

AGENDA

Meeting: Western Area Planning Committee

Place: Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN

Date: Wednesday 10 May 2023

Time: 3.00 pm

Please direct any enquiries on this Agenda to Ellen Ghey of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718259 or email ellen.ghey@wiltshire.gov.uk

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

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

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

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](#).

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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 - 16*)

To approve and sign as a correct record the minutes of the meeting held on 12 April 2023.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

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 **Tuesday 2 May 2023** 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 **Thursday 4 May 2023**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Appeals and Updates** (*Pages 17 - 18*)

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

Planning Applications

To consider and determine the following planning applications.

7 **PL/2022/02749: Land at Semington Road, Melksham, Wiltshire** (*Pages 19 - 60*)

Reserved matters (Following Outline Permission 20/01938/OUT) for development comprising the erection of 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road.

8 **PL/2022/09808: Land South of 92 High Street, Chapmanslade, BA13 4AN** (*Pages 61 - 92*)

Demolition of stables and construction of new house with associated works and change of use of land to C3. (resubmission of PL/2022/03190)

9 **Urgent Items**

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

Western Area Planning Committee

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 APRIL 2023 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, 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 Jonathon Seed, Cllr David Vigar, Cllr Suzanne Wickham and Cllr Mike Sankey (Substitute)

Also Present:

Cllr Tony Jackson

9 **Apologies**

Apologies for absence were received from Cllr Pip Ridout, who was substituted by Cllr Mike Sankey.

10 **Minutes of the Previous Meeting**

The minutes of the meeting held on 18 January 2023 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 18 January 2023.

11 **Declarations of Interest**

There were no declarations of interest.

12 **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.

13 **Public Participation**

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

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

14 **Planning Appeals and Updates**

The Planning Appeals Update Report for 6 January 2023 to 31 March 2023 was received.

Public Participation:

- Francis Morland noted the date error listed for the appeals report and informed the committee that he wished the recent appeal dismissal decision for housing at land northeast of 150 High Street, Chapmanslade to be submitted by the Council to the planning inspectorate in support of its appeal defence for refusing the housing proposal at Thoulstone Farm. The Development Management Team Leader, Kenny Green confirmed that he would do so.

The Development Management Team Leader, Kenny Green further reported that the appeal received for Plot D2, land at Kingdom Avenue, Westbury was expected to be withdrawn as the Section 106 agreement for a subsequent application had now been agreed and was at the time of the committee meeting, pending being signed and sealed by the Council's legal team.

Cllr Stewart Palmen raised concern about the potential for appeals being lodged against enforcement notices after the 28-day deadline had passed. The Development Management Team Leader, Kenny Green advised that the planning inspectorate decide upon the validity of appeals, but it remains the case that the planning inspectorate have a sizeable backlog and the date the LPA is informed of a valid appeal can be several months after it has been submitted to the planning inspectorate, which most likely explained the deadline anomaly.

Resolved:

To note the Planning Appeals Update Report for 6 January 2023 to 31 March 2023.

15 **PL/2022/05120 - Land off Ashton Rise, Hilperton, Trowbridge**

Steven Sims, Senior Conservation/Planning Officer introduced the report which recommended that planning permission be approved, for reasons detailed in the report, for the erection of a five-bedroom detached dwelling with attached double garage and associated private garden with vehicular access off Ashton Rise, including the re-surfacing of an existing public right of way.

The officer advised that the key issues for consideration included, the principle of development/Wiltshire's 5-year housing land supply, the impact on the living conditions of neighbouring residents, impact on the character on the area/adjacent Conservation Area/public footpath, highway, ecology and drainage issues.

The Committee noted that an additional representation had been received after the publication of the agenda about the width of the access and accuracy of the submitted plans.

The Committee noted that the local member, Cllr Ernie Clark, had called-in the application for reasons relating to the scale of development, the relationship to adjacent properties, the design, bulk, height and general appearance, environmental/highway impact, the application site being located outside the village Policy Limits/Settlement Boundary and not being allocated in the adopted Hilperton Neighbourhood Plan, and the positioning of the house on the site, the diversion of the Public Right of Way and its use to access the site, the suitability of the access, and whether the site could be better utilised.

The report summarised the responses to the statutory consultations and the public consultation.

In response to technical questions asked by the Committee, the officer explained that the site was a sustainable housing site and the separation distances to neighbouring properties was acceptable. The Committee was informed that the applicant had amended the application to retain the existing routing of the PRow and that the Councils PRow team had no objections subject to a planning informative. Members were advised to note the recommended planning conditions including condition no. 5 relating to site landscaping.

In response to Member questions, officers advised against imposing a condition removal permitted development rights for the proposed new dwelling as such a condition could not be justified on the necessity test.

So that the Committee had something to debate, Cllr Johnathon Seed proposed a motion to approve the application with conditions and informatives as detailed in the report. This was seconded by Cllr Stewart Palmen.

A debate followed where Members discussed and requested that an additional planning informative be imposed to inform the applicant to ensure that any vegetation / landscaping does not encroach on the public Right of Way.

At the conclusion of the debate, it was

Resolved:

To defer and delegate to the Head of Development Management to issue the decision following the completion of a S106 legal agreement to grant planning permission, following

- a) receipt of written confirmation from Natural England that they are satisfied with the Council's ecology team conclusion that the development would not result in significant or harmful ecological effects; and**

b) the sealing of a s106 legal agreement covering the matters set out within section 10 of this report; and subject to the following planning 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 and supporting details:

Location plan scale 1:500 drg no. 001

Site plan scale 1:100 drg no.003 rev C

Proposed ground floor plan scale 1:50 drg no. 004 rev C

Proposed first floor plan scale 1:50 drg no. 005 rev D

Proposed northeast elevation scale 1:50 drg no. 006

Proposed southeast elevation scale 1:50 drg no. 007 rev A

Proposed southwest elevation scale 1:50 drg no. 008

Proposed northwest elevation scale 1:50 drg no. 009

Preliminary Ecological Appraisal (Seasons Ecology, May 2022)

Proposed Landscape Plan drg no. (00) 003 (Urban Fox, January 2023)

Ecological Parameters Plan (Seasons Ecology, January 2023)

Landscape and Ecology Management Plan (Seasons Ecology, January 2023)

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

3. No development above ground floor slab level shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

REASON: In order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area and adjacent Conservation Area.

4. No development shall commence on site above ground floor slab level until full details of the new fencing and wall in elevation have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

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

5. All the additional planting as set out within the approved landscape plans shall be carried out in the first planting and seeding season following the first occupation of the building 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. No development shall commence on site until details of protective fencing for the protection of the mature hedgerow subject to a TPO located adjacent the western boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site.

REASON: In order that the development is undertaken in an acceptable manner and to enable the Local Planning Authority to ensure the protection of the mature hedgerow subject to a TPO.

7. No development hereby approved shall commence above ground floor slab level until a detailed scheme for the discharge of foul water from the site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: In order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained.

8. No development hereby approved shall commence above ground floor slab level until a detailed scheme for the discharge of surface

water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 and including all necessary permits, consents and permissions, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: In order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained.

9. The development hereby approved shall be carried out in strict accordance with all of the recommendations for on-site biodiversity mitigation and compensation as set out in the Preliminary Ecology Appraisal by Seasons Ecology dated May 2022 and in accordance with the Ecological Parameters Plan by Seasons Ecology dated January 2023.

REASON: To ensure adequate protection and mitigation for protected species through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

10. Before the dwellinghouse hereby approved is first occupied, the first-floor window that serves the gym/office/guest bedroom on the eastern side elevation shall be glazed with obscure glass only [to an obscurity level of no less than level 4] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

11. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The plans shall be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication GN01:21, 'Guidance Note 1 for the reduction of obtrusive light 2021' (ILP, 2021), and Guidance Note GN08-18 'Bats and artificial lighting in the UK', produced by the Bat Conservation Trust and Institution of Lighting Professionals. The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area in order to minimise unnecessary light spillage above and outside the development site and to ensure lighting meets the requirements of the Trowbridge Bat Mitigation Strategy.

12. No part of the development hereby permitted shall be first occupied until the turning area and parking spaces for the proposed dwelling have been provided and 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.

13. Prior to the commencement of works, including demolition, ground works/ excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.**
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.**
- c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the preconstruction/construction related elements of strategies only.**
- d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.**
- e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).**
- f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.**

Development shall be carried out in strict accordance with the approved CEMP

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

Informatives to Applicant:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging

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

Dorset & Wiltshire Fire and Rescue Service advise the following - A core objective of the Dorset & Wiltshire Fire and Rescue Service is to support and encourage an increase in the provision of residential sprinklers in domestic properties. Residential sprinklers are not new and, although a British invention, significant developments have been made in the United States, Australia and New Zealand. In these countries there are whole communities with such installations and a zero fatality rate from domestic fires where a sprinkler system is installed. The following information may be of interest to you:

- Sprinklers work from a standard main, although a 32mm connection is required
- Are inexpensive to install, particularly in a new building
- Do not activate by accident causing unwanted damage
- Only operate through individually activated heads, not the whole system
- Are not unsightly as they fit flush to the ceiling behind a flat cover
- Cause less water damage in a fire than normal fire fighting operations
- Significantly reduce fire and smoke damage
- If you would like more information on these systems please contact this Authority.

The applicant should note that it is a criminal offence to obstruct a public right of way under section 130 of the highways Act 1980 and therefore no materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way HILP30 whilst development takes place, without prior consultation with, and the further permission of, the highways authority at Wiltshire council.

If a temporary closure is required during the works this must be applied for 3 months before any work is carried out. The applicant should contact the Countryside Access Officer or email rightsofway@wiltshire.gov.uk.

The applicant should ensure that no landscape planting obstructs or encroaches the PRow and that it is properly maintained at all times to ensure the unencumbered use of the PRow is not compromised.

Public Participation:

- Mrs Holloway – spoke in support of the application

David Cox, Senior Planning Officer presented the report that recommended planning permission should be approved subject to the conditions and informatives as detailed in the report, for the revised and retrospective permanent siting of a Biomass boiler with a 6m high flue and container for the control unit (Resubmission of PL/2021/10373)

The officer advised that the main issues for consideration and described the site which included detail on the proximity to other properties, the access and the use of the adjoining agricultural fields. He explained that the boiler was powered by burning wooden pallets, which were stored both outside and inside. Members were advised that heat from the boiler is used to dry wood chip which is sold on for biomass boilers to use.

Committee members were reminded that the boiler, with a 4m high flue had been given a temporary 2-year planning permission on 10 February 2020, and prior to the temporary permission expiring, the applicant had applied for permanent consent, which was considered by the Committee on 6 July 2022, but had refused permission for the reasons stated in the Committee report.

The Committee noted that the local member, Cllr Ernie Clark, had called-in this current application for reasons relating to environmental and highway impacts.

The report summarised the responses to the statutory consultations and the public consultation. It was noted that 7 letters of objection and 1 letter of support had been received. In addition, a late representation had been received.

In response to technical questions asked by the Committee, the officer explained that Environmental Health Officers would continue to monitor the site on an ad-hoc basis, and it was confirmed that they had visited the site three times in the past month, with no concerns reported. Members were informed that to verify any environmental complaint, neighbours/third parties would be expected to complete a logbook to record any nuisance episodes from the burning of the woodchips, including noting the weather conditions and wind direction. Members were advised that to date, no substantiated evidence had been submitted to the Council's public protection team.

So that the Committee had something to debate Cllr Stewart Palmen proposed a motion to approve the application with conditions and informatives as detailed in the report. This was seconded by Cllr David Vigar.

A debate followed where Members commented further on monitoring by Environmental Health Officers and the submission of a further updated Boiler Management Plan by the applicants.

At the conclusion of the debate, it was

Resolved:

To approve the planning permission subject to the following conditions and informatives:

- 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 17 November 2022 and; Management Plan (for the operation of a Glen Farrow Biomass Boiler) and Boiler Operation and Maintenance Plan – dated and received 27 March 2023.

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

- 2. The operation of the boiler shall strictly adhere to, at all times thereafter, the approved details of the Management Plan (dated 27 March 2023).**

REASON: In the interests of residential amenity to protect from potentially harmful levels of smoke, fumes and general disturbance from the operation of the boiler.

- 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 residential amenity to protect from potentially harmful levels of smoke, fumes and general disturbance from the operation of the boiler.

- 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 to protect from potentially harmful levels of smoke, fumes and general disturbance from the operation of the boiler and in the interests of highway safety.

INFORMATIVES TO APPLICANT:

- 1. The applicant is respectfully advised that compliance with the boiler management plan, conditions would not preclude the Council's**

Environmental Health Department taking formal action should a statutory nuisance ever be proven following receipt of complaint.

- 2. The applicant is respectfully advised that the boiler should not be operated if the wind direction is such that it would lead to smoke going toward the nearest receptor which is approximately 120m to the North East (at Knoll Farm).**

17 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.20 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services,
e-mail ellen.ghey@wiltshire.gov.uk

Press enquiries to Communications, direct line 01225 713114 or email
communications@wiltshire.gov.uk

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**Wiltshire Council
Western Area Planning Committee
10th May 2023**

Planning Appeals Received between 31/03/2023 and 27/04/2023

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
PL/2022/00563	Kings Head, Chitterne, BA12 0LJ	Chitterne	Proposed change of use from Public House to single detached residential dwelling including minor internal alterations and demolition of flat roof rear extension.	DEL	Hearing	Refuse	04/04/2023	No
PL/2022/00784	Kings Head, Chitterne, BA12 0LJ	Chitterne	Proposed change of use from Public House to single detached residential dwelling including minor internal alterations and demolition of flat roof rear extension.	DEL	Hearing	Refuse	04/04/2023	No
PL/2022/02409	Bullen Hill Farm, Ashton Common, Steeple Ashton, Trowbridge, BA14 6DY	Steeple Ashton	Conversion and extension of an existing residential building to form two dwellings and erection of Garage Building	DEL	Written Representations	Refuse	04/04/2023	No

There are no Planning Appeals Decided between 31/03/2023 and 27/04/2023

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Date of Meeting	10 May 2023
Application Number	PL/2022/02749
Site Address	Land at Semington Road, Melksham, Wiltshire
Proposal	Reserved matters (Following Outline Permission 20/01938/OUT) for development comprising the erection of 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road.
Applicant	David Wilson Homes
Town/Parish Council	Melksham Without Parish Council
Electoral Division	Melksham Without West & Rural – Cllr Jonathon Seed
Grid Ref	389-162
Type of application	Approval of reserved matters
Case Officer	Steven Sims

Reason for the application being considered by Committee

The application has been called into committee at the request of Cllr Jonathon Seed to consider the following issues –

- Lack of school access or places, particularly primary school places
- Inappropriate design – too many cul-de-sacs off a single spine road.
- Poor mix of housing and not consistent with the outline permission
- Inappropriate placing of affordable housing
- Lack of access to community facilities –a footbridge is required with lights to cross the ditch and allow easy access to Berryfield Village Hall

1. Purpose of Report

The purpose of the report is to assess the merits of the proposals against the policies of the development plan and other material considerations and to consider the recommendation that reserved matters approval should be **GRANTED** subject to conditions.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.
- Appearance/Landscaping/Layout/Scale
- Highway issues
- Drainage issues
- Ecology issues
- S106 contributions

3. Site Description

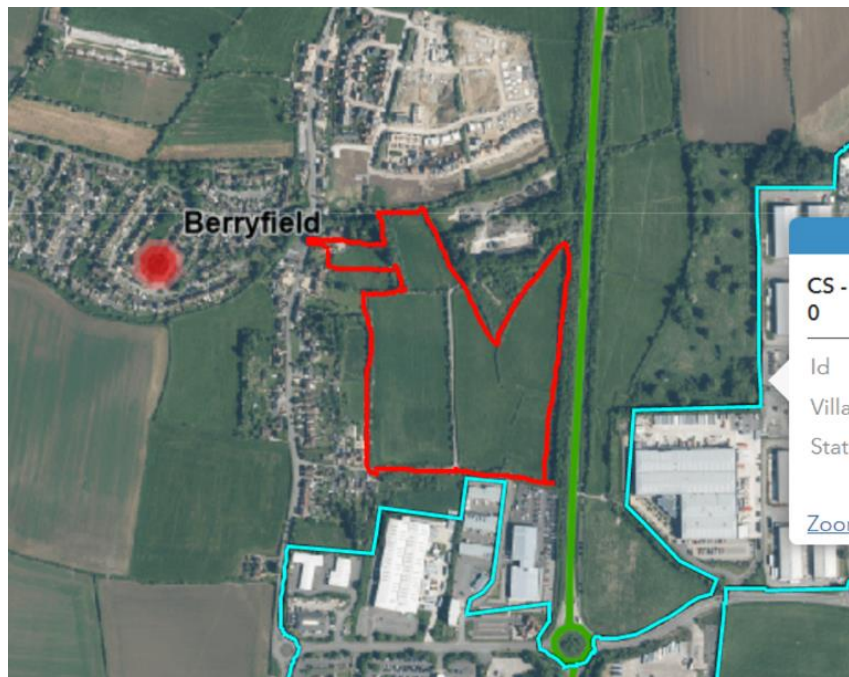
The application site comprises approximately 8.2 hectares of agricultural land (categorised as within mainly grade 3b agricultural land which is considered moderate quality land) separated into three irregular shaped fields divided by an existing access road that runs north from Shails Lane to the Bowerhill Sewage Treatment Works, and the site is consequently location within lies within the Sewage Treatment Works buffer zone.

The site is located in close proximity and to the east of Berryfield, south of Melksham and west of Bowerhill. Residential properties bordering Semington Road are located to the west while the A350 borders the site to the east. Commercial development (Hampton Business Park) is located to the south on the opposite side of Shails Lane.

New residential development for 150 dwellings (approved under application 16/00497/OUT and reserved matters application 17/12514/REM) is located to the north of the site. Bordering the site to the northeast is the Bowerhill Sewage Treatment Works. The main access to the proposed development would be taken from Semington Road, at the north-western corner of the site. Access to the aforesaid treatment works would be rerouted from Shails Lane to the south to the new access off Semington Road.

Along the western boundary of the site is the route of the old Wiltshire and Berkshire Canal. The site is located within the landscape character area 'Open Clay Vale'. Berry Brook is located directly to the north of the site.

The application site (highlighted in red) is located outside the settlement boundary; however it benefits from outline planning permission (granted under 20/01938/OUT) and abuts existing residential development to the west and commercial development to the south. The site is in close proximity to the settlement boundary of Melksham and Bowerhill and the Small village of Berryfield, although it should be noted that since the aerial photo was taken, residential development has been approved and is well underway in terms of construction on the land to the north.



Application site in relation to the village of Berryfield (west), Melksham and Bowerhill and approved development (17/12514/REM) to the north



View across site looking North towards the Sewage Treatment Plant



View across site looking South towards the Business Park



Proposed access off Semington Road



Existing access off Shails Lane leading to Sewage Treatment Works

4. Planning History

- PL/2023/02193 – Discharge of conditions 10, 11, 12 of planning application 20/01938/OUT (Outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off

Semington Road. All matters reserved except for principal means of access). – No decision at time of writing report

- PL/2023/01160 – Discharge of Condition 13 on 20/01938/OUT (Outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road. All matters reserved except for principal means of access.) – No decision at time of writing report
- PL/2023/01159 – Discharge of condition 5 of planning application 20/01938/OUT (Outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road. All matters reserved except for principal means of access). – No decision at time of writing report
- PL/2022/07183 – Non-Material Amendment application for amended vehicular access to vary approved application reference 20/01938/OUT to serve up to 144 dwellings – Approved
- PL/2022/05085 – Discharge of condition 22 (archaeology) of planning application 20/01938/OUT (Outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road. All matters reserved except for principal means of access). – Approved
- PL/2022/05550 – Discharge of conditions 14 and 15 (LEMP/CEMP details) of 20/01938/OUT – Approved
- PL/2022/04606 – Discharge condition no. 8 (Travel Plan) of 20/01938/OUT – Approved
- PL/2022/03805 – Discharge of conditions 17 and 20 (Construction Method Statement and details of Ultra Low Energy Vehicle infrastructure) of 20/01938/OUT – Approved
- PL/2022/03015 – Discharge of Condition 22 (Archaeological Investigation) of planning application 20/01938/OUT (Outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road. All matters reserved except for principal means of access). – Approved
- 20/01938/OUT – Outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road. All matters reserved except for principal means of access. – Approved and subject to a s106 Legal Agreement
- W/89/01780/FUL – Relocation of 9 mobile homes – Refused
- W/81/00193/HIS – Change of use from agricultural land to formal recreation - Approved
- W/74/00359/HIS – Erection of single agricultural dwelling – Refused

5. The Proposal

This is a reserved matters application that seeks permission for the appearance, landscaping, layout and scale of 144 houses approved at outline stage (to which application reference 20/01938/OUT refers). The approved development is located within the site parameters approved as part of the outline consent.

The total number of dwellings proposed is 144 houses which would include 8 x 1 bedroom units, 23 x 2 bedroom units, 58 x 3 bedroom units, 31 x 4 bedroom units and 24 x 5 bedroom units.

A total of 43 dwellings would be affordable (comprising affordable rent and shared ownership).

Access to the site would be via a new vehicular access located off Semington Road approved under the outline permission (20/01938/OUT) which would also provide access to the sewage works adjacent and to the northeast of the site.

The detailed scheme would include 3.2 ha of open space including the provision of a local equipped area for play (LEAP) and outdoor gym.

Additional tree and hedgerow planting is proposed throughout the site and along the boundaries of the site.

During the processing of this application, revised plans were received detailing an amended access - which was approved under application PL/2022/07183 (s96 application for a non-material amendment).

Through the discharge of planning condition process, several suspensive planning conditions imposed at outline stage have been discharged, namely:

Condition 8 (submission of a travel plan) 17 (Construction Method Statement), 20 (scheme of Ultra Low Energy Vehicle infrastructure) and 22 (archaeology details) of outline permission 20/01938/OUT were discharged under applications PL/2022/04606, PL/2022/03015, PL/2022/03805 and PL/2022/05085.

Application PL/2022/05550 relating to the discharge of conditions 14 and 15 (submission of a CEMP and LEMP) has also recently been approved.

Applications PL/2023/02193, PL/2023/01159 and PL/2023/01160 are still with the Council pending determination with regards the discharge of outline conditions 5, 10, 11, 12 and 13 (relating to the submission of site infrastructure details, bus shelter and zebra crossing layout details at Semington Road and drainage details).



Proposed site location plan (drg no. P21-3414_5 rev S)

6. Planning Policy

National Planning Policy Framework 2021 (the Framework)

Wiltshire Core Strategy (WCS) - Relevant policies include: Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 3: Infrastructure requirements; Core Policy 15: Spatial Strategy – Melksham Community Area; Core Policy 41: Sustainable construction and low-carbon energy; Core Policy 43: Providing affordable housing; Core Policy 45: Meeting Wiltshire’s Housing Needs; Core Policy 46: Meeting the Needs of Wiltshire’s Vulnerable and

Older People; Core Policy 50: Biodiversity and geodiversity; Core Policy 51: Landscape; Core Policy 52: Green Infrastructure; Core Policy 57: Ensuring high quality design and place shaping; Core Policy 61: Transport and Development; Core Policy 62: Development impacts on the transport network, 67: Flood Risk.

West Wiltshire District Local Plan (saved policies)

U1a Foul Water Disposal, U4a Sewage Treatment Works, U5 Sewage Treatment Works Buffer Zone and I2 Arts

The made Joint Melksham Neighbourhood Plan 2020-2026

The Wiltshire Local Transport Plan 2011- 2026

Wiltshire Housing Sites Allocations Plan adopted Feb 2020 (WHSAP)

Wiltshire's Housing Land Supply Statement April 2022 (with baseline date of April 2021)

Wiltshire and Swindon Waste Core Strategy 2006-2026 (Policy WCS6)

7. Summary of Consultation Responses

Melksham Without Parish Council:

Comments dated 8/2/23 – “Whilst noting the small changes made, the Council wished to reiterate their previous comments made, particularly the need for an impermeable fence to the Southern boundary in order to stop residents of the development from accessing Shails Lane from the site. Members noted proposals for a new gate to the Southern boundary, allowing access onto Shails Lane but were unclear as to why this has been included. Therefore, Members requested the Clerk contact David Wilson Homes to discuss the revised plans and to reiterate there should be no access to Shails Lane, as it is a private road and to ask as a gesture of good will, they might like to fund a suitable gate across Shails Lane, in order to discourage people accessing the lane, with a suggestion a suitable location would be near the canal bridge.

Members confirmed they still wished the committee ‘call in’ to remain as there remain aspects of the application that the Parish Council are not satisfied with.

The revised change in the housing mix to more smaller units, are however welcomed.

Members wished to reiterate previous comments made as follows.

Comments dated 22/12/22 – The Affordable housing is clustered throughout various locations of the development, which conflicts with Wiltshire Council’s Core Strategy Policy 43 – which seeks to create mixed, balanced and inclusive communities, and affordable housing units should be dispersed throughout a development and designed to be high quality, so as to be indistinguishable from other development.

Members request the inclusion of 2 affordable accessible bungalows as stated in the Section 106 Agreement and to construct 2 x 2 bed bungalows to the Lifetime Homes Standards, so as to be wheelchair accessible and adaptable.

Several refuse collection points appear to be located on private driveways/unadopted roads, with a concern that these bins will not be collected and therefore it is requested provision is made for bin collection points adjacent to the adopted highway and large enough for at least 2 bins per dwelling.

Concern was raised at potential for vehicles to speed along the straight spinal road proposed for the development. Therefore, it is requested some form of natural traffic management is installed, in order to slow vehicles down.

The Parish Council have previously asked for the provision of two bus shelters tall enough and with a power supply to enable real-time information, proper seating (not a perch), side panels and kerbs etc to match that at the adjacent Bowood View development. However, there does not appear to be provision for a bus stop for the South bound bus service; whilst outside the red line of the application it is understood that the current bus layby will be filled in as part of the visibility splay/access works with no indication of a replacement bus stop on drawings.

Members support the concerns raised by residents of Shails Lane at the lack of visitor parking proposed and the need for this to be increased.

Members also support concerns raised by residents of Shails Lane at contractors persistently accessing the site from Shails Lane to date. It was asked that from the start of any work on site contractors are made aware they should only access the site from the proposed access on Semington Road.

Members wished to repeat their request for a non-permeable fence, to be shielded by hedging treatment, between the development and Shails Lane, in order to discourage residents trespassing onto the private lane.

Members reiterated their previous request, following concerns raised by residents of Shails Lane for consideration to be given to some form of barrier/gate to be installed at the entrance to Shails Lane, in order to discourage residents from the development and those who use the lane for fly tipping from accessing the lane. To be situated on the lane once past the entrance to 514d Shails Lane.

There is still no provision for a cycle route within the development, despite Semington Road having been designated a National Cycleway (NCN 403) several years ago. Page 93 of the Wiltshire Local Cycling and Walking Infrastructure Plan (LCWIP) which was recently out for consultation, shows the cycle routes etc of the Melksham area, clearly showing the National Cycle Network NCN 403 and the Hilperton to Melksham Active Travel route along the Semington Road with access to the proposed development.

Requests that additional developer contributions are sought for a footbridge to connect the adjacent development (Bowood View), and provision is made for a footpath to join the proposed circular footpath to the north of the development.

The provision of bird, bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity should also be secured.

Wiltshire Council Spatial Planning: No comments

Wiltshire Council Landscape Officer: No comments

Wiltshire Council Drainage Team: Support subject to conditions

Condition 13 imposed on the outline application (20/01938/OUT) requires details of surface water drainage to be submitted to the LPA prior to commencement of development. Drainage details have been submitted pursuant to discharge of conditions application PL/2023/01160.

Wiltshire Council Urban Design Officer: Initially raised concerns with regard to the housing mix (and the disproportionate number of 5 bed properties) and the design. These issues were satisfactorily resolved following negotiation with the applicant and the submission of revised plans and housing mix (see section 5 summarising the revised housing layout and mix).

Wiltshire Council Ecology Officer: No objection subject to condition

Wiltshire Council Waste (Refuse & Management) Team: Initially advised that refuse collection points needed to be identified. Amended plans submitted identified these points and no additional comments were provided by the waste collection team.

Wiltshire Council Public Protection Team: No comments

Wiltshire Council Housing Enabling Team: Initially raised concerns with regard to the accessibility of the proposed maisonette, the layout and parking provision for units 40-44 and 91. However these issues were resolved following negotiation and the submission of amended plans.

Wiltshire Council Archaeology Officer: No objection. The application is subject to an archaeological condition imposed at outline stage – which is being appraised separately to this submission.

Wiltshire Council Education Team: No comment

Wiltshire Council Public Open Spaces Team: The development requires the following Public Open Space onsite requirements -

Public Open Space - 4078.08 SQ.M

Sports - 3398.40 SQ.M

Play -169.92 SQ.M

These requirements have been met and were secured by s106 agreement at outline stage (see section 10 'Planning Obligations' below).

Wiltshire Council Highways Team: No objection subject to conditions

Wiltshire Council Rights of Way Team: No comments

Natural England: Confirmed having no comment.

Environment Agency: No objection and confirmed that The Environment Agency's interests were addressed at the Outline Planning Stage.

Canal and River Trust: No comment

Police Liaison Officer: Initially raised concerns with regard to the proposed layout which were satisfactorily resolved following negotiation with the applicant and the submission of revised plans. No further comments were received following a re-consultation with the police liaison officer.

NHS Wiltshire: No comments

Wessex Water: No objection

8. **Publicity**

This application was publicised via the display of a site notice as well as individually posted letters that were sent to neighbouring properties within close proximity of the site. As a result of the publicity, 30 representation letters were received commenting on the application and raising the following summarised concerns:

- Poor access
- Inaccurate drawings
- Conditions on outline not complied with
- Adverse impact on root system of adjacent trees
- Ongoing boundary dispute issues
- Swift boxes are required
- Barrier required between Shails Lane and application site
- Safety issues regarding newly improved cycle way from Hilperton to Melksham
- Additional traffic/highway safety issues
- Additional pollution
- A proper cycleway along Semington Road should be installed
- Additional traffic calming measures should be installed along Semington Road
- No right of access by contractors along Shails Lane
- Shails Lane is a private road
- Rear gardens of properties fronting Semington Road should be adequately screened
- Fencing/ barrier should be installed along A350
- Highway/pedestrian safety issues with regards access to A350

- Issue of ground contamination
- Structural damage to adjacent houses due to depth of proposed footings
- Loss of light/overshadowing
- Adverse impact on local wildlife
- Loss of hedgerows
- Poor parking
- Lack of local facilities/ infrastructure
- Adverse impact on existing landscape

9. Planning Considerations

9.1 Principle of Development

The principle for the construction of 144 dwellings at this site with vehicular access was established by the granting of outline planning permission 20/01938/OUT. The approval of the outline application was endorsed by strategic planning committee on 27 January 2021 subject to conditions and the completion of a s106 agreement. The legal agreement was completed, and the decision notice was issued on 10 September 2021.

With the principle of development being established, and this application seeking reserved matters approval, the principle issues relating to the housing development and the detailed consent granted for the vehicular access are not open for re-consideration, and nor is it open for the Council to reconsider or add additional developer obligations that are enshrined within the completed and sealed s106 legal agreement.

As was the case at the time of reporting the outline application to the SPC meeting, the Council still cannot demonstrate a 5-year housing land supply. The deficit, whilst not considered significant, remains a material planning consideration and the adopted WCS core policies which seek to restrict housing such as CP1, CP2 and CP15 cannot be afforded full weight in the planning balance.

This is an application for approval of reserved matters pursuant to the appearance, landscaping, layout and scale. Adopted Core Policy 51 of the WCS states that new development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. Core Policy 57 of the WCS requires a high standard of design in all new development and that it should respond positively to the existing townscape and landscape in terms of building layout, built form, height, mass, scale, building line, plot size, design, materials and streetscape.

9.2.1 Appearance

The proposal comprises a 2 and 2.5 storey housing development adjacent to Bowerhill and Melksham. The scheme for 144 dwellings would create a new housing development off Semington Road located between existing residential and commercial development and to the west of the A350. The development would have a mix of 1, 2, 3, 4 and 5 bed dwellings located off the main access road in a series of small cul-de-sacs. Public open space would be located to the north and east of the housing development.

Wall materials would include red brick, reconstituted stone and render, roof materials would be grey and brown tiles. Screening walls would be constructed using red concrete brick, or reconstituted stone. Plots would be defined using a combination of 1.8-metre-high walls, timber or close boarded fencing. The site boundaries would consist of mainly existing hedgerows and a 1.8-metre-high timber or close boarded fencing.

A 3-metre-high acoustic fence would be located to the rear of plots 81-92 on the southern boundary of the site and would extend across the width of the Bowerhill Sewage Treatment Works access where it intersects with Shails Lane.

The following street scene section through the site illustrates that variation in design is provided through the use of a number of different house types that would have different form and subtle variations in appearance and scale.



STREET SCENE A - OUTER EDGE



STREET SCENE B - CORE

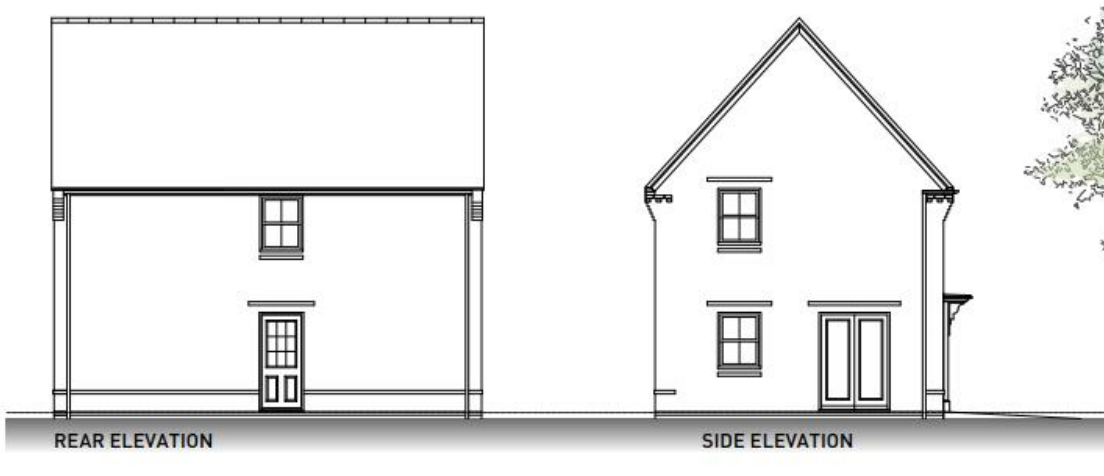


STREET SCENE C - OPEN SPACE EDGE



SITE LAYOUT (NOT TO SCALE)

Illustrative street scene plans (drg no. P21-3414_03 Rev D)



Example 3 bed dwelling (drg no. P21-3414_13-1.10 Rev C (HADLEY [341] _BRICK))

In response to the Council's request, revised plans were submitted, and the design concerns raised by the council's urban design officer were addressed. As revised and negotiated, it is considered the development represents a quality scheme in terms of the design, scale, massing and proportions. In addition, the suburban context of the site is emphasized through use of materials which reflect local character.

9.2.2 Landscaping

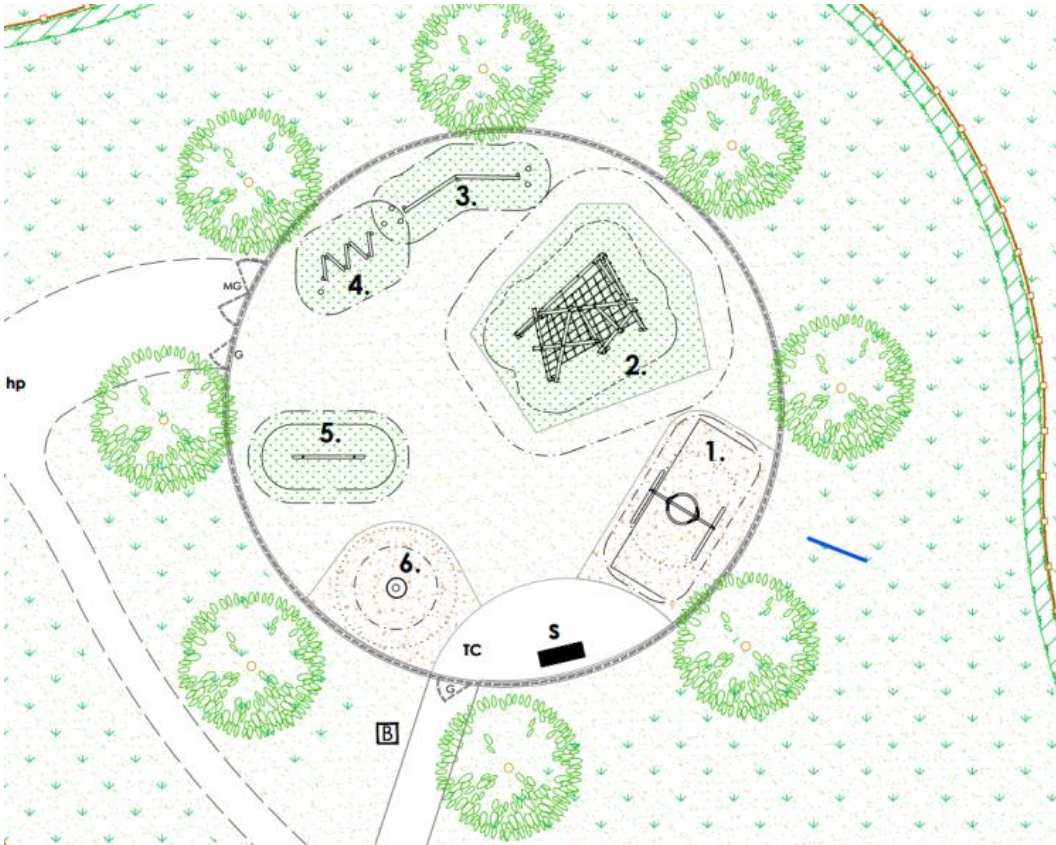
The site comprises approximately 8.2 hectares of agricultural land currently formed as three irregular shaped fields which is dissected by an existing access road that runs north from Shails Lane to the Bowerhill Sewage Treatment Works – which is clearly illustrated in the aerial view below. The site is located outside of a settlement boundary, but does abut recently implemented new housing development to the north and well-established houses to the west, with commercial development to the south. The A350 is located to the east.



The proposed housing scheme includes about 3.2 hectares of public open space located to the north and east of the site. In addition, the scheme includes an outdoor gym located in the northern part of the site and a Local Equipped Area for Play (LEAP) in the open space to the east.



Additional tree and hedge planting are proposed throughout the site and along the site boundaries. Hoggin footpaths will be located throughout the site allowing access to the open spaces. A pedestrian and green corridor running north/ south though the site and comprising the existing waste works access would remain. This corridor would consist of the existing tarmac track and existing hedgerow (with gaps in the hedgerow to be planted up). Details of lighting of this corridor and throughout the site, would be confirmed following the discharge of suspensive planning condition 16 as attached to the outline permission (20/01938/OUT) which requires the submission of a lighting strategy for the site.



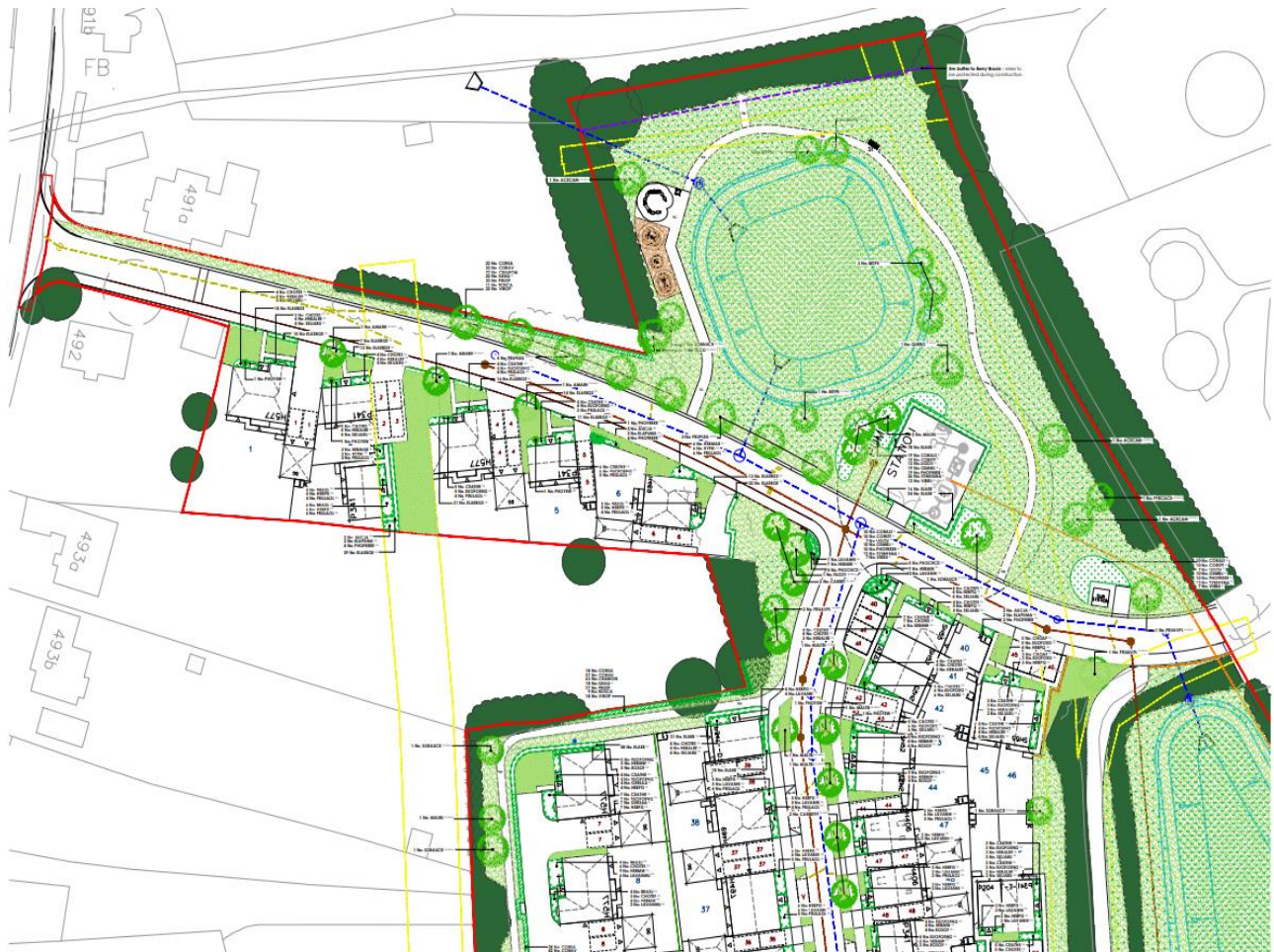
Local Equipped Area for Play (LEAP)



Pedestrian and green corridor running north/ south though the site

Third parties have raised the issue of creating a pedestrian access from this development site northwards to connect with the new housing development approved at 'Land East of Semington Road, Melksham' (to which consented outline application 16/00497/OUT and reserved matters application 17/12514/REM refer) to allow pedestrian access to the new village/ community hall from the proposed development.

Amended plans received detail the provision a footpath leading off the circular footpath to the north of the on-site attenuation basin (as illustrated below) which could be further extended, should separate planning permission be granted for a footbridge over Berry Brook, and with the appropriate funding, this scheme could connect with the scheme to the north. For the avoidance of any doubt, it is not something that can be imposed as a developer requirement for this reserved matters application since the time for identifying and imposing s106 obligations has passed following the determination of the 2020 outline application.



Proposed landscaping – northern part of the site (Drg no. GL1768 01G) – including attenuation basin and outside gym facility



Proposed landscaping – northeast part of the site (Drg no. GL1768 05G) including LEAP and habitat protection area



Proposed landscaping – southwest part of the site (Drg no. GL1768 003G)

The concerns raised by third parties and the Parish Council have been duly noted with regard to access onto Shails Lane from the development site. To restrict such access, a 3-metre-high acoustic fence is proposed along this section of the southern boundary as detailed on the landscape plan above. A gate is proposed in this fence to allow continued access to services (such as water, mains sewers, gas and telecommunications) that exists under the access road serving the sewage treatment works site and details of the gate would be conditioned on any approval.

9.2.3 Layout

The proposed 144 dwellings at this site would be provided as 2 and 2.5 storey properties located off a new access road off Semington Road. This road would also link Semington Road with the sewage treatment works which is sited to the northeast of the site. The scheme would consist of a mix of 1, 2, 3, 4 and 5 bed properties and would include 43 affordable dwellings (to be provided as 28 affordable rented and 17 shared ownership), which has been secured

through the s106 legal agreement that binds the outline approval and as can be seen from the following plan the provision of affordable housing would be spread throughout the site where there is a mix of affordable rent and shared ownership properties.



Affordable housing provision (Drg no. P21-3414_09 rev E) with red coding representing A/H rent and blue coding representing shared ownership properties.

Market dwellings (101 units) –

4 x 2 bed houses
44 x 3 bed houses
29 x 4 bed houses
24 x 5 bed houses

Affordable dwellings (43 units) –

Affordable Rent (26 units)

8 x 1 bed 2 person Maisonettes (including 4 adaptable units)
9 x 2 bed 4 person Houses
7 x 3 bed 5 person Houses
2 x 4 bed 6 person Houses

Shared Ownership (17 units)

10 x 2 bed 4 person Houses
7 x 3 bed 5 person Houses

In total the 144-unit scheme would provide –

8 x 1 bed units (5%)
23 x 2 bed units (16%)
58 x 3 bed units (40%)
31 x 4 bed units (22%)
24 x 5 bed units (17%)

It should be noted that the original submission included a housing mix consisting of 38 x 3 bed and 63 x 4 bed properties which resulted in objections from officers and consultees. However, following officer led negotiations, the housing mix was revised, and the mix detailed above, is considered acceptable and compliant with adopted Core Policy 45 – which seeks new housing development to provide a range of different types, tenures and sizes of homes to create mixed and balanced communities.

The revised scheme would provide 58no. 3 bed dwellings representing 40% of the proposed housing mix. In total the development would provide 81 (56%) 2 and 3 bed properties, with 24no. houses being 5 bed units.

The request made by the Parish Council pursuant to the provision of affordable bungalows within the scheme has been noted, but this was not identified as a requirement at s106 stage, and the REM submission has evolved from that legal agreement, and provision is made for 4 x 1 bed ground floor 'adaptable' maisonettes within the scheme. Coupled with the lack of an objection to the revised and negotiated housing mix from the Council's housing enabling team, the local request for alternative affordable housing provision is not considered reasonable or necessary, and its omission would not be defensible grounds to base a refusal.

The development includes a significant amount of public open space in the northern and eastern reaches of the site and a wildlife buffer would be provided along the northern and western boundary that would also extend along part of the southern boundary of the site. The

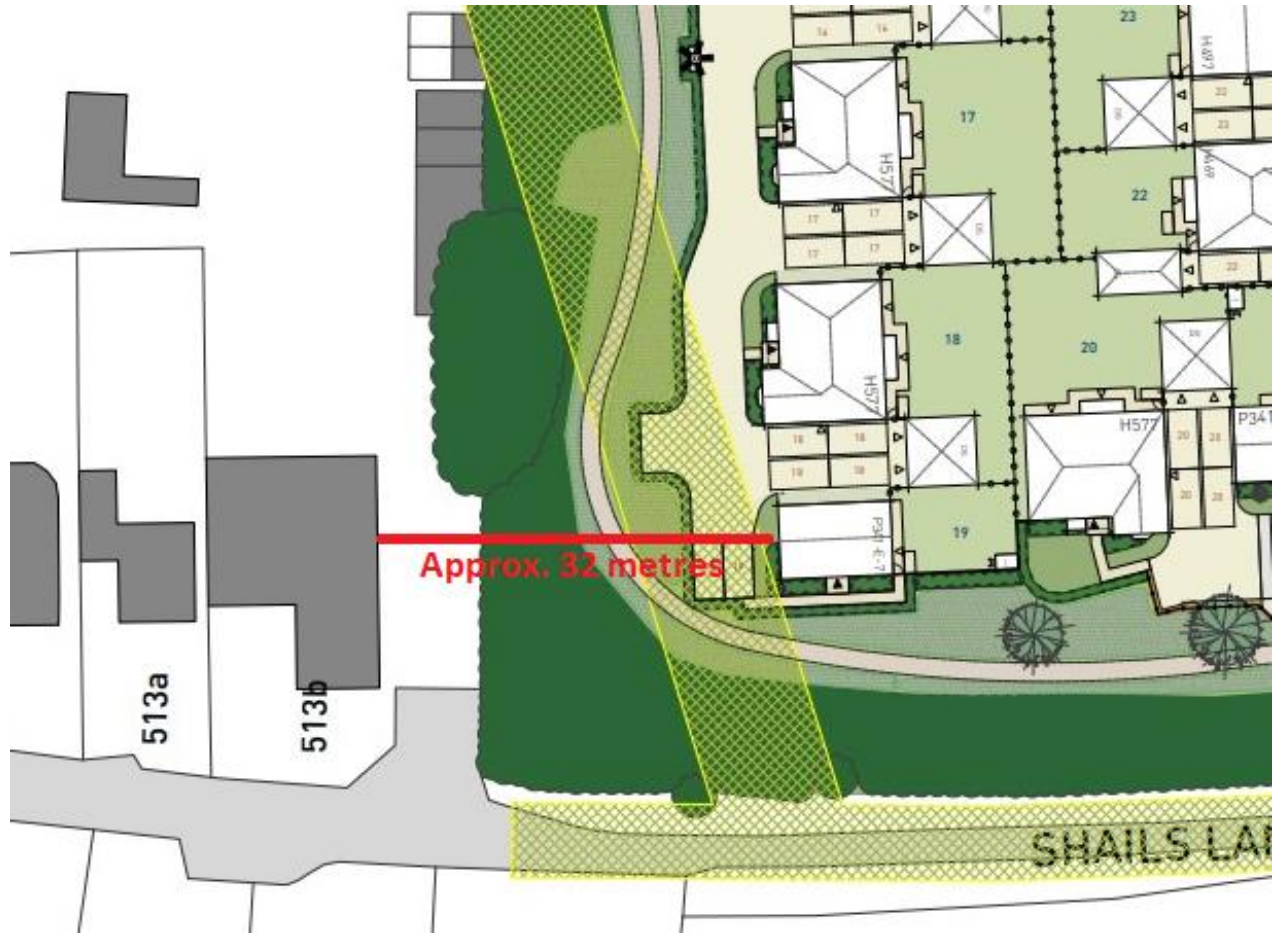
northeast section of the site would form a habitat protection area consisting of retained grassland. A LEAP would be located within the eastern designated parcel of open space which would be connected to the housing development by a series of footpaths.

The existing access to the sewage treatment works that dissects the site on a north-south axis needs to be safeguarded as a utility easement area and would, in the main, be a pedestrian zone and green corridor through the central part of the site bordered by hedgerows on either side of the existing tarmac track.



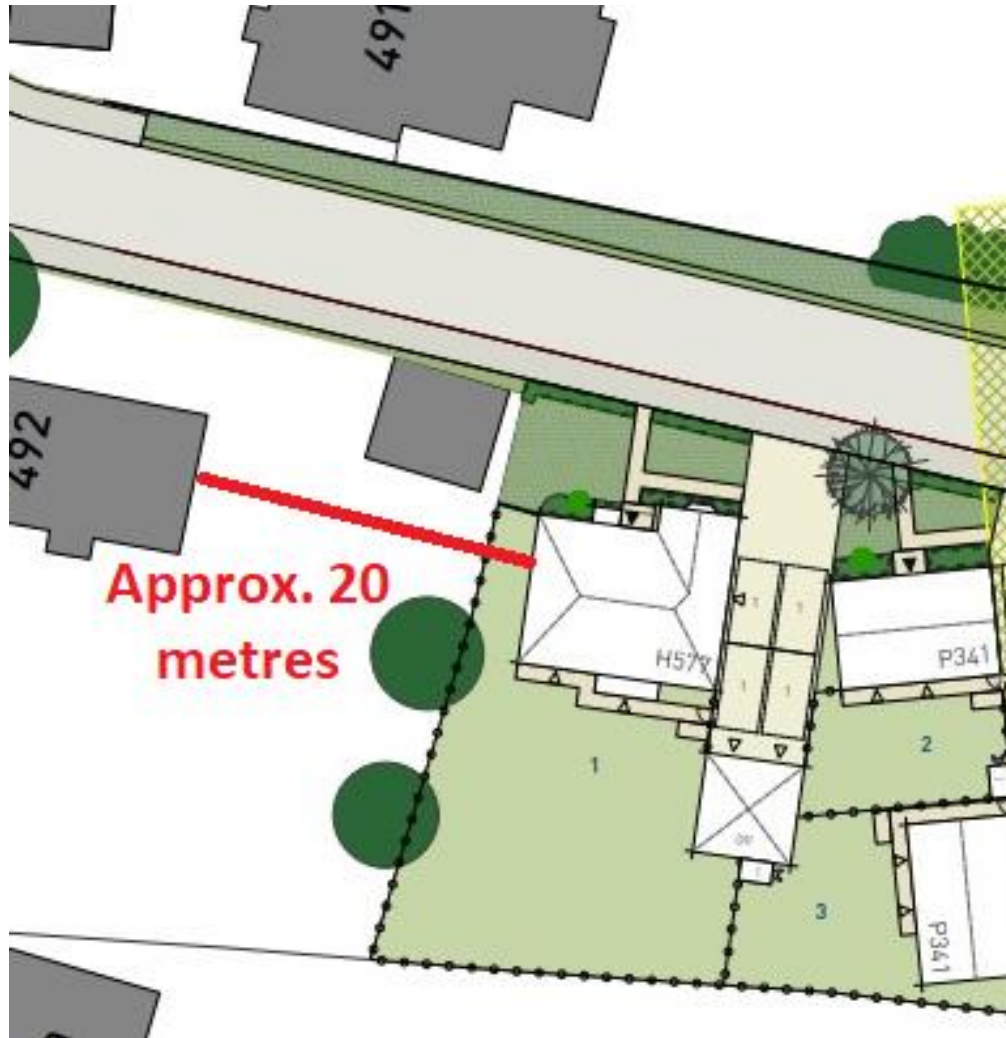
In terms of neighbouring amenity impacts, the separation distance between the proposed western elevations of plots 7 to 17 along the western boundary of the site and the rear

elevations of the existing houses fronting Semington Road measures approximately 80 and 95 metres. In terms of proposed plots 18 and 19, the distance to the side elevation of No. 513b Semington Road as illustrated below is approximately 32 metres. The separation distance between the west facing elevation of proposed plots 18 and 19 and the eastern garden boundary of No. 513b Semington Road is approximately 24 metres. In all cases, it is considered that the proposed development (as revised) would not result in substantive overlooking or overbearing concerns, and there would be no material loss of light or privacy for local residents.



Approximate separation distance from side elevation of plot 19 to side elevation of No. 513b Semington Road (Southwest corner of site)

The proposed separation distance between the west elevation of proposed plot no.1 and the rear elevation of No. 492 Semington Road measures approximately 20 metres.



Distance between the west elevation of plot 1 and the rear elevation of No. 492 Semington Road

Mindful of the above separation distance and proposed property orientation, officers have undertaken a sun cast shadow assessment and have concluded that a section of the rear garden of the No.492 Semington Road property would be in shadow in the early hours as the sun rises, but this impact would be limited in its extent and temporary as the suns moves on its orbit and the level of overshadowing would reduce to no impact as the day progresses.

In terms of overlooking or loss of privacy to No.492, no side windows at first floor level are proposed for plot 1 on its western elevation, which can be secured by condition.

On the basis of the above, the development is considered CP57 and NPPF compliant. The revised site layout adequately addresses issues of residential amenity. The aforesaid separation distances between existing and proposed properties and their relative orientation leads officers to conclude that residents would not be materially overlooked and there would be no significant loss of privacy to justify a refusal of reserved matters. In addition, sufficient outdoor garden/amenity space is allocated for the 144-house scheme.

The site has been well designed in terms of highway considerations with access to individual plots. The junctions have been designed with adequate visibility and the Council's minimum car parking standards have been complied with. There is an appropriate level of visitor parking throughout the site (29 spaces) and submitted vehicle tracking details confirm adequate provision for refuse and emergency vehicles. Pedestrian permeability through the development is considered to be good – with the layout respecting the living conditions of existing and future occupiers and would provide a good level of permeability. The layout design also makes allowances for the necessary highway safety and drainage infrastructure.

9.2.4 Scale

The scale of the development is compliant with the parameters set out at outline stage and would provide a mixed tenure 144 house development. The scheme would mainly comprise 2 storey dwellings with 19 no. being 2.5 storey that would provide articulation and variety in the street scene (as detailed in the building heights plan below).



Building heights plan (Drg no. P21-3414_10 rev E)

Overall, the proposed density at 28.8 dph (across the developable land parcel) is considered acceptable and would constitute as an efficient use of the site and would enable the developer to retain existing boundary landscaping, and provide a significant quantum of public open space, play provision and enhanced landscape planting.

The scheme provides for a range of dwellings across the site of varying sizes, in order to accommodate a variety of housing needs and would satisfy adopted local plan policy CP45.

The scheme provides a hierarchy of dwellings from larger detached properties, through to smaller terraced properties creating variety in the streetscape which is CP57 compliant.

The scale of the proposed development is considered acceptable which accords with the outline approval and policy requirements.

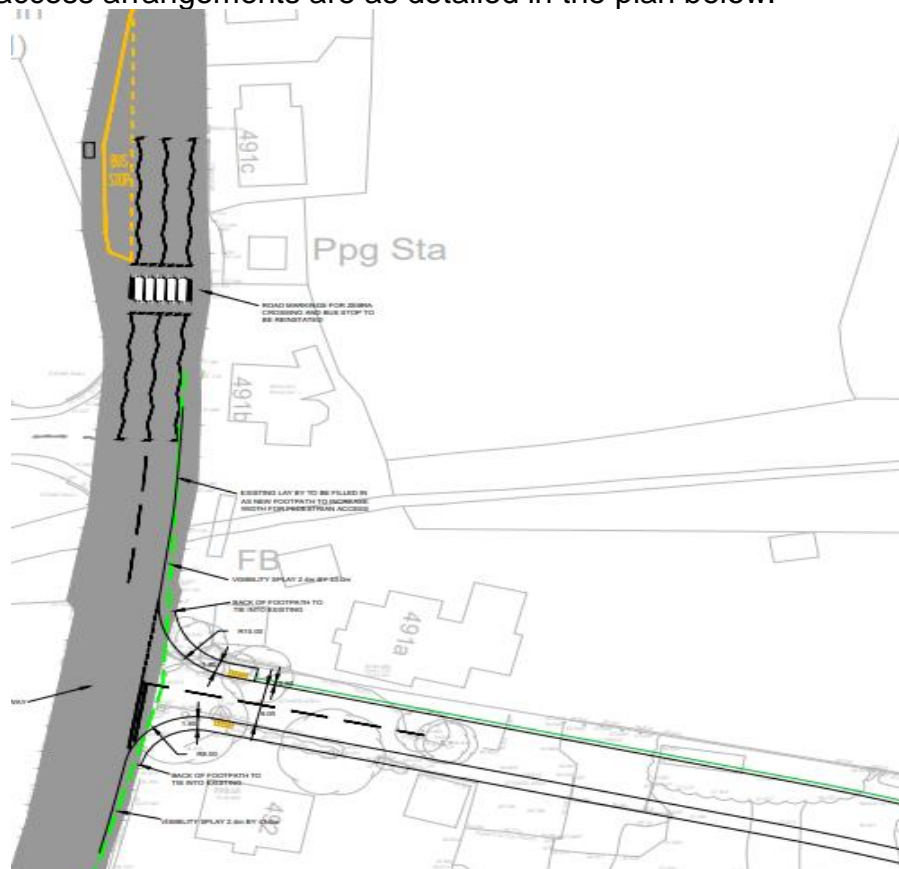
9.3 Highway Issues

The wider highway impacts of the proposed housing development on the local road network were fully assessed at outline application stage with detailed consideration given to the vehicular access. With the means of access of Semington Road benefitting from detailed consent, it does not form part of this REM appraisal.

For the avoidance of any doubt, the access has been designed as a standard priority junction with a carriageway width of approximately 6 metres.

Following the grant of outline permission, a subsequent application removed the pedestrian footpath on the north side of the new access (under application PL/2022/07183) following a detailed consultation and agreement with the Council's local highway authority.

The approved access arrangements are as detailed in the plan below.



Approved revised access (Drg no. P21-3414-PEG-XX-XX-DR-C-040-S2-R01)

The internal road layout would deliver a new vehicular access to the Bowerhill Sewerage Treatment Works. The internal access road has been designed to accommodate waste and delivery vehicles and the application is accompanied by refuse vehicle and fire tender swept path analysis plans which have been reviewed by internal consultees and found to be acceptable. A parking strategy plan has also been submitted which the local highways authority is supportive of being in accordance with Wiltshire Council's current car parking standards. There is an appropriate level of visitor parking throughout the site (29 spaces).



Partial plan extract using the Building Heights Plan showing the new vehicular access to the sewage treatment works.

The scheme also includes the provision of a new northbound cantilever bus shelter and new zebra crossing along Semington Road to the north of the proposed access.

In addition, the existing south bound bus lay-by located just north of the proposed access would be reconstructed to widen the existing footpath and incorporate raised bus kerbs.

These works were secured by condition at outline stage and details have been submitted as part of the discharge of conditions under application PL/2023/02193 (which is still pending separate officer review at the time of writing this report).



Semington Road – north of access - location of proposed new cantilever bus stop (left) and new zebra crossing road marking.



Semington Road – north of access – reconstructed lay-by to widen the existing foot path.

The additional request made by the Parish Council pursuant to the provision of cycle paths through the site has been duly noted. However, given the quantum of housing being proposed and the predicted low traffic speeds through the 144- house scheme, dedicated cycle paths through the site are not justified. In any event, such a developer obligation should have been identified at outline stage to establish the developer burdens and the site/development parameters.

In terms of the NPPF and paragraphs 110 and 111, the revised proposals raise no highway based concerns, and local plan policies and parking standards would be satisfied.

9.4 Drainage/Flooding Issues

The drainage impacts of the development were considered at outline application stage and a suspensive planning condition (no.13) requiring the submission of surface water drainage details was attached to the outline approval (which is currently pending separate officer assessment under application PL/2023/01160).

It should be noted that both Wessex Water and the Council's drainage team raise no objections to the development subject to conditions.

NNPF Paragraph 161 establishes the sequential, risk-based approach to the location of development, and requires decision makers to consider all sources of flood risk and the current and future impacts of climate change, so as to avoid, where possible, flood risk to people and property.

Paragraph 162 of the Framework states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

Paragraph 167 states when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere; and where appropriate, applications should be supported by a site-specific flood-risk assessment.

The current application is accompanied by a Flood Risk Assessment and Surface Water Drainage Strategy dated February 2023 with accompanying plans and a Geo-Environmental Assessment Report.

The site is located entirely within flood zone 1 – which constitutes as land with the lowest probability of flood risk. Most of the site is at low to very low risk from surface water flooding however within the far northern part of the site adjacent to Berry Brook, is subject to some surface water flood risk as detailed in the extract reproduced on the next page.



Environment Agency – surface water flood risk map

The submitted FRA considered all forms of flooding including fluvial flooding from rivers and streams, pluvial flooding from overland surface water, ground water flooding from elevated groundwater levels or springs, flooding from sewers and artificial sources of flooding. The FRA concludes that the risk of flooding from fluvial and artificial sources is very low and similarly from pluvial, groundwater sources and sewers, the risk of flooding is considered low.

The site is located entirely within flood zone 1 and the submitted FRA advises that there is a low to very low risk of flooding from all sources of flooding including groundwater flooding. In addition, as can be seen from the Environment Agency surface water flood risk map, the areas at most risk of surface water flooding are located primarily in the northern section of the site, adjacent Berry Brook, where no housing is proposed. As such it is considered the development has been designed as having the least risk of flooding and accordingly, the development complies with national and local plan policy.

Most of the site is currently greenfield and in recognition that the proposed development would increase the amount of impermeable ground surfacing with the introduction of roads, footpaths and buildings, significant attention has been given to various sustainable urban drainage systems.

With the support of technical consultees, the developer proposes to direct all surface water runoff to be collected by a traditional gravity fed drainage system for the proposed buildings and tarmacked highway. Surface water disposal would be via attenuation basins within the site and public open space with the resulting discharge via the existing watercourse running along the northern boundary of the site. The applicants advise that the watercourse is within their riparian ownership and can be suitably secured for this application, although separate land drainage consent would be required from the Council's drainage team.

In terms of foul water disposal, a new foul water drainage system would be installed across the site with the agreement of Wessex Water.

9.5 Ecology Issues

Most of the site comprises semi-improved grassland fields, bound by hedgerows and tree lines, with pole and wire fencing. One field located within the northwest section of the site has in recent years been grazed by livestock. Mature broadleaved woodland borders the site to the east, separating the site and the A350.

Evidence of greater crested newts (GCN) was found in water bodies within the 50 metres of the site to the south and west.

The site has been assessed as having low potential for roosting bats with the trees located along the site boundaries having negligible bat roosting potential. The boundary features comprising the hedgerows, stream and woodland are expected to be used by commuting and foraging bats within the local area in recognition that the site is well connected via surrounding tree lines and hedgerows. No bat roosts or badger setts have been found within or immediately near to the site. Although, the wider landscape does have the potential and suitability for these species, and it is possible that bats and badger may infrequently use the site for foraging and commuting purposes.

In terms of water vole and otter, the site has negligible value due to the lack of water bodies or features being located within the site itself. Numerous bird species were recorded during the submitted site surveys however these represented common species associated with the habitat onsite, and no concerns are raised subject to the imposition of a planning informative citing the Wildlife and Countryside Act safeguards.

Grass snake and slow worm were identified using the site and the site was assessed as supporting populations of both. The ecological impacts of the scheme were considered at outline application stage and suspensive planning conditions were imposed relating to the impact of the development on local biodiversity/ ecology during construction works and the long-term ecological management of the site. Condition 14 required the submission of a Construction Environment Management Plan (CEMP) and condition 15 required the submission of a Landscape Ecological Management Plan (LEMP) prior to the commencement of site clearance or construction works.

In addition, a condition requiring the submission of a lighting strategy was imposed under condition 16.

The Council's ecologist concluded that the development, subject to the implementation of the mitigation measures proposed in the Ecological Impact Assessment which includes the creation of a 'Habitat Protection Area' would result in no net loss of biodiversity.

The Landscape Ecological Management Plan (LEMP) dated March 2023 submitted to discharge condition 15 of the outline permission, establishes the biodiversity measures to be

implemented to include the retention and enhancement of existing hedgerows through the centre of the site to create a green corridor and commuting route for the benefit of wildlife. Existing grassland, hedgerows and trees would be managed to maintain their value for reptiles and amphibians. Meadow grassland would be created on the edges of the development - which would maintain foraging and commuting routes through the site for wildlife. The addition of attenuation ponds to the north of the site would also provide open water habitat and associated flora for a range of species.

On site mitigation measures would also include the provision of a habitat protection area and creation of reptile log piles and hibernaculum and the introduction of bat boxes and bird boxes throughout the site. The watercourse to the north of the site would be buffered with the introduction of a 5-metre buffer to limit development effects and to protect flora and fauna in this area.

It should be noted that no objections are raised by the Council's ecologist to this scheme.



Biodiversity features plan (drg no. GL1768 Fig 1A) LEMP Appendix A – submitted under discharge of conditions application PL/2022/05550

9.6 Other Issues

In response to the concerns expressed by local residents about land contamination, the application is supported by a Geo-Environmental Assessment Report that concludes a localised contamination of the soil was found in the area of the backfilled canal area. Remedial mitigation measures would apply pursuant to a planning condition imposed as part of the outline approval (condition 18) requiring details of remediation measures to be submitted to the Council for its written approval. It should be noted that no objections are raised by the public protection team who are tasked with appraising land contamination matters.

Landownership disputes with regard to the site access is not a material planning issue. The developer has assured officers that the appropriate notices have been served and that the applicant can implement the development lawfully. In terms of the legal rights of the applicants and contractors to use Shails Lane to access the site, this is also not a planning issue and is considered a private civil matter.

Third party concern raised with regard to the accuracy of the submitted plan drawings have been fully reviewed and officers consider the submitted details to be sufficient and accurate to illustrate what is being proposed and the application is supported by sufficient evidence and material to enable the Council to reach a decision.

10. **Planning Obligations**

In accordance with Core Policy 3 of the adopted WCS, the approved outline development generated a requirement for the following summarised developer infrastructure contributions which were agreed and enshrined within a s106 legal agreement dated 10 September 2021:

- Early years contribution of £297,874
- Primary education provision of £337,644
- £200,000 towards upgrading the double pelican crossing on the A350 with associated footway and cycle way. However, it the understanding of officers that these improvements were undertaken using another source of money and have been completed. The applicants have agreed to allow the money to be spent on other relevant projects on the area. This will require a deed of variation to be entered into by relevant parties to amend the original s106 legal agreement. The council's highway team are currently reviewing other relevant highways projects.
- £4000 for the improvement of pedestrian signage between the development and Melksham town centre
- Canal restoration contribution of £500 per dwelling
- Provision of a 100m anti-pedestrian fence along the western side of the A350
- Healthcare provision of £137,000 towards cost of supporting primary care
- Public arts contribution of £300 per dwelling
- Waste and recycling provision of £91 per dwelling
- Establishment of a management company to manage and maintain the open space and play area

Comments from the Parish are noted with regards the request for additional funds for a footbridge to the adjacent development (Bowood View) over Berry Brook. However, the construction of a footbridge over Berry Brook was not considered necessary to make the development acceptable in planning terms at the outline stage when planning obligations were negotiated and secured, and it is no longer reasonable or within the scope of the Council to impose additional obligations on the developer. Reopening principle matters would be ultra vires and would constitute as being unreasonable behaviour and would most likely expose the Council to a substantive costs claim for any delayed or refused permission.

11. **Conclusion (The Planning Balance)**

Planning law requires that applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The principle of development for the erection of 144 dwellings at this identified site has been approved by this Council through the issuing of outline permission under application 20/01938/OUT.

It is accepted that the site is located outside defined settlement boundaries and comprises land within the open countryside although, it is material to acknowledge that the application site is in close proximity to existing residential and commercial development.

As was the case when the outline application was reported to the elected members of the Strategic Planning Committee in January 2021, the Council remains unable to demonstrate a 5-year housing land supply. At the time of writing, a supply of 4.72-year is the accepted Council position. The deficit, whilst not significant, is nevertheless a material planning consideration and if approved, this REM scheme would further support the much-needed additional housing delivery to redress the deficit in the coming years.

Adopted WCS core policies CP1, CP2 and CP15 in this case cannot be afforded full weight in the planning balance, and it remains the case that planning judgement should be applied in terms of the appropriate weighting to be afforded to these policies.

In this case the proposed development would provide 144 dwellings (including 43 affordable dwellings), which, would make a significant contribution towards addressing the housing shortfall. In spatial terms, the site is very well connected with existing residential and commercial development which deserves significant weight in the planning balance.

There would be some short-term benefits secured through the construction phase of the development with direct and indirect job creation and the future householders of the properties contributing to future Council Tax revenues. In addition, the development would contribute towards CIL infrastructure funding in the area, with 25% of the total sum going to the local parish in recognition that there is a made Neighbourhood Plan in place. These benefits should cumulatively be given moderate weight in the planning balance.

In terms of neutral impacts, the supporting information demonstrates that the proposed residential development would be a sufficient distance from neighbouring residential properties and officers are satisfied that the site can accommodate 144 dwellings without adversely impacting the living conditions and amenities of existing local residents.

The density of the scheme is considered appropriate for the site and the submitted site location plan demonstrates that the level of development can be satisfactorily accommodated on site in terms of landscape, character and visual impacts.

Subject to mitigation measures, the development would cause no harm to local biodiversity interests.

The development would be served by a safe access to the highway network and the scheme would not result in severe cumulative harm to highway safety or result in harm to pedestrian safety, and sufficient parking provision throughout the scheme would be secured and drainage issues can be adequately dealt with.

The proposed development is therefore recommended for approval, subject to conditions.

RECOMMENDATION: Approve subject to conditions

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

P21-3414_03D ILLUSTRATIVE STREETSCENES
P21-3414_06H SITE LOCATION PLAN
P21-3414_07G MATERIALS PLAN
P21-3414_08G EXTERNAL WORKS
P21-3414_09E AFFORDABLE HOUSING
P21-3414_10E BUILDING HEIGHTS
P21-3414_11E REFUSE STRATEGY
P21-3414_12F PARKING STRATEGY
P21-3414_13F HOUSEPACK
P21-3414_14G ADOPTION & MANAGEMENT
P21-3414_15S SITE LAYOUT
P21-3414_16A ENCLOSURE DETAILS
P21-3414_19C BAT AND SWIFT BRICKS LOCATION PLAN
P21-3414_20 ENTRANCE WALL
P21-3414-PEG-XX-XX-DR-C-001 – Drainage Strategy – Sheet 1 – R06
P21-3414-PEG-XX-XX-DR-C-002 – Drainage Strategy – Sheet 2 – R06
P21-3414-PEG-XX-XX-DR-C-003 – Drainage Strategy – Sheet 3 – R06
P21-3414-PEG-XX-XX-DR-C-010 – Levels Strategy – Sheet 1 – R07
P21-3414-PEG-XX-XX-DR-C-011 – Levels Strategy – Sheet 2 – R07
P21-3414-PEG-XX-XX-DR-C-012 – Levels Strategy – Sheet 3 – R07

P21-3414-PEG-XX-XX-DR-C-020 – Fire Tender Tracking – Sheet 1 – R02
P21-3414-PEG-XX-XX-DR-C-021 – Fire Tender Tracking – Sheet 2 – R02
P21-3414-PEG-XX-XX-DR-C-022 – Fire Tender Tracking – Sheet 3 – R03
P21-3414-PEG-XX-XX-DR-C-023 – Fire Tender Tracking – Sheet 4 – R02
P21-3414-PEG-XX-XX-DR-C-025 – Refuse Tracking – Sheet 1 – R02
P21-3414-PEG-XX-XX-DR-C-026 – Refuse Tracking – Sheet 2 – R03
P21-3414-PEG-XX-XX-DR-C-027 – Refuse Tracking – Sheet 3 – R02
P21-3414-PEG-XX-XX-DR-C-030 – Visibility Splays Junctions – R03
P21-3414-PEG-XX-XX-DR-C-035 – Bend Visibility Splay – R02
P21-3414-PEG-XX-XX-DR-C-040 – Access General Arrangement – R01
GL1768 01G Detailed Landscape Proposals (Sheet 1 of 5)
GL1768 02H Detailed Landscape Proposals (Sheet 2 of 5)
GL1768 03G Detailed Landscape Proposals (Sheet 3 of 5)
GL1768 04G Detailed Landscape Proposals (Sheet 4 of 5)
GL1768 05G Detailed Landscape Proposals (Sheet 5 of 5)
GL1768 06C Play Proposals
Flood Risk Assessment & Surface Water Drainage Strategy by Pegasus Planning Group Ltd
dated February 2023

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

2. The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

3. No dwelling shall be occupied until the parking spaces together with the access thereto for that dwelling, have been provided in accordance with the approved plans.

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

4. Where plots 1 - 6 (detailed on site layout plan number P21-3414_15S) have frontage or side elevations to the road, no vegetation shall be allowed to grow above 600mm above carriageway level, over the frontage or side elevations (as appropriate) of the dwelling, within a 1-metre-wide strip parallel and adjacent to the adjacent footway edge.

REASON: In the interests of highway safety.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roof slopes of the dwellings hereby permitted.

REASON: In the interests of residential amenity and privacy and to protect the character of the built environment.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

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

7. Before the plots hereby permitted and listed below are first occupied, the windows in the elevations as detailed shall be glazed with obscure glass only [to an obscurity level of no less than level 4] and the windows shall thereafter, be maintained with obscure glazing in perpetuity:

- First floor west elevation side window to bathroom plot 45
- First floor south facing window to plot 22
- First floor west elevation windows plot 20
- First floor south elevation window to plot 108
- First floor east facing window to plot 109

REASON: In the interests of residential amenity and privacy.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the west elevation of plot 1 above ground floor ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

9. All soft landscaping comprised in the approved details of landscaping for each plot shall be carried out in the first planting and seeding season following the first occupation of the dwelling on the plot. All hard landscaping comprised in the approved details of landscaping for each plot shall be carried out prior to the first occupation of the dwelling on the plot.

All soft landscaping comprised in the approved details of landscaping for the areas of open space and structural tree planting shall be carried out in the first planting and seeding season following the first occupation of the any dwelling or in accordance with a timetable to be submitted to and agreed in writing with the Local Planning Authority.

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.

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

10. The acoustic fence hereby approved (as detailed on plan 'External Works' drg no. P21-3414_08 Rev G) shall be erected prior to the first occupation of plots 81 to 96. The approved fencing shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of residential amenity.

11. Notwithstanding the submitted plans and prior to the first occupation of the development hereby approved details of the proposed gate (to be no lower than 2 metres in height) to the Shails Road/sewage works access shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of pedestrian and highway safety.

Informatives to Applicant –

1. Your attention is drawn to the conditions and Section 106 Legal Agreement imposed on the outline planning permission reference 20/01938/OUT, dated 10th September 2021.

2. Flood Risk Activity Permit - Under the Environmental Permitting (England and Wales) Regulations 2010 permission from the Environment Agency may be required should any site/site infrastructure works take place in, under, over or within 8 metres of the bank top of a designated main river. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity. Please contact Blandford.frap@environment-agency.gov.uk with details of permitted works and include the planning application reference. Further details and guidance are available on the [GOV.UK](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits) website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

3. The following relevant comments have been received from Wessex Water – The applicant will need to agree protection arrangements for the existing 200mm and 225mm diameter rising main, and the 300mm and 400mm public foul sewers which crosses the site (3m easement either side). Also, the 12” distribution main (5m easement either side). Any damage to our apparatus by third parties will result in a compensation claim.

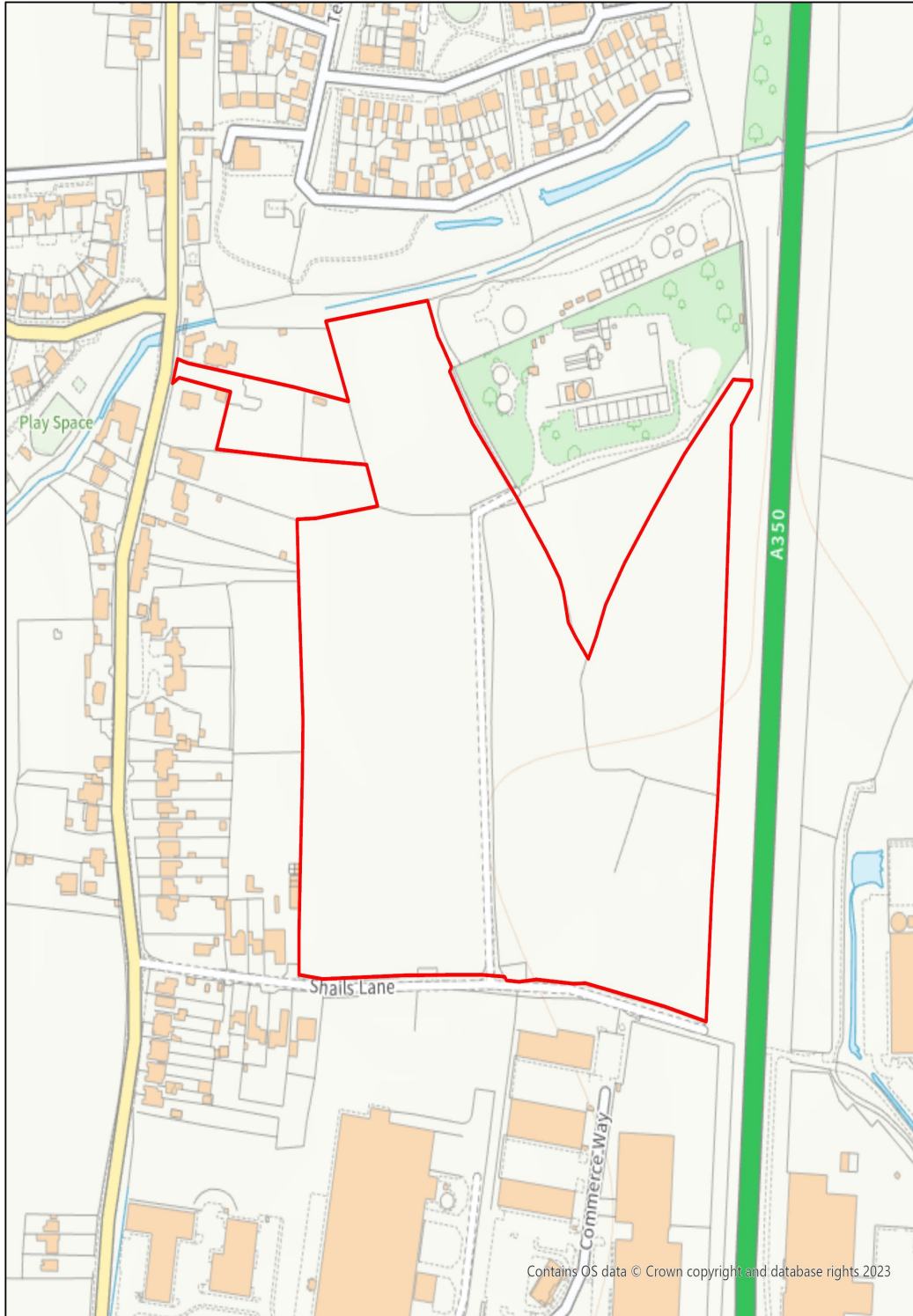
Water Infrastructure – For 144 dwellings a minimum 125mm size for size connection is required. This is available from the 12” spun iron main which runs through the site boundary near to the site entrance. A secondary connection can be made to the 8” cast iron main running along Semington Road and is recommended to provide operational flexibility with the appropriate cross connections between the existing mains and proposed site mains as required.

4. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

Wiltshire Council

PL/2022/02749

Land at Semington Road, Melksham,
Wiltshire



1:3,000



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REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	10 May 2023
Application Number	PL/2022/09808
Site Address	Land South of 92 High Street, Chapmanslade, BA13 4AN
Proposal	Demolition of stables and construction of new house with associated works and change of use of land to C3. (resubmission of PL/2022/03190)
Applicant	John & Heather Foster
Town/Parish Council	CHAPMANSLADE PARISH COUNCIL
Electoral Division	Warminster North & Rural – Cllr Bill Parks
Grid Ref	382499 147734
Type of application	Full Planning
Case Officer	Gen Collins

Reason for the application being considered by Committee

The application is called to Committee at the request of Cllr Bill Parks to review the development in relation to its visual impact upon the surrounding area.

1. Purpose of Report

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

2. Report Summary

The key issues for consideration are:

- Whether the development is acceptable in principle;
- Whether the scheme constitutes high quality design and would have an acceptable on the wider rural landscape or nearby heritage assets;
- Whether there would be any material harm to residential amenity of existing neighbouring or future occupiers;
- Whether the development would result in unacceptable or severe highway harm;
- Whether there would be harmful impacts on protected species or habitats;
- Whether the site can be adequately drained without increasing flood risk elsewhere.

This application is a submission of a previously withdrawn application which had officer-based design concerns. This application has been revised following officer negotiation to reduce the height, bulk, scale and massing of the proposal, to remove bulky gable ends and to soften the architectural design so that it is more reflective of its immediate surroundings. The application site area (shown below) includes some paddock land to the west of the existing stables (which would be demolished) to provide suitable external amenity space for the proposed dwelling. The application has been subject to two public notification/advertisement exercises.

In summary, Chapmanslade Parish Council object to the proposal for the reasons set out within section 7 of this report. 27 representations have been received from 21 third parties raising objections or providing general comments. One of the representations is in the form of a petition from 7 properties (namely No's 82,84,86,92,92A and 92B High Street).

3. Site Description

The application site extends to just over 0.1ha or 1000sqm (including the access track) which is shown in the red lined plan below. At present, the site has a single storey block of stables and tack room with an area of hardstanding within the limits of development of Chapmanslade (large) village – which is shown by way of the black line in the insert plan below left. The remainder of the associated paddock land located to the west of the stables is outside the defined limits of development.



As Existing



As Proposed

The following insert shows the application site in relation to land and property owned by the applicant:



The proposed dwelling would be located within the adopted defined settlement limits of Chapmanslade as shown on the insert above with an area of about 300sq.m to the west of the existing stables being proposed for residential garden that is currently outside the settlement boundary but in planning terms, is classed as previously developed land (shown as beige on the above snippet).

The definition of previously developed land is set out within the National Planning Policy Framework (and defined within Annexe 2) includes “*land which is or was occupied by a permanent structure including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure*”.

In this case whilst the settlement boundary line is drawn tightly round the built form of the existing stables, the associated land within the stables curtilage (shown beige in the snippet above and fenced off from the agricultural land to the south – shown in the photos below) is considered previously developed land albeit outside the defined settlement boundary.

The site is located within flood zone 1 indicating the lowest risk of flooding and is located within the Chapmanslade Greensand Ridge Special Landscape Area. The site is not located within a Conservation Area and the nearest listed buildings are over 50m distant (No’s 82-86 High Street) which are shown as blue starred properties in the insert below.



The site topography gently slopes in a southerly direction with the stabling ground level being approximately 1m lower than the adjoining ground level of the residential properties located to the north.

The land to the east is an orchard which is designated as priority habitat, but no operational development under this application would affect the orchard.

The site is designated as being within 4km of the core foraging area for greater horseshoe bats and the Bath and Bradford on Avon Bat SAC. A test of significance has however been carried out by the Council’s ecology team, with an Habitat Regulation Assessment (HRA) being completed and concluding that the proposal would not likely result in ecology harm with respect to the SAC and bats.

The site is also designated as being within 6.4km of the Salisbury Plain Special Protection Area (SPA)

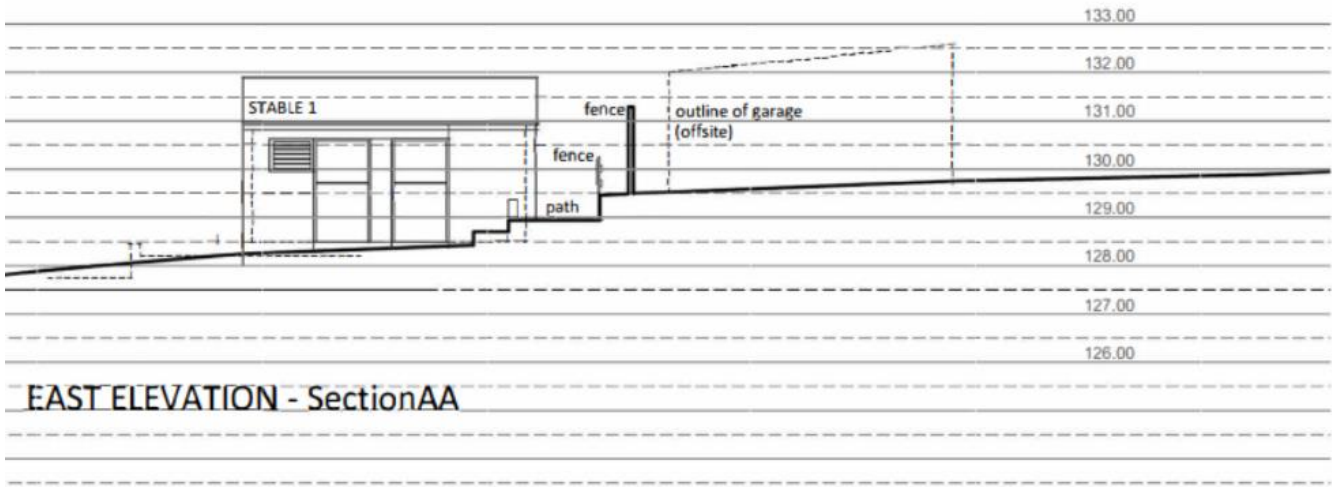
and following the completion of the aforesaid HRA, the development proposal would not result in significant effects, but consistent with the adopted 2018 Appropriate Assessment which is supported by Natural England, this development would be subject to CIL liabilities which funds the Salisbury Plain SPA management and annual Stone Curlew monitoring and protection.

The site is served by an existing 'shared' access off the High Street that serves several properties including the stables as the above inserts illustrate. The stables represent the last serviced premises off the private lane over which the applicant has vehicular and pedestrian rights of access.

An aerial view of the site looking northwards is shown below with adjoining/nearby properties identified:



The northern boundary of the application site adjoins the rear residential gardens and a neighbouring garage with a fence forming the southern site boundary treatment and a small pathway separating the rear gardens from the stable block. There is a drop in the ground levels between the residential gardens and the site with the site being lower by circa 1m -1.5m according to the existing elevation plan section shown below:



The south facing view of the stables and part of the eastern boundary is formed by fencing and mature vegetation beyond with the orchard beyond:



The land to the east is neighbouring garden and the orchard.



View looking west with paddock fence line visible in middle ground.



View looking south with the land beyond the post fence being agricultural fields.



4. Planning History

W/78/01308/HIS – Erection of 3 stables. Approved.

PL/2022/03190 - Demolition of stable buildings and construction of new house and garage with associated works and change of use of land to C3. Withdrawn to amend the design and scale of the proposal.

5. The Proposal

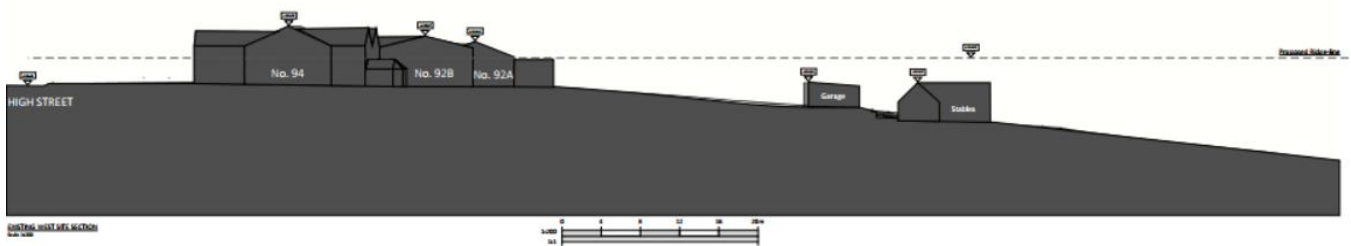
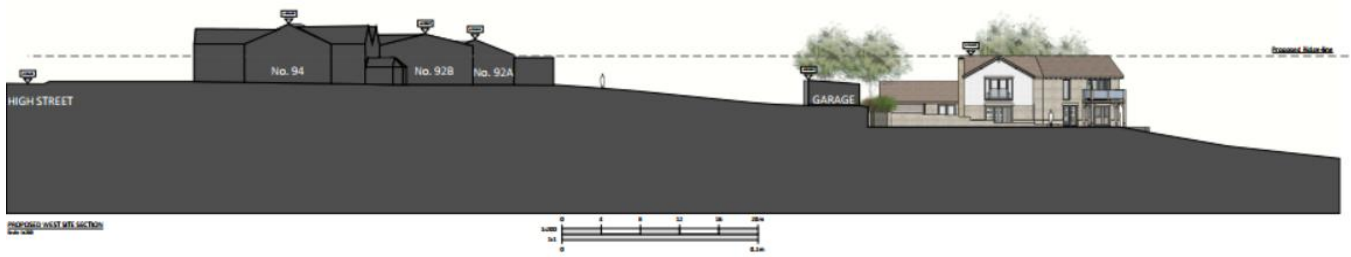
This application seeks full planning permission for the demolition of two stable buildings and the construction of a 2-storey dwelling with attached garage and associated works including the change of use of land from equestrian to C3 residential.

The existing access would be retained, and 3 off-street vehicle parking spaces are proposed.

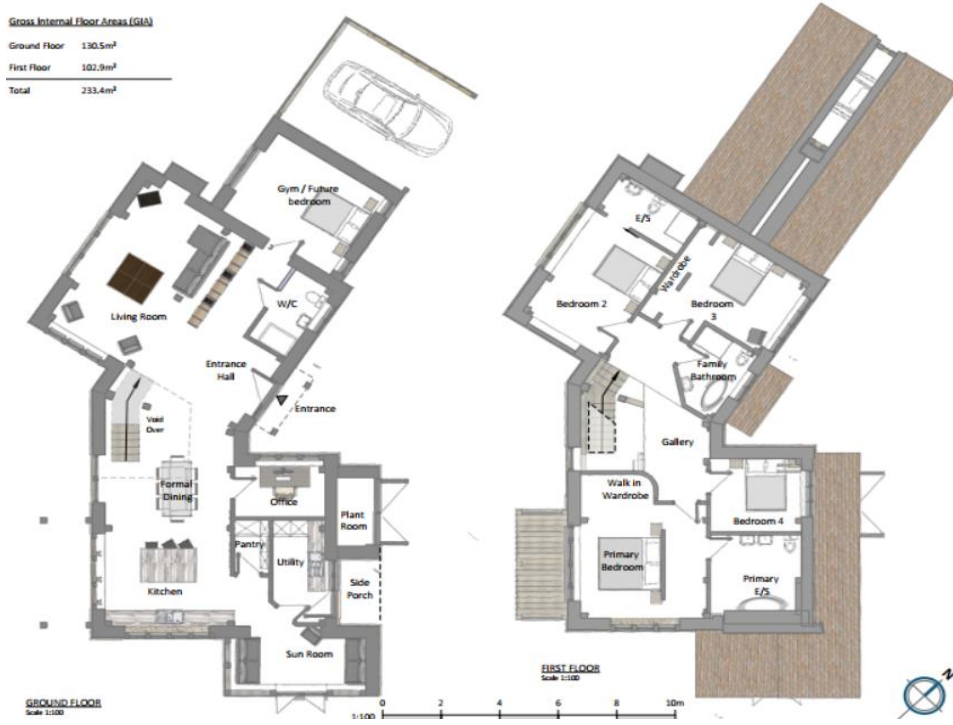
Proposed Site Plan:



Proposed and Existing Site Sections:



Proposed Floor Plans



Proposed Southwestern Elevation (using 3D modelling)



Proposed Western and Southwestern 2D elevations:



Proposed Southern and Southeastern Elevations:



Proposed Northern Elevation:



Proposed East and Northeastern Elevation – within context of neighbouring garage



East Elevation
Scale 1:100



North East Elevation

6. Planning Policy

National Context:

National Planning Policy Framework 2021 and Planning Practice Guidance

Local Context:

Wiltshire Core Strategy Adopted 2015 (WCS) CP1: Settlement Strategy; CP2: Delivery Strategy; CP3: Infrastructure Requirements; CP31: Spatial Strategy for the Warminster Community Area; CP41: Sustainable Construction and Low Carbon Energy; CP45: Meeting Wiltshire's Housing Needs; CP50: Biodiversity and Geodiversity; CP51: Landscape; CP57: Ensuring High Quality Design and Place Shaping;

CP58 Ensuring the Conservation of the Historic Environment; CP60: Sustainable Transport; CP61: Transport and Development; CP62: Development impacts on the Transport Network; CP64: Demand Management; and CP67: Flood Risk

Wiltshire Council's Local Transport Plan and Car Parking Strategy 2011- 2026

West Wiltshire District Plan – 1st Alteration (Saved Policies)

C3: Special Landscape Areas; and U1a Foul Water Disposal.

7. Consultation Response Summary

Chapmanslade Parish Council: Object to the application on the following grounds:

- Chapmanslade has recently expanded by 43 new homes and there is no need within the criteria of CP1 for a large new house.
- The development represents development outside the settlement boundary and should be assessed as new housing in the countryside. It does not meet the requirements for new housing in the countryside and a precedent should not be set by allowing this development.
- The submitted DAS refers to new stables being located to the southwest of the proposal and to these being considered as part of the application.
- The relevance of the tipi house to this proposal is not understood. There is a wooden tipi-style house that sits on the Applicant's land just to the west and thus outside the development boundary. If, as it seems, this is being used as some form of datum to justify the development's size then it should be noted that it has not previously been approved by the planning process and thus should not be considered as anything other than temporary.
- The size of the proposed house is larger than most of the existing dwellings in its close proximity, and its proportions will have a direct impact on these. Notably the height of the proposed house in relation to the relative elevation of the site would suggest that it would have a considerable impact upon the southerly aspects enjoyed by the houses to the north and on the High St. This is not accurately shown on the application drawings which give the impression that the site is not visible from these existing houses; a brief site visit shows this is not the case as the top of the existing stables can already be seen and a further storey would therefore exacerbate this.
- The design and scale would allow direct visibility into adjoining properties gardens thereby affecting the existing privacy these enjoy.
- The scale of the proposed house would harm the vista from the south and the many footpaths and other land that are in this location.
- The house would dominate the skyline.
- The proposal would result in harmful light pollution - detrimental to both existing properties and wildlife.
- The access is unsafe for construction traffic.
- Lack of clarity and consistency in highways advice.
- Traffic management plan is required.
- Construction management plan is required.
- An ecology survey is required pursuant to bats & wildlife.
- Inconsistency within the Design and Access Statement and the plan drawings are considered inaccurate.

Wiltshire Council Ecologist: No objection subject to conditions.

Wiltshire Council Highways Officer: No objection

Wiltshire Council Conservation: No objection. The application is outside a Conservation Area and not within the vicinity of any listed building.

Wiltshire Council Landscape Officer: No objection

Wessex Water: No objection

8. **Publicity & Consultation**

The application was publicised by the display of a site notice at the site frontage along the High Street, and individually posted out notification letters sent to neighbouring/properties within close proximity of the site.

As a result, 27 representations have been received from 21 third parties raising objections or making comments. Of these one is a petition from 7 properties in proximity to the site (No's 82,84,86,92,92A and 92B) objecting on the scheme on the following grounds:

- Poor design which is overly fussy - Unsympathetic to the setting and would fail to protect and enhance the special landscape area.
- Out of keeping with the area in terms of scale, bulk, height, mass and skyline.
- Out of settlement boundary and would conflict with the established building line.
- Inconsistent highways advice and approach to decision making following previous pre-application advice and previous applications for new dwellings.
- Setting a precedent for development in the countryside.
- Highway safety concerns with the proposal leading to too many vehicles using the lane and access.
- Noise concerns and light pollution
- Impact on listed buildings
- Carbon footprint.
- Bins and waste storage concerns.
- Loss of privacy to adjacent occupiers.
- Inadequate protection of trees on boundary.
- Loss of light to adjacent properties.
- Loss of views.
- Overdevelopment.
- No details provided on utility connections.
- Effect on priority habitat and countryside.
- Loss of biodiversity / hedgerow protection and ecological impacts.
- Land stability concerns.
- The Parish Council meetings did not follow due process and incorrect consultation with locals.
- The applicant is a Parish Councillor – which undermines the integrity of the process.
- A site visit should be done by planning officer and highways officer.

These concerns are addressed in the relevant sections of the report below and where any fall outside of these sections, will be addressed in the section entitled 'Other Matters' to be found at the end of the report.

9 **Planning Considerations**

9.1 **The Principle of Development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan unless material

considerations indicate otherwise. In this case, the Wiltshire Core Strategy, including those policies of the West Wiltshire District Plan that continue to be saved in the WCS form the relevant development plan for the area.

The proposed development comprises a change of use of land and the demolition of existing stables and their replacement with a two-storey detached dwelling. The stables comprise previously developed land as set out within the National Planning Policy Framework (and defined within Annexe 2) which includes *“land which is or was occupied by a permanent structure including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure”*.

The proposed dwelling would be constructed within the defined settlement limits of Chapmanslade (which is a designated large village as confirmed by Core Policy 31 and Appendix E of the WCS) with part of the proposed residential garden to the immediate west, being currently paddock and outside the settlement limits, but adjacent to the established settlement boundary and backing onto residential gardens.

Core Policy 1 sets out the Council’s adopted Settlement Strategy – which sets out a clear hierarchy in terms of setting a sustainable plan-based approach to supporting new housing within defined settlements and in the context of Villages, to support housing needs and to improve employment opportunities.

Core Policy 2 sets out the delivery strategy for the Council. This policy framework advises that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at large villages and supports limited development in these locations that is needed to help meet the housing needs of the settlements.

At the time of writing, the Council cannot demonstrate a 5-year housing land supply, which is required by the Government and as directed by the NPPF. Until the housing deficit is resolved, full weight cannot be afforded to the strategic policies enshrined within the WCS (or those saved from the West Wiltshire District Plan) that seek to restrict residential development.

The Parish Council’s argument that Chapmanslade has already expanded by 43 houses in recent years is noted, but as many appeal decisions direct, there is no ceiling on housing delivery, and in accordance with planning law, each application should be considered on its own merits.

Planning appeal inspectors have also concluded in accordance with NPPF paragraph 74 in recognition that the adopted WCS is more than 5 years old, that the matter of housing need and the short fall of housing land supply is a Council wide matter, and it cannot be read, or addressed, in the narrow context particular to any given settlement.

As Members will be aware, with the housing supply deficit, paragraph 11 of the NPPF and the consequential tilted balance is engaged.

Paragraph 11 of the NPPF requires that planning decisions should apply a presumption in favour of sustainable development and for decision making this means: -

“...approving development proposals that accord with an up-to-date development plan without delay; or ... where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (i.e., where no update to date housing supply can be demonstrated), granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

The proposal is not in an area that is protected by sub-paragraph i) and the proposal would represent a form of sustainable development constituting a windfall development on previously developed land with the proposed built form contained within in the established settlement boundary. Accordingly, the proposed development is considered acceptable in principle, but requires an appraisal in the following chapters.

9.2 Design, Landscape and Visual Appearance

Core Policy 51 'Landscape' of the Wiltshire Core Strategy outlines that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. The policy requires applications to demonstrate how development proposals conserve and where possible enhance landscape character through sensitive design, landscape mitigation and enhancement measures.

Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the WCS lays down the requirement for good design. Core Policy 57 requires *'a high standard of design in all new developments. of particular relevance to householder extensions is paragraph (iii) which requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting'*.

The NPPF states at paragraph 126 that *"the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.

Furthermore, paragraph 130 states that *"planning...decisions should ensure that developments:*

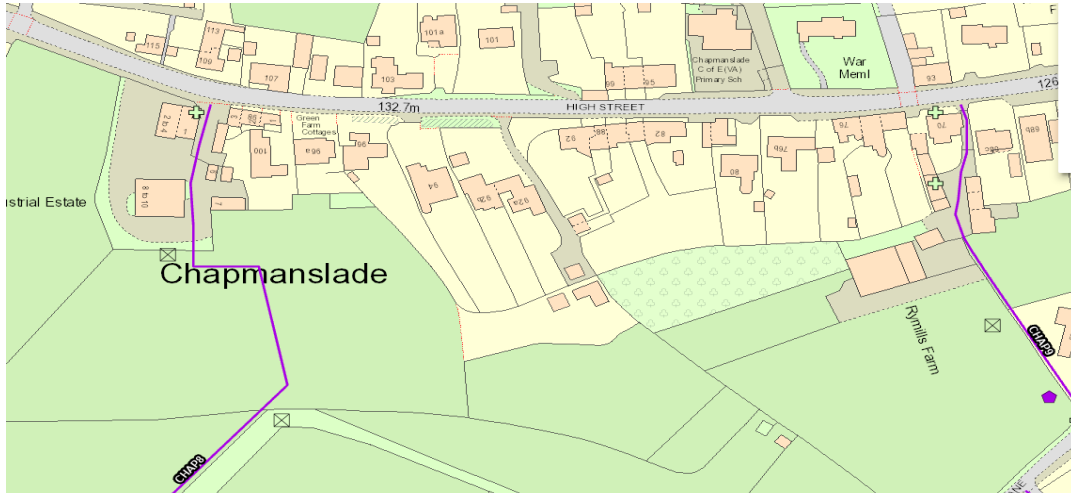
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;*
- and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Landscape

The site is located within the Chapmanslade Greensand Ridge Special Landscape Area which is covered by saved policy C3 of the WWDLP (and annexed within the adopted WCS). Saved Policy C3 requires the landscape character to be conserved and enhanced and development is discouraged if it would be materially detrimental to the quality of the landscape.

The existing stables are sited more than 30m from the nearest dwelling (No.92a) and as illustrated below, there is no uniform pattern of development on the south side of the High Street in this part of Chapmanslade. The site is not significantly seen in the public domain given that the nearest stretch of public right of way (shown in purple on the following insert) is the CHAP8 footpath to the west – which is nearly 100 metres away. The only other 'local' PRoW is CHAP9 footpath which is nearly 130 metres away. Huntenhull Lane – located to the southeast is over 150 metres distant and offers no significant

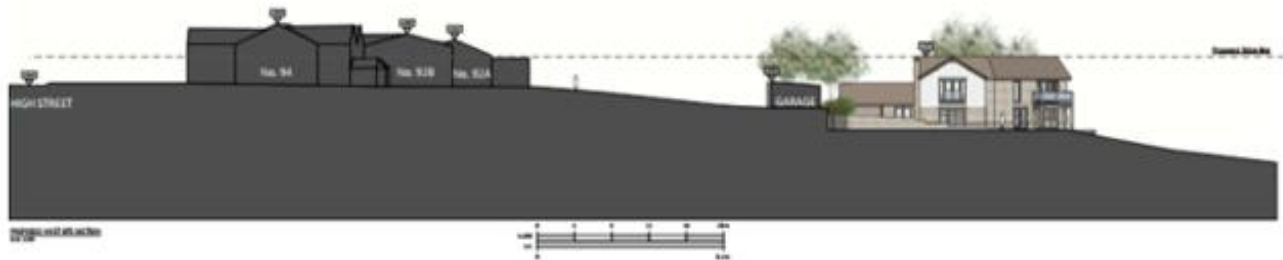
views to the site given the landform, field enclosures and landscaping.



The existing stables constitute previously developed land and the immediate character of the southern edge of this part of the village is characterised by a range of built forms, which includes the two stabling structures on the application site, the fairly sizeable domestic neighbouring garage to the immediate north which would have a commensurate ridge height that would equate to the proposed western wing of the proposed dwelling as evidenced below.



The existing stables are approximately 4.6m to ridge height. The proposed single storey garage element of the proposal would be circa 4m in height. The proposed dwelling at its highest point, would have a ridge level of about 7.3m above ground level, but given the lower site levels, the house would not visually appear as being out of context with the nearest houses 35-60 metres away, and nor would it appear harmful to the wider countryside beyond. The proposed garage is



Detailed negotiations at pre-application stage and more thoroughly through this formal application, have led the applicant to finalise a house design that officers consider would assimilate well with the existing built form of the settlement.

Through these discussions, the applicant reduced the height, bulk, scale and revised the architectural detailing of the proposed house in such a way that officers conclude it would not appear harmful in this edge of village setting. Moreover, the applicant is committed to planting up the boundaries to soften this part of the village edge with post and rail fencing and hedgerows.

The applicant has also agreed in principle to submit a landscaping plan prior to commencement of development which can be conditioned. A robust landscaping scheme would ensure that appropriate planting is provided to soften this existing edge of the settlement limits.

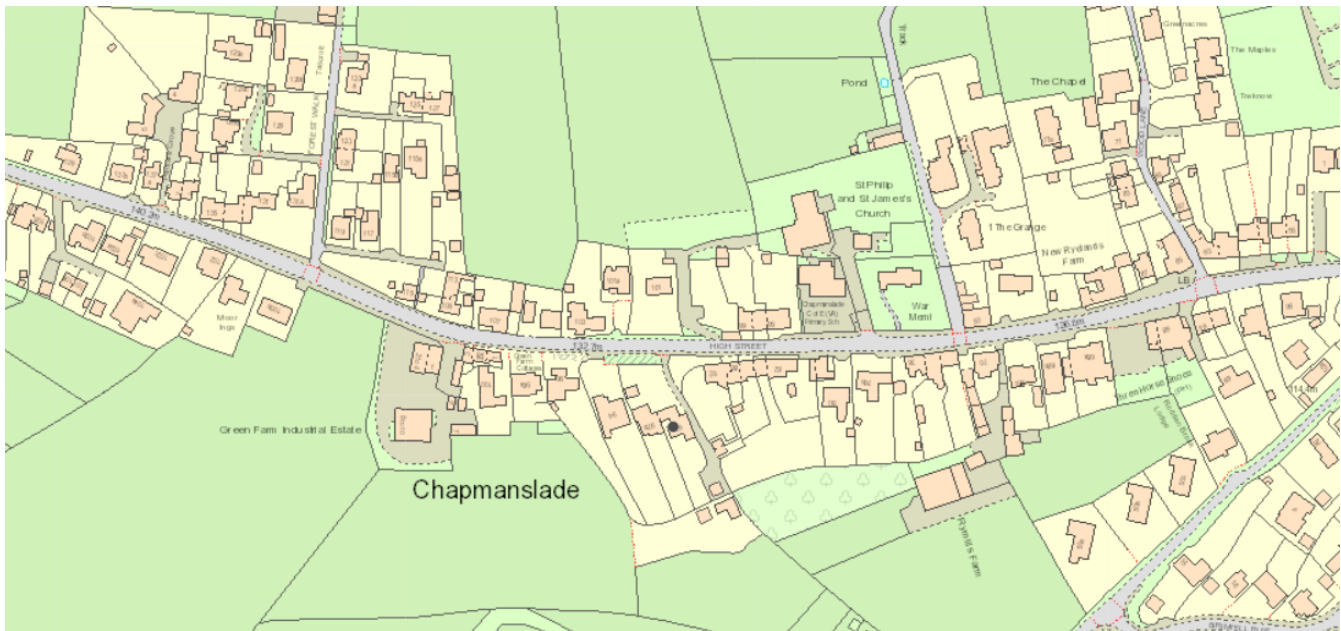
Permitted development rights for outbuildings, extensions and fences, gates and walls are also recommended to be removed to require the submission of future applications for any further operational development within the proposed domestic curtilage.

With the amendments to the house design, the imposition of conditions removing permitted development rights and securing a robust landscape planting mitigation by condition, it is considered that this proposal is acceptable, and as evidenced by the cross section plan and in recognition of the separation distance to neighbouring properties and the PRoWs, the proposed development would not appear out of keeping and nor would it dominate the site or the skyline.

On the basis of the above, officers submit that the application satisfies the requirements of saved policy C3 of the WWDLP as well as CP51 and CP57 of the WCS.

Design/Visual Impact

Within this part of the village, there is a wide variety of architectural built form, styles and materials used. Whilst the main historic village is linear along the High Street there are numerous examples of 'backland' development that have evolved over time. The erection of the stabling at this site is just another example.



There is no overriding or predominant architectural design or style in the immediate vicinity of the site. The nearest dwellings to the site are a mix of brick and stone properties comprise modern bungalows, rendered houses as well as some large agricultural buildings constructed in timber, block and metal.



Above: Mix of buildings to the west of site off high street

Following officer led negotiation, the proposed dwelling has been reduced in height and what were bulky gable ends have been removed. The design approach now seeks to create a sense of a series of connected smaller buildings as is prevalent in the immediate locality instead of one large compact bulky dwelling that was initially proposed.

The proposed new dwelling would be 2 storeys in height with a single storey attached garage on the northern side and single storey porch and orangery on the east and south elevations respectively. It would be circa 7.3m to ridge height falling to circa 5.2m at the eaves with the single storey garage measuring circa 4.8m to ridge height falling to circa 2.6m at the eaves and the orangery circa 4m to ridge height. The footprint of the proposed building would not be a standard rectangle but would have an asymmetric form and variety of roofscape with a mix of single storey and two storey levels.

Visual interest is provided in the elevation detailing with the mix of materials that would be complementary to the mixed material palette found in the locality.

Glazing is kept to a minimum on the eastern side to retain a dark ecological corridor between that elevation and the neighbouring orchard following ecologist advice. The applicant wants to promote and use energy conservation and sustainable approaches in this proposed development through adopting a fabric first principle to maximize energy efficiency, to explore the use of PV on either a roof or potentially a future application to secure permission for a domestic array. The applicant seeks to use ground source heating and enhanced insulation and energy management systems with all build materials to be sourced following sustainability principles. All the hard surfacing will be laid with permeable materials to reduce water runoff and the driveway would be permeable gravel, with surface water being managed by on site soakaways.

Hedges, stonewalls and post and rail and timber fences are a feature of the area, and the applicant intends to include these materials for boundary treatments.

The proposed new dwelling would be designed to reflect appropriate vernacular within the local area. The use of a mix of stone, timber and clay materials, together with gable and barn style roof forms effectively integrates the building into its setting.

The building structure would be a handmade bespoke post and beam oak timber frame and would use a high energy efficiency and sustainable construction techniques and technologies. The resultant building would be highly energy efficient with an electrical car charging point.

The proposed development in terms of its approach to low carbon and use of sustainable construction techniques is welcomed and carries some weight in favour of the scheme.

It is recommended that details of all proposed external materials are conditioned to ensure that they are of high quality and appropriately relate to the local material palette with the trigger point being post slab level formation in the event that permission is granted.

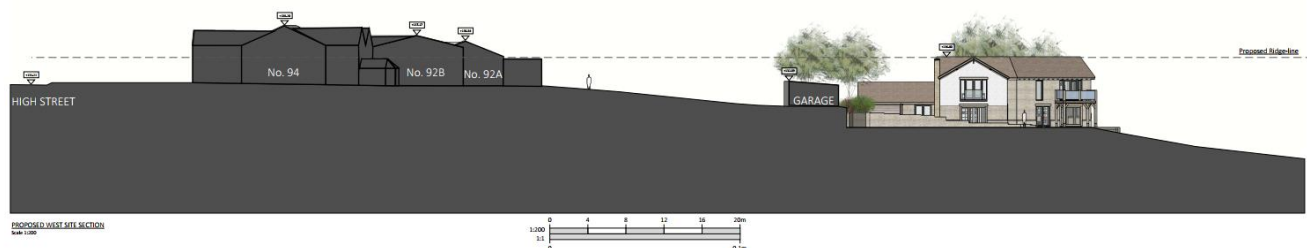
The proposed footprint would be 127sqm which is not considered excessive and as previously referenced, the siting of the house would be within the established defined village limits and the scheme would represent an efficient and effective use of land at a time when the Council cannot demonstrate a 5-year supply of housing land.

The negotiated reduction in the scale, bulk and height of the building has resulted in a final design that is considered appropriate for the site. It would be read in the context of mixed existing built form and would not appear harmful. The hard elements of walling and to the rear access area have been curved and varied in height to soften the visual impact.

It is noted that there is concern raised by local residents and the Parish Council regarding some inconsistencies set out within the Design and Access Statement (DAS) when compared to the submitted drawings. In this case, it is important to appreciate that the DAS is used as a supplementary document to set out the rationale behind the submitted plans and in this case, it is not part of the finalised suite.

The accuracy of the drawings was discussed with the applicant, and officers have scaled the proposals off the submitted plans and the sections which were checked with the applicant that the scaled measurements are accurate and based on up-to-date Ordnance Survey data. From this, officers are satisfied that the proposed drawings are to scale and accurate in their representation. The applicant has confirmed that the plans are based on OS data and a topographical survey and members can be assured that the application can be determined on this basis.

To confirm matters, the proposed dwelling would be 7.3m at ridge height from ground level, not 9m or 10+m as referenced by concerned residents. The 7.3m maximum height is accurately reflected on both the section drawings and the proposed plans when scaled. This indicates that the proposed development would be approximately 3m higher than the existing neighbouring garage and would be sit below the canopy of the mature trees on the eastern boundary and the proposed house would be much lower than the ridges of the neighbouring houses to the north as illustrated in the west site section.



No details of bins and waste storage have been submitted and no details relating to the storage of bicycles have been included within the submission, but these matters can be suitably covered by a suspensive planning condition.

There are two mature trees on the eastern boundary of the site which would be protected during the course of works in the event that permission is granted. A bespoke planning condition to secure the tree protection

safeguards is recommended. Supplementary planting in the form of small clusters of native trees and hedges would provide biodiversity net gain which also necessitates the imposition of a planning condition requiring the implementation of a suitable mix of native species landscape planting, together with its maintenance.

There was some local concern raised that the originally proposed rear garden of the dwelling would be cramped and too small for the dwelling proposed. Following officer negotiation, the application was revised to provide an appropriate level of external amenity space for the property, but with the recommended removal of permitted development rights for outbuildings etc., the proposed curtilage would be safeguarded as open space that would not appear significantly different to how it is at present, but it would be subject to the requirement that any future proposal comprising operational development would need separate permission from the Council.

The development would result in a material change to the immediate site character however it is considered that the proposed revised design would blend with the existing residential built form and wider rural landscape character and create a sustainable family home which employs high-quality design and landscaping. In light of the above, it is considered that the proposed development complies with the objectives and criteria of the Core Policies 51 and 57 of the WCS and provides high quality design meeting requirements of paragraphs 126 and 130 of the NPPF.

9.3 Impact on Heritage Assets

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Sections 16 (LBC) and 66 (PP) require that **special regard** be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out policies concerning heritage and sustainable development and requires a balanced approach to decision making with harm weighed against the public benefits resulting from proposals.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that *"designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."*

The site is located outside of any Conservation Area with no heritage assets on site or in the immediate proximity. The nearest listed buildings are 57m away to the northeast, and the level of intervisibility is very limited given the separation distance, and the intervening neighbouring curtilages and built forms. As a consequence, and as confirmed by the Council's Conservation Officer, the proposal would not result in harm to the significance or setting of these listed buildings.

9.4 Impact on Residential Amenity

Core Policy 57 of the WCS requires development to have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution.

The application is supported by site sections and the proposed development would be sited approximately 32m away from the nearest neighbouring property of no.92 High Street to the North – with the consequential spatial relationship clearly illustrated in the site sections as evidenced below.



The rear elevation of the nearest neighbouring property is circa 32m from the northern elevation of the proposed single storey garage and approximately 41m from the north facing elevation of the proposed house. No first-floor windows are proposed on this elevation. There are first floor windows proposed on the northeast elevation however residential gardens and a swimming pool are located some 30m away to the northeast beyond existing mature vegetation which would provide ample screening to protect neighbouring amenity.

The nearest rear elevation of the neighboring properties to the northeast are circa 70m distant and at an oblique angle. There are no neighbouring properties to the immediate west or south of the application site.

Given these separation distances and in recognition of the topographical information as illustrated in the above insert, the proposed dwelling at a maximum of 7.3m above ground level, would not result in material harm in the context of the adjacent properties.

The proposed development would provide sufficient internal amenity space and external curtilage.

Accordingly, the proposal accords with policy CP57 of the WCS and also paragraph 130 f of the NPPF.

9.5 Impact on Highway and Pedestrian Safety

This section focuses on the impact of the proposed development on highway and pedestrian safety and the ability of the existing highway network to accommodate the vehicular and pedestrian movements associated with the development.

Paragraph 110 (b) of the NPPF requires that in assessing... *specific applications for development, it should be ensured that...safe and suitable access to the site can be achieved for all users.*

Paragraph 111 of the NPPF states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

Paragraph 112 (c) of the NPPF also states that *...applications for development should create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles.... and respond to local character and design standards.*

CP57 (ix) of the WCS requires new development to ensure "*that the public realm including new roads and other rights of way are designed to create places of character which are legible, safe and accessible...*" and CP57 (xiv) requires development to meet "*the requirements of CP61 (Transport and New Development)*".

CP61(ii) of the Wiltshire Core Strategy requires new development to be "*capable of being served by safe access to the highway network*" and within the supporting text for CP61, the Council recognises that it is critically important for good planning and safe highway interests for new development to benefit from a

suitable connection to the highway “*that is safe for all road users*”.

CP64 requires sufficient parking to be provided in new development in line with residential parking standards and requires a reduction in reliance on the use of the private car where possible.

The highways officer initially raised no objection to this application. However, following being alerted to the representations received relating to the access and highway safety matters, the local highway authority was invited to provide further comments, which concluded there were no substantive highway grounds to object.

It is acknowledged that previous applications and pre-applications for new dwellings with access to be taken off the lane, have been previously objected to by the Local Highway Authority (LHA). However, it is important to appreciate that national policy has evolved in recent years and the NPPF sets the tests within paragraph 111, when applications should be moved for refusal on highway reasons. It is also essential that each application be assessed on its own merits, and in this case, the application site is already accessed by motorised traffic and no change to the access is proposed.

A 2015 pre-app (as raised by one of the representations) was objected to on two accounts, these being the impact upon the lane and its ability to accommodate intensification of use arising from an additional new dwelling and secondly the loss of parking provision. Given that the pre-application advice is given without prejudice, it is considered by the LHA that the advice provided was not a *fait accompli*, but more importantly, since 2015, the Government and case law have clarified matters for highway-based planning application refusals, and in this particular pre-app case, there are substantive grounds to defend a highway-based refusal.

The current proposals represent a change of use of land and loss of a block of three stables and tack room which was granted in 1978 and it must be said there has been no substantiated evidence submitted to show the access or existing lane is hazardous.

Whilst it is to be expected that the proposed new dwelling would generate more daily trips than the existing stables, the type, time and modal trips for the stables is not fixed or conditioned and it is not easily calculated or controlled. It is even possible that the stables could generate equivalent, if not more trips than a single dwelling and result in larger vehicles being used for horse transport and site servicing. The basis for this argument is that there is little or no evidence to suggest that the 1978 permission was secured in association with one nearby domestic property and the stables could therefore operate independent to any property. From understanding the site and its planning history, the stables generate trips independently to the owners dwelling, and with the removal of the stabling, the consequential motorised traffic trips associated with the proposed dwelling would not likely be excessive to warrant a highway-based refusal.

In this regard, if we consider the demands of 3 horses being stabled under a non-commercial arrangement, this will have the potential to generate 3no. trips for feed, bedding, visitations, and transportation. This could be increased if the stables and horse management were shared by more than one person travelling separately by private vehicle. Whilst these trips may not occur every day, they may occur concurrently or indeed during peak periods. The current proposals for a single dwelling, in comparison, would typically generate 0.6 trips during the peak periods of 8am and 9pm and 4pm and 5pm; this allows for additional trips outside of the peak period dependent trip distance, arrival time and purpose etc. The existing stables therefore have the potential to generate trips independently of any other use along the lane and these trips have the potential to be more intensive than a single dwelling.

The 2015 preapp and an historic 1980 decision (referred to in the representations), related to new trip generators with no balance of loss that would be secured by the removal of stables, as is the case in this application.

The conclusions made by the Local Highway Authority are therefore presented as a balance of trip making

between the existing stable permission and that proposed by the dwelling. Because of the balance of trips and that the trip rate for the dwelling compared to the stables is comparable to or perhaps even less than the existing approved stable use, there are no substantive highway or traffic generation reasons to justify a refusal and similarly, it is not reasonable or necessary to require the applicant to undertake improvements to the lane or the access.

On the basis of the above, the proposed development would not result in a significant detriment to the safety of highway users and the proposed development is acceptable in the round in terms of policies CP60, CP61, CP62 and CP64 together with the NPPF paragraphs 110, 111 and 112.

9.6 Ecology Matters

The NPPF advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. Furthermore, Core Policy 50 'Biodiversity & Geodiversity' of the WCS outlines that all development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.

Furthermore, the policy specifies that all development should seek opportunities to enhance biodiversity.

The application is supported by an Ecological Assessment (Smart Ecology, May 2022).

The proposed development lies adjacent to priority woodland and in the Bath and Bradford-on-Avon Bat Special Area of Conservation (SAC). The SACs qualifying features are Bechstein's bat, Greater Horseshoe bat and Lesser Horseshoe bat. The site is located within the 4km core foraging zone for a greater horseshoe (GHS) bat roost associated with the SAC.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that given the scale and nature of the development there is no mechanism for adverse effect/any temporary construction impacts, and operational impacts would be de-minimus. The Habitat Regulation Assessment (HRA) has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

This application also lies within the 6.4km buffer zone of the Salisbury Plain SPA and considering the HRA for the Wiltshire Core Strategy and the HRA for the Wiltshire Housing Site Allocations Plan, it is screened into Appropriate Assessment due to the potential impact of recreational pressure on stone curlew in combination with other plans and projects.

In April 2023, Natural England (NE) confirmed that the 2018 Appropriate Assessment for Salisbury Plain continued to be supported. That Appropriate Assessment reached a conclusion of no likely significant effect on the conservation objectives of the SPA, for development within 6.4km of the SPA boundary provided that the mitigation scheme continues to be implemented. Annual stone curlew monitoring, and protection measures continue to be secured by the Council.

The Ecology Assessment confirms that the likelihood of roosting bats in the existing stables is negligible with moderate likelihood that bats use the site for foraging purposes. As such glazing has been reduced to reduce the skyglow and light impact on the fly paths. No external lighting is proposed, and a condition is recommended to be attached to the grant of any consent ensuring that no external lighting is installed without prior approval of the lux levels from the LPA to ensure that biodiversity using the site is not compromised.

No significant habitat loss would arise by virtue of the proposal and the proposed development would include tree protection measures during construction as shown on the submitted site plan with further details to be secured by condition within a Construction Environment Management Plan. Additional

landscaping, tree planting and bat boxes and bird boxes are indicated to be installed as part of the development and conditions requiring a Landscape Plan and Biodiversity Enhancement Plan for the site are recommended to be attached to the grant of any consent to secure these features and ensure protection and enhancement of biodiversity on site during construction and post completion.

Accordingly, there is no objection subject to conditions being attached to the grant of any permission and as such the proposal meets requirements contained in CP50 of the WCS, the NPPF and Habitat Regulations together with associated guidance.

9.7 Drainage Matters

The application site is located within Flood Zone 1 and is therefore at low risk from flooding. The application is supported by a site plan that shows proposed SuDS drainage and it is considered that the proposal would not increase the risk of flooding on site or elsewhere.

There are no public sewers on the land as advised by Wessex Water. Foul drainage would require a new treatment plant and separate consent would be required through Building Regulations and separate permission through securing a license from the Environment Agency. Accordingly, the proposed development meets the requirements of Policy CP67 of the WCS.

9.7 Land Stability

Concern has been raised regarding the impact of the proposal on the stability of the land associated to the adjacent property which is raised higher than the existing site. The existing neighbouring land is already separated by a retaining wall and there is no evidence that this would be undermined by the introduction of the proposal. Notwithstanding this, the proposal would include a further retaining wall to ensure the stability of land in this location. The NPPF confirms that this is a matter that the developer is responsible for, as an 'agent of change' and the foundations and structural stability are matters for Building Regulations rather than planning. Moreover, the Party Wall Act exists to address and provide insurance for matters affecting boundary walls and private property. Through a planning informative, the applicant is encouraged to discuss this matter and to follow the appropriate procedures with adjoining landowners.

9.8 s106 and CIL Matters

The Council's adopted Wiltshire Community Infrastructure Levy (CIL) Charging Schedule applies to the proposed development. The site falls within Charging Zone 2 which sets a charge of £55 per square meter of residential floor space (which will be subject to an uplift associated with indexation) and the applicant is advised to contact the CIL officer for more information. The development proposal does not justify a s106 legal agreement.

9.9 Other Matters

Representations refer to new proposed stables being part of this application. Initially as part of the application, plans were submitted indicatively showing where future stables could be proposed, but these are not part of this application, and the indicative proposals were deleted from the scheme by the applicant. If a future application for stables is submitted to the Council, it would be assessed on its own merits at that time. Any future stabling cannot influence the determination of this present application.

Representations refer to a small wooden hut structure that is on the site which is to be removed if permission is granted. There is no planning history for this structure and its removal would be welcome.

Representations refer to the applicant as a Parish Councillor and that the integrity of the planning process has somehow been compromised through the cancellation of the February Parish Council meeting. The Parish Council meeting was cancelled in February following an update that revised plans were due to be submitted on the same day. It was advised that it would be in the interests of the local community to wait for the revised plans and to give people a reasonable timeframe to review these plans properly before a formal Parish Council meeting. It is understood that the applicant was not involved in the Parish Council meeting, and moreover, it is recorded within this report that the Parish Council object to the application.

Officers do not concur with the view that the development would be harmful or inappropriate, and there is no evidence that due process has not been followed by the Parish Council.

A site visit was undertaken by the planning officer and the highways officer on separate occasions and a thorough review of the site, the access and the immediate locality has been undertaken. The officers prefer to do site visits alone and where possible avoid on-site engagement to enable the process to be transparent and avoid situations of complaints of bias. The planning officer considered that a full and proper assessment of the proposal could be undertaken from the site visit as carried out and the suite of plans and supporting documents.

In response to additional local representations, officers submit that a robust public consultation was undertaken and on more than one exercise extending to posted out notifications going to all the neighbouring properties in addition to a site notice being displayed in accordance with the correct procedures and associated Orders governing the consultation requirements for planning applications.

Representations refer to the personal integrity of the applicant and his position as a Parish Councillor. Such matters are not matters for consideration in the assessment of this planning application.

Members can be assured that this application has followed all the correct procedures and it is reported to Members as a unfettered transparent assessment and in full accordance with requirements of planning law.

9.10 Planning Balance

The proposed development proposes to demolish existing stables and change the use of the equestrian land to accommodate a single dwelling on previously developed land within the defined settlement limits of Chapmanslade. The provision of 1 dwelling carries significant weight in the context of the Councils housing supply deficit and to address housing need, but this is limited by the fact that it is one dwelling and the shortfall is considered modest. Nevertheless, the proposed development does demonstrate an efficient and effective re-use of land providing sustainable windfall development.

It would provide construction jobs not just in the erection of the dwelling but in the manufacturing of the bespoke timber frame.

The provisions of a landscape and ecological plan would ensure the longevity of the biodiversity and may well enhance the biodiversity on the site. These benefits are afforded minor weight as they are on the whole proposed as embedded mitigation.

The house design has been well planned and would be high quality, and the sustainable principles to be followed with the dwelling providing a high energy efficient building meeting low carbon requirement of the Building Regulations 2025, carries significant weight in favour of the scheme also.

These benefits must be balanced against any adverse impacts arising from the proposal and as set out in the officer report above, there are no substantive adverse impacts that would significantly and demonstrably outweigh the benefits of allowing the dwelling to be built, and therefore in accordance with paragraph 11 of the NPPF, the proposed development benefits from the presumption in favour of the development and it is recommended that planning permission be granted subject to conditions.

RECOMMENDATION:

That the Committee delegates authority to the Head of Development Management to grant planning permission subject to the conditions and informatives listed below

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Existing Topographical Survey ref: 2338.FOS-12 Existing Stables Plans Drg No 2338.FOS-11
Existing Location Plan Rev M Drg No 2338.FOS-01
Proposed Site Context Plan Rev M Drg No 2338.FOS-02 Proposed Site Plan Rev L Drg No 2338.FOS-03B Proposed Floor Plans Rev L Drg No 2338.FOS-04 Proposed Elevation North Rev L Drg No 2338.FOS-08 Proposed Elevation East Rev L Drg No 2338.FOS-07 Proposed Elevation South Rev L Drg No 2338.FOS-06 Proposed Elevation West Rev L Drg No 2338.FOS-05 Proposed West Site Section Rev B Drg No 2338.FOS-09
Preliminary Ecological Appraisal Report May 2022

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

3. The development will be carried out in strict accordance with the following documents:
Section 6 of the report: Preliminary Ecological Appraisal Report. Ref: 2022-062, Version 1, Date: 16/05/2022 by Smart Ecology Ltd.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

4. In addition to the condition requiring a Construction Method Statement, no development shall commence on site including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until a Construction Environmental Management Plan (CEMP) has been submitted to the local planning authority for approval in writing and agreed in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.

Working method statements for protected/priority species, such as nesting birds and reptiles.

Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats; this should comprise the pre-construction/construction related elements of strategies only.

Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.

Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

5. No development shall commence on site including including vegetation removal and demolition, until the enhancement measures outlined in section 6 of the Preliminary Ecological Appraisal Report have been detailed in a Biodiversity Enhancement Plan and such details have been submitted to and

agreed in writing with the LPA.

This Plan should include but not be limited to the location and species of mitigation planting along with the number, design and locations of bat roosts and nesting opportunities for birds. The development shall not be occupied until these approved details have been installed. These mitigation measures will be retained for the lifetime of the development.

REASON: To provide mitigation and enhancement for biodiversity on the site

6. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - viii) 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.

7. No development shall commence on site until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting therefrom has been removed from the site.

REASON: In the interests of the character and appearance of the area

8. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and; The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

9. No development shall commence on site (except for the demolition of the existing buildings) until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-
- a) location and current canopy spread of all existing trees and hedgerows on the land;
 - b) full details of any to be retained, together with details measures for their protection in the course of development;
 - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - d) finished levels and contours;
 - e) means of enclosure;
 - f) car park layouts;
 - g) other vehicle and pedestrian access and circulation areas;
 - h) all hard and soft surfacing materials;
 - i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

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

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

11. No development shall commence on site above ground slab level except for demolition of the existing buildings on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

12. No development shall commence on site above ground slab level except for demolition until manufacturer's details and photographs of the materials to be used for the external walls, roofs, windows and doors have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

13. No part of the development hereby permitted shall be first occupied the turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

14. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, AA, B, C, D, E and F and Part 1 Class A shall take place on the dwellinghouse hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

16. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

REASON: To avoid illumination of habitat used by bats.

Planning Informatives:

1. The proposed development will require separate approval and a separate license from the EA for any sewerage treatment plant to be installed on site.
2. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species including for example, bats, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting.

Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a

licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

3. The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.
4. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

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

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

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Wiltshire Council

PL/2022/09808

Land South of 92 High Street,
Chapmanslade, BA13 4AN



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