additional pupils coming from Bitham Park. Core Policy 3 requires new development to provide for necessary off site infrastructure arising from the proposals. Section 106 financial contributions were secured from the referenced housing developments towards additional school places. Whilst Core Policy 32 does not specifically mention primary school education, it is supportive of improving existing facilities. The provision of essential infrastructure to meet the growing needs of Westbury is therefore supported in principle. The Council's education team fully support this application as referenced in Section 7.

9.2 Impact on the Character and Appearance of the Area - The application proposes to extend the school to the north, elongating the existing building. Whilst the extension would be single storey, the roof height would be the equivalent to a two storey building in places with a maximum ridge height of 7.5m. The design of the proposed building would be in keeping with host property with the same ridge, eaves height, window detailing and materials proposed. The extension would sit comfortably within the plot and would not appear a cramped form of development.

Ancillary buildings such as cycle and bin storage are also proposed. The proposed shelters would be open sided with gullwing roofs. The bin store would be enclosed by 2m high timber fencing. It is considered that these buildings would not appear incongruous within school grounds.

A new MUGA would be fenced by a wire mesh fence. Again it is considered that this would not appear incongruous in the school grounds.

Overall, the proposed development has been carefully planned and would not have an adverse impact on the character and appearance of the area; and the proposals are considered policy compliant with Core Strategy Policy 57.

9.3 Impact on Neighbouring Residential Amenities: - This section covers the impact on residential amenities of adjoining local residents with respect to privacy, overshadowing and outlook. Impact as a result of parking is discussed in the next section. As stated in the previous section the building would be extended to the north in a linear fashion. It is considered that there would not be any adverse impact on those properties located to the east (Pintail Way) and south (Windsor Drive) given the distance from the proposed extension. It is furthermore considered that the proposal would not have an adverse impact on those neighbouring occupiers living in Arundell Close given the distance to those properties and the intervening nursery building. The proposal extends the school closer to residential properties on Nightingale Drive. It is acknowledged that No's 25 to 32 Nightingale Drive have rear windows which face onto the application site whilst No 36 presents a flank elevation to the site. The proposed extension would however be over 16m from the schools northern boundary and would have a ridge height of 6.25m at its closest point. None of the neighbouring properties on Nightingale Drive would have direct views of the proposed extension as those facing the site are orientated with windows facing to the east of the proposed extension. It is therefore considered that the proposed extension would be sufficiently distant from the neighbouring properties along Nightingale Drive and would not have an unacceptable adverse impact on residential amenities.

The application also proposes a hard play area and a multi-use games area to be located near the sites northern and eastern boundary. It is proposed to screen these areas with landscape planting with no floodlighting being proposed.

The applicant has also advised that the area would be used during school hours and for after school clubs only, which usually finish at around 4pm.

The proposed cycle storage buildings would be sufficiently distant from neighbouring occupiers and would be of a height, design and size that would not have an adverse impact on residential amenity.

Overall it is considered that the proposed development would not have an unacceptable or adverse impact on residential amenity in accordance with Core Policy 57 and paragraph 17 of the NPPF.

9.4 Highway Safety and Parking: - The proposal would increase the school to a two form entry primary to be constructed over two phases with a resultant increase in pupils and staff. Plans have been revised during the course of the application to increase parking provision.

The proposal would increase parking provision to 45 spaces. This is 9 spaces below the Council's maximum parking standards for this type of development. As these are maximum standards there is not a fixed requirement to meet them in the same way as the minimum standards set for parking in new residential developments. Therefore whilst there is a shortfall below the maximum recommended parking provision, the proposal is considered to be acceptable. Due cognisance should be given to the location of the school, within close proximity to residential areas. The application is supported by the Council's highway team and school travel advisor and is policy compliant with Core Strategy Policy 64: Demand Management.

The existing vehicular access to the school is via Arundell Close and this would not be altered as part of the proposed development. Arundell Close is a cul-de-sac comprising detached and semi-detached properties. There is a mix of bungalows and two storey properties in the Close; with the majority of properties having access to off street parking and garaging.

The school was constructed at approximately the same time as the surrounding residential properties and some residents of Arundell Close have complained about the existing situation with regard to school children being dropped off and picked up; and a petition in addition to individual letters of objection, has been received raising concern about the likely exacerbation of the existing situation.

To support the application, a Transport Assessment and School Travel Plan were submitted. The Transport Assessment includes a survey undertaken on the morning opening time and afternoon closing time of the school. Based on the 2016 School Travel Plan, the Transport Assessment concludes that there would be 44 extra vehicle trips as a result of the increase of pupils. It also concludes, having appraised the local road network, that there is sufficient capacity along the local roads and within the Co-op car park (if it is required) to satisfy any increased demand for child drop off or pick up parking.

The School Travel Plan acknowledges that the number of children arriving at school by car is above the Wiltshire average even taking into account rural schools with a wider catchment and fewer travel/transport options. This is surprising given that 65% of the pupils on the school roll live within 0.5km of the school. However, it also shows that there is scope for improvement. It is duly noted that the transport survey was undertaken as a 'hands up' survey so it is not possible to cross reference with the data on pupil distances to the school to find out how many pupils that live within 0.5km of the school walk, cycle or scoot to school. The Council's School Travel Plan Advisor has asked that a full parent survey is undertaken following the occupation of Phase 1 and again following the occupation of Phase 2.

It is also worth noting that the additional pupil accommodation that the expanded school is intended to accommodate is expected to come from the two recently approved housing developments located to the north of the site. The entrances to these developments are within 500m of the application site and would benefit from on-site travel plan coordinators.

By way of reference, condition 19 imposed on planning permission ref 13/03568/OUT (the Mead) requires that:

No development shall commence on site until a Full Travel Plan based on the submitted

Framework Travel Plan has been submitted to and approved by the Local Planning Authority. The Full Travel Plan shall include details of implementation and monitoring including the appointment of a travel plan co-ordinator for 6 years, and shall be implemented in accordance with the agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request together with any changes to the plan arising from those results.

Condition 21 of planning permission 14/09262/OUT which was allowed on appeal (appeal ref APP/Y3940/W/15/3130433) (Bitham Park) reads:

No dwelling shall be occupied until a Travel Plan based on the submitted Framework Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include details of implementation and monitoring including the appointment of a travel plan co-ordinator, details of access to the monitoring information for the local planning authority and details of mechanisms for agreeing and incorporating changes to the approved Travel Plan. The Travel Plan shall be implemented in accordance with the approved details.

Officers acknowledge that there would be a consequential increase in the volume of traffic at school drop off and pick up times during the AM and PM peak. However, it is considered that this can be suitably managed to avoid unacceptable adverse impacts to local residents. The most effective way to secure improvements is through a School Travel Plan. The Council's school travel advisor has stated that the current travel plan is adequate, but there is scope for improvement.

Members of the committee are advised that specific areas for improvement can be secured by planning condition and capture the following:

- Promotion of safe walking routes to school by identifying and mapping routes (particularly off-road footpaths), park-and-stride locations, and five- and ten-minute walking zones;
- Establishment and operation of a walking bus from appropriate park-and-stride locations such as the Co-op car park;
- Establishment of a rota of parents to monitor parking on Arundell Close;
- Undertaking a full parent survey following the occupation of Phase 1 and Phase 2.

Any adverse transport impacts created as a consequence of the development could be mitigated against and managed by way of an updated school travel plan and as such the proposal is considered acceptable in this regard. The requirement for a travel plan is in accordance with Core Policy 61: Transport and New Development.

It should be noted that paragraph 32 of the NPPF advises that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*". Whilst no severe cumulative residual impacts have been identified by officers, recommended improvements made to the school travel plan can mitigate against the expressed local concern.

Overall the proposed development is considered to acceptable in transport grounds.

9.5 Archaeology: - The desk based assessment submitted with the application has highlighted the potential for archaeological remains to be impacted by the proposals, in particular relating to the Romano British period. Therefore further field evaluation is required. The County Archaeologist has suggested a condition requiring a written programme of archaeological investigation to be submitted and approved before commencement of development.

10. Conclusion (The Planning Balance) - The proposed development would deliver much needed school infrastructure to the town of Westbury and the proposals would not have an

adverse impact on the character of the area, the amenities of adjoining occupiers or transport safety. As such the proposals are considered to be acceptable and in accordance with the development plan.

RECOMMENDATION - 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: Red Line Location Plan; Existing Site Plan Rev A; Phase 1 Site Plan Rev A; Roof Plan Existing and Phase 1; Roof Plan Phase 2 Rev A; All Phases GIFA (Gross Internal Floor Area) Plans Rev A; Ground Floor Existing and Phase 1 Plan and Phase 1 Section; Ground Floor Phase 2 and Sections B and C Rev A; Existing Elevations; Phase 1 Elevations ; Phase 2 Elevations Rev A; Elevations All Phases Rev A, received 30th August 2016. Phase 2 Site Plan Rev C, received 20th October 2016. Bin and Cycle Stores, received 03rd November 2016

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

3. No development shall commence on site until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

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

- a) the parking of vehicles of site operatives and visitors;
- b) the loading and unloading of plant and materials;
- c) the storage of plant and materials used in constructing the development;
- d) the measures to control the emission of dust and dirt during construction;
- e) the hours of construction, including deliveries;

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

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

5. Phase 2 of the development shall not be brought into use 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.

6. Phase 2 of the development shall not be brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

7. Phase 2 of the development shall not be brought into use until an updated School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

- Promotion of safe walking routes to school by identifying and mapping routes (particularly off-road footpaths), park-and-stride locations, and five- and ten-minute walking zones;
- Establishment and operation of a walking bus from appropriate park-and-stride locations such as the Co-op car park;
- Establishment of a rota of parents to monitor parking on Arundell Close;
- Details of implementation and monitoring and shall be implemented in accordance with these agreed details.

The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

8. Phase 2 of the development shall not be brought into use until the refuse and recycling facilities shown on the approved plans have been provided and made available for use. These facilities shall be maintained in accordance with the approved details thereafter.

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

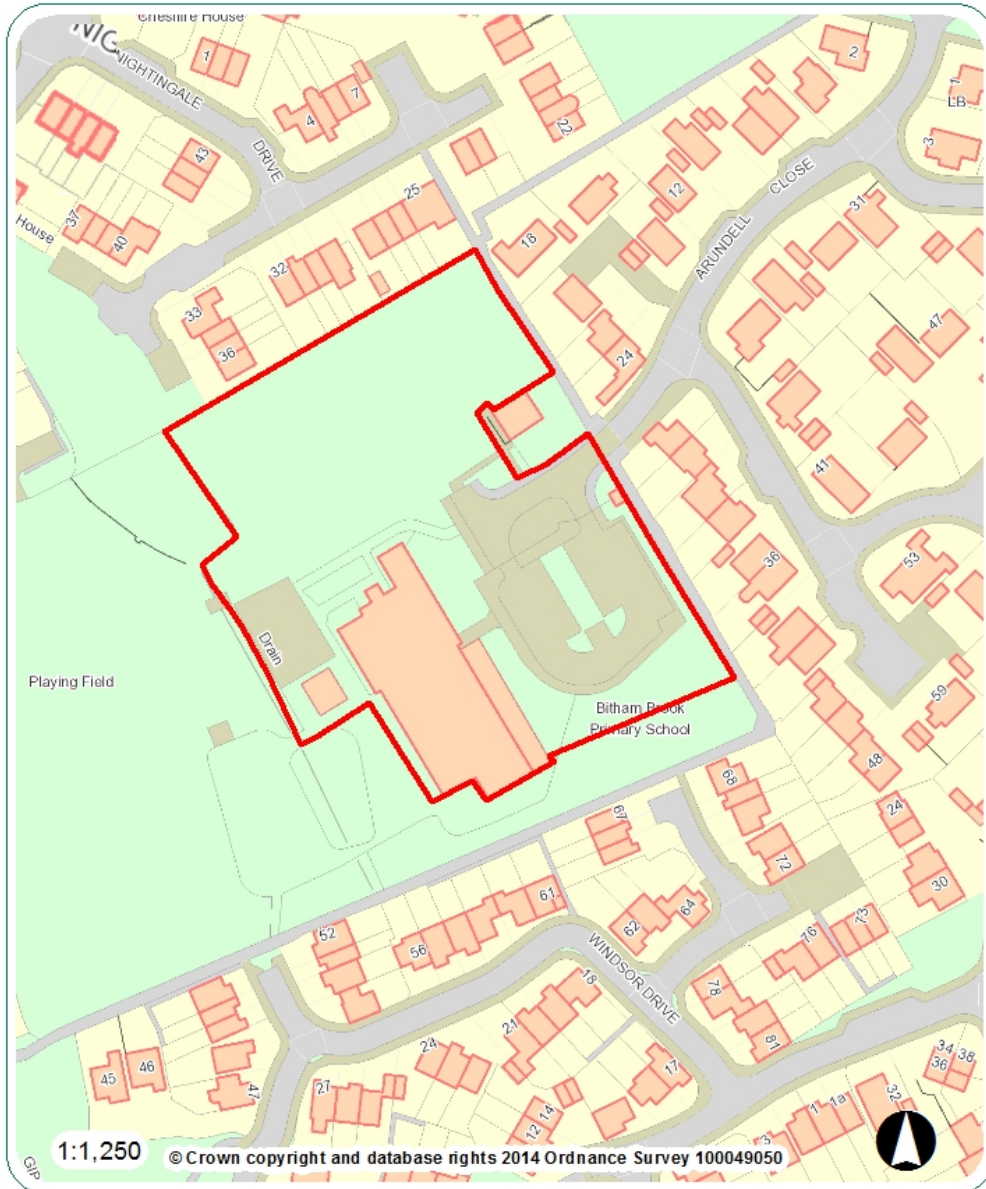
9. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building with the exception of the Trespa Cladding System to be used on the end elevation of phase 1 which shall be in accordance with the details submitted with this application.

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

10. The MUGA hereby permitted shall only be used between the hours of 09:00 and 18:00 from Mondays to Saturdays only.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

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REPORT FOR WESTERN AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	23 November 2016
Application Number	16/08019/FUL
Site Address	6 Springfield Park, Trowbridge, Wiltshire BA14 7HT
Proposal	Two bedroom bungalow with associated parking and amenity area
Applicant	Mr Patrick Ranger
Town/Parish Council	TROWBRIDGE
Electoral Division	TROWBRIDGE ADCROFT – Cllr Nick Blakemore
Grid Ref	386409 158414
Type of application	Full Planning
Case Officer	Eileen Medlin

Reason for the application being considered by Committee

Cllr Blakemore has requested that should officers be minded to support this application, it should be brought before the elected members of the planning committee to debate and determine and to afford the opportunity to local residents to participate.

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 discussed in this report are:

- The principle of the development,
- Impact on Heritage Assets
- Impact on the character and appearance of the area,
- Impact on neighbouring residential amenities,
- Highway safety and parking.

3. Site Description

The application site is located in Springfield Park to the north of Hilperton Road within the established town policy limits. The application site comprises the existing 2-bed bungalow at No 6 and its garden. The Hilbury Court Hotel (a Grade II Listed Building) is located to the northeast of the application site and shares part of the rear boundary. The Trowbridge (Hilperton Road) Conservation Area is located to the south east of the site, including Hilbury Court Hotel. Within the immediate neighbourhood to the site, there is a mix of property type and styles including both two storey and single storey properties.

4. Planning History

W/88/02038/FUL - Alterations to bathroom and extension to kitchen – withdrawn

5. The Proposal

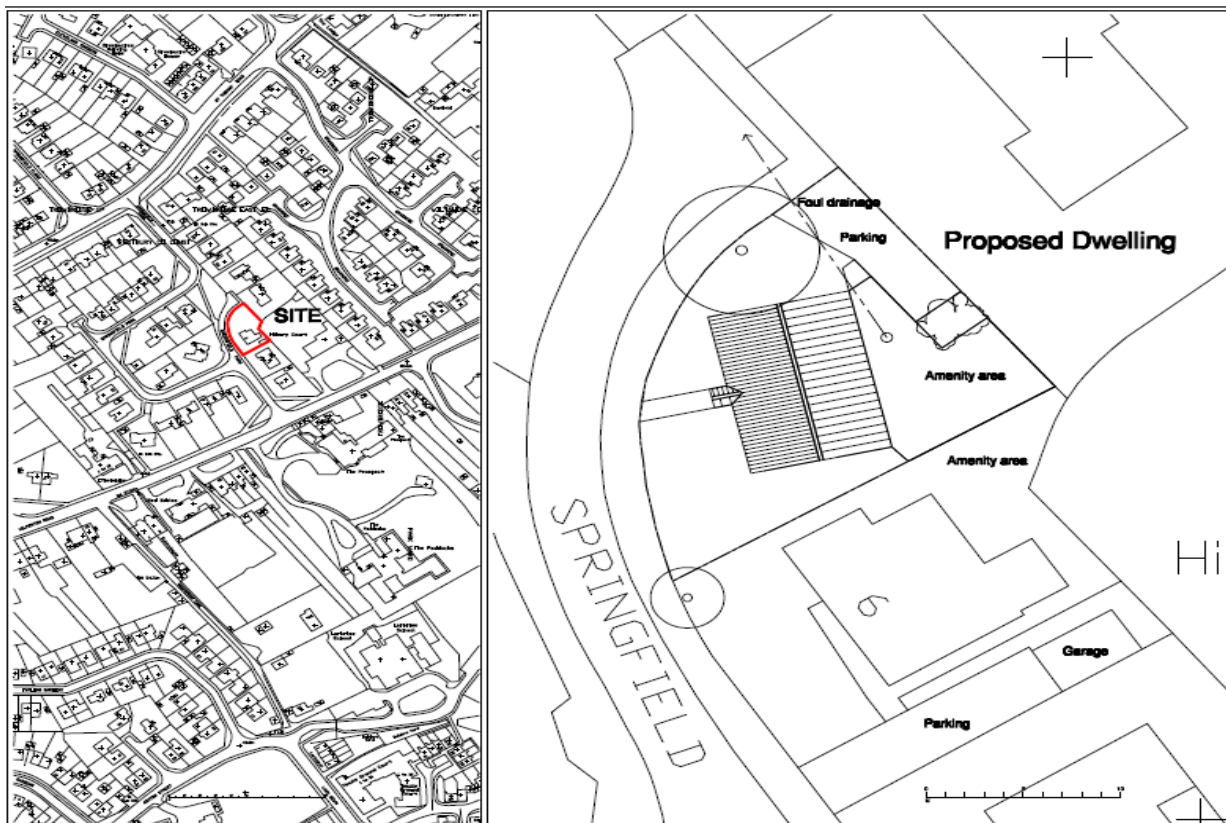
This application proposes the erection of a bungalow in the garden of No 6 Springfield Park. The existing house and garden occupies a site of approximately 0.06 hectares (or 600sq.m)

and the proposals would result in the two residential units being sited on circa 300sq.m plots. A new boundary fence would be set approximately 1m from the flank elevation of No 6.

The proposed bungalow would have a gross internal area of approximately 65sqm (70sqm externally) containing two bedrooms and an open plan living/dining/kitchen area. The bungalow would have a pitched roof with an eaves height of 2.2m and a ridge height of 5.2m. It would be located to the north west of the existing house in the existing garden. The house would be orientated at a slight angle to the host property with approximately 230 sq.m of external amenity space including front garden, rear garden and parking.

The irregular shaped area of rear private amenity space would measure about 50sqm. The proposed house would have a new vehicular access formed off the hammerhead located to the north. The hammerhead currently serves No 8 and No 10 Springfield Park; and the proposed access would be perpendicular to their existing entrances.

In terms of the existing host property at No.6, its footprint measures approximately 90sqm plus a further 10sqm including the garage. Under this application, No.6 would retain approximately 200sqm of external amenity space consisting of a front and rear garden and parking space, with a rear garden of approximately 50sqm. The parking for No.6 would remain unaltered.



6. Local Planning Policy

The National Planning Policy Framework (NPPF)

The Wiltshire Core Strategy (WCS) was adopted on 20th January 2015 and therefore holds full weight in planning terms. The following Core Policies (CP) are relevant when assessing this application: CP1 (Settlement strategy), CP2 (Delivery strategy), CP3 (Infrastructure requirements), CP29 (Trowbridge Area Strategy), CP41 (Sustainable construction and low carbon energy), CP51 (Landscape), CP52 (Green Infrastructure), CP57 (Ensuring high quality design and place shaping), CP58 (Ensuring conservation of the historic environment), CP60

(Sustainable Transport), CP61 (Transport and Development), CP62 (Development impacts on the transport network), CP64 (Demand Management), CP67 (Flood Risk)

When adopting the WCS, some policies continue in force from the West Wiltshire District Local Plan (1st Alteration) (WWDLP) were saved. Those which are relevant to this application include: U1a (Foul Drainage/sewerage treatment)

Wiltshire Waste Core Strategy - WCS6 (Waste Audit)

The following document list also merits due consideration:

- Wiltshire's Community Infrastructure Levy – Planning Obligations Supplementary Planning Document (Planning Obligations SPD)
- Wiltshire's Community Infrastructure Levy - Charging Schedule (Charging Schedule)
- Wiltshire's Community Infrastructure Levy - Regulation 123 List (123 List)
- Wiltshire Local Transport Plan 2011-2026 – Car Parking Strategy

7. Summary of consultation responses

Trowbridge Town Council: No objection, subject to no significant adverse impact on neighbouring amenity.

Wiltshire Council Highways Officer: No objection, subject to conditions.

Wiltshire Council Conservation Officer: No objection since the development would have a neutral impact on heritage assets.

Dorset & Wiltshire Fire and Rescue Service: No objection

8. Publicity

A site notice was placed on the site boundary and the immediate neighbours were individually notified of the application. Following the public notification processes, 11 letters of objection have been received from 7 neighbouring occupiers raising concerns about the application for the following reasons:

- Cramped form of development
- Impact on access to Nos 8 and 10
- Parking of construction vehicles
- Out of keeping with the character of the area
- Drainage
- Lack of amenity space for future occupiers
- Tandem parking will result in reversing in front of entrances to No.8 and No.10
- Visitor parking will obstruct access to No.12
- Restrictive covenant in place (not relevant to planning)
- No letter sent to No.10 Springfield Park
- Application should be considered by committee
- New access would have an adverse impact on the amenities of No.8 and No.10.
- Loss of green infrastructure
- Adverse impact on built environment
- Increase in flooding
- Refuse vehicles do not collect outside No.8 and No.10 with bins put in front of No.6.

Following the publication of the above concerns, the applicant provided the following rebuttal:

- The parking space at No 6 will be widened to allow for parking during construction
- Drainage will meet the requirements of Wessex Water
- Current construction traffic is from two sites on Hilperton Road
- Legal aspects of the proposal will be satisfied by their legal advisors

- The proposal is for a much needed bungalow
- There has been interest in No 6 from prospective buyers who want a small garden

9. Planning Considerations

9.1 Development Plan - 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 this case, the Wiltshire Core Strategy, including those policies of the West Wiltshire District Plan that continue to be saved and enshrined within the WCS, constitutes the relevant development plan for the Trowbridge area.

The application site is located within the limits of development of Trowbridge where there is a presumption in favour of sustainable windfall residential development opportunities (CP1 refers). The principle of a dwelling in this location is therefore acceptable provided that the impacts can be satisfactorily accommodated. The impacts of the development proposal have been carefully appraised and the following sections deal with the issues in turn.

9.2 Impact on the Nearby Listed Building/Heritage Asset - Above the various tiers of planning policy and guidance is the over-arching statutory requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special regard to the “*desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” (S66).

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 similarly requires special regard to be given to the desirability of preserving the character and appearance of designated conservation areas.

Paragraph 132 of the NPPF furthermore states that “*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...Significance can be harmed or lost through... development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*”

Paragraph 135 of the NPPF advises that “*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*”

Core Policy 58 of the Wiltshire Core Strategy echoes the above national policy in seeking the protection, conservation and, where possible, enhancement of heritage assets.

The proposed infill development would take place adjacent to the rear boundary of Hilbury Court Hotel which also forms the boundary of the Conservation Area.

The hotel is a Grade II listed building, added to the list in 1976. Built as a medium sized gentleman’s residence in the first years of the 19th century, the house occupied a modest plot in the newly fashionable wealthy suburb of Trowbridge along Hilperton Road. This distinctive area (which lies to the south of the site boundary) is designated as the Hilperton Road Conservation Area.

The hotel’s boundaries remain unchanged from construction but its surroundings have changed dramatically. To the west, Springfield Park was built by the 1970s on the site and grounds of a larger residence called Springfield. To the east, previously open land was developed for further estate housing towards the end of the same decade.

The elements of the building’s setting which contribute to its significance today are largely confined to its immediate garden area, which has remained much the same since the house

was constructed. In addition, the building's relationship with Hilperton Road and other remaining high status properties which were built in the 19th and early 20th centuries has historic interest and contributes to an understanding of the building's history. The Conservation Area boundary (which includes Hilbury Court Hotel) is drawn to reflect this area of interest. The wider setting to the west, north and east, of well-established suburban estate housing makes no positive contribution to the building's significance (or to that of the conservation area, from which it is excluded) but has remained largely static since the time of listing. Changes within these surroundings which are in harmony with the general scale and character of the area and which do not significantly reduce the generally leafy nature of the area, such as the current proposal, will not cause any additional harm to the setting of the listed building or to the adjacent conservation area.

The Council's Conservation officer has advised, as discussed above, that the proposed development would have a neutral impact on the setting of the listed building given the existing setting, separation distances and property/plot relationships and therefore the proposal is considered to be acceptable in this regard.

9.3 Impact on the Character and Appearance of the Area – Core Policy 57 requires a high standard of design in all new developments. It advises that development is expected to create a strong sense of place through drawing on the local context. The proposed development would bring about a subdivision of an existing plot to provide an additional single-storey property. The design of the new bungalow would be in keeping with the character and appearance of the area with complimentary proposed construction materials and elevation treatment. In terms of the layout, the proposal would result in two properties set within reasonably sized plots which would still provide an adequate level of external outdoor amenity space. The proposed siting of the new residential unit would follow the curve in the road; and would have an acceptable relationship with neighbouring properties. The proposed development would not appear incongruous or harmful; and the siting, design, mass, bulk and spatial relationships are considered acceptable.

The creation of rear gardens of a shallow depth would not be an uncharacteristic feature of the immediate area. Nos 2 and 4 to the south of the site also have short rear garden with the majority of their open space to the front and side of the properties which are enclosed by low stone walls.

Overall, it is considered that the proposal would not have an adverse impact on the character and appearance of the area and, the proposal complies with Core Policy 57.

9.4 Impact on Residential Amenities – In terms of the impact on neighbouring occupiers, the impact on No 8 requires the most careful appraisal. No.8 is located to the north east of the site and shares a boundary with the application site. No 8 is also a bungalow and faces south west. One window on the front elevation directly faces the application site. This window is approximately 7m from the close boarded boundary fence. The proposed house would be sited 4m from the boundary fence at its closest point. There would therefore be at least 11m separation between the two single-storey properties. It is considered that the relationship and separation distance between the proposed house and No.8 is acceptable and would not result in adverse impacts in terms of loss of sunlight/daylight or residential amenity and privacy given the distance, orientation and height of the proposed property and the existing boundary treatment. It is considered that the other neighbouring properties are sufficiently distant from the proposed house and that the proposals would not have an unacceptable impact on amenities. Therefore it is considered that the proposal is in accordance with Core Policy 57 in this respect.

The proposed house would be adjacent to No 6 and would not extend further forward or to the rear of the existing property. There are existing windows on the side elevation of No 6 but it is acknowledged that these are not principal windows. It is considered that the proposed relationships are acceptable in this regard.

Whilst the development would result in two plots that are smaller than the neighbouring gardens of adjoining properties, the amount of amenity space that would be retained, would be acceptable and policy compliant with respect to Core Policy 57 and paragraph 17 of the NPPF.

9.5 Highway Safety and Parking - The application proposes a new access and two parking spaces. The Council's highway officer has raised no objection to the proposal in terms of access and parking. The application would provide sufficient on-site parking space in line with Council standards and a safe access constructed off the adopted hammerhead can be provided. The proposal is considered to be acceptable on transport grounds and in accordance with policies 60, 61, 62 and 64 of the Core Strategy and the NPPF.

9.6 Other Matters - A number of objectors have referred to concerns about construction traffic and localised disruption. Given the access to the site, located off the hammerhead, it is considered necessary and appropriate to impose a pre-commencement planning condition requiring a construction management plan to be produced for the future consideration of the Council. A condition is also recommended to ensure that surface water drainage is dealt with on site in accordance with Core Policy 67.

10. Conclusion (The Planning Balance) - The proposed development is considered to be an acceptable windfall development within the established settlement limits. The proposed bungalow would be in keeping with the character and appearance of the area, and would not have an unacceptable impact on the amenities of adjoining occupiers and would provide an adequate standard of amenity for future occupiers. The proposal would provide a safe access and sufficient on-site parking in line with Council standards and is considered to be in accordance with the development plan..

RECOMMENDATION - 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:
1606-01 Location and Block Plan, 1606-02 Proposed Floor Plan, 1606-02 Proposed Elevations, received 16th August 2016

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

3. No development shall commence on site above slab level until 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: In the interests of visual amenity and the character and appearance of the area.

4. 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 brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

5. No development shall commence on site (including any works of demolition), until a Construction Management Plan, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) the loading and unloading of plant and materials;
- c) the storage of plant and materials used in constructing the development;
- d) the measures to control the emission of dust and dirt during construction;
- e) the hours of construction, including deliveries;

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

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

6. No development shall commence on site above slab level until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

7. No part of the development hereby permitted shall be first brought into use until the access 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.

8. The development hereby permitted shall not be first brought into use 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.

9. The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. Within 6 months of any dwelling being occupied evidence shall be submitted to and approved in writing by the local planning authority certifying that the stated level or its equivalent has been achieved.

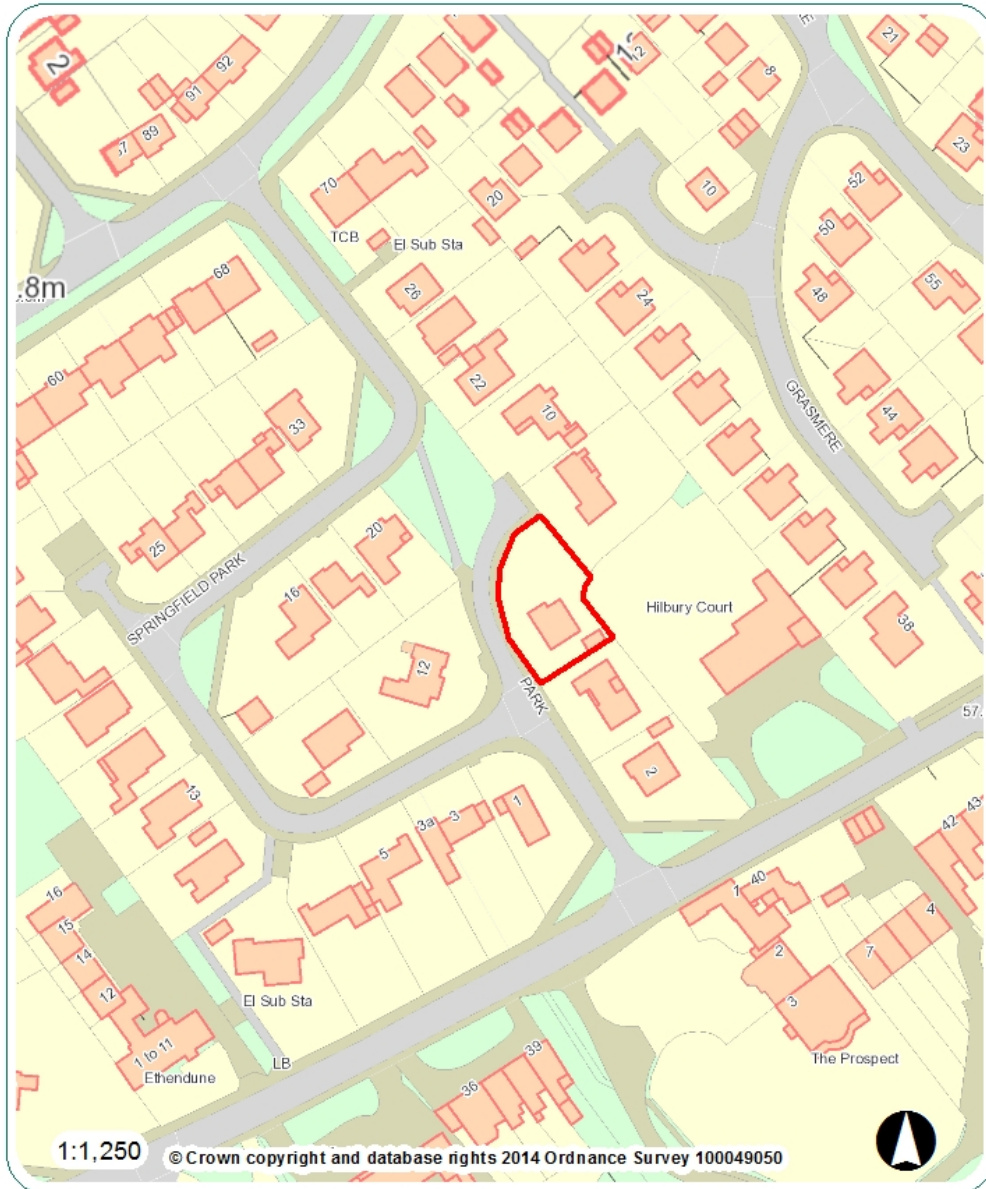
REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out within Wiltshire Core Strategy CP41 are achieved.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwellinghouse hereby permitted and the retained dwelling house (no 6 Springfield park) or within their curtilage.

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.

PLANNING INFORMATIVES:

1. 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



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REPORT FOR WESTERN AREA PLANNING COMMITTEE

Report No.3

Date of Meeting	23 November 2016
Application Number	16/06851/FUL
Site Address	139 Winsley, BA15 2LB
Proposal	Erection of one new attached dwelling, alterations to existing dwelling, access and parking and demolition of outbuildings
Applicant	Mr G Woolley
Town/Parish Council	WINSLEY
Electoral Division	WINSLEY AND WESTWOOD – Cllr. Magnus MacDonald
Grid Ref	379801 160915
Type of application	Full Planning
Case Officer	Kate Sullivan

Reason for the application being considered by Committee

Cllr MacDonald has requested that should officers be minded to support this application, it should be brought before the elected members of the planning committee to consider the following:

The scale of development, the impact on the conservation area and surroundings, the relationships with adjoining properties, the design, bulk, height and general appearance.

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 should be approved.

2. Report Summary

The main planning issues to consider are:

- Principle of Development
- Impact on the Conservation Area/Heritage Assets
- Impact on Neighbouring Amenity
- Impact on Highway Safety
- Impact on Ecology
- Impact on Archaeology

3. Site Description

The application site relates to a semi-detached unlisted double-gabled stone built property located within the Winsley Village Conservation Area and the established 'large village' policy limits. As illustrated on the site location plan which is reproduced on the next page, the site occupies a corner plot which has existing vehicular and pedestrian access openings and off-road parking provision. Abutting the Bradford Road highway, there is a stone wall measuring approximately 1.8m which also includes a detached garage with its road side flank wall measuring approximately 3.5m. The road which serves the plot and twenty or so other properties is a narrow, single track lane that meanders through the village. Within 50m of the site there are

5 grade II listed buildings, the nearest being Burghope Manor, located to the north-west. The other grade II listed buildings, are found at No.115, No.117, No 146 Winsley and The Barn.



4. Planning History

There are no recorded planning applications listed on the Council's planning history database. The only recorded application relates to the following submission and decision:

W/02/01898/TCA Crown thinning and pruning of one Birch tree – Consent 23 Jan 2003

5. The Proposal

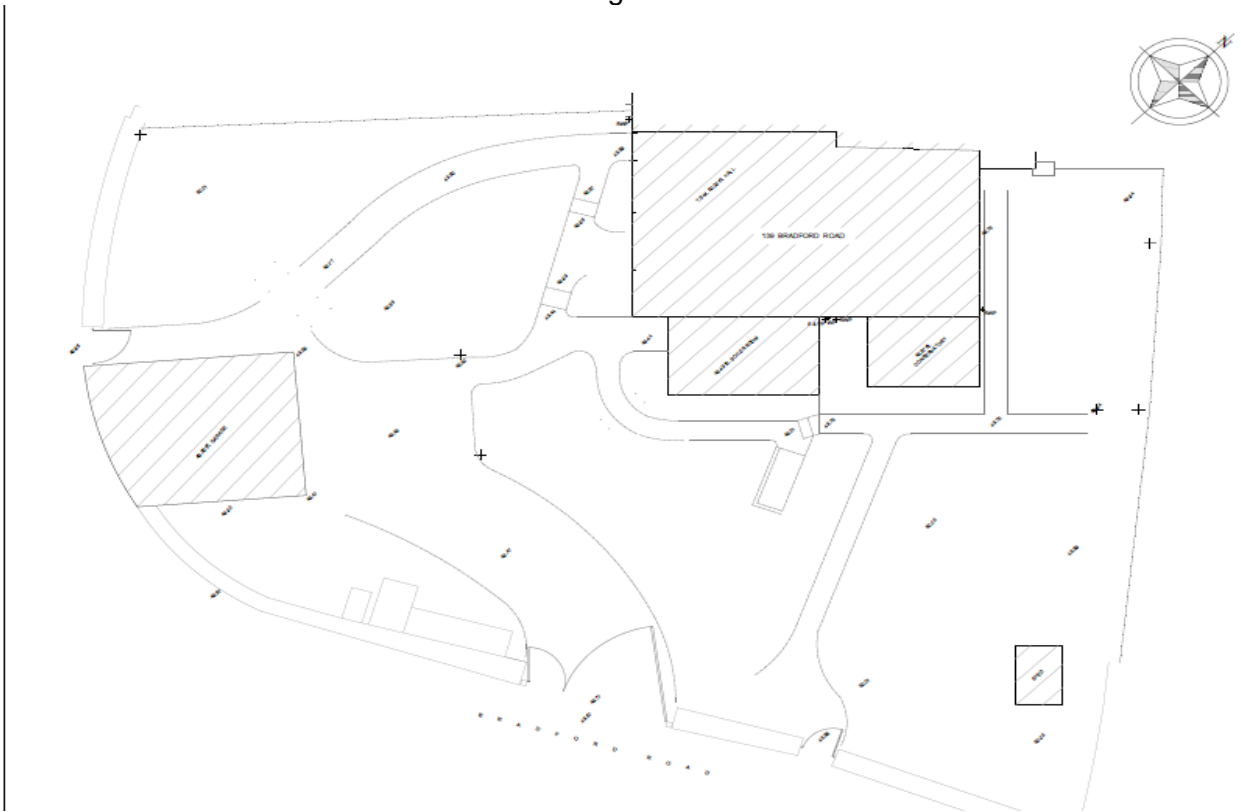
Under this submission, the applicant proposes to erect a two-storey double-gabled 3-bedroom dwelling to be constructed off the south-east gable elevation of the host property at No. 139, thereby creating a terrace of three properties. The new house would also have a single-storey rear extension to accommodate a kitchen. Existing single storey gable additions would be demolished to accommodate the new building which would be constructed using similar detailing to the host property, namely having coursed rubble stone walls with bath stone dressings, string courses and cills, wooden windows, under a double roman clay tiled roof with coped verges and an ashlar stone chimney. The roof of the proposed new house would have a ridge circa 0.8m below the existing ridge line of the host property.

The existing detached garage (with a volume of circa 80m³) and a section of wall which form part of the boundary to the property would be demolished to provide a new vehicular access and on-site car parking space for four cars to serve both the existing and proposed dwelling.

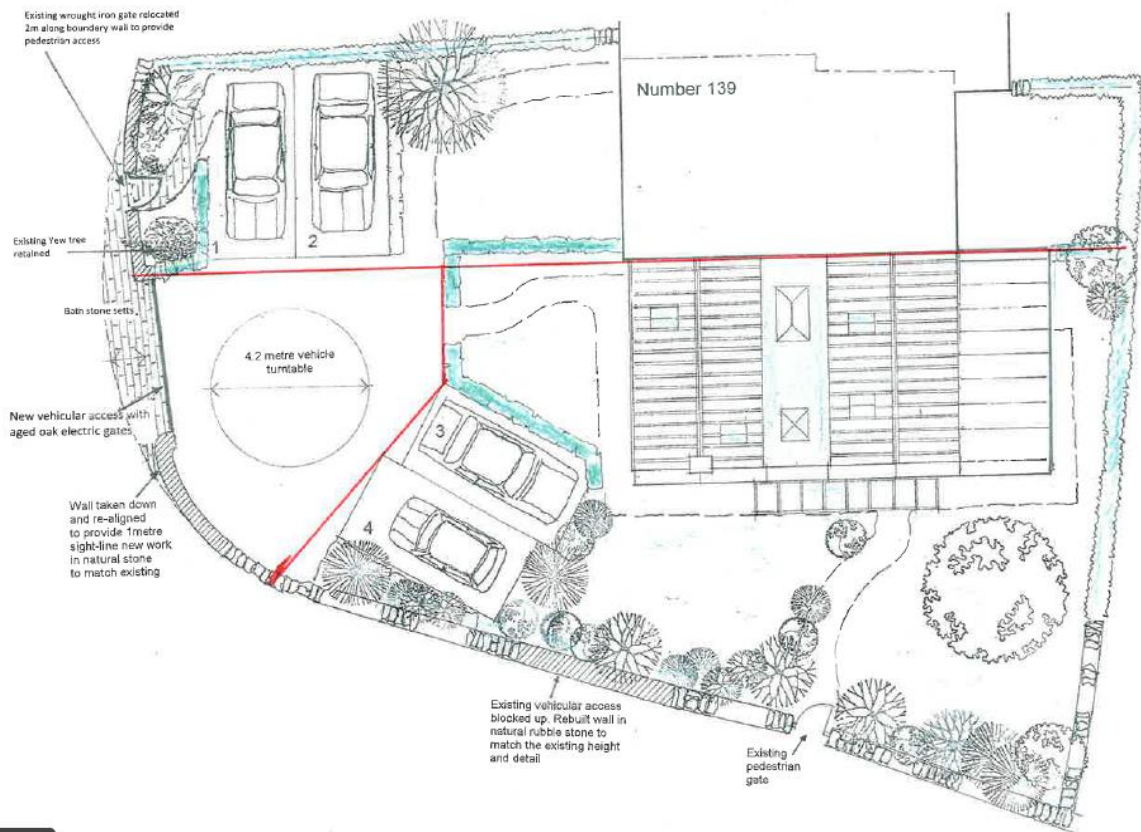
The existing vehicular access would be blocked up using natural rubble stone to match the existing wall height and detailing.

The following two plans illustrate the existing site plan and what is proposed.

Existing Site Plan



Proposed Site Plan



x 8,27 in

In order to accommodate the required number of parking spaces for both the existing and proposed properties and to retain sufficient amenity space within the site, a shared turntable is proposed to allow cars to park and leave the site in a forward gear.

6. Planning Policy

The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)

The Wiltshire Core Strategy (2015) CP1 - Settlement Strategy; CP2 – Delivery Strategy; CP7 - Bradford on Avon Community Area (Winsley); CP41 - Sustainable construction and low carbon energy; CP45 - Meeting Wiltshire's Housing Needs; CP50 Biodiversity and Geodiversity; CP57- Ensuring High Quality Design and Place Shaping; CP58 - Ensuring the Conservation of the Historic Environment; CP61 - Transport and Development; CP64 - Demand Management

West Wiltshire District Plan 1st Alteration, 2014 Saved Policy H18 - Area of Minimum Change

Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy

7. Summary of Consultation Responses

Winsley Parish Council - Object and requested that the application be called to committee for the elected members to debate the following matters:

- Parking – This is a problem within the village, and the use of the turntable whilst an excellent solution, would not be practically workable. The shared nature of the use of the turntable would require co-operation between two different households, there would be on-going maintenance and doubts are cast as to whether two cars could use it, which would potentially lead to two cars being parked on the road.
- Housing need – This development on its own would not satisfy the housing requirements, as the applicant has indicated that both properties would be placed on the rental market. Even, if they are sold in the future, they are unlikely to be affordable since they are to be renovated and built to a high standard.
- Impact on the Conservation Area - It is recognised that the current condition of the site is not desirable. However it was agreed that the refurbishment of an untidy site is not a good reason to permit development. It was also agreed that the proposed development would be to a high level and in keeping with the location. However, there were a number of objections raised about removing a large extent of the stone wall to be replaced by a new opening and timber gates. In addition, concern was raised about the amount of space being set aside for car parking and manoeuvring, which would result in the loss of garden and shrub planting.

Wiltshire Council Highways - No objection.

Wiltshire Council Archaeologist - No objection.

Wiltshire Council Conservation Officer - Supportive subject to conditions. This host property is not listed, but the building and its boundary walls are historic and examples of vernacular architecture within the village; and are therefore considered to be non-designated heritage assets. The designated heritage assets under consideration here are the Conservation Area and the nearby Grade II listed Burghope Manor.

In terms of the impact of the proposals on the Grade II listed Burghope Manor, the proposal would not adversely affect its setting due to the Manor's siting, location and seclusion in relation to No.139 Winsley. There would however be some effect on the Manor's south east boundary wall, which is a curtilage grade II listed structure.

The prevailing character of this part of the lane, from the Limpley Stoke Road entrance through to the St Nicholas church, is one of vernacular houses with strong boundary features, namely, stone

walls of differing appearances and heights ranging from approximately 1.5m to 1.8m, with a few exceptions.

The application site property has several wall openings along the site frontage and includes an existing garage with its blank gable wall fronting the highway extending above 3.5m in height.

According to historic maps, the garage building appears in the mid 19th Century and was probably a more substantial building than the existing simple mono-pitch roofed garage. The applicant's submitted heritage statement does not go into much detail about the garage building, but does indicate that its removal would bring about a positive impact to the conservation area. The garage has a rather poorly fitted mono-pitch roof, but is not unattractive. It is important to duly acknowledge that the garage is not listed, and although located in a Conservation Area, due to its size being less than 115 m³, it could be demolished without the need for planning permission.

This is because demolition of small buildings of this size is permitted by a Direction made in 2015 by the Secretary of State when he abolished the requirement for Conservation Area Consent for the demolition of buildings, replacing it with the need to apply for planning permission. In order to keep the previous exemptions from conservation area consent that existed for the demolition of small buildings, he carried it forward in this Direction to ensure that planning permission would similarly not be required for such small works.

So whilst this garage building is part of, and could be argued to add to, the ad-hoc historic character of the lane, the building could be legitimately removed without requiring the consent of the Council; and as a consequence, a heritage based objection cannot reasonably be made to its removal. Likewise, the partial loss of the boundary wall to create a new access is not objectionable from a Conservation Area / heritage perspective.

The impact of these proposed changes on the setting of the curtilage listed wall to Burghope Manor would not be detrimental. The lane is characterised by strong, well defined boundaries, but there are several vehicular and pedestrian openings set within them all along the lane and therefore a new opening at the proposed location along the lane would not be out of character in general. The blocking up of the existing vehicular access, providing it is done in matching stone and detailing, would have a neutral impact on the character of the Conservation Area.

Turning now to the proposed new dwelling to be attached to the existing building, it is noted that there are other houses in the surrounding area set within similar sized plots. So, in terms of the prevailing density and grain of development within the Conservation Area, houses on relatively small plots mixed with houses on larger plots contributes to the character of the area/historic core of the village.

The proposed dwelling would be set below the ridge of the existing house and would use design details taken from No. 139, such as the string courses, the window detailing and surrounds, as well as the chimney. The proposed materials would also match the existing building and consequently, the proposal would be in keeping with the surrounding non-designated heritage assets in the Conservation Area.

From the details submitted and after visiting the site, the proposal would be in keeping, sympathetic and subservient to the existing dwelling and those in the immediate area. Conditions can be imposed on a grant of planning permission to ensure that the high quality use of materials, as referenced on the plans, is taken through to the development stage. For the above reasons the scheme would result in no harm to the designated and non-designated heritage assets. The impact on the character of the Conservation Area, the setting of the curtilage listed Burghope Manor wall, and the surrounding non-designated heritage assets would be neutral.

Wiltshire Council Ecologist – Supportive, subject to a condition, requiring the applicant/developer to undertake works in strict accordance with the ecological appraisal recommendations set out within Section 5 of the Preliminary Ecological Assessment and Emergence Survey for Bats by Johns Associates dated May 2016. The application site is not within or immediately adjacent to any site designated for nature conservation although it is within a core foraging area for greater and lesser horseshoe bats associated with the Bath & Bradford on Avon Bats Special Area for Conservation (SAC). However the modest nature of the proposed development, in ecology terms, is unlikely to result in loss of foraging for these species. A comprehensive bat survey of the buildings within the site has been carried out by Johns Associates which found no evidence of current or recent use of the site by bats for roosting. Recommendations are given in the subsequent report for precautionary measures in respect of nesting birds and for enhancement measures for bats. The completed survey work has been of a sufficient level to correctly identify the ecological context of the site and the likely effects of the development on key sensitive receptors. The Council's ecologist concurs with the conclusions stating that the development would unlikely result in negative impacts for any protected sites or species.

Wiltshire Council Tree Officer – No objections.

Wiltshire Fire and Rescue Service – Provided planning informative advice and guidance on the following matters:

- 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.

Wessex Water – No objections subject to agreements being reached between the applicant/developer and Wessex Water with respect to the following:

- Water supply and waste connections;
- S105a public sewers;
- Separate sewer systems will be required with no surface water connection permissible to the foul water system.

8. Publicity

A site notice was displayed along the site frontage on 15 July 2016 and the adjoining neighbours were individually notified.

Following the public notification processes, 24 letters of objection have been received and whilst several of the letters appreciate the need and possibility of renovating and remodelling the host property, the proposed extension to form a new dwelling has brought about the following local raised concerns:

- Detriment to Conservation Area and impact on Grade II listed property located nearby as well as several unlisted, but historic cottages;
- Overdevelopment of the site;
- The proposed development is not subservient to host property;
- Detrimental impacts on neighbouring properties amenity re. overlooking and overshadowing;
- Loss of garden – would become a car park with a proposed alien turntable feature;
- Loss of historic fabric – the historic boundary wall – Its removal would degrade the conservation area;
- Inappropriate gentrification;
- There is no need for more housing in the village;
- Highway safety concerns with a new access being proposed on a blind corner;
- There would be increased traffic and noise disturbance;
- The 30-minute traffic survey is not representative of traffic flow/volume and it underestimates the impacts;

- The scale, bulk, design and fenestration treatment would be out-of-keeping with the old village;
- If the properties are rented out, future temporary occupiers might not have the same respectful appreciation for the old village;
- Concern about the impacts on the established Yew tree;
- Unnecessary loss of wrought iron gates;
- Where will refuse bins be sited?
- The planning committee should visit the site before reaching a decision.

There was also 1 letter of support received as part of the public notification, which highlighted the following:

- The development would not be harmful to the Conservation Area;
- The boundary wall, along with others found nearby, is not of consistent good quality;
- There are various types of construction material found locally;
- There is local precedent set with rebuilding or setting boundary walling back;
- The garage identified for demolition would bring about a positive change to the conservation area;
- Having a turntable to assist with parking manoeuvres is not grounds for objection;
- The new property would offer a housing opportunity for families with school age children. It is reported that there is only one family in the conservation area with school age children. Having more family housing would support the school;
- The current restoration work taking place at the property is of a high standard; and the proposed development should be supported;
- If it is to be approved, imposing a condition requiring the use of grasscrete for the car parking would visually minimise the loss of green space.

9. Planning Considerations

9.1 Principle of Development - The application site is located within the limits of development of Winsley which is a designated large village in the adopted Wiltshire Core Strategy where there is a presumption in favour of sustainable windfall residential development opportunities (CP1 refers) to support the vitality of rural communities. The principle of a dwelling in this location is therefore acceptable provided that the impacts can be satisfactorily accommodated.

The impacts of the development proposal have been carefully appraised and the following sections deal with the issues in turn.

9.2 Impact on Conservation Area/Heritage Assets – Above the various tiers of planning policy and guidance is the over-arching statutory requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special regard to the “*desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” (S16 and 66). Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

Paragraph 132 of the NPPF states that “*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. ... Significance can be harmed or lost through ... development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*”

Paragraph 135 of the NPPF also stresses that “*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a*

balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

Core Policy 58 of the Wiltshire Core Strategy echoes the above national policy in seeking the protection, conservation and, where possible, enhancement of heritage assets.

This subject property is not listed, but the building and its boundary walls are historic and examples of vernacular architecture within the village location and are therefore considered non-designated heritage assets. The designated heritage assets under consideration here are the Conservation Area and the Grade II listed Burghope Manor.

The Council's conservation officer has commented that *“the proposal would not adversely affect the setting of the Manor itself... but there would be an effect on its south east boundary wall, which is a curtilage Grade II listed structure”*. The proposed new dwelling would be located on what would be the far end of a terrace away from the listed wall, and the proposed subservient form of development would result in no harm to the setting of the nearby listed structure.

In terms of significance, the prevailing character of this part of the lane and part of the Conservation Area, from the Limpley Stoke Road entrance through to the St Nicholas church, is one of vernacular houses with strong boundary features. The boundary treatments are mostly stone walls of differing appearance and heights approximately around the 1.5m to 1.8m mark along the lane, with some exceptions, including a number of breaches in the walls to provide car parking and garages. The application site is a private garden of an existing semi-detached property that faces onto the Bradford Road, a narrow lane that serves the historic core of the village. By proposing the new dwelling the existing house would become a mid-terrace property and a terrace of three dwellings would be created. In the immediate area there are a number of terraced dwellings as well as semi-detached and detached dwellings – the plan produced within section 3 is useful in illustrating the spatial relationships and building blocks in this part of the village. Therefore the creation of a 3-property terrace would not be incongruous to this part of the village since there are several within close proximity to the site.

Officers submit that there would be sufficient space within the site to accommodate the new dwelling with adequate private amenity space and parking and turning provision duly allocated to each residential unit. The proposal would not constitute an overdevelopment of the plot and nor would it have a detrimental or harmful impact on the Conservation Area. The existing 2-bed dwelling would retain a garden to the front and back along with two car parking spaces and use of a shared access and turntable. The proposed 3-bed dwelling would have a side garden, utilise the existing pedestrian access, as well as have two dedicated car parking spaces and the use of the shared access and turntable.

In order to accommodate the proposed dwelling, the vehicular access would be re-positioned to allow for a more direct access to the main road, Limpley Stoke Road, rather than the existing access which directs traffic through the historic core of the village.

The design of the dwelling would replicate the wall and roof materials and details which characterise the existing semi-detached dwellings at No's 138 and 139. The new dwelling would have a reduced ridge height and would appear subservient to the host dwelling, whilst at the same time maintain the roof form of the two existing properties. By introducing a front door feature to the front elevation, the proposed development would mirror the existing dwelling; and thus, any views gained from the lane would see the new build as being complimentary and respectful of the existing property character. Hardwood windows to be painted would furthermore be respectful of the site's protected status.

The south east (side) elevation would introduce two sets of French windows under a powder coated aluminium canopy. This would be at ground floor level, set back behind the existing boundary treatment of the site. This detail would nevertheless provide some elevation interest whilst allowing the dwelling to have a direct visual relationship with the garden.

From site inspections, officers duly note that there are a number of different window treatments within the Conservation Area of Winsley, In terms of the application proposals, the full length windows proposed for the existing property could be installed without planning permission. However, the replication of these for the proposed property would carry a consistent design across the newly created terrace. The use of such glazing is not at all unusual or inappropriate; and in terms of the local context, it is considered to be of a scale and quantity which would be complimentary to the Conservation Area.

The use of powder coated aluminium canopies and the mono-pitched roof over the single storey rear extension would be a modern interpretation of a traditional iron roofed addition. Given the modest size of the rear extension, this feature is considered to be acceptable in the Conservation Area. Conservation roof lights can be inserted using the property's permitted development rights and therefore the proposed roof lights illustrated for the host building does not require planning permission. The use of conservation roof lights for the proposed dwelling is acceptable.

The use of a wooden gate to conceal the turntable and parking area would retain the existing enclosed appearance and character of the application site, whilst still providing a practical solution for the site. Officers furthermore duly assert that the proposed treatment would be appropriate to the Conservation Area. By way of an example, within the conservation area, parking can be seen outside of the boundary walls or behind modern garage doors as illustrated in the site photographs reproduced below.



The position of the site's existing vehicular access is captured on the upper right photograph. On the extreme right, a wooden gate post forms part of the opening.

The photo on the next page illustrates the existing garage building which forms a part of the boundary wall and the site / road frontage which could be removed without the need for planning permission. The same applies to the proposed partial removal of the stone wall. As long as the wall is not removed in its entirety, no permission is required from the Council. Since the partial demolition works form part of the proposal however, the extent of the wall to be retained and be built up can be controlled by condition. The Conservation Officer has said that the works to the wall are not objectionable from a Conservation Area perspective.



The existing access would be closed, and the salvaged stone from the wall/garage removal should be used to build up the existing vehicular access. A condition is considered necessary to cover this.

The impact of this part of the work on the setting of the curtilage listed wall to Burghope Manor would not be detrimental. The lane is characterised by strong boundaries, as stated above, but there are of course openings within them all along the lane and therefore an opening at this point would not be out of character in general.

The existing wrought iron pedestrian gates which have been identified by some local residents/objectors as being worthy of retention are to be retained and would form part of the boundary treatment.

In order to ensure that the high quality plans are taken through to the development stage, it is recommended that planning conditions are imposed requiring the re-use of stone, to ensure that a sample stonework panel is constructed prior to any house-building works commence, in addition to seeking external joinery and rainwater product details. Providing the details are acceptable, the development would be compliant with Core Strategy policy and the NPPF.

As part of the consultation process, the Council's Conservation officer has concluded that the character of the Conservation Area, the setting of the curtilage listed Burghope Manor wall, and the surrounding non-designated heritage assets would not be harmed by this proposed development, and any effects would be neutral. The proposals would therefore comply with the relevant criteria of CP58 of the Wiltshire Core Strategy and Section 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990.

The general area is known to have high archaeological potential and the Wiltshire and Swindon Historic Environment Records reveal that the proposed development site is situated within the postulated extent of a medieval settlement. However, the County Archaeologist has confirmed having no objection and has acknowledged that given that the development would be carried out within an existing residential garden where there is already evidence of disturbance via the creation of driveways and the formation of the nearby road, the proposal does not require any further archaeological investigation and it is considered compliant with CP58 and the NPPF.

9.3 Impact on the Neighbouring Amenity – Following initial overlooking concerns, the applicant submitted revised plans which removed proposed first floor windows on the rear elevation of the property and re-located a bedroom window onto the side elevation. The rear extension, whilst located close to the boundary would be of single storey; and no demonstrable harm would result. The two-storey extension to create the new residential unit has been carefully assessed taking into account separation distances to neighbouring properties and house orientation and the sun's path. Following this appraisal, no significant overbearing or overshadowing would result.

The site would retain sufficient space to accommodate on-site bin storage. The proposal is policy compliant with the relevant criteria of CP57 of the Wiltshire Core Strategy.

9.4 Impact on Highway Safety – Following extensive discussions with the Council's highways team, the proposed development is considered acceptable in highway safety terms. Whilst it is acknowledged that the local road network has constraints, it is accepted that along Bradford Road, vehicle volume and speeds are extremely low, and generally traffic using the lane moves in low gears at approximately 10mph. It is furthermore submitted that the proposal would bring about a highway betterment overall in terms of relocating the vehicular access allowing vehicles to access and exit the site with less manoeuvres and the blocking up a constrained access point would direct traffic away from having to use the historic core of the village.

As directed by the NPPF, it is important to be mindful that paragraph 32 duly directs decision makers to appreciate that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*".

The highways team have duly appraised the submitted transport assessment which accompanies this application, have undertaken site visits and have concluded that the development can be supported.

In order to meet the Council's car parking standards, the host dwelling and the proposed new build property would each have 2 dedicated off-road car parking spaces and manoeuvring would be aided by a car parking turntable, which is a feature supported by officers. Although representations have been made questioning the use of a turntable, its maintenance and use, officers support its implementation to aid drivers to enter and exit the site in a forward gear and to assist parking, whilst minimising the amount of garden loss. The turntable can be landscaped to sit comfortably within the site and there is no justified planning reason to oppose it. Similar turntables have been installed in the county where no onsite turning is available, including a property on the A361 Bath Road in Devizes.

In response to local concern, the applicants' agent advises that deliveries of construction materials would be infrequent and of short duration. The garage would be demolished and new wall opening would be created at the outset, enabling deliveries to be made via a new access point. All sand/cement/blocks/timber would be delivered by small pick-up trucks that can reverse into the new opening. The existing access would remain open until the building works have been completed. This would enable construction vehicles to park on the site clear of the public highway. There may be limited occasions when delivery vehicles need to park on the highway adjacent to the property to offload materials, in particular deliveries of ready mix concrete. However, this would be very short-lived (generally around 15 minutes), and would be no different from the situation that occurs with the many other construction projects that are ongoing in the village. It is accepted that construction work does create additional vehicle movements and some nuisance, but this would be for a limited period of time only, and can be suitably controlled.

The applicant's agent has also confirmed that the existing dwelling would remain unoccupied until the completion of the works, as it would be impractical for it to be occupied whilst

construction works are being undertaken. This would therefore provide additional space for construction vehicles to be parked on-site during the construction phase.

In conclusion, after an extensive appraisal and discussions, the proposed alterations to the vehicular access would improve the current arrangements at the site. Whilst the constraints of the local road network are duly acknowledged, the necessary parking can be provided and no highways objection has been raised. The proposal is therefore considered to comply with the relevant criteria of CP61 and CP64 of the Wiltshire Core Strategy, and the relevant paragraphs of the NPPF as well as the Wiltshire Car Parking Strategy.

9.5 Impact on Ecology - The application site is not within or immediately adjacent to a site designated for nature conservation although as noted by the Council's ecologist it is "*located within a core foraging area for greater and lesser horseshoe bats associated with the Bath and Bradford on Avon Special Area for Conservation (SAC). However the small size of the proposed development is unlikely to result in loss of foraging for these species*".

A comprehensive bat survey of buildings within the site was undertaken by Johns Associates which found no evidence of current or recent use of the site by bats for roosting. Recommendations are given for precautionary measures in respect of nesting birds and for enhancement measures for bats. Subject to a condition that these measures are carried out the Council's ecologist is satisfied with the conclusions of the report that "*development is unlikely to result in negative impacts for any protected sites or species*".

On the basis of this expert advice, subject to a planning condition, the proposal would comply with the relevant criteria of CP50 of the Wiltshire Core Strategy.

9.6 Other Matters - The Council's arboricultural officer has visited the site and is aware of the trees on site. He is satisfied with the works that have been carried out and raises no objection to the proposed development. As the plans indicate, the yew tree located near to the proposed vehicular access would be retained.

Comments received about the applicant's intention to let the properties, and concerns raised about them being too large or unaffordable due to the proposed high quality specification are not material planning issues and they should not influence the determination of the application.

10. Conclusion (The Planning Balance) - The proposed development is considered to be an acceptable windfall development within the established large village limits of Winsley. The proposed additional house would not harm the character of the conservation area/heritage assets and would be in keeping with the character of the host building and there would be sufficient standard of amenity for future occupiers. The development would not result in significant detriment to neighbouring amenities. The proposal would provide an improved vehicular access and sufficient on-site parking would be provided in line with Council standards. The proposal is in accordance with the policies of the development plan and accordingly permission is recommended.

11. RECOMMENDATION – 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 following approved plans:

Existing Site Plan received 13 July 2016; Existing Context Site Plan received 13 July 2016; Existing Ground Floor Plan received 14 July 2016; Existing First Floor Plan received 13 July 2016; Existing South-East Elevation Plan received 13 July 2016; Existing South-West Elevation Plan received 13 July 2016; Existing North-East Elevation Plan received 13 July 2016; Proposed North-East Elevation Plan received 19 October 2016; Proposed South-East Elevation Plan received 19 October 2016; Proposed Cross Section received 19 October 2016; Proposed South-West Elevation Plan received 19 October 2016; Proposed First Floor Plan received 19 October 2016; Proposed Ground Floor Plan received 19 October 2016; Proposed Site Plan received 29 September 2016; Plot Sub-Division Plan received 4 November 2016.

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

3. The mitigation measures recommended in Section 5 of the Preliminary Ecological Assessment and Emergence Survey for Bats by Johns Associates dated May 2016 shall be carried out in full accordance with the approved timetable detailed in the Ecological Assessment.

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

4. No works shall commence on site above ground floor slab level (except for the demolition works and site preparation including the foundations) until details of all new or replacement rainwater goods (which should be of cast metal construction and finished in black) and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

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

5. No works shall commence on site above ground floor slab level until details of all new external window and door joinery and/or metal framed glazing 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.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the Conservation Area

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

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

7. The dwellinghouse hereby permitted shall not be occupied until the access, turntable and parking spaces have been completed in accordance with the details shown on the approved plans. The access, turntable and parking areas shall be retained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

8. The dwellinghouse hereby permitted shall not be occupied until the existing vehicular access along the site frontage has been blocked up using reclaimed stonework from the on-site wall/garage demolition and the finished wall shall match the existing bedding of stone, coursing, type of pointing and mortar mix.

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

9. 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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the eastern rear elevation above ground floor ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

10. The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. Within 6 months of the dwelling being occupied evidence shall be submitted to and approved in writing by the local planning authority certifying that the stated level or its equivalent has been achieved.

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

INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents 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.

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139 Winsley
Winsley
BA15 2LB



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**Wiltshire Council
Western Area Planning Committee
23rd November 2016**

Planning Appeals Received between 20/10/2016 and 10/11/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
16/02681/FUL	8 Fulmar Close Bowerhill, Wiltshire SN12 6XU	MELKSHAM WITHOUT	Proposed new roof to detached garage with ancillary accommodation	WAPC	House Holder Appeal	Approve with Conditions	07/11/2016	Yes

Planning Appeals Decided between 20/10/2016 and 10/11/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
15/00923/ENF	Land At Sunnyside Yarnbrook Road West Ashton Wiltshire	WEST ASHTON	Breach of conditions - 14/01798/VAR regarding business operations	DEL	Hearing	Enforcement Notice	Enforcement Notice Upheld	28/10/2016	No
15/10492/FUL	Land At Sunnyside Yarnbrook Road West Ashton Wiltshire	WEST ASHTON	Use of land as private gypsy and traveller caravan site, consisting of 2 no. pitches each with 1 no. mobile home, 1 no. touring caravan, and 1 no. utility dayroom, plus stabling.	DEL	Hearing	Refuse	Allowed with Conditions	28/10/2016	No

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