

# AGENDA

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**Meeting:** Western Area Planning Committee

**Place:** Kennet Room - County Hall, Bythesea Road, Trowbridge, BA14 8JN

**Date:** Wednesday 6 July 2022

**Time:** 3.00 pm

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Please direct any enquiries on this Agenda to Ellen Ghey, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718259 x18259 or email [Ellen.ghey@wiltshire.gov.uk](mailto:Ellen.ghey@wiltshire.gov.uk)

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

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## Membership:

Cllr Christopher Newbury (Chairman)	Cllr Stewart Palmen
Cllr Bill Parks (Vice-Chairman)	Cllr Antonio Piazza
Cllr Trevor Carbin	Cllr Pip Ridout
Cllr Ernie Clark	Cllr David Vigar
Cllr Andrew Davis	Cllr Suzanne Wickham
Cllr Edward Kirk	

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## Substitutes:

Cllr Matthew Dean	Cllr George Jeans
Cllr Jon Hubbard	Cllr Gordon King
Cllr Tony Jackson	Cllr Mike Sankey
Cllr Mel Jacob	Cllr Graham Wright

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## **Public Participation**

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

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

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

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

# AGENDA

## Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

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

To approve and sign as a correct record the minutes of the meeting held on 11 May 2022.

3 **Highway Consultation Conference Feedback on The Forest & Sandridge Primary School application (PL/2021/06702)**

To receive a verbal update from the Development Management Area Team Leader.

4 **Declarations of Interest**

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

5 **Chairman's Announcements**

To receive any announcements through the Chair.

6 **Public Participation**

The Council welcomes contributions from members of the public.

### **Statements**

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register **no later than 10 minutes before the start of the meeting**. If it is on the day of the meeting registration should be done in person.

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

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

## Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on 29 June 2022 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 1 July 2022. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

### 7 **Planning Appeals and Updates** (*Pages 13 - 14*)

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

### 8 **Planning Applications**

To consider and determine the following planning applications.

#### 8a **PL/2021/10373: Bekson Farm, 54 Whaddon Lane, Hilperton, BA14 7RN** (*Pages 15 - 32*)

Permanent siting of a Biomass boiler and container for the control unit (retrospective)

#### 8b **PL/2022/02786: Yew Tree Cottage, 10 Horse Road, Hilperton Marsh, Trowbridge, BA14 7PE** (*Pages 33 - 50*)

Additional domestic accommodation in the form of a single story annexe.

### 9 **Urgent Items**

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

## Part II

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

## Western Area Planning Committee

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 11 MAY 2022 AT COUNCIL CHAMBER, COUNTY HALL, TROWBRIDGE, BA14 8JN

#### **Present:**

Cllr Christopher Newbury (Chairman), Cllr Bill Parks (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr Antonio Piazza, Cllr Pip Ridout, Cllr David Vigar and Cllr Suzanne Wickham

#### **Also Present:**

Cllr Jon Hubbard, Cllr Tony Jackson, Cllr Mike Sankey, Cllr Nick Holder and Cllr Stuart Wheeler

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#### 42 **Apologies**

There were no apologies for absence received.

#### 43 **Minutes of the Previous Meeting**

The minutes of the previous meeting of the Western Area Planning Committee held on 13 April 2022 were considered. Following which, it was:

#### **Resolved**

**The Committee approved the minutes of the previous meeting of the Western Area Planning Committee held on 13 April 2022 as a true and correct record.**

#### 44 **Declarations of Interest**

Cllr Edward Kirk declared an interest in Agenda Item 7a due to his wife's business' involvement in the application and as such, withdrew from the meeting and did not vote or participate in the debate.

#### 45 **Chairman's Announcements**

The Chairman asked that all phones were switched off or turned to silent mode to minimise any potential disturbances and explained the procedure if a fire alarm were to sound.

46 **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.

47 **Planning Appeals and Updates**

The Chairman invited Kenny Green, Development Management Team Leader, to update the Committee on any pending and determined appeals as per the appeals report included within the Agenda Pack.

It was noted that no appeal decisions had been received for the period stated and it was explained that there were different timescales depending upon the type and complexity of appeal ranging from six months to several years.

**Resolved**

**The Committee noted the appeals report for the period 1 April 2022 to 29 April 2022.**

48 **PL/2021/06702: Forest and Sandridge C Of E Voluntary Aided Primary School, Cranesbill Road, Melksham, SN12 7GN**

**Public Participation**

Ms Anna Wilcox, on behalf of Mr Scott James, Headteacher of Forest and Sandridge CofE VA Primary School, spoke in support of the application.

Cllr Jon Hubbard, on behalf of Melksham Town Council, spoke in objection to the application.

Steven Sims, Senior Planning Officer, introduced the report which recommended that the Committee approve the application, subject to conditions, for works including an extension to the existing 2 form entry Primary School to provide 4 additional classrooms, a new studio space, 2 additional group rooms, additional WCs and storage, internal works to the existing nursery space, and expanding the existing car park.

Reference was made to the presentation slides (Agenda Supplement 1) and it was highlighted that the school site was located within the built up area of Melksham and that the proposed expansion was required to serve the projected increase in the number of children requiring a school place in the next few years, as a consequence of new housing development.

The case officer described the site which included the school building, the car park, the access points, and boundary features. The proposed extension was then detailed including floor layouts, the car park expansion and elevation plans.

Key issues highlighted were: the principle of development; the impact on the character and appearance of the area; impact on the amenity of neighbouring residents; highways/parking issues; ecology issues; drainage and other issues.

Members of the Committee were then given the opportunity to ask technical questions to the officer. The main points of focus included: the need for additional crossing points, bat protection and highways issues.

In response, the case officers confirmed that the local highways authority had reviewed the local highway network and concluded that the proposed development did not necessitate a new controlled crossing point on Snarlton Lane.

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

Local Unitary Member, Cllr Mike Sankey, addressed the Committee and detailed his objections to the application, which specifically related to highway and parking conflicts during drop off and pick up times; about children's safety and the school travel plan; and he made the suggestion that the existing car park could be re-used for play provision during school hours to enable some of the existing play area to be re-developed for additional car parking to reduce the congestion on the public highway.

Clara Davies, as the Councils School Place Commissioning Lead officer, referenced the school travel plan and confirmed that discussions between the school and the Council's Travel Plan officer were ongoing to reduce traffic congestion during pick up and drop off times. It was further explained that s106 developer contributions had been ring fenced for this school expansion to meet the increasing school pupil projections and that if the development was not approved or implemented, the school place needs would still exist but the Council would not be able to re-allocate the s106 money to another school, and in accordance with the claw back clause set out within the s106, the developer would have the contribution returned if it was not used at this local school.

Cllr Trevor Carbin then moved to approve the application in line with officer recommendations which was seconded by Cllr Antonio Piazza.

During the debate, Cllr Vigar suggested an amendment to the motion to instruct Kenny Green, to contact the highways officer involved with this case to appreciate the extent of his assessment and the option of delivering a pedestrian crossing outside of this application.

Cllrs Carbin and Piazza (as the proposer and seconder of the motion) both agreed to the amendment.

At the conclusion of the debate a vote was taken on the motion to approve in line with officer recommendations.

Following which, it was:

## **Resolved**

To grant planning permission subject to the following conditions

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

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

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

See Document Issue Sheet SL/P20010 dated 5/10/21 detailing the approved plans

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

4. No development hereby approved 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:

- Details of tree protection measures for the protection of trees to be retained during construction work
- A detailed planting specification showing all native plant species, new hedgerow planting including infill works, planting sizes and densities

**REASON:** In order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of



the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

**REASON:** To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. The proposed secure fencing hereby approved shall match the existing in height detail and colour.

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

7. The development hereby approved shall be completed in accordance with the recommendations contained within Section 5.4 (including the incorporation and provision of hedgehog boxes) of the Preliminary Ecological Appraisal produced by CSA Environmental and dated April 2021 and that the development shall not be brought into use until photographic evidence is submitted to discharge the condition showing the installation of the biodiversity enhancement features which will require to be submitted to and approved in writing by the local planning authority.

**REASON:** To provide mitigation /enhancement for biodiversity.

8. No part of the development hereby approved shall commence on site until a Construction Method Statement, which shall include the following:

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

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

**REASON:** In order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment

through the risks of pollution and dangers to highway safety, during the construction phase.

9. No part of the development hereby approved shall be first brought into use until the 6 additional parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

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

10. The development hereby approved shall not be first brought in to use until those parts of the Travel Plan capable of being completed prior to occupation, have been implemented. Those parts identified for implementation after occupation shall be implemented in liaison with the Council's School Travel Plan Advisor. The Travel Plan Co-ordinator and Travel Plan Working Group shall carry out the identified duties to implement the School Travel Plan in perpetuity, including providing the Council with travel data upon request.

**REASON:** In the interests of reducing the number of private car movements to and from the development.

**Informative to Applicant:**

There is a small risk that bats may be found at the site, and the applicant is advised to inform all construction personnel to be aware that if bats are encountered during on site works, they and any roosting habitat are protected at all times by the Conservation of Habitats and Species Regulations 2010 and that expert advice should be obtained whilst works cease. Planning permission for any development does not provide a defence against prosecution under the above legislation; and, nor does it act as a substitute for the need to obtain a bat licence if bats are found. Consideration should be given to obtaining a survey from a professional ecologist before commencing work. If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Bat line which is available online.

The applicant is encouraged to engage with the Council's highways team pursuant to reinstating line markings along Snarlton Lane as well as the Council's Travel Plan Coordinator in terms of confirming the introduction of staggered drop-off and collection times for parents to reduce car parking congestion along the public highway.

49 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 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)

Press enquiries to Communications, direct line ((01225) 713114 or email  
[communications@wiltshire.gov.uk](mailto:communications@wiltshire.gov.uk)

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**Wiltshire Council**  
**Western Area Planning Committee**  
**6<sup>th</sup> July 2022**

**Planning Appeals Received between 29/04/2022 and 24/06/2022**

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
20/10353/FUL	37A Monkton Farleigh, Bradford-on-Avon, Wiltshire, BA15 2QD	Monkton Farleigh	Erection of replacement dwelling	WAPC	Written Representations	Approve with Conditions	23/05/2022	Yes
ENF/2021/00811	The Log House 286 Turleigh Hill, Winsley Bradford on Avon BA15 2LR	Winsley	Erection of wooden structure on the far bank of the property	DEL	Written Representations	-	06/05/2022	No
ENF/2021/00892	Land at Shop Lane, Wingfield	Wingfield	Alleged unauthorised use of site as traveller site PL/2021/08565	DEL	Hearing	-	17/06/2022	No
PL/2021/05676	44, Lower Westwood Bradford-On-Avon BA15 2AR	Westwood	Demolition of existing porch and conservatory, and construction of single storey extension and entrance link to existing house.	DEL	Written Representations	Refuse	03/05/2022	No
PL/2022/00964	17 Middle Lane Trowbridge BA14 7LG	Trowbridge	To Build a new garage at the front of the dwelling	DEL	Householder Appeal	Refuse	24/06/2022	No

**Planning Appeals Decided between 29/04/2022 and 24/06/2022**

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
20/07334/OUT	Land west of Semington Road, Melksham Wiltshire	Melksham Without	Outline planning permission for up to 50 dwellings and formation of access and associated works (Outline application to consider access with all other matters reserved).	DEL	Inquiry	Refuse	Allowed with Conditions	30/05/2022	None
PL/2021/05676	44, Lower Westwood Bradford-On-Avon BA15 2AR	Westwood	Demolition of existing porch and conservatory, and construction of single storey extension and entrance link to existing house.	DEL	Written Reps	Refuse	Dismissed	15/06/2022	None
PL/2021/06935	30 St Michael's Road Melksham, Wiltshire		Change of use of land to domestic curtilage with erection of fence.	DEL	Written Reps	Refuse	Dismissed	09/05/2022	None

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## REPORT FOR THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	6 July 2022
<b>Application Reference</b>	PL/2021/10373
<b>Site Address</b>	Bekson Farm, 54 Whaddon Lane, Hilperton, Trowbridge, Wilts, BA14 7RN
<b>Proposal</b>	Permanent siting of a Biomass boiler and container for the control unit (retrospective)
<b>Applicant</b>	Bed It Limited
<b>Town / Parish Council</b>	Hilperton Parish Council
<b>Electoral Division</b>	Hilperton – Cllr Ernie Clark
<b>Grid Ref</b>	387564 - 160077
<b>Type of Application</b>	Minerals and Waste Application
<b>Case Officer</b>	David Cox

### Reason for the application being considered by Committee

This application has been called into Committee at the request of Cllr Ernie Clark should officers be minded to support the application to enable the elected members to consider the following matters:

- The environmental and highway impacts

Cllr Clark also requests consideration should be given to granting another temporary permission to properly assess the environmental impacts as the original (temporary permission) was mostly spanned the national lockdown period.

Cllr Clark also argues that *“the original (temporary) permission was justified on the basis of ‘a special temporary need’ – what has changed to now make this acceptable as a permanent feature?”*

### 1. Purpose of Report

The purpose of this report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application should be approved subject to conditions.

### 2. Report Summary

The key determining planning issues are considered to be: The Principle of Development, Environmental Impacts (air quality) and Neighbouring Impacts, Highway Impacts and biodiversity

### 3. Site Description

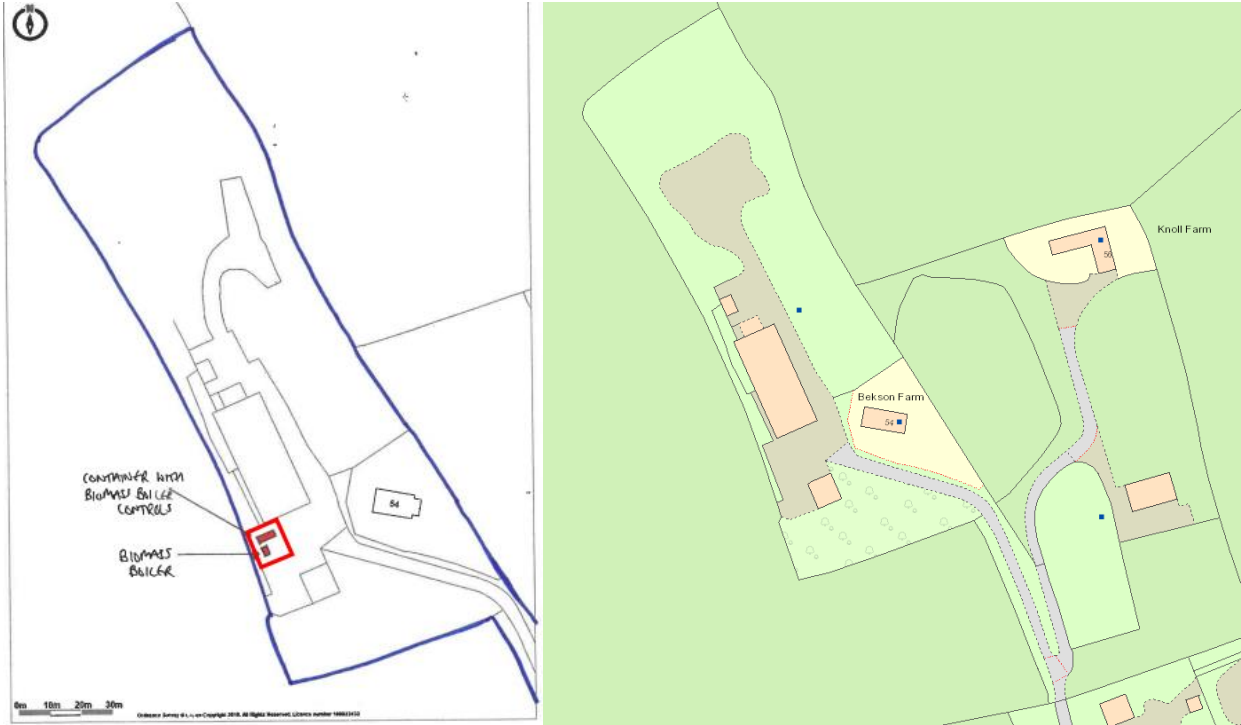
Bekson Farm is located along Whaddon Lane, to the east of Hilperton and is approximately 420m outside the limits of development (of the large village as defined in the Wiltshire Core Strategy). As Whaddon Lane passes the Village Hall and nursery on the right, the road narrows to near single lane width as you pass New Barn Farm on the left. From New Barn Farm it is approximately 400m to the application site where there are two informal passing points near to an agricultural field access and the access to a stable block known as *‘Land West of Merryfield’*.

The access into the application site from Whaddon Lane is defined by a fairly large concrete apron that also provides access No 50 Merryfield. There is then an approximate 100m long private road which then splits to Bekson Farm on the left and Knoll Farm to the right.

Bekson Farm includes a residential bungalow (which has an agricultural tie) and two barns. The first larger barn (to the north of the boiler) used to be a piggery first approved under applications W/76/99848/HIS and

W/77/00333/HIS. The second barn (located to the south of the boiler) was approved under application 14/09400/FUL.

The small agricultural field to the east and north of the larger barn is understood to be used to grow hay. It is understood that the applicant runs a forestry and agriculturally linked businesses from the Bekson Farm site – with the application site and wider landholding shown below.



Site Location plan and Council mapping image of Bekson Farm and Knoll Farm



Council mapping image of the application site showing wider context in relation to Hilberton





Google Street view image of the access to the application site from Whaddon Lane

There is only one residential property within the immediate vicinity of the application site, at Knoll Farm, where the boundary is approximately 50 metres away from the boiler, but its residential curtilage (shown in yellow on the previous page) is considered to be approximately 110 metres away. There are also a further three dwellings approximately 190 metres (and beyond) to the south east of Bekson Farm.

On previous site visits the case officer viewed the smaller modern barn and confirmed that it is used for agricultural storage (which included tractor storage).

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

In the applicants supporting statement it is asserted that the boiler has been on site since c2016 without any planning enforcement or environmental health complaint being made to Wiltshire Council.

The boiler was given a temporary two-year planning permission on 10 February 2020 under application 19/06300/WCM – under the proposal for the *change of use to allow a waste recovery operation and Siting of a Biomass boiler and container for the control unit.*

Whilst the temporary permission has now expired, this application that sought permanent permission was validated by the Council on 19 November 2021, three months or so prior to the temporary permission expiration date.

Application 19/06300/WCM was granted subject to 5 planning conditions.

Condition 1 set out the terms of the temporary permission and read:

*1. The Boiler and its flue, the boiler control container and all connecting apparatus hereby permitted shall be removed, and the use (the production of wood chip) hereby permitted shall be discontinued, and the land restored to its former condition (hardstanding) on or before 10 February 2022 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.*

*REASON: In the interests of residential amenity, in order to secure the restoration of the land upon removal of the boiler and use for which permission can be justified only on the basis of a special temporary need*

Condition 2 was the approved plans list.

Condition 3 required a boiler management plan (which was discharged on 22 November 2021).

Condition 4 limited the use and operation of the boiler between 6am and 6pm Monday to Friday (with no operation on Saturdays, Sundays or Bank Holidays).

Condition 5 limited the applicants to only being able to dry two container loads of wood chip on the site each week.

Conditions 1, 3, 4 and 5 were all added to protect residential amenity of the surrounding neighbouring buildings and to limit the potential amount of vehicle journeys to the site.

The decision notice for 19/06300/WCM also included two planning informatives to further explain the reason for the temporary permission and to help with the operation of the boiler at Bekson Farm to potentially reduce its impact on neighbouring amenity. These informatives read as follows:

*“The applicant is respectfully advised to continue to consider increasing the height of the flue and/or to move the boiler to the other side of the former piggeries barn. Should an Environmental Health complaint be received, and is upheld within the next two years, further planning permission would be likely to be very difficult to obtain once this temporary permission expires. In any such circumstances significant alterations and/or further evidence will be required to satisfy that the boiler can operate without causing potential harm to neighbouring amenity.*

*The applicant is respectfully advised to consider finding a storage solution, to be able to store all wooden pallets and logs for combustion in the boiler, under cover, as the moisture content of the pallets will affect the rate that they burn and how much smoke and fumes they produce. This may require securing planning permission for a further structure on site.”*

For the avoidance of any doubt, when this latest application was received by the planning team, these suggestions were put to the applicant who responded that it would be too expensive to move the boiler, as new concrete foundations would be required as well as getting a new water and electricity supply to the boiler, and that the cost of moving and re-installing the boiler itself were prohibitive. Officers argue that should the boiler be located at the northern end of the applicant’s land ownership in the blue outline insert, the impact on neighbouring amenity would be significantly reduced. However, the Council cannot force the applicant to change their proposal or to increase the flue height and is instead, duty bound to consider the application as submitted, which is to retain the boiler in its current position and with its existing 4m flue height.

## **5. The Proposal**

The proposed boiler is a Glen Farrow 295kw commercial Biomass boiler which, according to the Manufactures details, uses wood or straw. The heat from the boiler is used to dry woodchip in a separate container that is created from the applicant’s forestry work.

The boiler comprises of a blue metal ‘box’ with 4m high flue. It is connected to a rectangular blue container unit which houses the control unit – which turns the boiler on and off and sets the combustion and efficiency rate of the boiler.



**On site view of the boiler (and control room) and drying containers with the two existing agricultural buildings either side**

The boiler is powered by burning wooden pallets which are sourced from a local factory (the Consortium Education – approximately 1 and half miles away) and the material is collected by the applicant. The only pallets that are accepted for the boiler are unpainted and non-treated pallets. The pallets are mostly stored outside without any cover. The heat generated from the boiler is used to dry wood chip which is dried in a further open top container located immediately next to the boiler, connected by pipework. The wood chip is sourced from associated businesses (e.g., tree surgeons and forestry work undertaken by the applicant) where waste timber is brought to the site, chipped and then added to the container for drying. The dried woodchip is then sold on for biomass boilers to use.

The pallets are stated to only be used to run the boiler and are not to be turned into wood chip. The applicants also state that they try to not run the boiler when there is a south westerly wind.

Within the initial submission for this application the applicant argued that due to there being no enforcement or Environmental Health related complaints, the hours of operation duly conditioned under the temporary permission, should be extended to include Saturdays from 8am-4pm and at similar times on Sundays. However, following negotiations between the applicants and the case officer they have agreed to adhere to the previously controlled operating restrictions.

Under the temporary approved arrangements, the applicant was able to dry up to 2 containers of woodchip each week although it was often the case that 1 to 1.5 containers a week were produced. The applicant has argued that each container load requires 30 hours each to dry, and it should be noted that the controlled hours of operation of 6am-6pm Monday to Friday (a total of 60 hours) was specifically intended to give the applicants sufficient time to dry up to two container loads per week, whilst allowing any affected neighbour sufficient respite from dispersed smoke or fumes in the evening and over the whole weekend and any bank holiday.

For this application which seeks permanent permission, the applicants have submitted the following supportive documents:

- A Design and Access Statement
- The Glen Farrow GF295 Boiler manufacturing details
- An Air Quality Report by Air Quality Consultants dated December 2019

- A Biofuel analysis report
- A Boiler service record
- An Updated Boiler Management Plan
- RHI Certificate and Emissions Certificates

For the avoidance of any doubt, in relation to the RHI (renewable heat incentive) certificates, the applicant has produced certificates that refer to different boiler models than the GF295. It is not considered that this is a planning or environmental health matter since the RHI scheme is primarily run by Ofgen and allows boiler owners to make certain claims. As far as this application is concerned, the boiler is the GF295 model which can burn wood or straw and the application is supported by an Air Quality report (which specifically states that they have modelled the GF295 boiler), which was the same boiler that was duly referenced as part of the 19/06300/WCM application. The anomaly with the RHI certificates would be a matter for Ofgen and should not be a material planning consideration that influences the determination of this application.

## **6. Planning Policy**

### National Context:

The National Planning Policy Framework 2021 (NPPF) and Planning Practice Guidance (PPG)

### Local Context:

The Wiltshire Core Strategy (adopted Jan 2015): CP1 – Settlement Strategy; CP2 – Delivery Strategy; CP29 – Spatial Strategy Trowbridge; CP42 - Standalone Renewable Energy Installations; CP51 - Landscape; CP55 Air Quality; CP57 – Ensuring High Quality Design and Place Shaping; CP60 – Sustainable Transport; CP61 – Transport and New Development; CP64 – Demand Management.

Hilperton Neighbourhood Plan – paragraph 4.15 Air Quality and environmental pollution

Wiltshire and Swindon Waste Core Strategy 2006-2026 - Policy WCS3

- Air Quality Strategy for Wiltshire 2019-2024

Further Policy background Air Quality;

### **Air Quality**

The Local Air Quality Management (LAQM) regime requires local authorities to assess air quality within their areas and declare an Air Quality Management Area where UK Air Quality objectives are or are likely to be exceeded. In Wiltshire, air quality is very good over the vast majority of the County. 8 Hotspots have been identified and Air Quality Management Areas declared as a result of exceedances of the annual mean for nitrogen dioxide. The source of this pollution is road transport.

### **Odour**

The Odour assessment is noted. It is based upon assumptions that the appliance is operated efficiently. The Public Protection Officers make recommendations below in relation to the management of the appliance.

### **Legislative Controls**

The Clean Air Act 1993 controls emissions of dark and black (not white) smoke emissions from commercial chimneys as determined using a Ringlemann chart and BS2742:1969. There are however exemptions in the legislation and defences relating to start up processes and unforeseen malfunctions. The Environmental Protection Act 1990 contains provisions relating to smoke odour and similar nuisances; and where a Statutory Nuisance is found to exist, an abatement notice can be served – which is separate to the planning regime. This Act also contains a statutory defence termed “best practicable means” which affords users/businesses

a reasonable defence themselves against such a charge where they can evidence that they are taking all reasonable precautions possible to prevent a nuisance.

## 7. Consultations

Hilperton Parish Council – Strongly objects and argued that “We are unable to ascertain what is being burned and in what quantities and whether or not the boiler is certified to burn wood. If it is, there should be measures in place to ensure the applicant is using wood that is not treated in any way. We would like to know what pollutants, if any, are being emitted and would question, in any case, the suitability of the site for an industrial – not agricultural – biomass boiler so close as to have an impact on neighbouring properties and farmland, and also very near to the pre-school and the village hall. The considerable numbers of vans driving to and from the site each week, using the very narrow, single-track lane, is already having an impact on other road users, including local residents, cyclists, walkers and horse riders”.

Wiltshire Council Environmental Health Officer – No objection subject to conditions: The consultation response dated 18 February 2022 stated the following:

*I have considered the application at length, assessed the objections raised, consulted with DEFRA and the Environment Agency and visited the site several times.*

*Firstly, to confirm that the process does not currently require an Environmental Permit; neither an Environmental Permitting Regulations Section 5.5 Part A process for the production of fuel from waste (issued by the Environment Agency) nor a Part B Environmental Permit. These are issued by this authority, and I have considered both a potential for an Incineration of Waste Process at the site and also one for Processing of Wood, but the boiler capacity is below the threshold to require the former and the volume of wood processed is currently below the threshold for the latter. We have agreed to continue to monitor this with the applicants who are aware of the requirement for a Permit should the threshold be exceeded. The Environment Agency have also confirmed that the process does not need to be registered as a waste management operation.*

*Although there is local resistance to the process in operation here, we have not received any complaints in respect of the operation of the boiler despite it having been in operation for 5 years now. Temporary permission was granted partially to allow us to monitor its performance and there would not seem to be a significant risk to local amenity as a consequence of its operation. The restricted hours of operation would seem to help with this, and I would support their retention in any full planning permission granted (including no burning at weekends or on bank holidays).*

*Nevertheless, I do feel that a degree of control is required to stop the potential for any inefficient use of the boiler; for example, incineration of treated wood or plastics and also to ensure that all wood burnt is suitably dry in order to minimise emissions. These are issues that could have been covered by an Environmental Permit, however, as explained one is not currently needed. Therefore, I request that either the following conditions are applied to any planning permission granted or that the applicants revise the Site Boiler Management Plan, 'Management Plan for the Operation of a Glen Farrow UK Ltd Biomass Boiler Model GF295' in order to refine how they propose to use the boiler in order to minimise the risk of unnecessary pollution and/or impact upon local amenity. We could then approve the plan and condition compliance with this. I have attached the current document for reference.*

- A daily log is to be kept of weather conditions, time of operation of the boiler (start and finish time noted) and the type and moisture content of all wood burnt. This can be electronic but will need to be available for inspection by this authority on request.*
- No treated wood (painted, treated with preservative) shall be burnt. All such wood received and rejected for burning is to be kept in a separate area and a record kept of when it is taken away and by whom.*
- No plastic waste is to be burnt; this includes any residues attached to wood to be burnt.*

- Confirmation that no wood is to be burnt that does not meet the requirements for moisture content as currently set out in the Glenn Farrow UK Limited Boiler Management Plan; Waste pallets <18%, Soft and/or hard wood logs <23%. The current document does not clearly state what would happen if moisture content is above these levels.

- A spare moisture meter will be needed in case of malfunction of the unit in use or if it needs to be sent for service / calibration.

- All boiler waste is to be removed from site by a licensed waste contractor and a record kept in the log of when this is removed and by whom.

*I would also ask to add an informative that the boiler should not be operated if the wind is likely to take the smoke in the direction of the nearest receptor who I estimate to be 120m to the NE. The applicant should also be reminded that compliance with any boiler management plan conditions would not preclude this office taking formal action should a statutory nuisance ever be proven following receipt of complaint.*

**Follow up Environmental Health consultation response dated 20 June following receipt of the letter of representation from AVAL:**

*I've considered the Aval report submitted as a representation to the above application. Its undated and not signed so we cannot check the qualifications of the author in respect of Air Quality Modelling experience.*

*The Air Quality Consultants Air Quality Assessment submitted to support the application uses what the consultants claim to be 'state of the art' modelling and concludes that under optimal conditions the odour impact at the nearest receptors is negligible. They have also modelled a less ideal scenario with sub-optimal conditions and the impact at the nearest receptor would be slightly adverse. I note the cited professional experience of the author, Dr Evans, in respect of odour assessments and the use of ADMS 5 modelling and of Dr Beattie who has approved the document.*

*Our aim would be to ensure that the Boiler operates at optimal conditions at all times. We have asked that the applicants provide a revised Boiler Management Plan (BMP) to ensure this is the case. We could then condition that the plan be adhered to at all times. To be sure that this is the case, I would propose to undertake ad-hoc visits and to alert the Planning Enforcement team with my evidence if I considered that there was any evidence of non-compliance.*

*For reference, the revised BMP would ensure a number of key conditions are met including that no treated wood is burnt, no plastic is burnt, all wood is tested for moisture and nothing above agreed limits is burnt, and that all boiler waste is required to be removed by a licenced contractor and that the operators keep a daily log of start/ finish times and the weather conditions etc.*

*Environmental Health have received no complaints about odour in the 5 years that this facility has been operating and I am confident that, with proper management and appropriate checks in place, that this will continue.*

**Follow up Environmental Health consultation response dated 23 June:**

*Notwithstanding that the original boiler management plan was discharged on 22 November 2021, and that an updated version has been submitted, having further discussed with my manager it is clear that more detail will be required in the Boiler Management Plan.*

*Specifically, we would look for the applicants to reference the best practice set out in Section A5 of the Air Quality Assessment and I would also look to utilise guidance set out within the Process Guidance Note PG1/12(13); Statutory Guidance for Combustion of Waste Wood. We would be prepared to meet with them to finalise this document to ensure it would meet with our requirements.*



Wiltshire Council Highways Officer – No objection

Environment Agency – No comments

## **8. Publicity**

The application was initially publicly advertised through the display of a site notice at the site and 3 individually posted neighbour notification letters to local residents residing in properties along Whaddon Lane. However, a further consultation was carried out following the procedural and advertisement requirements in recognition of the waste recovery operation (which included re-consulting with third parties who responded to the initial consultation). An advert was also published in the Wiltshire Times with a consultation deadline ending on 17 June 2022.

In response to the public notification exercise, 7 letters of objection and 1 letter of support have been received. The objections and comments are summarised below:

- The boiler is unmonitored as is the type of waste burnt
- There has been burning on this site for years, but it has got worse recently
- There is a chance other (non permitted) materials are introduced into the boiler
- As regular dog walkers we are constantly aware of the regular burns that take place, usually just before darkness falls, with accompanying bad smells, and heavy smoke. It looks toxic, it smells toxic and my suspicion is it probably is toxic, Without proper monitoring the local people are at risk
- Without proper monitoring from Environmental Health, the local inhabitants are at an unknown risk
- The direction of wind flow is critical, ideally the system should only be activated when the wind blows from the South-east to ensure dispersal of toxins is largely into the least populated area. Time when there is little wind is the most dangerous, as the toxins hang over the village
- Enforcement complaints have not been submitted to the Council due to neighbours being reluctant to expose themselves to potential recriminations by the applicant
- Concern over fumes being close to the pre-school nursery potentially causing respiratory conditions as children often play outside whilst at school
- This is too close to the playing field (adjacent to village hall and nursery, which are in constant use for recreation and sports teams
- This will increase traffic down Whaddon Lane, which already travels too fast
- What additional measures would be put in place to prevent the burning of plastic waste which we have smelt on several occasions when and can visually see the thick black smoke
- The smoke forces windows to be shut and gardens not used as far away as dwellings on Greenhill Gardens, Hilperton
- The smoke is often very acrid, it makes us cough and the impact on our health worries us. It appears to be in near constant use and smoke was coming out for most of the weekend just gone (22/23 Jan 22).

Following the second consultation exercise period one further letter (although undated and unsigned) from Aval Consulting Group was received which asserted the following:

- Accept that the air quality report concludes that concentrations of pollutants of concern are below relative air quality objectives, there are concerns as to how realistic the results are due to the model inputs, reliability of sources and the general management practices of the biomass boiler.
- The model does not evidence the day-to-day practice at Bekson Farm.
- If fuel is not stored correctly it has potential to have high moisture content which would result in inefficient combustion.
- Treated wood can release toxic chemicals when burnt which are not accounted for in the air quality model
- Topography has not been considered in the air quality assessment and could impact on results given that some modelled receptors are located uphill from the boiler.
- We would have expected a period of air quality monitoring, rather than modelling, should have been carried out

- Not enough consideration has been given to the odour impact of the boiler which should also have been measured on site.
- Note that the impact on Knoll Farm is 'slight-adverse' but no mitigation measures have been implemented. How does the applicant plan on preventing these adverse impacts?
- The impacts of the boiler will depend on how well the boiler is maintained and operated. There are a range of conditions which would affect its operation including over-filling, low furnace temperature, inadequate ventilation, fuel with high moisture content and different fuel types, all of which can result in incomplete combustion which causes smoke and odour
- How does the LPA propose to monitor and manage the operations of the boiler?
- Concern largely lies with there are reasons to believe that the boiler is not operated or managed as it should be and not with the methodology of the air quality assessment.
- Suggest ad-hoc visits by the LPA, period of air quality monitoring, site visits by an air quality consultant and a full operational management plan submitted to the LPA.

One letter of support was also received which can be summarised as follows:

- We are a local business based on Whaddon Lane and the applicants have supplied us for the last couple of years with dried wood chip to use as cattle bedding. By being able to buy this source of bedding so local, allows us to keep food miles down and a lower our own carbon footprint.

Officers note that 4 individuals have raised concern about "*treated pallets and plastic waste being burnt in the boiler...creating acrid and toxic smoke*". In response, the third parties were invited to present logbook records to substantiate the allegations but to date no such evidence has been received by the Council.

Officers are fully appreciative of the fact that the temporary permission has expired, and that any use of the boiler is a breach of planning control and should this application be refused, the planning enforcement team leader has confirmed that his team will take the appropriate action as necessary and in the public interest.

## 9. Planning Considerations

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

### 9.1 Principle of Development

9.1.1. WCS paragraph 6.38 states that CP42 (standalone renewable energy installations) applies to all types of renewable energy including biomass generators and other energy from waste technologies. It is therefore submitted that WCS CP42 applies to this application as the end product of this boiler, the dried wood chip for the supply of other biomass boilers, is considered to be a renewable source of energy. The woodchip for biomass boilers to run on has to come from somewhere and requires its own process before being used in biomass generators.

9.1.2. CP42 states that proposals for standalone renewable energy schemes will be supported subject to the satisfactorily resolution of all the site specifies constraints. Proposals will need to demonstrate how impacts on the following factors have been satisfactorily assessed, including any cumulative effects, and taken into account:

- i) The landscape
- iv) Biodiversity
- vi) Use of local transport network
- vii) Residential amenity (including noise, odour and visual amenity and safety) and
- viii) Best and most versatile agricultural land



Therefore, subject to satisfying the above criteria, which shall be addressed in each section of this report, the principle of development under WCS CP42 is supported.

9.1.3. In regard to the land designation, the red lined application site is grade 3 agricultural land. Council records do not show if it is 3a or 3b but it is important to appreciate that this proposal does not constitute a loss of agricultural land. Council aerial photographs dating back to 2001 show that the application site was already laid to hardstanding at the time the main barn was used as a piggery, and consequently it has not in recent years been actively available for intensive high yielding crop production.

9.1.4. Furthermore, whilst the temporary permission has now expired it is still a recent planning permission that merits being given material weight in the planning balance. The reason for the temporary permission was “in the interests of residential amenity”, and in recognition that no environmental related health or planning enforcement complaints were received during the temporary period, officers submit that the application to gain full permanent permission should be granted. The planning informatives imposed on the temporary permission were very clear in terms of stating that “*Should an Environmental Health complaint be received, and is upheld within the next two years, further planning permission would likely be very difficult to obtain once this temporary permission expires*”.

## **9.2 Air Quality and the Impact on neighbouring amenity**

9.2.1. WCS CP57 (vii) requires development to have regard to the compatibility of adjoining buildings and uses and the impact on amenities of existing occupants, including the consideration of pollution e.g., smoke and fumes.

9.2.2. As part of the 19/06300/WCM application, the case officer and the previous Air Quality Environmental Health Officer undertook a planned site visit in August 2019. During the visit, officers observed a strong concentrated odour on the boundary with the closest neighbour Knoll Farm. This odour extended a significant distance down the access track – demonstrating that the odour could be experienced over a wide area. Officers did not visit Knoll Farm itself but given the intensity of the odour it is reasonable to conclude it would have also been present and observed within its own curtilage. However, it is important to note that the odour was only mostly noticeable to the east end of the bungalow at Bekson Farm. When stood at the western end of the building, the odour was not as intense or significant.

9.2.3. During the visit, the case officer and the Air Quality Officer reached the conclusion that the odour could have been caused by a number of factors. The wooden pallets being processed may not have been dry enough or that the boiler was not combusting correctly or efficiently enough, or that the flue was not high enough to disperse the fumes higher and wider. There was also the possibility that the boiler was burning treated wood – which at the time of the visit could not be discounted as officers did not see the content of the boiler before it was fired up. It was nevertheless noted that on the wooden pallet stacks there were several painted/treated pallets present.

9.2.4. The August 2019 site visit highlighted sufficient concern for officers to formally request that the applicant provides an explanation as to what caused the odour. The Air Quality Officer also confirmed that he was of the view “*that the smoke observed (in August 2019) could constitute a statutory nuisance if the biomass boiler is allowed to continue as it appeared...*” This led to the original submission of the Air Quality Statement by the applicant in December 2019 as detailed in the proposal section.

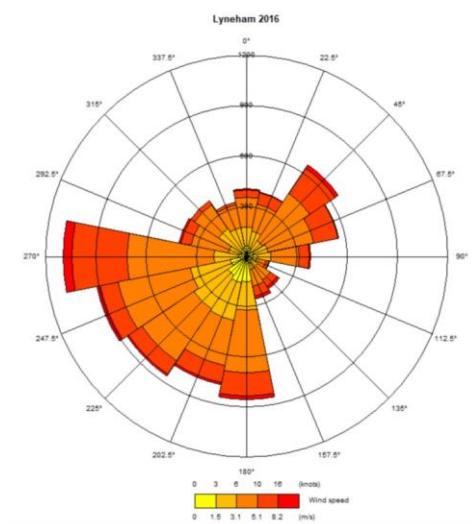
9.2.5. The Air Quality Officer later accepted that what was observed during the joint officer site visit in August 2019 could have been fumes being created from start-up procedures, which can be more intense until the boiler gets up to speed.

9.2.6. Following the August visit, the case officer undertook a second site visit which included a visit to Knoll Farm in December 2019, prior to the previous application being determined (which took until 10 February

2020). Despite it being a cold, foggy day, the case officer observed that wind was blowing eastwards towards Hilperton on that day and didn't notice any material odour at Knoll Farm.

9.2.7. According to appendix 3f of the Governments Offshore Energy Strategic Environmental Assessment (SEA) "*The prevailing wind direction varies between south-south-west and north-west, with north easterly winds increasing in late winter and spring*". Therefore, the prevailing wind isn't solely from the southwest (which would blow smoke and odour towards Knoll Farm).

9.2.8 In the applicants Air Quality Report, wind rose data from Lyneham 2016 was submitted and is reproduced below. It shows that whilst there is a lot of wind from the south west, southerly winds are not uncommon (which would result in odour from the boiler bypassing Knoll Farm) and westerly winds which would blow over the agricultural land of Knoll Farm (and effectively miss the residential building and its curtilage) as well as easterly and northerly winds which would blow in the opposite direction to Knoll Farm.



Air Quality Report Section A1 Wind Rose Data (Lyneham 2015)

9.2.8. Officers submit that Knoll Farm's residential curtilage is considered to be fairly tight around the building as shown by the yellow infill highlight on the Council's snip image of the application site on the second page of this report. The curtilage is considered to be defined by a retaining brick wall, with the field between the wall and the boundary used by livestock.

9.2.9. For the purposes of this application, the case officer completed an (unannounced) site visit on 29 November 2021, first starting at Greenhill Gardens in Hilperton to check the boiler was in operation. The case officer then visited Knoll Farm for approximately two hours to observe odour from the operating boiler. For the first hour smoke from the boiler was blowing directly towards Knoll Farm and it was combined with chimney smoke coming from the residential unit of Bekson Farm (with weather records showing that it was 3 degrees at the time of the site visit).

9.2.10. For the avoidance of any doubt, the case officer is not an air quality or environmental health officer and can only report what he experienced and observed on site. In the first hour smoke was observed, however it did not appear acrid or toxic. It was not unlike walking in an urban location during the winter period when properties are using wood burners or open fires.

9.2.11. However, as soon as the first hour had past, the wind changed direction to a southerly direction and the smoke was redirected over the former piggery agricultural building. For the second hour, nothing material was observed at Knoll Farm.

9.2.12. In the first hour the case officer twice witnessed the boiler door being opened (presumably to re-fill with pallets) and during those times, a lot of smoke was produced and swirled around the site – which was carried with the wind initially towards Knoll Farm. During the second hour, the boiler door wasn't opened, by which time the wind direction had changed.

9.2.13 The application site is not in an Air Quality Management Area nor is it in an area of poor air quality. However, the applicant has provided an Air Quality Assessment which uses the IAQM guidance for Planning & Air Quality which is a non-statutory document and has no formal policy status. The guidance has not been adopted for use by the Council and it should be appreciated as the committee has been informed recently, that the Council's Public Protection Services continues to work on an emerging Air Quality SPD which will be published for consultation shortly.

9.2.14 The applicant's consultant wrongly refers to the Air Quality Strategy for Wiltshire 2011 which was superseded by a new document in 2019. The applicant's report is poorly presented with regard to air quality, but it is nevertheless the case that no exceedances are expected when tested against the LAQM Air Quality objectives. It would have been preferable to have seen data presented as relevant exposure in line with the LAQM. That said the report states that levels are below the 30.2ug/m<sup>3</sup> Annual mean for nitrogen dioxide which is lower than the threshold used by the document for quantifying any impacts on air quality – with paragraph 5.2 of the report setting out that the levels of PM<sub>10</sub> & nitrogen dioxide would be close to the background levels.

9.2.15 Following a full consultation and liaison with the Council's environmental health team, officers submit that the applicant's air quality report shows that when clean wood is burnt and there are 'optimal conditions' the impact on Knoll Farm, as modelled, would be negligible; and when there are sub-optimal conditions the effects are recorded as slightly adverse. Whilst the case officer's own site observations in late November was limited to a single site visit and for a two-hour duration, the level of harm duly experienced was not considered to be of a level that would warrant a refusal of the application.

9.2.16 It is acknowledged that some harm and the effects of the use of the boiler can be mitigated through restricting the use of boiler and the hours of operation condition. This would provide third party respite from smoke pollution every evening and weekend. Additionally, with the documented and evidenced wind direction variances, third parties within the most affected local area would not experience material smoke levels, It is however accepted that this will depend and vary with the time of year and the weather conditions.

9.2.17 When this application was first received, the applicants wanted to extend the hours of operation to include Saturdays and Sundays. Given that there have been 7 letters of objection, the majority of which cite smoke as an adverse issue, it is considered that conditions 3 and 4 (the hours of operation and the number of containers that can be dried each week) should be re-imposed on any grant of planning permission. Whilst no formal Environmental Health complaints have been received, representations have been received for this latest proposal. The delegated report for the temporary permission application 19/06300/WCM made it clear that a permanent permission would require a fresh review and imposition of planning conditions to restrict the hours of use of the boiler facility.

9.2.18 The applicant has also submitted, upon request from the Council's Environmental Health Officer an updated Boiler Management Plan. The plan includes details the processes to ensure the boiler is not overloaded, to keep it at a constant temperature and to fill the chamber at regular intervals. There is also a commitment to sample check the biomass fuel material with a moisture meter to ensure it has a low and appropriate moisture content range as specified by Ofgem and the accredited RHI scheme.

9.2.19 The updated plan included a commitment to have 2 moisture meters retained on site at all times, and that no plastic material or treated or painted wood is burnt and processed through the boiler. Any such wood received by the applicant in any consignment must be rejected for burning and it shall be stored in a separate area and a record kept of its disposal. All boiler waste is to be removed from site by a licenced waste contractor and records kept. The applicant is also willing to agree to keeping a daily log of the weather

conditions and times when the boiler is operated with start and finish times noted and the type and moisture content of all wood material being burnt.

9.2.20 However, pursuant to the Boiler management and use, the Council's public protection team have since requested a further and more robust updated management plan. It is therefore recommended that an updated boiler management plan is secured by planning condition and to require the applicant and users of the facility to set out what the applicants want to achieve from using the biomass boiler, how they are going to operate it on site and what they will do when there is a problem in terms of quickly addressing nuisances or harm to the environment and neighbouring amenity. It is furthermore recommended that the planning condition should specifically direct the applicants to apply best practices as set out within Section A5 of the Air Quality Assessment and accord with *Process Guidance Note PG1/12(13)*; *Statutory Guidance for Combustion of Waste Wood*.

9.2.21 Officers acknowledge that whilst the previous management plan was discharged for the temporary planning permission period, an updated plan is required to secure better on-site management of the boiler, which could further help mitigate neighbouring amenity issues. The recommended biomass boiler management plan is set out within condition 2.

9.2.22 The Council's public protection team have also confirmed that ad hoc site visits would be undertaken to check on the compliance with the management plan. Based on the above and in environmental terms, officers are supportive of the application, subject to planning conditions.

### **9.3 Impact on the landscape**

9.3.1. The application site is not located within the Western Wiltshire Green Belt, the Cotswolds AONB or a special landscape area.

9.3.2. The application site cannot be seen from Whaddon Lane itself due to the distance to the lane and the many hedges that line field boundaries. The site can be seen from Greenhill Gardens in Hilperton which is approximately 430m to the southwest. The views across the open countryside are open and generally unrestricted but Bekson Farm is reasonably enclosed by existing hedgerow which screen the majority of the existing agricultural barns. There is a small break in the hedgerow screen however immediately where the boiler is located. It is not known whether the hedgerow has been removed to allow for air flow or to reduce fire risk, but this gap allows for direct views of the boiler and the 4-metre-high flue/stack. It is submitted that despite the boiler and flue being visible, especially due to its blue colour, that it is not of a size, in a sensitive location or close enough to Hilperton to cause adverse harm to the landscape to warrant the refusal of the application.

9.3.3. Officers are also aware that public right of way HILP18 that runs northwest from the access road to the Marsh Farm complex of industrial and commercial uses across open countryside and up to Whaddon Lane as it continues to the Kennet and Avon Canal. HILP18 passes the application site at a distance of approximately 200m to the north and northwest. Along the public right of way there is only one viewpoint of the application site, a small gap in the hedgerow, but this only allows a brief and passing glimpse of the blue boiler container and the flue. It is also submitted that given the distance from the public right of way and the brief nature of the view it is not considered that the height of the flue or the size of the boiler causes adverse harm in which to refuse the application on landscape grounds.

### **9.4 Impact on the local transport network**

9.4.1. Whilst it has not been quantified for the purposes of this application, as part of the 19/06300/WCM application, the applicants stated that the dried woodchip is taken out in single deliveries (with 34 recorded traffic movements for the period of 1 January 2019 and 14 October 2019)

- Between 1st January to 30th June 2019 the applicants collected 23 loads of wooden pallets, just under 1 per week
- Between 1st January to 30th June 2019 the applicants brought back 27 loads of waste wood from various forestry jobs.

9.4.2. The applicants have previously stated that the boiler generates approximately 12 trips per month which is submitted to be of a low frequency that should not cause harm to highway safety along Whaddon Lane. The applicants would also be limited in how many trips would be possible given the maximum 2 container loads that they can dry each week.

9.4.3. The applicants also previously stated as part of the 19/06300/WCM application, that the journeys are akin to that used in the former piggery use, but details of that operation are unknown and therefore are not directly comparable. However, it is reasonable to consider that an agricultural use could easily generate the same number of journeys as described.

9.4.4. It is also submitted that it is not necessary or reasonable to require this application to solve an existing highway issue down Whaddon Lane by requiring a passing place to be introduced. This would also require the landowner consent and a suitable location to be identified. Passing places should be a matter for the Parish Council to pursue in either a Parish Plan or via the Hilperton Neighbourhood Plan process.

## **9.5 Biodiversity**

9.5.1. The boiler is located on an area of hardstanding that Council aerial photographs demonstrate has been there since 2001 and would have been used in conjunction with the adjacent piggeries barn. Therefore, the introduction of the boiler would have been unlikely to cause harm to existing protected species or result in a net loss of biodiversity.

9.5.2. There is potential for the smoke to cause harm to bats, or birds who could use either barn for roosts or nests; but the piggeries barn is quite large, and the northern section of the barn would be unlikely to receive constant direct smoke as the has been evidenced to blow in all directions. Additionally, bats would be active in dusk/night time hours, which would generally be the same times when the boiler should not be in operation after 6pm as per the hours of operation condition. Therefore, it is considered that the risk to protected species is acceptable and that surveys etc are not required.

## **10. Conclusion**

Whilst the exact length of time the boiler has been on site in unknown (stated to be 2016) Officers can confirm that no Environmental Health evidenced complaint has been received pursuant to the allegations of prohibitive material being used in the boiler. The planning enforcement team are fully aware of the breach of planning control following the expiration of the temporary planning permission and await the outcome of this application. The applicant is willing to adhere to the restricted hours of operation and the number of container loads. Condition 2, as recommended, would ensure a more robust management plan for the use of the boiler and how it operates. Whilst it is accepted that the boiler will result in smoke pollution, the Council's public protection/ environmental health team have concluded that with the appropriate planning conditions in place and adherence to the aforementioned restrictions, the application can be supported.

## **11. Recommendation – Approve subject to conditions**

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Planning Conditions:

1. The development hereby approved is subject to the following plans and associated documents:

Site Location Plan, Block Plan, Biomass Boiler and Container details (photos), Air Quality Statement (dated December 2019), Cover letter (supporting statement), Biomass details, Biofuel Report, Biomass Manufacturer details and Biomass Boiler Service Record – all received 19 November 2021.

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

2. Within 28 days of the date of the permission, an updated Boiler Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall fully set out what the standard the applicants will achieve with regard to controlling the smoke & odour emissions from the combustion plant, how they are going to operate on site to minimise emissions of smoke & odour in order to achieve this standard and what they will do in the event there is an adverse smoke/ odour incident that may result in an adverse impact on the amenity of neighbouring residences.

The Plan shall include details on how the pallets shall be kept dry whilst in storage at all times.

The Plan shall include reference the best practices as set out within Section A5 of the Air Quality Assessment and the guidance contained within Process Guidance Note PG1/12(13) Statutory Guidance for Combustion of Waste Wood

Thereafter, the operation of the biomass boiler shall strictly adhere to the approved details for the lifetime of the development.

REASON: In the interests of safeguarding the environment and residential amenities from potentially harmful levels of smoke, fumes and general disturbance.

3. The use and operation of the boiler hereby permitted shall only take place between the hours of 06:00 and 18:00 from Mondays to Fridays. The use and operation of the boiler shall not take place at any time on Saturdays, Sundays and Bank or Public Holidays.

REASON: In the interests of safeguarding the environment and residential amenities from potentially harmful levels of smoke, fumes and general disturbance.

4. No more than two container loads of woodchip for biomass shall be dried on site in a week.

REASON: In the interests of residential amenity and in the interests of highway safety.

#### INFORMATIVES TO APPLICANT:

1. The applicant is respectfully advised to consider finding a storage solution on the site, to be able to store all the wooden pallets and logs for combustion in the boiler, under cover, as the moisture content of the pallets affects the rate that they burn and how much smoke is produced. This would likely require securing planning permission for a further structure on site.

2. The applicant is advised to consider potentially erecting a built cover over the container drying area (subject to obtaining any requisite subsequent planning approval and compliance with health and safety legislation and the operation of the boiler itself) to help keep the woodchip dry during the drying process. It has not been disclosed in either application what happens during times of inclement weather, and if wet the process is assumed to take longer, thereby extending the use of the boiler and the potential drying time up to and potentially beyond the required 30 hours for each container load. This would also likely require first securing planning permission.

3. The applicant is respectfully advised that compliance with the biomass boiler management plan, and planning conditions would not preclude the Council's Environmental Health Department from taking formal action should a statutory nuisance be proven following receipt of a complaint.

**Wiltshire Council**

PL/2021/10373

Bekson Farm, 54 Whaddon Lane, Hilperton, Trowbridge, Wilts, BA14 7RN



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## REPORT FOR WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>6 July 2022</b>
<b>Application Number</b>	<b>PL/2022/02786</b>
<b>Site Address</b>	<b>Yew Tree Cottage, 10 Horse Road, Hilperton Marsh, Trowbridge, Wiltshire, BA14 7PE</b>
<b>Proposal</b>	<b>Additional domestic accommodation in the form of a single-storey annexe.</b>
<b>Applicant</b>	<b>Ms F Larkin</b>
<b>Town/Parish Council</b>	<b>Hilperton Parish Council</b>
<b>Electoral Division</b>	<b>Hilperton ED – Cllr Ernie Clark</b>
<b>Grid Ref</b>	<b>38654 - 159689</b>
<b>Type of application</b>	<b>Householder planning application</b>
<b>Case Officer</b>	<b>Yancy Sun</b>

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

In accordance with the Council’s Scheme of Delegation Specific to Planning’, this application is brought to the committee at the request of Cllr Ernie Clark, based on the scale of the development, the visual impact upon the surrounding area, the relationship to adjoining properties, as well as the design, bulk, height, general appearance, and car parking provision.

### **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 planning considerations and to recommend that the application should be approved subject to conditions.

### **2. Report Summary**

The main issues discussed in this report are as follows:

- The principle of the development
- Impact on visual amenity
- Impact on heritage assets
- Impact on neighbour amenity
- Highway impact

### **3. Site Description**

The application site at Yew Tree Cottage (which is alternatively known as 10 Horse Road), is located within the village settlement limits of Hilperton and comprises a two-storey end of terrace property which has pebble dashed external walls under a tiled roof. The subject property benefits from a 26-metre-long rear garden which can be accessed from either through the dwelling itself or via the eastern side access. Within the rear garden, there is an existing timber outbuilding, which is shown below. The width of the garden varies from 4.7m – 5.7m with one side being fenced (eastern) and the western side being landscaped.



*View facing north*

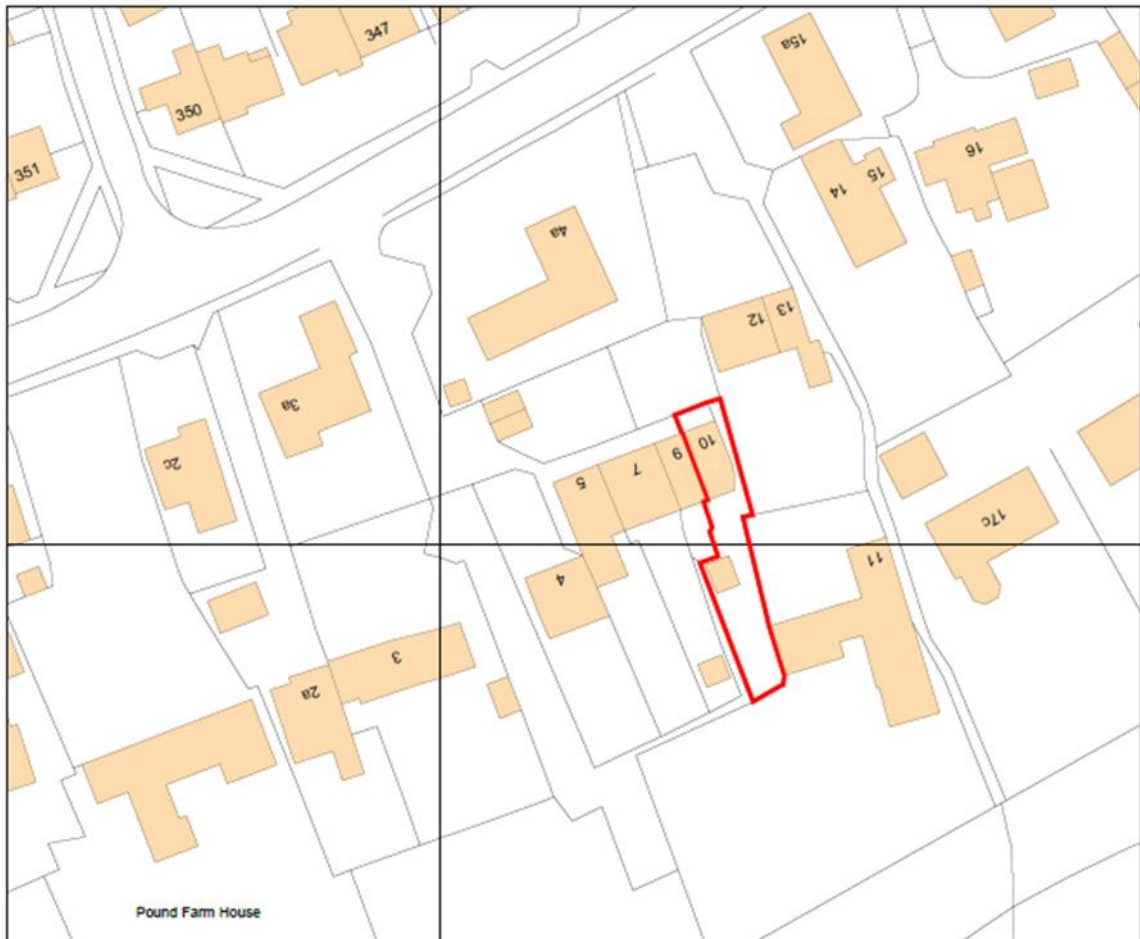


*View facing south*

The application site is not subject to any specific land designation constraints, and it is not within Flood Zone 2 or Flood Zone 3. The conservation Area is over 600m to the southeast. The nearest listed building (the grade II listed Weavers Cottage at No. 16 Horse Road) is

over 50m distant with 5 other properties/gardens being positioned on the intervening land. In this case, officers do not consider there to be any substantive intervisibility between the application site and the nearest listed building.

The subject property and site location is shown in the following map extract.



**Map of site**

The application site is set back from the main road by around 40m and is not readily seen from the public domain due to intervening properties, garden outbuildings and landscaping. The subject property is accessed off Horse Road, which provides access for 8 properties.

There is no on-site car parking provision with the applicant confirming that Horse Road is used for car parking purposes

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

No planning history is recorded for the subject property.

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

This application seeks planning permission for a detached annexe to be constructed within the rear garden – to be sited to the south of the existing timber shed. The annexe would comprise a bedroom, living room and bathroom and would be occupied by a family member to provide additional ancillary living space for herself, and being available to provide family support.



The proposed annexe would measure 2.7m high and would have a footprint of 8m x 3.5m and would be finished with vertical 'light-coloured composite timber boarding' for the walls, and have a grey membrane for the flat roof.



The following insert shows the proposed elevations and floor plan for the proposed annexe.



## 6. Planning Policy

The Wiltshire Core Strategy (adopted Jan 2015): in particular: CP1 – Settlement Strategy  
 CP2 – Delivery Strategy; CP29: Spatial Strategy for the Trowbridge Community Area;  
 CP57 – Ensuring High-Quality Design and Place Shaping

### Other Material Considerations –

The Wiltshire Local Transport Plan (LTP) and Car Parking Strategy

The made Hilperton Neighbourhood Plan and the adopted Hilperton Village Design Statement

National Planning Policy Framework 2019 (NPPF) and Planning Practice Guidance (PPG)

## 7. Summary of Consultation Responses

Hilperton Parish Council – Responded to the planning consultation in late April and advised having no comment to make in respect of the actual proposal, but concern was expressed by some parish councillors about access for plant during the construction phase.

## 8. Publicity

Four representations were received in objection to the proposal from 3 neighbouring properties. Their concerns have been summarised below.

- Concerns regarding the construction phase, and how the annexe would be constructed as the site has pedestrian access only.
- Concerns raised that during construction, vehicles would be parked on the access lane which would impact access for neighbouring properties.

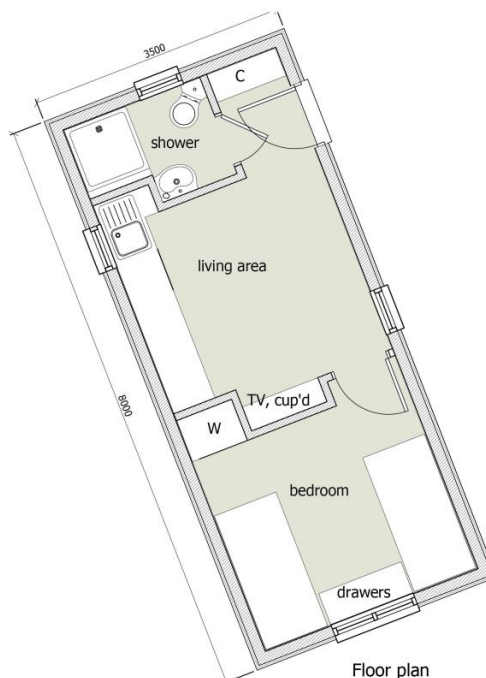
- The proposed prefabricated building would not be a good design and would be contrary to CP57 of the WCS. The proposed development would not assimilate well with 'surrounding buildings, street pattern and features.
- The height of the proposed dwelling would have a severe negative effect on neighbouring properties, especially with number 11 – the oldest property within the immediate curtilage. Further, the scale, plot size and elevation of the proposed build would be incongruous, constituting overdevelopment and failing to be sympathetic to 'conserving historic landscapes.
- The proposed design lacks an attractive frontage, and the proposal would exacerbate existing issues with water pressure and light pollution to the rear and side of the neighbouring properties.

## 9. Planning Considerations

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

### 9.1 Principle of Development and Permitted Development Fall Back

9.1.1 The proposed development would be located within the established residential curtilage of the existing dwelling and within the rear garden of No. 10 Horse Road. The annexe as proposed would be occupied by a family member and would be available to provide family support as and when required. The submitted design and access statement sets out that the subject property (with annexe) would remain a single household with the applicant's daughter planning on residing within the dwelling and the mother occupying the annexe with shared use of the kitchen (and as illustrated on the block plan), there would be a shared use of the garden.



9.1.2 The annexe would have a shower/bathroom, living room and bedroom as illustrated above.

9.1.3 Notwithstanding the clearly set out intention of the applicant, should Members be minded to support this application, officers recommend that any grant of planning permission should be subject to a planning condition restricting the use of the annexe to remain ancillary to the main dwelling and to prevent any sub-division of the plot.

9.1.4 It should be appreciated that the host property benefits from certain permitted development rights, which would allow the owner to construct a smaller outbuilding (of no more than 2.5m in height) with some amendments to the internal room provision, an 'annexe' could be erected using the provisions set within Schedule 2, Part 1, Class E of the Town and Country Planning General Permitted Development (England) Order (2015) (as amended). It should also be duly noted that for unlisted properties outside of conservation areas, Class E does not restrict what materials can be used for what is known as incidental outbuildings.

9.1.5 The proposed annexe would occupy about 20% of the rear curtilage of the property (excluding the area of the host building) and this is not considered to constitute as overdevelopment of the plot.

9.1.6 The proposed annexe submitted under this application would exceed the maximum height parameters for a structure within 2m of the boundary. During mid-June, and appreciating the committee referral was still in place, the agent provided alternative plans to evidence and illustrate how an annexe could be provided within the rear garden and not require planning permission. Officers are fully aware there would be a PD fall-back, however this application requires planning permission and the merits and effects of the proposal require a full appraisal.

9.1.7 In terms of principle however, the proposed development is considered acceptable with regard to policies CP1, CP2 and CP29 of the WCS.

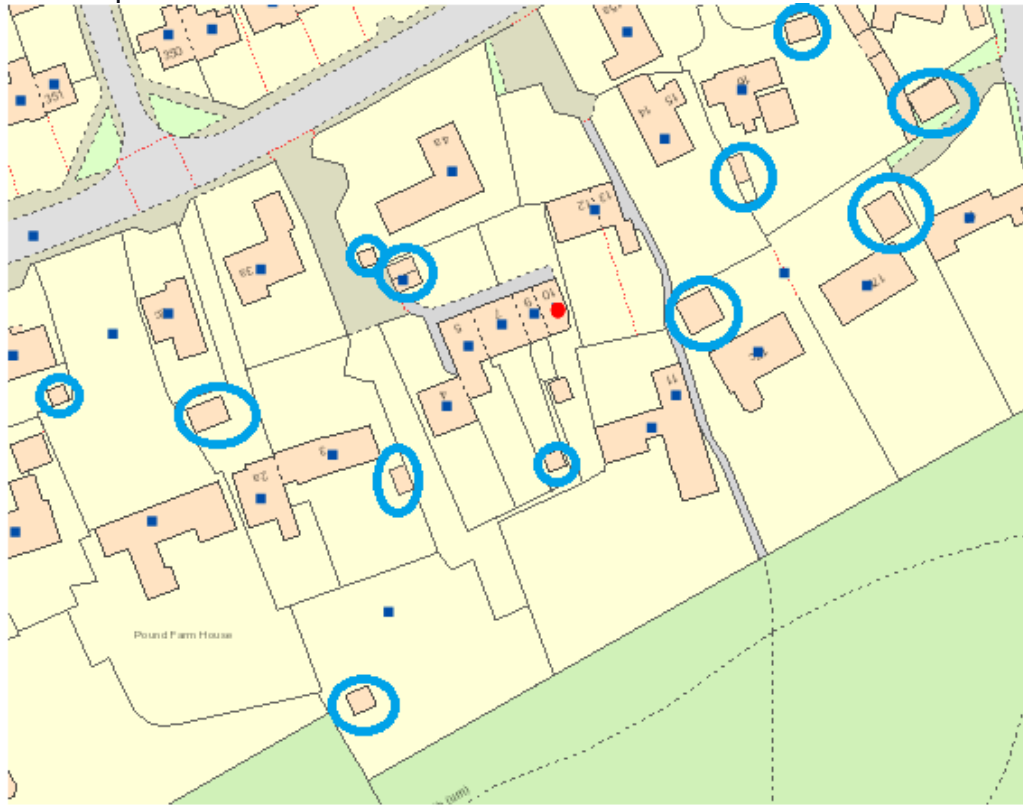
## **9.2 Impacts on Neighbouring Properties and the Surroundings**

9.2.1 Adopted Wiltshire Core Strategy Core Policy 57 states that a high standard of design is required in all new development, which is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Paragraph (iii) of CP57 requires that new development should respond positively to the existing townscape features in terms of height, mass, scale, elevation design and materials.

9.2.2 The properties that are accessed off Horse Road are very mixed with a wide selection of property and plot sizes. The Hilperton Village Design Statement (VDS) references buildings along Horse Road to be predominantly Bath Stone or built using reconstituted stone, with clay-tiled roofs in brown and red shades. Yellow and red shades of brick are also prevalent along Horse Road. The north of Horse Road is comprised of brick-built houses, with brown or red clay tiles. In the case of this application, the host property has pebble-dashed rendered walls whilst other neighbouring properties have painted render to walls as well as brick.

9.2.3 The Hilperton VDS explains that new development should be of a scale appropriate to the surrounding buildings, rendered finishes should not be used except to maintain continuity to rendered buildings and new building should conform to existing building lines. From a quick review of the site and its immediate surroundings, numerous properties have

detached outbuildings of a similar footprint to what is proposed under this application, as shown in the map below.



*Map of area*



View looking north towards No.10 Horse Road with roof of timber outbuilding in middle ground

9.2.3 The proposed annexe would have what the applicant refers to as vertical light-coloured composite timber boarding under a flat roof. At 2.7m in height and occupying around 20% of the rear garden, the proposed annexe would constitute as a modest and



subservient outbuilding and would not appear as a discordant or harmful structure. A planning condition could be imposed to secure an appropriate colour finish.

9.2.4 The proposed structure would not be readily seen from the public domain and would be obscured from public view by intervening buildings, fencing and landscaping boundary planting, and consequently, it would not result in visual harm to the street scene and officers are satisfied it would be well contained within the rear garden without resulting in harm.

9.2.5 Paragraph (vii) of adopted Wiltshire Core Strategy Core Policy 57 requires new development to have regard to the compatibility of adjoining buildings and uses, as well as to consider the impacts on the amenities of existing and neighbouring occupants, and this application should consider overshadowing, overbearing and loss of amenity impacts.

9.2.6 No.9 Horse Road, located to the west of the site, would not be substantively impacted by the proposal as the annexe would be located along the narrow path that leads to No.9's garden and alongside a well-established hedge as shown below.



9.2.7 The existing timber outbuilding (which is used as domestic storage) in the rear garden of No.10 has been measured as being just under 2.5m to the ridge (and is thus only 20cm lower than what is proposed for the annexe) which would, given its size and position, provide a physical and visual buffer for the proposed annexe and would minimise the impacts on No.9.



9.2.8 No. 12 Horse Road, positioned to northeast of the site, would not be substantively affected by the proposal. There would be no overlooking, overbearing or overshadowing impacts that would warrant refusal of the application.

9.2.9 No. 11 Horse Road, positioned along the eastern common boundary with No.10, would be the nearest domestic neighbouring property to the proposed annexe. However as previous site photos reveal, the building that connects with the common boundary is garaging with no western elevation wall openings facing No.10 as the following site photo reveals:



9.2.10 The timber fence measures 2m and provides sufficient containment and level of privacy for the application site and local residents. Given the scale of the proposed annexe, officers are satisfied that the amenities of No 11 would not be substantively harmed in this case.



View of No.11 from the application site





View of application site from No.11's garden



View of applicant site from No.11's driveway

9.2.11 In terms of the concerns expressed about additional light pollution, it is important to acknowledge that the proposal is for an ancillary annexe, within the rear garden of a domestic property in a residential area of Hilpertown. Officers have no substantive concern about additional lighting causing neighbouring harm.

9.2.12 Mindful of the PD fallback potential, officers are satisfied that this planning proposal is acceptable in planning terms pursuant to neighbouring impacts.

### 9.3. Impact on heritage assets

9.3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting. Further, paragraphs 199-202 of the NPPF require local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal and to make an assessment as to whether there would be substantial harm, less than substantial harm or no harm to the heritage asset. Paragraph 203 of the NPPF states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

9.3.2 Paragraph (iv) of CP57 also states that proposals should be sympathetic to historic buildings and historic landscapes. Core Policy 58 titled 'ensuring the conservation of the historic environment' states that the historic environment, including non-designated heritage assets, which contribute to the local character and identity, should be conserved.

9.3.3 The site is located within 50m of the Grade II listed building (as shown in the map below left). The subject property is not listed and nor are any of the immediate neighbouring properties, and as confirmed previously, the site is not located within a conservation area.



Map of nearby heritage assets and an epoch map of the area dated 1868-1899

9.3.4. It is appreciated that some third parties / local residents consider the host property at Yew Tree Cottage and the terrace it forms a part of, to be a non-designated heritage asset, however, officers do not share this view. The property may date from the late Victorian period, but it has been materially changed since it was constructed, and the pebble dash render has significantly changed its original character. It is an old property, but it does not merit any elevated level of protection in heritage terms.

9.3.5 It is also important to note that the proposed annexe would be positioned about 13m from the rear of the cottage and behind the existing timber outbuilding and it would have limited impact upon the setting or character of the host dwelling. No substantive concerns are raised pursuant to Section 16 of the NPPF, Paragraph (iv) of CP57 or indeed CP58 of the Wiltshire Core Strategy, with respect to appreciating the distant setting of the nearby listed building found elsewhere along Horse Road.

## **9.4 Highway Impacts / Accessing the Site for Construction Period**

9.4.1 Chapter 9 of the NPPF states that in assessing specific applications for development, it should be ensured that safe and suitable access to a site can be achieved for all users. Paragraph 111 furthermore states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.

9.4.2 Core Policy 60 titled 'Sustainable transport' states that planning decisions should help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people. Core Policy 62 of the Wiltshire Core Strategy titled 'Development Impacts on the Transport Network' states that development should provide appropriate mitigating measures to offset any adverse impacts on the transport network. Core Policy 64 (titled Demand Management) seeks to manage demand for parking with residential parking standards based on minimum parking standards. These minimum parking standards are set out in the adopted Wiltshire Local Transport Plan 2011-2026.

9.4.3 The adopted (2015) Wiltshire Car Parking Strategy states that the minimum parking standards for 1-2 bed dwelling houses requires 1 allocated parking space, and that the minimum parking requirement for each external parking space should be 2.4m x 4.8m.

9.4.4 The proposal would result in an additional bedroom for No.10 Horse Road effectively creating it as 2-bedroom property (one being within the proposed annexe). As previously reported, the property does not have any dedicated on-site parking, and instead the property owner relies upon unrestricted car parking opportunities along Horse Road. As far as the Council's car parking strategy is concerned, the additional bedroom within the annexe triggers the need for 2 spaces overall. However, it is important to appreciate that the strategy allows for flexibility for sites within settlements and sustainable locations served by good public transport links and with there being no on-street car parking prohibition along Horse Road, officers are not minded to put forward the lack of any on-site car parking space as a reason for refusal for this particular proposal.

9.4.5 Notwithstanding the strategy setting out the minimum car parking standards for new development, decision makers are required to be mindful of what paragraph 111 of the NPPF states in terms of setting that highway-based refusals should only be used "*if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". Officers are satisfied that this proposal would not result in unacceptable highway impacts and there has been no evidence submitted to prove there would be severe residual cumulative impacts on the highway.

9.4.6 Officers acknowledge that the site will present the applicant with some difficulties in terms of deliveries and for the construction period. The annexe structure would most likely come as sectional components to be connected up on site and in situ. The construction period for such a modest outbuilding should be limited in its extent and the Council would expect all associated deliveries and construction workers to arrange the timing following some neighbour consultation and to park all associated construction/ delivery vehicles appropriately on the highway and carry equipment and materials by hand. A construction management method statement could be conditioned to secure the necessary details and to safeguard neighbouring interests.

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



Overall, officers are satisfied that this application for an ancillary annexe complies with the relevant policies of the adopted Wiltshire Core Strategy and the NPPF and subject to planning conditions, it is recommended for approval.

#### **11. RECOMMENDATION – Approve 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 and block plan Drawing 2114.100, and Proposed plans and elevations: Drawing 21145.102, received 5 April 2022

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

3. The ancillary annexe accommodation hereby approved shall only enure for the benefit of the owner/occupiers of the host dwelling at Yew Tree Cottage (otherwise known as No.10 Horse Road) and it shall only be used for purposes ancillary to the residential use of the main dwelling and shall remain solely within the same planning unit as the main dwelling and not be sold or let as a separate unit of accommodation.

REASON: To define the terms of this planning permission and in the interests of good planning.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses or any other ancillary domestic outbuildings shall be erected within the curtilage of the host dwelling unless approved under a separate planning application.

REASON: It is considered necessary to remove any residual Permitted Development rights for any additional outbuildings to safeguard the character and appearance of the area.

5. No development shall commence on site, until a Construction Method Statement, which shall include details of the following:

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

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

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

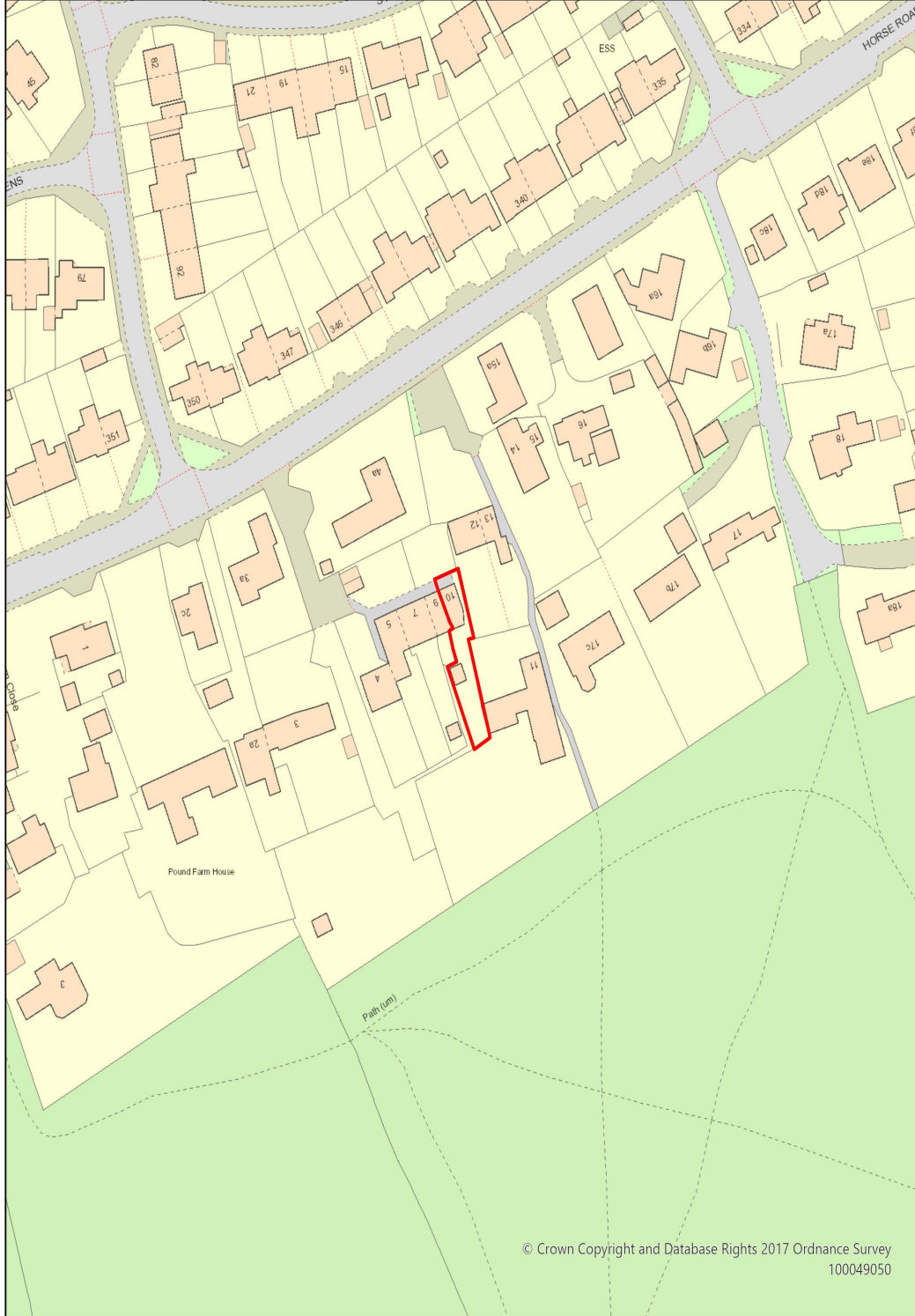
6. No development shall commence beyond slab level until full details of the exact colour and finish to the external walls of the annexe as well as the surface water details and the foul connections to be made to the sewerage system have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and shall be maintained for the lifetime of the development.

REASON: In the interests of visual amenity and the character and appearance of the area and to ensure appropriate site servicing connections are made available prior to occupation.

#### Planning Informatives

Pursuant to condition 3, the applicant is advised that this application is hereby approved on the basis that the ancillary annexe has and maintains a direct, functional and dependant relationship with the main dwelling.





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