

# AGENDA

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**Meeting:** Northern Area Planning Committee

**Place:** Council Chamber - Council Offices, Monkton Park, Chippenham,  
SN15 1ER

**Date:** Wednesday 18 August 2021

**Time:** 3.00 pm

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Please direct any enquiries on this Agenda to Ben Fielding, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line or email [benjamin.fielding@wiltshire.gov.uk](mailto:benjamin.fielding@wiltshire.gov.uk)

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## Membership:

Cllr Tony Trotman (Chair)

Cllr Howard Greenman (Vice-Chair)

Cllr Chuck Berry

Cllr David Bowler

Cllr Steve Bucknell

Cllr Gavin Grant

Cllr Dr Brian Mathew

Cllr Ashley O'Neill

Cllr Nic Puntis

Cllr Martin Smith

Cllr Elizabeth Threlfall

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## Substitutes:

Cllr Ruth Hopkinson

Cllr Peter Hutton

Cllr Bob Jones MBE

Cllr Jacqui Lay

Cllr Dr Nick Murry

Cllr Tom Rounds

Cllr Clare Cape

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## **Covid-19 safety precautions for public attendees**

To ensure COVID-19 public health guidance is adhered to, a capacity limit for public attendance at this meeting will be in place. **Please contact the officer named on this agenda no later than 5pm on Monday 16 August if you wish to attend this meeting.**

To ensure safety at the meeting, all present at the meeting are expected to adhere to the following public health arrangements to ensure the safety of themselves and others:

- Do not attend if presenting symptoms of, or have recently tested positive for, COVID-19
- Wear a facemask at all times (unless due to medical exemption)
- Maintain social distancing
- Follow one-way systems, signage and instruction

Where it is not possible for you to attend due to reaching the safe capacity limit at the venue, alternative arrangements will be made, which may include your question/statement being submitted in writing.

## **Recording and Broadcasting Information**

Wiltshire Council may record this meeting for live and/or subsequent broadcast. At the start of the meeting, the Chairman will confirm if all or part of the meeting is being recorded. The images and sound recordings may also be used for training purposes within the Council.

By submitting a statement or question for an online meeting you are consenting that you will be recorded presenting this, or this may be presented by an officer during the meeting, and will be available on the public record. The meeting may also be recorded by the press or members of the public.

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meetings at County Hall you will need to log your car's registration details upon your arrival in reception using the tablet provided. If you may be attending a meeting for more than 2 hours, please provide your registration details to the Democratic Services Officer, who will arrange for your stay to be extended.

### **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 7 - 16*)

To approve as a true and correct record the minutes of the previous meeting held on **3 February 2021**.

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**

**Statements**

Members of the public who wish to submit a statement in relation to an item on this agenda should submit this in writing to the officer named on this agenda no later than 5pm on Monday 16 August.

Submitted statements should:

State whom the statement is from (including if representing another person or organisation);

State clearly whether the statement is in objection to or support of the application;

Be readable aloud in approximately three minutes (for members of the public and statutory consultees) and in four minutes (for parish council representatives – 1 per parish council).

Up to three objectors and three supporters are normally allowed for each item on the agenda, plus statutory consultees and parish councils.

Those submitting statements would be expected to join the online meeting to read the statement themselves, or to provide a representative to read the statement on their behalf.

**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 electronically to the officer named on the front of this agenda no later than 5pm on Wednesday 11 August 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 Friday 13 August.

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 members prior to the meeting and made available at the meeting and on the Council's website. Questions and answers will normally be taken as read at the meeting.

## 6 **Planning Appeals and Updates**

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

## 7 **Planning Applications**

To consider and determine the following planning applications.

### 7a **20.09557.FUL - Ferncliffe, Wadswick, Box, Corsham, Wiltshire, SN13 8JD** *(Pages 17 - 24)*

Ground floor extensions to provide enlarged garage, conversion of existing bedrooms into new lounge and office. Installation of dormer windows to provide first floor accommodation with new staircases.

### 7b **20.10382.FUL - Woodlands, The Street, Grittleton, Chippenham, Wiltshire, SN14 6AP** *(Pages 25 - 34)*

Retrospective Erection of summerhouse in rear garden.

### 7c **20.11568.FUL & 21/00220/LBC - The Doctors House, 21 Church Street, Sherston, SN16 0LR** *(Pages 35 - 42)*

Two storey extension and internal alteration.

### 7d **21.00658.FUL - Land off Ashton Road, Minety** *(Pages 43 - 56)*

Change of use of land from agriculture to equestrian. Erection of agricultural storage barn with incorporated equestrian rehabilitation area. Siting of horse walker and rainwater harvesting tank and creation of hardstanding.

## 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**

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

## Northern Area Planning Committee

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 FEBRUARY 2021 AT ONLINE MEETING.

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew and Cllr Ashley O'Neill

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#### 48 **Apologies**

There were no apologies for absence received.

#### 49 **Minutes of the Previous Meeting**

The minutes of the previous meeting held on 9 December 2020 were presented.

#### **Resolved**

**To approve and sign the minutes of the meeting held on 9 December 2020 as a true and correct record.**

#### 50 **Declarations of Interest**

There were no declarations of interest.

#### 51 **Chairman's Announcements**

The Chairman explained the procedure should a recess be required.

#### 52 **Public Participation**

The Chairman explained the rules of public participation and the procedure to be followed at the meeting.

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

53 **Planning Appeals and Updates**

The Chairman moved that the Committee note the contents of the appeals report included within the agenda pack. As such, it was:

**Resolved**

**To note the appeals report for the period of 28 November 2020 to 22 January 2021.**

54 **Planning Applications**

The Committee considered the following applications:

55 **20/04863/FUL - Land Adjacent to Waitrose, Malmesbury By-Pass, Malmesbury, SN16 9FS**

Public Participation:

Mr John Davies, neighbouring resident, spoke in objection to the application.

Mr Barry Lingard, neighbouring resident, spoke in objection to the application.

Mr Campbell Ritchie, neighbouring resident, spoke in objection to the application.

Councillor Phil Exton, on behalf of Malmesbury Town Council, spoke in objection to the application.

Lee Burman, Development Management Team Leader, introduced the report which recommended that the application be approved, subject to conditions, for the change of use of land and the construction of a gabion wall and infilling.

Reference was made to the presentation slides (Agenda Supplement 1) and it was clarified that the description of development had been amended to include that the application was for a change of use of land from agricultural to private amenity space after correspondence with the applicant. It was noted that the application site was the subject of previous proposals that had been refused as a result of concerns over inadequate information provided to assess the archaeological value of the site and perceived harm to the Malmesbury Conservation Area. It was confirmed that these concerns had been addressed as the application had materially changed due to the submission of a comprehensive archaeological assessment, the exclusion of previous proposals for tree planting and further details to the gabion wall. As such, Senior Conservation and Archaeologist Officers had not raised any objections.

Key issues highlighted included: principle of development; impact on the Heritage Asset (Conservation Area); impact on the character, appearance,



visual amenity and openness of the locality; loss of agricultural land; impact on residential amenity; impact on archaeological interest and potential; impact on ecology/County wildlife site; impact on drainage/flooding; impact on trees; and impact on Highways safety.

Members of the Committee had the opportunity to ask technical questions to the officer. The main points of focus included: the size, height, materials and the importation of those materials proposed for the gabion wall and the infill; logistics of the construction process; drainage; designated car parking areas; and the access point. Councillor Peter Hutton additionally sought further clarity as to the possibility of including certain conditions with respect to restricting external lighting and the amount of paraphernalia that could be left on the site.

In response, officers noted: written details as to the materials the gabion wall and infill would be constructed from were included within the application, however Conditions 3 and 4 requested further details including samples. It was also noted that there were discrepancies in the referencing for the wall sections which officers were again pursuing with the applicant for further details via use of condition. Condition 4 was again highlighted, and it was noted that it ensured that the materials for the infill were permeable to mitigate an increase in run off but officers did not have details as to what the construction of the infilling would look like. Officers confirmed that there were no plans for any hard surface parking arrangements included within the proposal but noted that it could be conditioned. The addition of the conditions raised by Councillor Hutton were agreed upon, with officers further suggesting that if members were minded to approve, then they could also include conditioning the submission and approval of a Construction Method Statement and/or Elevation for the gabion wall to further control the details of the proposal. Officers additionally highlighted the lack of objection from Highways officers with regard to the access point and the increase in construction vehicle traffic.

Members of the public, as detailed above, had the opportunity to address the Committee and speak on the application.

Councillor Gavin Grant, as the Local Unitary Member, spoke in objection to the application. The main points of focus were the significant change to the character, appearance and visual amenities of the site/locality; the perceived harm to the conservation area and the negative impacts on neighbouring residents' amenities. Reference was also made to the lack of supporters making representations and the lack of detail and accuracy within the application, including the intended use as an amenity space. Other points raised included: concerns over the legitimacy of the applicant's ties to the Malmesbury area and the application site itself; means of accessing the site; the use of the area as a popular local dog walking route; the minimal visual intrusion of the existing Waitrose establishment; and the rural and historic nature of Malmesbury.

Officers reiterated the lack of objections from landscape, ecologist, conservation and Highways Officers. It was emphasised that Planning Officers were seeking to clarify the exact details of ownership and had been assured of proof of a

relationship between the applicant and those named on the property's title deeds.

Councillor Gavin Grant moved to refuse the application against officer recommendations on the basis of Wiltshire Council's Core Policy 57 (i), (iii) and (vii), and Core Policy 51 (ii) and (vii). This motion was seconded by Councillor Chuck Berry.

During the debate members discussed the size of the proposed gabion wall and infilling, the subsequent amount of materials needed, and the transportation of such. Other points debated were: inaccuracies and lack of detail in the application; historical origins of the site; harm to the conservation area; impacts on neighbouring residents' amenities; advantages of local neighbourhood plans in rural communities; and the lack of a residential property attached to the site.

Councillor Gavin Grant sought clarification and advice from Lee Burman and Councillor Toby Sturgis as the Case Officer and Cabinet Member for Spatial Planning, Development Management and Property respectively, as to the strength of the Core Policies cited in the original motion if the Committee were minded to refuse the application. Both Lee Burman and Councillor Sturgis went through each of the Core Policies and Sub-Sections in turn and gave their opinions as to the merit of each in the event that the Committee refused the application and that decision was appealed. Lee Burman additionally noted that members could cite Policy 13 of the Malmesbury Neighbourhood Plan and Paragraph 170 (b) of the Neighbourhood Planning Policy Framework (NPPF) as relevant to the decision to refuse based on matters raised in debate by Committee members. As such, Councillor Gavin Grant amended the original motion to instead refuse the application against officer recommendations on the basis on Wiltshire Council's Core Policy 57 (i), Core Policy 51 (vi), Policy 13 of the Malmesbury Neighbourhood Plan and Paragraph 170 (b) of the NPPF. This amendment was agreed upon and seconded by Councillor Chuck Berry.

At the conclusion of the debate, a vote was taken on the motion for refusal. The Democratic Services Officer called upon each member who confirmed they had been able to hear and, where possible, see all relevant materials and indicated their vote in turn.

Following which, it was:

### **Resolved**

**The Committee REFUSED the application, contrary to officer recommendations, for the following reasons:**

**The proposals result in an unnatural, manmade landscape feature (gabion wall and levelled land) of substantial scale in an open agricultural field and this is considered intrusive, incongruous and uncharacteristic of the locality with consequent harm to the character, appearance and visual amenity of the locality. The proposals are therefore contrary to CP51 (vi) & CP57 (i) of the Wiltshire Core Strategy Jan 2015; Policy 13 of the**

**Malmesbury Neighbourhood Plan (Made February 2015); and para 170(b) of the National Planning Policy Framework (July 2019).**

56 **20/08777/FUL - 31 The Close, Lydiard Millicent, SN5 3NJ**

Eleanor Slack, Senior Planning Officer, introduced the report which recommended the application be approved, subject to conditions, for a proposed detached garage.

It was noted by officers that two periods of public consultation had been undertaken due to amendments made to the application including a redesign of the materials used and reduction in the height of the proposal. It was additionally noted that the boundary hedge to the North West of the proposed garage would be removed. Officers highlighted that the Highways Officer had reviewed the proposal a number of times and did not raise any objections with respect to the proximity of the application to the bordering private access road and considered that the arrangement would meet the minimum visibility standards.

Key issues highlighted included: principle of development; impact on the character of the area; impact on neighbour amenity; parking/highways; and impact on drainage.

Members of the Committee had the opportunity to ask technical questions to the officer. The main points of focus included: the height of the proposed door; external lighting; references to the Emerging Lydiard Millicent Neighbourhood Plan in the report; and the involvement of the Lydiard Millicent Parish Council.

In response, officers noted that there was no external lighting proposed but highlighted Condition 5 which required the applicant to submit plans for approval before installing any external lighting if desired. It was emphasised that officers felt the proposal was in line with Policy LM1 (Managing Design in Lydiard Millicent) of the Emerging Lydiard Millicent Neighbourhood Plan. It was additionally noted that officers did not believe that the Lydiard Millicent Parish Council had quoted Policy LM1 in their objection and that they had only objected during the first consultation period, with comments received on 9 November 2020.

Councillor Mollie Groom, as Local Unitary Member, was experiencing technical difficulties, therefore the Chairman, Councillor Tony Trotman, read a statement of objection on Councillor Groom's behalf. The main point centring around safety concerns with regard to reduced visibility for both pedestrians and other road users on the main route and adjacent private access road.

The Chairman, Councillor Tony Trotman, moved to approve the application, subject to conditions, in line with officer recommendations which the Vice-Chairman, Councillor Peter Hutton, seconded.

During the debate members discussed the possibility of adding a condition that requested the applicant change their design by moving the proposed garage 0.5m further inside the boundary to mitigate the safety concerns raised by Councillor Groom and objectors as detailed in the officer's report. Other topics deliberated included the lack of objection from Highways Officers, and the complications that could arise from requesting a change of location.

Councillor Gavin Grant suggested an amendment to the motion to include an informative ensuring that the height of the hedgerow on the Eastern boundary of the site was maintained to aid in the visibility for vehicles using the private access road. Councillors Tony Trotman and Peter Hutton accepted the amendment to the motion.

Councillor Chuck Berry suggested a further amendment to the motion to include an informative that recommended moving the proposed garage 0.5m further inside the boundary. Neither the Chairman nor Councillor Peter Hutton agreed to the amendment. As such, Councillor Berry sought a seconder to his amendment which Councillor Brian Mathew undertook. After some debate as to the procedure for amendments and the validity of the proposed amendment, Councillor Chuck Berry withdrew his proposal for an amendment to the motion but requested it be recorded that he felt that he had advocated the correct procedure for seeking amendments to proposals.

At the conclusion of the debate, a vote was taken on the amended motion for approval. The Democratic Services Officer called upon each member who confirmed they had been able to hear and, where possible, see all relevant materials and indicated their vote in turn.

Following which, it was:

### **Resolved**

**The Committee APPROVED the application, subject to conditions, in accordance with officer recommendations, with an additional INFORMATIVE TO APPLICANT as follows:**

**The applicant should note that the Council considers that any hedgerow replanting to the eastern site boundary should be maintained at a height that ensures visibility for vehicles utilising the adjacent site access.**

### **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:

Site location plan

Received 09/10/2020

2079.1 Rev C - Proposed floor plans and elevations

Proposed Block plan

Received 22/12/2020

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

3. The garage hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the main dwelling, known as 31 The Close and it shall remain within the same planning unit as the main dwelling.

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

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include
  - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - means of enclosure;
  - all hard and soft surfacing materials;

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination

levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light GN01:2020", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

**INFORMATIVES:**

- The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
- The Council recommends that the applicant notes and implements the recommendations of the UK Constructors Group Good Neighbour Site Guide during the construction of the development hereby approved.

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

57 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 5.45 pm)

The Officer who has produced these minutes is Ellen Ghey of Democratic Services, direct line 01225 718259, e-mail [ellen.ghey@wiltshire.gov.uk](mailto:ellen.ghey@wiltshire.gov.uk)

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## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

|                            |   |
|----------------------------|---|
| <b>Date of Meeting</b>     | 18 <sup>th</sup> August 2021  |
| <b>Application Number</b>  | 20/09557/FUL  |
| <b>Site Address</b>        | Ferncliffe, Wadswick, Box, Corsham, Wiltshire, SN13 8JD   |
| <b>Proposal</b>            | Ground floor extensions to provide enlarged garage, conversion of existing bedrooms into new lounge and office. Installation of dormer windows to provide first floor accommodation with new staircases |
| <b>Applicant</b>           | Mr Peter Crump  |
| <b>Town/Parish Council</b> | Box- Wadswick   |
| <b>Electoral Division</b>  | Councillor Brian Mathew   |
| <b>Type of application</b> | Householder Development   |
| <b>Case Officer</b>        | James Webster   |

### Reason for the application being considered by Committee

The application has been called to the Northern Area Planning Committee by Councillor Mathew so as to allow consideration of the proposal in the context of the objections raised by Box Parish Council and neighbours, in terms of scale of development, relationship to neighbouring properties and 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 planning permission be granted.

### 2. Report Summary

This report will examine the proposed extensions and explore the process by which the appropriate conclusion has been reached. It will set out the public benefits which will be obtained as a result of the application and the various impacts which may occur.

The key issues in considering the applications are as follows:

- Principle of development
- Design and scale
- Impact on residential amenity
- Impact upon landscape

The Parish Council have raised an objection to the proposal as they have concerns over the potential impacts on neighbouring properties.

Thirteen (13) representations have been received.

### **3. Site Description**

The property is a large detached bungalow of a mid-20<sup>th</sup> century construction. The property is of a relatively typical mid 20<sup>th</sup> Century built form and construction being of a typical form which would be expected of a bungalow of this vernacular.

The neighbouring properties are a mixture of forms and styles being a mixture of extended cottages in a typically rural vernacular and mid-20<sup>th</sup> century bungalows. The immediate neighbours are a bungalow and a two-storey cottage style property, which appears to have been extended out to the rear. This property is set slight lower down than the host dwelling due to the gradient of the site.

The application site is not within the Green Belt or covered by any other landscape, heritage, archaeological or ecological designations.

### **4. Planning History**

There does not appear to be any relevant planning history.

### **5. The Proposal**

The proposal seeks planning permission for domestic extensions to Ferncliffe.

The proposal is made up of several elements, ground floor extensions to provide enlarged garage, conversion of existing bedrooms into new lounge and office. Installation of dormer windows to provide first floor accommodation with new staircases.

To facilitate the creation of the additional living space on a first floor, will see the raising of the existing ridgeline. The current flat roofed garage will be increased in height to form a combination of roof forms. The existing ridgelines will be increased in height and the new dormer height will be above the main ridgelines.

A revised scheme was submitted which reduced the overall height of the property and addressed some amenity concerns, by removing the balcony. This has revised plans has been consulted upon. Additional information has been submitted clarifying the heights of the various ridgelines.

As part of revised plans, the applicant has confirmed that the proposed heights of the various elements of the development. They can be summarised as follows:

- Main new ridge north south 5.5m. Current height 5.2m.
- Lower ridge over extension above garage north south 5.2m, currently 2.6m flat roofed.
- Extension ridge east west 5.5m. Current height 5.2m.
- The east west dormer ridge is 5.7m up from the current ridge of 5.2m.
- The east west dormer ridge over the extension above the garage is 5.3m

A number of dormers are proposed on the rear and side elevations, which face towards the neighbouring properties. These windows are proposed to be obscure glazed.

The materials proposed for the walls and roof are similar in appearance to those currently in place. The proposed windows and doors are to be powder coated aluminium.

## **6. Local Planning Policy**

CP51, 57, 60 and 61 of the Wiltshire Core Strategy

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

### Box Parish Council

#### First Response

*“No objections but would question if the extensions are over the permitted 30% limit for the Green Belt.”*

#### Second Response

*“Objections. After further consideration the Box Parish Council is now aware that the roof line is being raised considerably and feels that this is overdevelopment of the site which will impact adversely on the neighbouring properties and cause loss of amenities.”*

#### Third Response

*“The Parish Council's previous objections still stand in that the roof line is being raised considerably and it is felt that this is overdevelopment of the site which will impact adversely on the neighbouring properties and cause loss of amenities.”*

## **8. Representations**

Neighbour letters were sent in accordance with the Council's adopted Scheme of Community Involvement. A further re-consult was carried out as a result of revised plans, a third consult was carried out in response to the amended drawings clarifying the height.

A total of thirteen (13) representations have been received raising the following main issues:

- Concern over the massing, size and scale of the proposal
- The impact it will have on the wider area in terms of design and materials
- Impact upon amenity of neighbouring properties
- Potential size of the proposed garage roof extension
- Overdevelopment of the site
- Impact upon character and appearance of the host dwelling and relationship with surrounding properties
- Privacy impacts from dormer, in terms of overlooking
- Impact upon light into neighbour's gardens
- Raises concern over views into and out of windows

- Concern over raising of the roof and resulting impact upon amenity
- Concern over visual intrusion into the wider area

## 9. Planning Considerations

### Principle of development

The proposal is for a domestic extension to an existing dwelling and takes place within the confines of an established residential curtilage. Such development is established as acceptable in principle, but the details of which must be considered against national and local policy. Those details are considered in the sub-sections below.

### Scale and design

The current property is a large detached bungalow of what appears to be a mid-20<sup>th</sup> century origin, being constructed of reconstituted stone. When viewing the front elevation from the driveway, there is a flat roofed garage situated to the left-hand side, set back from the building line of the front elevation. A UPVC conservatory is located to the right-hand side elevation.

The proposal will see an increase in the height of the current garage, the main property ridgeline, the ridgeline to the rear and creation of new dormers on the front and rear elevations.

The current garage height is 2.65m (being of a flat roofed construction) The proposal will see the creation of additional dormers, leading to a finalised height of 5.2m (an increase of 2.55m).

The main property ridgeline is 5.2m, the revised scheme will see a ridgeline of 5.5m. The ridgeline to the rear is again 5.2m increasing to 5.5m, overall (an increase of .3m). The proposal will see the creation of dormers (east to west), the height of these will be 5.7m (an increase of .5m). These heights are shown on drawing DWG.010/2020/11B received on the 15<sup>th</sup> June, in response to additional queries.

The creation of the dormers on main ridgeline (5.7m ridgeline height) and dormers above the garage (5.2m ridgeline height) are a noticeable increase in the height of the existing built form of the property.

It is precisely these increases in height of the roof and the insertion of dormer windows are a source of concern within the Parish Council comments as well as representations received. Whilst perhaps understandable and although the extension would indeed alter the appearance of the dwelling from a simple bungalow to something more, it should also be noted that the locality is not covered by any particular landscape or heritage designation.

Further to the above, the surrounding properties also vary in design and appearance. They are a mixture of both mid-20<sup>th</sup> century bungalows and more traditional two storey properties which are perhaps more typical. Indeed, on one side of the application site is a bungalow,

but on the other the properties are taller. It is also noted that these properties have largely been extended, with their original proportions perhaps less discernible.

For the above reasons, the increase in scale and height of the dwelling as a result of development taking place is not considered to be unacceptably out of character with that of the locality or somehow conflict with a landscape or heritage policy constraint, since none exist.

In terms of design and materials themselves, the proposal is not considered to be objectionable. Specifically:

- The front elevation will be altered to incorporate a large roof slope, with a porch element incorporating columns. Whilst perhaps fairly described as divergent design feature in the locality, it is not considered to be unacceptably obtrusive or unacceptably detract from visual amenities.
- The replacement of the existing conservatory with a side extension will lead to an addition of somewhat larger scale but remains in proportion with the resulting extended dwelling and not unacceptably impact upon the visual enmities of the locality.
- The existing dwelling is constructed of reconstituted stone, with a clay pantile roof and this is not proposed to substantively alter. Timber cladding will be utilised on the dormer above the garage and is considered to be acceptable in a limited manner.
- The many dormers, and particularly those to the South-West and North East elevation are not of consistent design or height and for that reason does perhaps lead to a confusing visual legibility. Nevertheless, the dwelling is not listed or otherwise historic and is not situated in a sensitive landscape or conservation area and for this reason, which the design could clearly be improved upon, it is not considered to be unacceptable.

In very large part, the presentation of the dwelling to the highway is shielded from overt public view by mature landscaping. There is no suggestion that the proposal will result in the loss of that mature landscaping (and indeed, the submitted application form suggests that no trees or hedges are to be removed as a result of development taking place), but in any event existing trees, hedges and shrubs within the site are not covered by any designation which would preclude their removal in the future. As such, the existence of the vegetation can be given only limited weight.

In totality, the scale and design of the proposed extensions are considered are considered to comply with the requirements of CP57 of the Wiltshire Core Strategy in terms of design and scale.

Impact upon amenity

Concern has been raised over the amenity impacts of the proposal on the immediate neighbours from overlooking, overshadowing and loss of light.

It is noted that there is already a limited amount of overlooking into the applicant's property (rear garden) from neighbouring properties since the upper windows Reaper's Cottage obliquely faces the garden to Ferncliffe, with an intervening boundary treatment.

However, it should be noted that Reaper's Cottage is slightly lower than Ferncliffe, this difference in height will result in a potential for overshadowing of the properties further down the hill (Reapers Cottage and Laurel Cottage). This difference in the ridgeline height of the proposal being increased to 5.7m (dormer height) and 5.5m towards the rear wing. However, whilst the development may be somewhat visible from those properties, it is considered that the impact upon the amenity and living conditions of those occupiers would not be unacceptable when assessed against the requirements of policy CP57 to the Wiltshire Core Strategy.

The increase in the height of the garage is one of the largest increases in the height of the ridgeline. In terms of overshadowing, loss of light into Perachah from the proposal, it is considered that the intervening distance from the extension and the neighbouring property ensures that the resulting impacts upon amenity and living conditions of the occupiers would not be unacceptable when assessed against policy CP57 of the Wiltshire Core Strategy.

The comments regarding overlooking into the neighbouring properties (Laurel Cottage, Reaper's Cottage and Perachah) from the windows in the North and South elevations are noted. In a typical development these windows would have the potential to result in the potential for overlooking. However, in this instance these windows are proposed to be obscure glazed and this ensures that the potential for unacceptable loss of privacy mitigated. A suitably worded planning condition can be imposed so as to ensure the glazing remains as obscure in perpetuity.

The potential for overlooking from new dormer windows inserted into the front elevation of Ferncliffe into Chapel Cottage on the opposite side of Wadswick Lane is noted. However, the intervening distance between opposing windows and the rear garden across the public highway is considered to successfully mitigate unacceptable loss of amenity and living conditions of those occupiers when assessed against adopted local plan policy.

Subject to the imposition of planning conditions which compel the use of obscure glazing to key first floor windows, the proposal has demonstrated compliance with the requirements of CP57 of the WCS in relation to amenity impacts upon the amenity and is acceptable.

### Parking

The number of bedrooms four (4) does not appear to be being altered as part of these proposals and as such the parking provision is acceptable and complies with Wiltshire Parking Strategy.

### Landscape

The proposal will result in a larger dwelling than is currently in place and will potentially be more visually prominent in both the immediate area and when viewed from further afield in the landscape. Nevertheless, the property will continue to be contextualised by other existing development on all sides and whilst there will be an increase in height, it is not judged to be excessive in comparison with existing properties. Indeed, neither is the application site is not covered by any landscape or heritage designation.

Accordingly, the proposal is not considered to cause an unacceptable impact upon the landscape and is therefore considered to comply with the requirements of policy CP51 to the Wiltshire Core Strategy.

## **10. Conclusion**

The submission seeks planning permission for domestic extensions. Those extensions take the form of additions and alterations to the roof to create additional living space ancillary to an existing residential property.

Whilst perhaps relatively extensive, subject to the imposition of planning conditions, is not considered to unacceptably impact upon the amenities of the surrounding residential occupiers or to represent an overdevelopment of the site. Access and parking arrangements are considered sufficient to serve the extended property.

The proposed development and works are considered to meet with the requirements of policies CP51, CP57, CP60 and CP61 of the Wiltshire Core Strategy and relevant provisions of the NPPF.

### **RECOMMENDATION: That Planning Permission and be GRANTED, subject to the following conditions:**

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

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

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

Location, block plan and existing elevation – 010/2020/2A

Block Plan – 010/2020/12A

Proposed South West and North East elevation – 010/2020/10A

Proposed North and South elevation – 010/2020/11B

Proposed first floor plan – 010/2020/9A

Proposed ground floor plan – 010/2020/

Proposed sections – 010/2020/13

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

3. The reconstituted stone and clay tiles used for all new walls and roofs respectively shall match that of the existing building in material, colour, texture and method of laying.

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

4. Before the additional accommodation hereby permitted is first occupied all new first floor windows in the North and South elevations as well as the new first floor bedroom dormer window in the North-East elevation shall all be glazed with obscure glass only and to an obscurity level of no less than level 5. All said windows shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

#### **INFORMATIVES:**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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 <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.



## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

|                            |  |
|----------------------------|--|
| <b>Date of Meeting</b>     | 18 <sup>th</sup> August 2021                                       |
| <b>Application Number</b>  | 20/10382/FUL   |
| <b>Site Address</b>        | Woodlands, The Street, Grittleton, Chippenham, Wiltshire, SN14 6AP |
| <b>Proposal</b>            | Retrospective Erection of summerhouse in rear garden               |
| <b>Applicant</b>           | Mr John Pickford   |
| <b>Town/Parish Council</b> | Grittleton Parish Council  |
| <b>Electoral Division</b>  | Councillor Whitehead   |
| <b>Type of application</b> | Householder Development  |
| <b>Case Officer</b>        | James Webster  |

### Reason for the application being considered by Committee

The application has been called to the Northern Area Planning Committee by Councillor Whitehead so as to allow consideration of the proposal in the context of the objections raised by Grittleton Parish Council and neighbours, in terms of visual impact upon the surrounding area, relationship to neighbouring properties and 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 planning permission be granted.

#### 2. Report Summary

This report will examine the proposed development and explore the process by which the appropriate conclusion has been reached. It will set out the public benefits which will be obtained as a result of the application and the various impacts which may occur.

The key issues in considering the applications are as follows:

- Principle of development
- Impact upon heritage assets
- Design and scale
- Impact on residential amenity
- Impact upon landscape

The Parish Council have raised an objection to the proposal as they have concerns over the potential impacts on neighbouring properties.

Three (3) representations have been received.

### **3. Site Description**

The residential property to which the proposed development relates is known as “Woodlands” and is a Grade II listed building. Originally a pair of C18th cottages but now configured as a single dwellinghouse with later C19th extensions to rear. The building is of a historic form and natural stone construction with a direct presentation to the street. The listing description is set out below:

*“Pair of houses now one, dated I S 1789, altered in mid C19 for Neeld estate, rubble stone with stone slate roof, coped gables and centre ridge stack. Two-storey, 2-window range of leaded casement pairs, originally with doors each side in C19 coped gabled porches with depressed-arched doorways. Right porch and door have been removed. East end stone-slate roofed extension, with C19 shop- window. Included for group value.”*

The property is surrounded by a number of other listed properties of varying designations and is within the Grittleton Conservation Area. Of particular importance is the Grade II\* listed chapel to the immediate South of the application site, the listing is given below:

*“Baptist Chapel, c1720, rubble stone with ashlar dressings and hipped Bridgwater tile roof. Rectangular plan with flush segmental-headed windows, 2 tall cross-windows to west side with dripcourse over, four smaller cross-windows to ground floor of east side, dripcourse above and four 2-light upper windows. South end segmental-headed doorway with keystone and short moulded cornice over. A south east cornerstone has scratched 1722 and possibly 1705 dates. Elevations appear to reflect a gallery on east and pulpit central on west wall but interior now has galleries at north and south ends, that to south probably C18, on two turned posts, has fielded panelled front, that to north, possibly C19, is over a glazed-fronted vestry. Original octagonal timber pulpit with fielded panels and turned balusters is reset in front of vestry. At rear south east corner three C18 oak box pews, the rest of the pews are mid C19 deal. Licensed 11.1.1721. The chapel was promoted and supported by the Houlton family of the Manor House. (J.E. Jackson, A History of the Parish of Grittleton, 1843, 21).”*

The grounds of the Chapel immediately adjoin that of the residential curtilage to Woodlands, albeit the graveyard providing a degree of separation between the chapel building and the proposed development itself. The Chapel is accessed via a lane leading South from The Street.

The application site is also part of the Cotswold AONB.

### **4. The Proposal**

The proposal seeks retrospective planning permission for the erection of a “summerhouse” in the rear garden.

The summer house is some 5.2m x 3.62m footprint with an approximate height of 3.12m, with projecting roof canopy and flagstone terrace.

Currently the summerhouse is constructed of reconstituted stone, with a concrete tile roof. Revised plans were submitted during the course of the application which propose to add timber cladding to the external face of the walls and to replace the concrete tiles with natural slate.

A Listed Building Consent application was initially submitted alongside this planning application. However, since the development is freestanding and does not touch any listed building, such an application was not required and has been subsequently withdrawn.

## **5. Local Planning Policy**

CP51, 57 and 58 of the Wiltshire Core Strategy

## **6. Summary of consultation responses**

Grittleton Parish Council – Objection.

First Response:

*“Visual Impact on the Surrounding Area. Relationship to adjoining properties and the design. Height & general appearance. The Summerhouse has been built in the curtilage of a Grade II listed building in the Grittleton Conservation Area, the site adjoins a Grade II\* building (Baptist Chapel) using inappropriate materials and of a design & size not in keeping with the Conservation Area.”*

Second Response:

*“The addition of wooden cladding and change of roof material has not changed the opinion of the Parish Council, that this construction is inappropriate in the Grittleton Conservation area.”*

Council Conservation Officer – No objection to revised scheme

First Response:

*“The Retrospective nature of the application allow an easier assessment of the impact of the scheme on the Historic Environment.*

*There is no need for an LBC in this case at the structure is freestanding and no additional works are detailed to existing curtilage listed fabric.*

*In this case the Parish Council are correct the building has an unfortunate appearance mainly due to the use materials which are inappropriate in this sensitive context.*

*The issues in this case are due to the buff yellow coloured reconstituted stone bricks, the choice of colour, block size and coursing are inappropriate in this context, choice of building pallet completely fails to draw any inspiration from either that of the host Grade II listed building or its neighbours in the conservation area. The proposal also*

*fails to demonstrate any public benefits being purely driven from desire or delivering the goals of the current owners of the site.*

- *The scheme is considered to fail to preserve the special interest of the Conservation Area – via its use of alien and incongruous materials and design.*

- *The scheme fails to preserve the garden setting of Woodlands a Grade II listed building, the proposed development would erode the garden via the introduction a prominent garden building with synthetic materials that fail to respond sensitive to the vernacular language of the area.*

- *The scheme would fail to preserve the wider setting of the Grade II\* Grittleton Baptist Chapel, the proximity of the development to the south edge of the garden of Woodlands allows the site to be perceived from the curtilage of the Chapel. The alien materials of the structure make the development more prominent in the wider green setting of the Chapel.*

*The scheme is considered contrary to the requirements of the BS7913 in that there has been no apparent assessment of the context in which the building has been placed, and no attempt to mitigate the impact of visual appearance on the structure to conform to the dominant local building characteristics.*

*The scheme is contrary to 196 of the NPPF in that there is an impact on significance three distinct heritage assets the degrees of harm in each case is considered to less than substantial harm and towards the lower end of the scale, in this case there are no public benefits in offered by the scheme which would solely personally benefit the owners of Woodlands.”*

Second Response:

*“On the basis of the revised plans we are now able to support this scheme.”*

Historic England – Support comment of the Conservation Officer.

*“Given that you have decided an LBC is not required for this application, and Historic England was not consulted on the Planning application we will not provide further formal comments, however we do support your comments regarding the impact that the materials have on the character and setting of the Conservation Area, Grade II and Grade II\* listed assets. If you require anything further from us please let me know.”*

## **REPRESENTATIONS**

Neighbour letters were used as part of the revised working practices in response to COVID-19. Responses were received to the original consultation. A further re-consult was carried out as a result of revised plans, which amend the materials proposed.

A total of three (3) representations have been received, two (2) in response to the initial consultation and one (1) in response to the revised plans consultation. Photographs of the site were also supplied by the neighbour in response to the first consultation.

The representations are available in full on the Council website and have been summarised below:

#### First Consultation

- States the building resembles a large bungalow
- Dominates the surroundings, fields of vision
- States it has spoilt the tranquil setting with the introduction of noise, sound and light pollution
- States it is not suitable for a conservation village (sic)
- States the new building has destroyed the area to the detriment of wildlife
- States a number of trees, hedge and shrubs have been removed
- Object to the proximity to the Grade II\* Chapel and the impact upon the historic setting of adjacent listed buildings
- States the outbuilding is out of character and spoils the village ambiance, beauty and badly affects neighbouring listed buildings
- States the Grittleton Strict Baptist Chapel is Grade II\* listed and of major historic significance and the building should not have been constructed

Revised plans were submitted which amended the materials. A further consultation was carried out, the representations received are detailed below:

- States that the proposed changes to the materials are cosmetic and do not make a difference and do not alter the fundamental problems with the building
- States the proposal is harmful to listed buildings and the conservation area

## **7. Planning Considerations**

### Principle of development

The proposal occurs within the built area of Grittleton which is defined as a small village under CP1, which does not have a settlement boundary.

The proposal is for a retrospective “summer house” ancillary to an existing dwellinghouse, within the confines of its well-established residential curtilage. Such development is considered to be acceptable in principle, but the details of which must be considered against national and local policy. Those details are considered in the sub-sections below.

### Impact upon heritage assets

Woodlands is a Grade II listed building situated wholly within the Grittleton Conservation Area. Due consideration must be given to CP58 of the WCS, the NPPF 2021 and The

Planning (Listed Buildings and Conservation Areas Act, 1990). As required by the NPPF, consideration must be given to whether the proposal causes harm to the heritage assets and if so, whether that harm is outweighed by the public benefits of development taking place, including securing its optimum viable use.

The proposal will see the retrospective approval of a detached summerhouse. The revised plans show the materials to be used timber cladding and a slate roof.

### *Significance of Listed Buildings*

“Woodlands” is an attractive, traditionally proportioned and constructed property, typical of others of similar vintage in the village. The significance of the property as a heritage asset appears to lie in its attractive form and overall appearance which is typical of the tradition vernacular and is considered to be an attractive example, albeit now converted into a single dwelling where once it was two cottages. Critically, the listed description does not reference the property’s grounds or rear garden, within which the “summerhouse” sits.

The Chapel is an C18th stone built ecclesiastical building. It is largely unaltered externally and retains its small graveyard. Similarly, the building also retains many of its internal features such as pulpit, gallery and panelling. For this reason, the significance of the chapel as a heritage asset is indeed evidentiary, historical, aesthetic and communal. Its listing as grade II\* reflects its value.

### *Harm to listed buildings*

There are a number of listed buildings which are located in the locality of the application site, but only two are considered to be within sufficient proximity where potential impacts from the development taking place are possible. Those two listed buildings are the Grade II cottage of “Woodlands” itself and the Grade II\* listed Baptist Chapel, which is to the rear of the summerhouse on a separate parcel of land. The summerhouse is currently in situ which enables a reasonably accurate assessment of those potential impacts.

The proposed development is an outbuilding and is entirely detached from any other building or structure. Accordingly, it cannot be said that the development will result in any harm to the historic fabric of any listed building or indeed any boundary wall to the curtilage of those listed buildings. Further, since the building is positioned entirely within an established domestic curtilage which is separated by a dry-stone wall from that of the Chapel, neither is there considered to be an impact or any harm caused to the setting of the Chapel from the principle of such an outbuilding within the curtilage of Woodlands. Indeed, there is no evidence to suggest that the garden to Woodlands was somehow once part of the grounds or graveyard to the Baptist Chapel.

Nevertheless, in their initial commentary, the Council’s Conservation Officer describes the appearance and construction of the “summerhouse” to cause harm to the setting of both Woodlands and the Baptist Chapel (an objection which is shared by the Parish Council and within received representations). Such criticism is thought reasonable, since the undeniably suburban appearance of the summerhouse as constructed does demonstrably provide for a rather alien intrusion into the relatively unblemished historic character of its surroundings

and for this reason. Indeed, since the proposed building of its current appearance and construction is directly within the setting of Woodlands and does have intervisibility with the Baptist Chapel, especially when viewed from the lane running alongside the Western flank of both properties, that impact and harm is considered to be caused to the setting of both listed buildings.

However, the impacts are judged to be as a result of the external appearance and use of materials only and not the principle of a domestic outbuilding in such a location, since it is considered only reasonable for such structures of appropriate appearance – even fairly substantial ones, such as that now proposed - to exist within residential gardens, even when those gardens relate to a listed building. For this reason, the harm caused to the setting of both listed building is considered to be less than substantial and at the lower end of the spectrum.

During the life of the application and presumably in response to the initial criticism, revised plans were submitted by the applicant. Those revised plans propose the application of a treated timber cladding to the external walls and the use of natural slate for the roof (as opposed to concrete tiles at present). Whilst the overall scale and basic shape of the building would not be altered, this revised proposal is considered to transform the appearance of the development in a positive way. The use of natural materials will reduce the visual prominence of the building and will reflect materials are often seen in historic settings. Indeed, the Council's Conservation Officer is prepared to support the revised proposal.

While the resulting structure will continue to be visible, particularly from the lane, provided the external materials are altered as per the revised proposals, it is considered that the previously identified impacts and harm will be successfully ameliorated. The application of those new external materials can be controlled through the imposition of a particularly worded planning condition.

Therefore, and subject to the addition of a timber cladding to the exterior of the walls and a replacement of the concrete tiled roof with natural slate, the proposed development is considered to cause no harm to the significance of both "Woodlands" or the Baptist Chapel to the rear and would therefore meet with the requirements of policies CP57 and CP58 to the Wiltshire Core Strategy as well as section 16 to the NPPF.

### *Conservation Area*

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Consideration has also been given to paragraphs 190, 192 and 200 of the NPPF, which refers to avoiding or minimising conflict with conservation and any aspects of the proposal.

Due to the location of the summerhouse, largely screened from the character and wider appearance of the Conservation Area the development is considered to only have limited visibility in the Conservation Area. Nevertheless, the appearance and materials used in the construction of the summerhouse as built is undeniably out of character with the historic

nature of the Conservation Area. Therefore, whilst its visibility is limited, an impact from the summerhouses current appearance is nonetheless considered to occur and therefore harm caused to its significance. For the aforementioned reasons, that harm is regarded as being less than substantial and at the lower end of the spectrum.

Revised plans have been submitted which propose to clad the walls with treated timber and to use natural slate in construction of the roof. This is considered to transform the appearance of the building from rather suburban to a more traditional and therefore remove the impacts and harm described above.

The now proposed development is considered to not impact upon the character and setting of the Conservation Area or to cause harm to its significance as a heritage asset. For this reason, and subject to the imposition of planning conditions which compel the change to the external materials, the proposal is considered to comply with the requirements of policy CP58 to the Wiltshire Core Strategy as well as section 16 to the NPPF.

#### Scale and design

The summerhouse, while perhaps of a larger size when compared to the average garden structure, is nonetheless considered to be appropriate in the context of "Woodlands" which does benefit from a reasonably sized garden.

The design and construction of the summerhouse as built is perhaps best described as being of a suburban appearance and therefore somewhat divergent from its traditional, historic surroundings. However, the replacement of external facing materials with a more sympathetic finish (timber cladding to walls and natural slate to the roof) is considered to deliver a building which is of a more sympathetic appearance. The use of appropriately worded planning conditions on any planning permission can adequately ensure the change to materials takes place.

Subject to conditions, it is considered that the proposal has complied with the requirements of CP57 of the Wiltshire Core Strategy in terms of scale and design and is acceptable.

#### Impact upon amenity

Due to the location of the summerhouse, it is not considered that the building will result in an unacceptable impact upon the amenity or living conditions of neighbouring properties in terms of overlooking, overshadowing and privacy impacts.

While views into and out of the summerhouse and surrounds are possible it is not considered that this would be harmful or unacceptable, as the relationship is largely typical of an ancillary structure in a residential area.

The comments made in the representation regarding noise, sound and light pollution are noted. However, the use of the summerhouse would be entirely ancillary to the dwelling it relates and therefore any activities carried out therein would be analogous to the normal use of domestic garden.



For the avoidance of doubt, however, it is considered reasonable to make use of a planning condition so as to ensure the summerhouse remains ancillary to the dwellinghouse to which it relates.

The summerhouse is not considered to result in any unacceptable impacts and as such complies with CP57 of the Wiltshire Core Strategy in terms of amenity.

### Landscape

The application site is located entirely within the Cotswold AONB. As required by CP51 of the WCS due consideration must be given to the potential impacts upon the character and setting of the AONB.

In this instance, the summerhouse is located within the built-up form of the village of Grittleton which contextualises the appearance of the summerhouse. As such it is not considered that the summerhouse is detrimental to the special character of the AONB and is therefore acceptable when assessed against policy CP51 to the Wiltshire Core Strategy.

## **8. Conclusion**

The proposed development is a domestic outbuilding within an established domestic curtilage. Whilst perhaps more substantial than a typical garden structure, its scale and position is not exceptional and does not present an unacceptable impact upon and residential amenity of living conditions.

Whilst some limited harm has been identified to the Conservation Area and the setting of surrounding listed buildings from the appearance and materials used in the construction of the summerhouse as built, subject to the switch to more appropriate materials set out within the application, that harm is considered to be entirely ameliorated. The change to the materials can be adequately controlled through the imposition of planning conditions.

Accordingly, and subject to the imposition of particularly worded planning conditions, the proposed development and works are considered to meet with the requirements of policies CP51, CP57 and CP58 of the Wiltshire Core Strategy and relevant provisions of the NPPF.

**RECOMMENDATION: That Planning Permission and be GRANTED, subject to the following conditions:**

1. Within 3 months of the date of this planning permission, the walls shall be clad with treated timber and the existing concrete tiles removed and replaced with natural slate, in complete accordance with the plans hereby approved.

REASON: So as to ensure the development is of an appearance appropriate to its sensitive setting.

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

Revised plans and elevations 2430/14 (revision A – material amended)  
Received 19<sup>th</sup> March 2021

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

3. The summerhouse hereby permitted shall not be use or occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as “Woodlands”.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit uses which are not ancillary to the existing dwellinghouse.

#### **INFORMATIVES:**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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 <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.

## REPORT TO THE AREA PLANNING COMMITTEE

|                            |  |
|----------------------------|--|
| <b>Date of Meeting</b>     | <b>18 August 2021</b>  |
| <b>Application Number</b>  | <b>20/11568/FUL &amp; 21/00220/LBC</b>                         |
| <b>Site Address</b>        | <b>The Doctors House, 21 Church Street, Sherston, SN16 0LR</b> |
| <b>Proposal</b>            | <b>Two storey extension and internal alterations</b>           |
| <b>Applicant</b>           | <b>Dr &amp; Mrs Bartlett</b>                                   |
| <b>Town/Parish Council</b> | <b>Sherston Parish Council</b>                                 |
| <b>Division</b>            | <b>Sherston</b>  |
| <b>Grid Ref</b>            |  |
| <b>Type of application</b> | <b>Full and Listed Building Consent</b>                        |
| <b>Case Officer</b>        | <b>Lee Burman</b>  |

### **Reason for the application being considered by Committee**

The application was called in for committee determination by the then ward Member Cllr Thomson to consider the impact of the proposals on the heritage assets and the need for development. The call in has been reconfirmed by the new ward member Cllr Martin Smith.

#### **1. Purpose of Report**

To recommend that the applications both be refused for the reasons set out below.

#### **2. Report Summary**

The key issues raised are impact on heritage assets (Listed Buildings and Conservation Area), related development plan policy and national guidance compliance and the site history.

No representations of objection or support from members of the public have been received.

There is no record of a consultation response from the Parish Council on file.

#### **3. Site Description**

21 Church Street, Sherston is a Grade II listed property dating from the C18. It is an attractive house, with a C-shaped plan, rendered and stone tiled. It has a sizeable level of accommodation that increased when it was extended into the rear outbuildings in the 1990s. It fronts Church Street, the more modern Woods Close runs along the side of the site, is within the built area of the village and within the Sherston Conservation Area. It has a garden to the side and rear of the property, with tall, natural stone boundary walls and timber gates enclosing it.

The application sites sits within the Cotswolds countryside character area for landscape assessment purposes, a groundwater vulnerability zone and the Cotswolds AONB.

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

N/92/00482/FUL Erection of one dwelling and garage and alterations to existing dwelling  
alts/garage & new dwelling Approve with conditions

N/92/00483/LBC Extension/alterations and erection of wall to listed building and erection of  
dwelling extn/alts & new dwelling Approve with conditions

N/08/00971/LBC Installation of Four Solar Panels Refused Appeal Allowed

N/12/01428/LBC Installation of 7 Photovoltaic Panels to the Single Storey Rear Elevation.  
Refused

20/03741/FUL Internal and external alterations. Approved with Conditions

20/04167/LBC Internal and external alterations. Approved with Conditions

PL/2021/07012 Insertion of chimney pot on existing chimney and installation of air source  
heat pump unit. Not yet determined.

Various Tree works applications also submitted and approved.

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

The description of development is for a two storey extension and internal alterations, involving removal of the original and early windows, infilling the window openings and altering the floor plan. It is proposed to undertake external alterations to create a two storey extension to the rear with a monopitch stone roof and conservation rooflight. Changes to the adjacent rooms by removing the original/early windows and blocking the openings, modern partition between bathroom and study and form cupboard in the boiler room. Existing windows in the proposed utility room and proposed ensuite to be relocated and the opening blocked up and rear wall added to create new room. Following consultation comments from the conservation officer it has been clarified by the applicant team that the description on the plans was not correctly shown and a revised plan (19-092B-102 rev B) has been supplied. The agent has clarified that the floor is not being raised but upgraded with a new insulation and screed but keeping the same existing floor level. However, it should be noted that in order to replace a screed floor, the skirting boards will have to be removed, and there is no information establishing the depth of the footings in this section of the building. Therefore, there is still some impact onto the existing fireplace opening, skirting boards and doors. Rooflights – not proposing to add 4no rooflights, the proposals includes 1no conservation style rooflight, over the new extension's roof, none to any existing roof structures. It is confirmed that the fireplace will not be blocked, nor the chimney removed. However, the rear roof slope is unbroken and is visible in the setting of the grade I listed church, so would harm the significance of this listed building, as well as the setting of other heritage assets.

#### **6. Planning Policy**

Planning (Listed Building and Conservation Area) Act 1990 paragraphs 16 (2) 66(1) and 72(1)

NPPF 2021

Paragraphs 2, 7, 8, 11, 12, 38, 47, 124, 130, 134, 194, 197, 199, 200, 202 & 206

### Wiltshire Core Strategy

Core Policy 1- Settlement strategy

Core Policy 2- Delivery Strategy

Core Policy 13 – Malmesbury Community Area

Core Policy 57- High Quality Design and Place Shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

### Sherston Neighbourhood Plan

Objective 2- New development should conserve or enhance Sherston's significant heritage assets and promote high quality design.

### Wiltshire Housing Sites Allocation Plan

Settlement Boundary Review

## **7. Consultations**

Conservation Officer – Objection (Reasons addressed in the body of the report below). Objection maintained following clarifications and revised plan received from the applicant team.

## **8. Publicity**

No representations received.

## **9. Planning Considerations**

### Principle of Development

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); saved policies of the North Wiltshire Local Plan; Wiltshire Housing Sites Allocation Plan; and Sherston Neighbourhood Plan.

Reasonable extensions and ancillary development within the curtilage of an existing property are acceptable in principle under the development strategy of the plan, but are subject to assessment of site specific impacts and considerations. Such matters are addressed under issue specific headings below.

It is material to note here that there is an extant planning permission and listed building consent at this site for internal and minor external alterations, some of which are included in the current proposals. As such to a certain extent the principle of development here is already established as acceptable in any event. Furthermore to a degree some of the development objectives of the current application are already consented. As a part of the determination of the previous applications, the proposal were revised to exclude elements originally proposed which were found to be harmful to interest of acknowledged importance and thereby unacceptable. In particular the extension of the property. The current proposals substantively reintroduce those proposal that have already been deemed to be unacceptable for reconsideration.

## Impact on Heritage Assets

Sections 16(2), 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Listed Building or Conservation Area to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

The dwelling is a designated heritage asset in its own right and as a part of the village conservation area given its age, character, location within the village and history of use. It lies off a main thoroughfare within the village and in close proximity to the Church of the Holy Cross Grade 1 Listed, a central focus for the village community. The location of the property within the village is referenced in the Historic England listing of the building. The listing also addresses the plan form of the dwelling and its key features and characteristics, alongside materials used. As such the heritage values evident from the conservation area location and listing designation of the property area considered to be aesthetic, communal, historical and evidential. The proposed development has the potential to negatively and harmfully impact all of these values, both through alteration of the historic plan form of the dwelling and loss of historic materials and evidence of historic construction techniques.

Whilst the property is prominently located within the village conservation area it is noted that the works and development to and of the building including the extension do not affect the principal facades facing public areas and are predominantly located within the rear central space created by the C shaped historic plan form of the building. The works and development would therefore not be visually prominent themselves from Church Street in the conservation area but can be seen from Woods Close with the spire to the grade I listed church in the view resulting in harm to their significance through loss of architectural form and detail, as well as the introduction of rooflights in the unbroken roofs.







The works and development proposed are described above. It is clear that the extension and the internal alterations to erect new partitions will affect the historic plan for of the building both internally and externally resulting in less than substantial harm to the historical and evidential value and significance of the asset. The proposed extension is modern in character and whilst two storey is relatively limited in scale providing limited additional accommodation to an already substantial and generously proportioned property. There is an existing utility room in part of the former outbuilding that is now proposed to be removed in order to enlarge the kitchen. The two storey extension is principally to create an ensuite bathroom to serve one of the four bedrooms. Consent has already been granted to create a bathroom on the ground floor and there is an existing bathroom at first floor level. The extension itself is considered to harmfully impact the architectural and aesthetic value of the asset through loss of historic fabric and detail. Also, by its discordant use of materials and design character in terms of the proportions of proposed fenestration and roof profile impacting to the historic planform and the character and appearance of the asset. The internal works of new floor insulation and laying of screed and the relocation and blocking up of windows are also considered to result in harm to the architectural and evidential value of the asset through loss of detail, design and obscuring of historic fabric and construction techniques.

The harm identified is within the less than substantial category as defined in the NPPF and by case law but is considered to be to the medium / upper end of that range given the significance of the asset and the range of heritage values negatively and harmfully impacted. As such conflict with the provisions of CP57 (i & iv) & CP58 (iii) arises. Under para 202 of the framework in these circumstances the harm identified must be balanced against the benefits of development, including securing its optimum viable use. The house in its current form is perfectly serviceable and capable of continuing in its optimum viable use, which is as a dwelling. The minimal benefits arise from a third bathroom, constituting additional and improved living accommodation for current and future occupants of the property, but are achieved at the expense of considerable loss of historic fabric and detail. There are some limited economic benefits from the construction works involved. These are all considered to be relatively modest in scale and public scope given the limited works and development involved and the existing substantial scale of the dwelling. Furthermore, many of the internal works prosed already benefit from consent and planning permission. As such the benefits of

development are not considered to clearly and demonstrably outweigh the harm identified. The overall planning balance is addressed in the conclusion below.

#### Impact on Character, Appearance and Visual Amenity of the Locality

Further to the above given the scale, form, design character and nature of the proposals and the current site layout and built form it is not considered that the development proposed would result in a discordant feature, wholly out of character with the property and the locality and of such visual prominence as to result in significant harm to visual amenity. The proposals would be read as part of the existing property and built form and as such it is not considered that harm to the AONB or the locality arises or that conflict with the relevant policies of the plan and the provision of the framework such that consent ought to be refused on this basis.

This setting aside the identified impacts to the conservation area.

#### Impact on Residential Amenities

Given the positioning, form, nature, and scale of the proposals in the context of the current site layout and the relationship to neighbouring properties it is not considered that the proposal results in impacts over and above the existing situation or that significant additional harm arises. Similarly, the proposals are considered to maintain and improve upon existing residential amenity for occupants of the property albeit only to a very limited extent given the existing permissions that exist at the site.

As such the proposals are considered to accord with the relevant policies of the plan and the provisions of the framework in this regard.

#### Other Matters

##### *Highways/Parking*

It is not considered that the development proposed results in a substantial increase in vehicular movement or off street parking requirements over and above the existing situation. As such conflict with the policies of the plan and provisions of the framework in this regard is not identified.

##### *Drainage*

It is not considered that the scale, form and nature of the development proposed and known site constraints and circumstances results in a requirement for detailed submissions in respect of surface and foul water drainage. Furthermore, that these matters are capable of being acceptably and appropriately addressed through the building regulations consenting regime.

## **10. Conclusion**

The proposed extension of and internal and external works to the dwelling are considered to be acceptable in principle. Indeed much of the work proposed already benefits from planning permission and listed building consent. The proposals are not considered to result in harm to the character appearance and visual amenity of the locality, including the AONB. No significant harm to residential amenity or highway safety is identified as arising from the proposals. Drainage matters can be addressed through building control. As such the proposals comply with the requirements of the plan and the framework in these respects.



With regard to the conservation area, the proposals will impact on the heritage assets and their setting, resulting in harm to their significance through loss of architectural form and detail, as well as the introduction of rooflights in the unbroken roofs. Harm is identified with respect to the significance and value of the listed building and conflict with the development plan arises as a consequence. As assessed above the harm identified is not considered to be clearly and demonstrably outweighed by the benefits in heritage terms.

Overall the proposal are considered to be in conflict with the development plan and in relation to the provisions of the framework. Such harm must be given substantial weight in the planning balance. The benefits of development are very modest. The dwelling is already generously proportioned and the scale of additional accommodation modest. Many of the works to the heritage asset already benefit from permission and consent and so are deliverable and no significant additional benefit arises in this context as a consequence. The economic benefits are proportionate to the scale of development involved which over and above the existing consents is relatively modest also. Overall the adverse impacts of development and works to the heritage asset clearly and demonstrably outweigh the benefits of development and as such under the provision of the NPPF and as established by case law planning permission and listed building consent should be refused.

## **RECOMMENDATION**

Refuse the application for Full Planning Permission for the following reason:

The development proposed by virtue of its scale, form, positioning and design character would result in harm to the significance and value of the Listed Building. The proposals are therefore in conflict with CP57 (i & iv) & CP58 (iii) Wiltshire Core Strategy (2015); and paragraphs 194,199, 200 & 202 National Planning Policy Framework (2021).

Refuse the application for Listed Building Consent for the following reason:-

The works proposed would harm the significance of the heritage assets and their setting though loss of historic fabric, architectural detail and understanding of the building's origin. There are less harmful ways to achieve improvements to the building. The works as shown would be contrary to section 16(2), 66(1) and 72(1) of The Planning (Listed Building and Conservation Area) Act 1990, the NPPF (paras 194,199, 200, 202 & 204 the BS7913, as well as CP58 of the Wiltshire Core Strategy.

## **Appendices:**

### **Background Documents Used in the Preparation of this Report:**

Application documentation.

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| <b>REPORT OUTLINE FOR AREA PLANNING COMMITTEES</b> |  | <b>Report No.</b> |
|--|--|-------------------|
| <b>Date of Meeting</b>                             | 18 August 2020   |                   |
| <b>Application Number</b>                          | 21/00658/FUL   |                   |
| <b>Site Address</b>                                | Land off Ashton Road, Ashton Road, Minety  |                   |
| <b>Proposal</b>                                    | Change of use of land from agriculture to equestrian. Erection of agricultural storage barn with incorporated equestrian rehabilitation area. Siting of horse walker and rainwater harvesting tank and creation of hardstanding. |                   |
| <b>Applicant</b>                                   | Mrs Samantha Stanfield   |                   |
| <b>Town/Parish Council</b>                         | MINETY   |                   |
| <b>Electoral Division</b>                          | Minety – Cllr Chuck Berry  |                   |
| <b>Grid Ref</b>                                    |  |                   |
| <b>Type of application</b>                         | Full Planning  |                   |
| <b>Case Officer</b>                                | Eleanor Slack  |                   |
|  |  |                   |

**Reason for the application being considered by Committee**

The application was called into Committee by Councillor Berry to consider the scale of development, its visual impact upon the surrounding area, its relationship to adjoining properties, its design in terms of bulk, height and general appearance, its environmental/highway impact and car parking.

**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 key issues in considering the application are as follows:

- Principle of Development
- Impact on Heritage Assets
- Impact on Highways
- Impact on the character and appearance of the locality
- Impact on Residential Amenities
- Impact on Ecological Interest

As a result of the consultation exercise, five letters of objection were received. The Parish Council also raised several concerns regarding the application.

**3. Site Description**

The site is in the open countryside in planning terms by virtue of its position outside of any settlement boundary defined by the development plan. There is a Grade II listed building to the west of the site which is known as Lower Moor Manor. It is understood that this listed building and the application site were historically in the same ownership; however, the two parcels of land have now been subdivided and are in separate ownership. To the north and east the site is bordered by agricultural fields and to the south is a watercourse which is identified as a priority habitat polygon. There are also records of protected species including Great Crested Newts and bats in the wider area. Beyond the watercourse to the south is the Ashton Keynes Road, from which the site is accessed. Parts of the site are at risk of surface water flooding from the 1 in 100 + climate change event and whilst parts of the surrounding area are susceptible to ground water flooding, the site itself is not subject to that constraint.

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

18/10083/FUL - Change of use of the farmland/farm dwelling to equestrian classification and erection of stables, Groom's accommodation with client/staff access and parking (approved)

19/01470/FUL - Change of use of land for proposed non-illuminated menage that is surfaced, drained and fenced (approved)

20/04180/VAR - Variation of Condition 2 of 18/10083/FUL relating to approved plans and removal of Condition 8 relating to Access (approved)

20/04162/FUL - Proposed access track (relocation of track approved under application 18/10083/FUL) (approved)

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

Planning permission was granted on 20<sup>th</sup> September 2019 for the construction of a 10-horse stable block and associated storage together with a groom's dwelling under application reference 18/10083/FUL. This consent was restricted through a suite of conditions including condition 7, which required that it be used as a full livery only.

This scheme was later revised under application reference 20/04180/VAR which was permitted on the 18<sup>th</sup> September 2020. As part of the revised application the Applicant confirmed their intention to operate a full livery and rehabilitation business from the application site. As such, the revised application granted consent for the construction of an examination room partially adjacent to the approved stable block to be used for the assessment of horses and minor medical procedures. Minor amendments to the consent were also granted including alterations to the approved fenestration. The construction of the approved schemes has commenced, and the supporting statement explains that it is expected to be completed by the end of the summer.

Apart from the approved access, the land to which the current application relates falls outside of the boundaries of the previous consents. Therefore, the land concerned is currently in an agricultural use and permission is sought to use it for equestrian purposes. The previous consents included a small hay store which the Agent claims is not large enough to meet the hay storage needs of the holding. As such the proposal includes the erection of an agricultural storage barn which would be used to store hay and machinery required in association with the management of the land. This building would also include a rehabilitation area which would house specialist equipment comprising of a horse spa and horse treadmill to treat the horses accommodated at

the site under the full livery. This rehabilitation area would be used in association with the examination room which has already been permitted under the previous schemes. A horse walker and rainwater harvesting tank would also be positioned on the land and a new area of hardstanding would be created.

## **6. Local Planning Policy**

National Planning Policy Framework 2021: Paras 2, 11, 12, 38, 47, 80, 85, 110, 111, 130, 180, 197, 199, 202

Wiltshire Core Strategy Jan 2015: CP1, CP2, CP13, CP34, CP48, CP50, CP51, CP57, CP58, CP62

Saved Policies of the North Wiltshire Local Plan 2011: NE14

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

### Drainage

No objection. Rainwater harvesting is top of the drainage hierarchy and should offer betterment for surface water runoff for the site.

### Public rights of way

No objection provided the land to the east of the footpath remains open.

### Highways

No objection

### Minety Parish Council

Objection raised due to the commercial nature and the increased footprint of the development on a site that is in the isolated countryside. The nature of the road infrastructure is unsuitable for the increase in traffic to the site.

### Public Protection

No objection subject to conditions controlling the type of horse walker proposed and the flooring material for the walker.

### Ecology

No objection subject to conditions.

### Conservation

Objection raised. The proposal would dominate the area, obscure views and result in cumulative harm to the setting of the heritage assets. The proposal would also erode the rural character of

the area through hard surfacing, cumulative built form and associated infrastructure. The harm caused is less than substantial and at the lower end of the scale

### Public Consultation

Six letters of objection were received during the public consultation period. The main points raised were as follows:

- The cumulative impact of the proposal with the approved schemes should be considered. The proposal would not comply with Core Policy 34.
- The site is reliant upon car-borne transport and the introduction of further development cannot be justified on sustainability and accessibility grounds.
- The cumulative scale of development would be excessive and would have an adverse effect on the character and appearance of the area.
- The proposal transforms the site from a simple full livery to a full equine rehabilitation equestrian centre.
- Little justification has been provided to indicate that the proposal would be of benefit to the local economy or community.
- The impact on the amenity in the neighbouring farmhouse, clock house and garden and tennis court should be considered.
- Increased noise, movements and activity in a quiet and tranquil location.
- Harm to neighbour amenity
- Noise disturbance would affect the neighbour's enjoyment of their property.
- Increased traffic noise through visits by vets and physios etc.
- There would be a higher turnover of horses in full livery.
- Concern that the facilities could be used for outside treatments
- Concern that if the site is sold it could be used for DIY livery.
- The proposal is out of proportion to its setting. It would be overly prominent and it would change the character of the field. The development reduces the openness of the field.
- Concern that other open fields in wider area could be similarly developed.
- Harm to the setting of the adjacent listed building.
- The proposal changes the nature of the previous approved development
- The application would not have been permitted if it were all applied for in one go.
- Noise created by the construction of the approved scheme.
- Construction works are affecting the enjoyment of the neighbouring properties. Request that the hours of construction are controlled.

## **8. Publicity**

In accordance with Covid-19 arrangements, the publicity of the application was by way of neighbour notification letters.

## **9. Planning Considerations**

### Principle of proposal

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the

development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLPL) 2011 (adopted June 2006).

Wiltshire Core Strategy Policies CP1 and CP2 alongside community area based policies, CP13 in this instance, define a hierarchy of settlements based on the range of services infrastructure and facilities in those locations and seeks to direct most new development to the most sustainable locations in this hierarchy. In the Malmesbury Community Area the most sustainable location to which most growth is directed is Malmesbury with the large villages of Ashton Keynes, Crudwell, Great Somerford, Oaksey and Sherston being identified as able to accommodate some growth within existing settlement boundaries.

The Wiltshire Core Strategy does however include several policies which form an exception to this approach. In this instance CP34 is of relevance as it deals with additional employment land and commercial development outside of the defined settlements. During the public consultation period, concern was raised that the proposal would not comply with Core Policy 34. Whilst this comment is appreciated, the cumulative impact of the development alongside the approved schemes has been carefully assessed and it is considered that the proposal would help to achieve the objectives of Core Policy 34 ii). This aspect of the policy seeks to:

*'ii) support sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification.'*

As with the previous approvals, it is considered that the proposals for commercial equestrian development fall into this category as they require a rural location for the use proposed.

It is considered that the proposal complies with the criteria set out within Core Policy 34. As will be explored in greater detail later in this report, it is considered that the proposals are consistent in scale with their location and do not adversely affect nearby buildings or the surrounding area; nor are they considered to detract from residential amenity. The application has been accompanied by information to explain why the development is needed to support the existing business which will be operating from the site, thereby demonstrating its benefit to local economic and social needs. The proposal would not undermine delivery of strategic employment allocations and it is supported by adequate infrastructure. The proposal therefore satisfies criteria v. to ix. of Core Policy 34. It would also comply with paragraph 85 of the National Planning Policy Framework which seeks to support the sustainable growth and expansion of businesses in rural areas as well as the development and diversification of agricultural and other land-based rural businesses.

Concern was raised during the public consultation period that the proposal would change the nature of the previously approved development, transforming it from a simple full livery to an equine rehabilitation centre. Whilst this concern is appreciated, the principle of a commercial equestrian centre on the wider site was accepted under application reference 18/10083/FUL and the current proposal would expand and compliment that existing use. The rehabilitation use was referenced in the application which varied the original consent (20/04180/VAR), which approved inter alia the introduction of an examination room to be used to assess horses prior to their rehabilitation. The documents accompanying this previous consent outlined the Applicant's

intention to operate a full livery and rehabilitation business from the site and this variation of condition application was restricted through a range of conditions including a condition requiring that the development be used as a full livery only.

The additional statement submitted in support of the current application confirms that the rehabilitation service would only be offered to the horses already kept on site under the approved full livery. Therefore, although the proposal would introduce new facilities for use by the horses as well as additional storage space, the proposal would not increase the number of horses that can be accommodated on the site, nor would the proposed facilities be used by horses that are not resident at the site under the full livery. A suite of conditions is suggested to control the scope of the consent and subject to these constraints the proposal is considered to be acceptable in principle.

### Impact on Heritage Assets

The site is adjacent to a Grade II listed building. In accordance with the provisions of The Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance of the NPPF, Core policies CP57 (i) and CP58 require that all development preserves and where possible enhances the significance and value, including their setting, of designated heritage assets such as listed buildings.

The listing for Lower Moor Farmhouse describes the heritage asset as follows:

*II Probable early C17 core with C18 and C19 additions and alterations. Rubble with some render and flush rusticated dressed stone quoins to core range, squared and coursed dressed stone to C19 addition; stone slate roofs throughout with end and ridge stone stacks.*

*Irregular L-shaped plan with C17 west range and later additions in a long range set at right-angles and facing east. Two storeys to C17 block, single storey and attic to later range. Two- and three-light casement fenestration throughout, but on the west wall of the C17 block is a two-light chamfered mullion with hoodmould lighting the staircase. Doorway in the angle between ranges with flat hood on a single concrete bracket and plank door.*

*Interior. Early C17 dog-legged staircase-with square newels and rustic flat-section balusters; stone flags to lobby and several chamfered beams.*

On this basis it is considered that the heritage values and significance of the building stems from its historic, evidential, illustrative and aesthetic values and importance being characteristic of historic farmsteads in the Wiltshire locality. The setting of the structure is considered to be of high significance in this context with the surrounding farmland and buildings and their arrangement within the holding being a part of the historic and illustrative values.

The Council's Senior Conservation Officer was consulted in respect of the proposals and identified that the proposal would result in harm to the setting of the farmhouse. In particular, they identified that the size and location of the proposed building would interfere with views to and from the listed building complex, harming the setting of the heritage assets due to scale, bulk, massing and light spill. They noted that the horse walker and tank would be additional structures in the



currently open fields obscuring views to and from the heritage assets. The Senior Conservation Officer also considered that the development would erode the rural character of the area which forms part of the significance of the heritage assets and their setting. Officers did confirm that the harm arising would be less than substantial and at the lower end of the scale of harm.

In terms of the level of harm caused, it is noted that there is very little inter-visibility between the application site and the listed building. Any views which do exist are significantly reduced and impeded by the presence of established trees and hedging as well as other boundary treatments. Moreover, the proposed building would have the appearance of a typical agricultural building and it would not therefore appear as a prominent or incongruous feature in this rural location. The erection of external lighting can be controlled by condition and this will ensure that the visual prominence of the site is not increased during hours of darkness. Within this context it is considered that the harm caused would be less than substantial, and that it would be at the lower end of that scale. Whilst the Senior Conservation Officer agreed with this conclusion they did note that details such as lighting have not been provided and have the potential to increase the level of harm caused.

The wording of CP58 and the supporting text to the policy is quite clear that if harm is identified, no matter what the level, it is in conflict with the policy. Therefore, due to the harm identified, the development is in conflict with CP58. This is a matter which weighs against the scheme in the planning balance. However, failure of the proposed development to comply with CP58 is not necessarily fatal to the acceptability of the scheme. 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.

The NPPF is a material planning consideration and paragraphs 197, 199, 202 are relevant to the determination of the application. Paragraph 202 provides: *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'*.

In this case, the proposal would provide economic benefits for the business. Horse owners would pay additional fees in order to use the horse walker and aqua treadmill and therefore these facilities would provide complimentary revenue streams for the business. The proposed building would also reduce expenditure for the business by allowing the applicant to store the hay produced from their land, thereby negating the need to purchase it elsewhere. Covered and secure machinery storage would reduce the deterioration of machinery and would prevent expenditure associated with storing it elsewhere. The proposal would also have broader economic benefits both during the construction phase through the provision of employment opportunities for builders, and the operational phase through support for a range of other businesses including veterinarians and farriers.

The proposal also involves several broader public benefits such as reducing the number of vehicle movements to and from the site. The Agent explained that when compared to a typical full livery, the rehabilitation livery would attract fewer visits from the owner of horses who are less likely to visit to ride their horses and are more likely to live further afield. The provision of on-site storage and facilities will also reduce the number of vehicle movements as such equipment and

facilities would not need to be accessed elsewhere. The provision of the building would also prevent machinery and hay from being stored outside, which can cause visual harm.

These are public benefits of the scheme to which significant weight should be afforded and it is considered that these benefits demonstrably outweigh the less than substantial harm that would arise from the development. Given this conclusion, in the context of the paragraph 202 balancing exercise, it is considered that the proposals are not in conflict with the NPPF and this is a material consideration of sufficient weight to indicate that in this instance a decision otherwise than in accord with the development plan is justified and planning permission can be granted.

#### Impact on the character and appearance of the locality

Core Policy 57 of the Wiltshire Core Strategy states that a high standard of design is required in all new developments, and that development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. This is reflected by Core Policy 51 which states that development should protect, conserve and where possible enhance landscape character.

Concern was raised during the public consultation period that the size of the proposal would be excessive, and it was felt that it would have an adverse impact on the character and appearance of the area. Whilst this concern is appreciated, the size of the proposed building is not considered to be excessive given its proposed use and the Agent has provided evidence to explain why a building of this scale is required. They have explained that there is a requirement for 110m<sup>2</sup> of storage space to accommodate two cuts of hay from the land. Moreover, the building is required to store a tractor, telehandler, mower, tedder, rake, hay trailer, rolls, forks, topper, chain harrow, all-terrain vehicle, muck trailer and sand school grader; which combined have a total storage requirement of 86.5m<sup>2</sup>. Therefore, the supporting planning statement confirms that there will be a storage requirement of approximately 239m<sup>2</sup>, and that the storage section of the building would extend to 216m<sup>2</sup>. It is considered that the Agent has provided sufficient evidence to justify the need for a building of the scale proposed.

By virtue of its form and design, the proposed building would have an agricultural appearance. The site is located in a rural area where agricultural and equestrian buildings are a common feature and in this context the proposal would not appear as an incongruous feature. Moreover, the site is to a large degree well screened from the surrounding area and as such the development proposal will not be visually prominent. The principal views of the development will be from the adjacent right of way and whilst the development would be prominent from this location it will be read in the context of the existing equestrian enterprise which is currently under construction.

In summary it is not considered that the proposals would result in harm to the character, appearance and visual amenity of the locality such that consent ought to be refused on this basis. Therefore the proposal is in compliance with the provisions of CP34 (vi), CP51 and CP57 (i) (ii) (iii).

#### Impact on Highways

Concern was raised during the public consultation period that the proposal would result in increased traffic through visits by vets and physiotherapists. It was also felt that it would result in a higher turnover of horses and that as the site is reliant upon car-borne transport the introduction of further development cannot be justified on sustainability and accessibility grounds.

The Agent has confirmed that the proposal would not increase the number horses accommodated at the site. Given that the rehabilitation nature of the business was approved through a previous scheme (20/04180/VAR) there is no evidence to indicate that the proposal would increase the number of vehicle movements associated with trips by veterinarians or physiotherapists. The supporting information explains that the proposal would help to reduce the number of vehicle movements associated with the site by providing facilities such as the horse walker, horse spa and hay storage on-site; thereby negating the need to travel off-site. A condition can be applied to prevent the approved facilities from being used by horses that are not in full livery at the site, which would further control the vehicle movements associated with the proposal. Whilst it is accepted that there would be increased vehicle movements associated with the construction phase of the proposal, the impact of such movements can be controlled and mitigated by attaching a condition to require compliance with the submitted construction method statement.

The Highways Officer reviewed the proposal and noted that there was no evidence contained within the submissions which indicated that the proposal would increase the number of vehicle movements associated with the site. On this basis the Highways Officer raised no objection to the proposal.

The Public Rights of Way Officer noted that a public footpath (MINE34) runs to the east of the site. They highlighted that the Applicant proposes to fence and plant a hedge along the site boundary. The Public Rights of Way Officer raised no objection to this provided the land to the east of the footpath remains open and they advised that the footpath should not be enclosed on both sides without consultation with the Countryside Access Officer. On this basis the proposal is also considered to have an acceptable impact upon public rights of way.

#### Impact on Residential Amenities

Concern was raised during the public consultation period regarding the impact of the proposal upon the amenity enjoyed by the neighbouring properties, with particular concern being raised about the amenity of Lower Moor Manor. It was felt that the proposal would result in increased noise, movement and activity in an otherwise quiet and tranquil location.

Core Policy 57 highlights the importance of protecting neighbour amenity. It states that development should have regard to the compatibility of adjoining buildings and uses, as well as the impact on the amenities of existing occupants.

The Public Protection Officer was consulted on this proposal and initially requested an assessment of the acoustic impact arising from the operation of the horse walker, horse treadmill and spa. Following this request the Agent submitted additional information regarding the equipment proposed including the manufacturer, model and videos of the equipment in use. They confirmed that both a water treadmill and water spa would be sited within the building. Horses using the water spa would stand in the spa for the purposes of hydrotherapy to treat lower leg

injuries. The water treadmill would be used for equine rehabilitation, with the speed of the treadmill being kept low and predominantly used for walking. The Agent also confirmed that the horse walker, which would be located outside of the proposed building, would have rubber matting to increase grip and dampen noise. They advised that the walker would be used for gentle, low impact walking.

Following the receipt of this information, the Public Protection Officer confirmed that an acoustic assessment was no longer required and they considered that there would not be a significant loss of amenity to neighbours as a result of the proposal. The Public Protection Officer requested that the type of horse walker proposed and the flooring material for the walker be controlled via conditions. Subject to these constraints it is not considered that the proposed equipment would be significantly harmful to the amenity enjoyed by neighbouring properties such that the application could reasonably be refused on this basis. It is considered that the building would not cause harm to neighbour amenity in broader terms, for instance through odour or vibration and a condition can also be applied to control the erection of external lighting to mitigate any disturbance caused through light pollution.

The block plan indicates that the eastern elevation of the building would be approximately 51 metres from the boundary with Lower Moor Manor. Given this significant separation distance, it is considered that the proposal would not give rise to any significant loss of light, privacy or overbearing impact. Concern was raised during the public consultation period about the noise associated with the construction of the approved development on site. It is acknowledged that the construction phase of the development has the potential to cause disturbance to the surrounding neighbours through noise and in order to mitigate this harm a construction method statement was submitted. Importantly, the construction method statement controls the hours of construction as well as parking and material storage. A condition is suggested to require that the development is carried out in strict accordance with the construction method statement throughout the construction period.

In summary, whilst the concerns raised are appreciated, in this case it is not considered that the proposal would cause such significant harm to the amenity enjoyed by the neighbouring properties, including Lower Moor Manor that the proposal could reasonably be refused on this basis. Therefore the proposals are considered to accord with the provisions of WCS CP34(vi) & CP57(vii) and paragraph 130 of the NPPF.

#### Impact on Ecological Interest

As noted in the site description, the site is in a locality with records of protected species including bats and Great Crested Newts and there are habitats of ecological potential on or directly adjacent to the site including a watercourse and significant mature boundary vegetation. As such the application has been supported by a Great Crested Newt Survey and an Ecological Construction Method Statement.

The Ecologist reviewed the submission in full and raised no objection. They were satisfied that potential harm to biodiversity would be minimized through the provision of a 3 metre undeveloped buffer between the barn and an ecological enhancement corridor, as well as adherence to the Ecological Construction Method Statement and appointment of Herdwick Ecology as Ecological

Clerk of Works. Subject to such conditions it is considered that the application complies with Core Policy 50 of the Wiltshire Core Strategy.

### Drainage

The supporting planning statement confirms that it is proposed to install a rainwater harvesting tank that will measure approximately 2.3 metres tall with a diameter of 4.5 metres. This will help to minimize peak flows of surface water into the nearby brook. Based upon annual rainfall measured by the Met Office, the proposed tank will have sufficient capacity to store approximately two months of rainwater. An overflow pipe would also be connected to the attenuation pond to the south of the proposed building which discharges into the nearby brook.

The Council's Drainage Engineer raised no objection to the proposal. They noted that rainwater harvesting is at the top of the drainage hierarchy and should offer betterment for surface water runoff for the site. Given the reasonably low risk of flooding on the site, it is not necessary or reasonable to require further details of the proposed surface water disposal arrangement via condition.

### Other matters

Concern was raised during the public consultation period that the proposed facilities could be used to treat horses not under livery at the site. Whilst this concern is appreciated, the use of the facilities can be controlled via a condition attached to the consent.

A letter received during the public consultation period raised concern that if the site is sold it could be used for DIY livery. The previous consents contained conditions to control the use of the site and require that it is used for full livery only, and these conditions would continue to apply even if the site were sold. For the avoidance of doubt, it is recommended that such conditions are also applied to the current application. Any future application to change the nature of the uses occurring on the site would need to be considered on its own merits.

Concern was also raised during the public consultation period that other fields in the wider area could be similarly developed. There is no precedent in planning terms and it does not follow that what is found to be acceptable on one site will also be acceptable on another. Any application for further development on this site or in the wider area would be assessed on its own merits.

## **10. Conclusion (The Planning Balance)**

The proposal is considered to be acceptable in principle and the expansion of the existing equestrian facilities on the site is considered appropriate given its rural location. The proposals are considered to be acceptable in design terms and they would have an acceptable visual impact upon the rural landscape. No significant harm to residential amenity or highway safety is identified as arising from the proposals and they would not significantly increase flood risk on the site or in the wider area. Although the site is located in an ecologically sensitive area, subject to conditions, the proposals are not considered to cause harm to protected species. As such, the proposals comply with the requirements of the plan in these respects.

Harm is identified with respect to the significance of the adjacent listed building and conflict with the development plan arises as a consequence. As assessed above the harm identified is considered to be less than substantial and at the lower end of that scale.

There are significant benefits associated with the proposed development which are considered to clearly and demonstrably outweigh the harm caused and therefore the proposal satisfies paragraph 202 of the NPPF.

Overall the proposals are considered to comply with the development plan and although conflict with Core Policy 58 has been identified, the proposal would comply with the provisions of the framework in this respect. Compliance with relevant development plan policies and provisions of the framework is afforded substantial weight in the planning balance. There are significant economic benefits associated with the proposal both through its operation and the construction phase. The proposal would also reduce the number of vehicle movements associated with the site and would prevent visual harm by negating the need for hay and machinery to be stored outside. Therefore, taken together, it is considered that the benefits associated with the proposal would significantly outweigh the harms. On this basis it is considered that the proposal represents a sustainable form of development, and it is recommended that planning permission be granted.

## **RECOMMENDATION**

**That permission is GRANTED subject to the following conditions:**

### **Conditions: (8)**

- 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:  
KCC2820/07 - Block plan  
KCC2820/06 10/20se - Location plan  
KCC2820/08 10/20se - Proposed storage/rehabilitation building: elevations and floor plan  
KCC2820/09 10/20se - Proposed horse walker  
KCC2820/10 01/21se - Proposed rainwater harvesting tank  
Received 10/02/2021

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

- 3 The development hereby permitted shall only be operated solely on the basis of the approved full livery arrangements and at no time shall the site offer or provide for DIY livery services.

REASON: In the interests of highway safety.

- 4 The facilities hereby approved including the horse walker, horse spa and horse treadmill shall be for the sole use of horses accommodated at the site under full livery. No other horses shall use the approved facilities at any time unless approved in writing by the Local Planning Authority.

REASON: to protect the amenity enjoyed by neighbouring properties and to control the number of vehicle movements associated with the site

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

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

- 6 The horse walker provided must be the Molenkoning walker, with glide rail system, push gates and rubber matting flooring. No other type of horse walker shall be installed on the site.  
REASON: To protect residential amenity

- 7 The development shall be carried out in strict accordance with Sections 5 and 6 of the Ecological Construction Method Statement (prepared by Wild Service, 08/06/2020) and Appendix 1 of the Great Crested Newt Survey (Prepared by Astute Ecology, June 2019).  
REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

- 8 The approved construction method statement, received by the Local Planning Authority on 8th July 2021, 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 ensure that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

**Informatives: (4)**

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

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

12 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

13 **INFORMATIVE TO APPLICANT:**

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