

## AGENDA

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**Meeting:** Southern Area Planning Committee  
**Place:** Alamein Suite, City Hall, Salisbury  
**Date:** Thursday 5 August 2010  
**Time:** 6.00 pm

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Please direct any enquiries on this Agenda to Pam Denton, Senior Democratic Services Officer, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718371 or email [pam.denton@wiltshire.gov.uk](mailto:pam.denton@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](http://www.wiltshire.gov.uk)

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### Membership:

Cllr Richard Britton	Cllr George Jeans
Cllr Brian Dalton	Cllr Ian McLennan
Cllr Christopher Devine	Cllr Ian West
Cllr Mary Douglas	Cllr Fred Westmoreland
Cllr Jose Green	Cllr Graham Wright
Cllr Mike Hewitt	

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### Substitutes:

Cllr Ernie Clark	Cllr Leo Randall
Cllr Russell Hawker	Cllr Paul Sample
Cllr Bill Moss	Cllr John Smale
Cllr Christopher Newbury	

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# **AGENDA**

## **Part I**

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

1. **Apologies for Absence**

2. **Minutes** (*Pages 1 - 14*)

To approve and sign as a correct record the minutes of the meeting held on 15 July 2010 (copy herewith).

3. **Declarations of Interest**

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

4. **Chairman's Announcements**

5. **Public Participation**

Members of the public who wish to speak either in favour or against an application on this agenda are asked to register in person no later than 5:50pm on the day of the meeting.

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

6. **Planning Appeals** (*Pages 15 - 16*)

To receive details of completed and pending appeals (copy herewith).

7. **Planning Applications** (*Pages 17 - 18*)

To consider and determine planning applications in the attached schedule.

7a S/2010/0654 - Heatherfield, Oak Drive, Alderbury (Pages 19 - 36)

8. **Urgent Items**

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

**Part II**

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

None

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## **SOUTHERN AREA PLANNING COMMITTEE**

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### **DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 15 JULY 2010 AT ALAMEIN SUITE, CITY HALL, SALISBURY.**

#### **Present:**

Cllr Richard Britton, Cllr Christopher Devine, Cllr Mary Douglas, Cllr Jose Green,  
Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian West,  
Cllr Fred Westmoreland (Chairman) and Cllr Graham Wright

#### **Also Present:**

Cllr Chris Cochrane  
Cllr John Noeken

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#### **62. Apologies for Absence**

No apologies for absence were received.

#### **63. Minutes**

The minutes of the meeting held on 24 June 2010 were approved and signed as a correct record by the Chairman.

#### **64. Declarations of Interest**

Councillor Jose Green declared a personal interest in Item No.6 - Salisbury & South Wilts Sports Club, Wilton Road, Salisbury, SP2 9NY. She explained that part of the site belonged Wilton House where she was an occasional guide. She would stay and participate in debate but not vote on the matter.

#### **65. Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

The Chairman noted that Olivier Marigold, Senior Planning Officer would be leaving the authority shortly and thanked him for all his help and assistance in the past.

66. **Public Participation**

The committee noted the rules on public participation.

67. **Salisbury & South Wilts Sports Club, Wilton Road, Salisbury, SP2 9NY - Proposed Amendment to Design Of Proposed Sports Pavilion, Subject of Application S/2008/2089.**

Public Participation:

John Youings spoke in support of the application.

Cllr Chris Cochrane, the local member, spoke in support of the application

The senior planning officer outlined the application. Under consideration were a number of changes to note and approve as part of an ongoing application. 1 letter of additional correspondence had been received.

Councillors received clarification of the positioning of the building within the site, and on the reasons for the change in design.

**Resolved:**

**To approve the application with the amended plans for the sports pavilion, and subject to the previously requested S106 agreement and conditions (or any revised terms and conditions thought appropriate due to the change of design) - as per option 4.1a contained in the officer's report.**

68. **Land at the former Wisma Poultry Farm/Stonehenge Campsite, Berwick Road, Berwick St. James**

The Lead Principal Enforcement officer updated the committee in respect of progress towards resolving the various planning breaches at the site. He explained that the section 106 agreement agreed by the landowner and Wiltshire Council was not included but summarised in the attached report.

Questions from Councillors were received regarding 2 ongoing planning applications as referred to in paragraph 6 of the officer's report. The officer clarified that both applications were retrospective in nature seeking 1) to gain permission to display two advertisements at the entrance to the site and 2) to retain those physical elements of the Caravan site rally field which require planning permission.

**Resolved**

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

69. **Planning Appeals**

The committee received details of the following appeals;

**Decisions**

S/2009/1778 - 18 Folkestone Road, Salisbury – WR – Delegated – Dismissed

S/900/0843 - Rear of 6-12 Ringwood Avenue, Boscombe Down, Amesbury – WR – Committee - Dismissed

S/2009/1885 - 19 Southbourne Way, Porton – HH – Delegated – Dismissed

**Resolved**

**That the report be noted**

70. **Planning Applications**

70a **92A Queen Alexandra Road Salisbury**

Public Participation:

Mrs Shirley Maple spoke in objection to the application on behalf of the residents of Wellington Way.

Mr Derek Brown spoke in objection to the application on behalf of the residents of Queen Alexandra road.

Cllr Jo Broom of Salisbury City Council, local ward member, spoke on behalf of local residents in objection to the application.

Cllr John Rooney, Chair of Salisbury City Council's Planning & Transportation Committee spoke in objection to the application.

Cllr Chris Cochrane the local division member spoke in objection to the application.

The Planning officer outlined the application, which was recommended for refusal.

During the debate were raised by several Councillors surrounding a lack of adequate vehicular access to the site, in particular concerns were expressed that the access road was not wide enough for emergency vehicles. There was also some concern about overdevelopment and the scarcity of car parking available nearby.

**Resolved**

**That planning permission be refused for the following reasons:**

1. The proposed development, by reason of the design and layout of the dwellings, the off-street parking in front of the dwellings on Wellington Way and the parking/turning area for the bungalows creates a poor living environment that is vehicle dominated. In conjunction with the tandem/backland arrangement which is not in keeping with the predominant scale and character of the area and by reason of the close proximity of the access road to no.94 Queen Alexandra Road detract from the general amenities of the occupiers of the dwellings on Queen Alexandra Road which back on to the site by way of vehicle-related noise and disturbance associated with the use of the access and the parking/turning area. Furthermore, by reason of the siting of the dwelling on Plot 6 in close proximity to the boundary with no. 1 Wellington Way and no.21 Roberts Road, the proposed development would appear overbearing and result in a loss of daylight/sunlight to the detriment of the amenities of the occupants of these neighbouring properties.

As such, the proposal would be contrary to Policies G2, D2 and H8 of the Adopted Salisbury District Local Plan (June 2003) that seek to ensure that development is acceptable in the context of the character and appearance of the area.

2. The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the Adopted Replacement Salisbury District Local Plan, as appropriate provision towards public recreational open space has not been made.

#### **Informative 1**

It should be noted that the reason given above relating to Policy R2 of the Adopted Replacement Salisbury District Local Plan could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement or if appropriate by condition, in accordance with the standard requirement for recreational public open space.

#### **70b Land Adjacent To Butterfield Drive Amesbury Salisbury**

Public Participation:

Cllr Roger Fisher, of Amesbury Town Council, spoke in objection to the application.

Cllr John Noeken, the local member spoke in objection to the application

The Planning Officer presented the report which was recommended for approval. Following a short debate during which clarification was sought on



the orientation of some of the proposed buildings, and the location of the windows, it was

**Resolved**

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

**1) The proposal by reason of the height and positioning of flats 7 to 13 Close to the Northern Boundary with neighbouring properties in Pointers Way and the overall number of units on site as a whole is considered to have an adverse impact on the visual amenities of neighbouring properties and represents overdevelopment of the site contrary to policies G2, D2 and H16 of the saved policies of the Salisbury district council local plan.**

**2) The proposed residential development is considered by the local planning authority to be contrary to policy R2 of the saved policies of the Salisbury district local plan as appropriate provision towards public recreational open space has not been made.**

70c **London Road Amesbury Salisbury**

Public Participation:

Mr John White spoke in objection to the application

Mrs Valerie Davie spoke in objection to the application

Mr Michael Beese spoke in support of the application.

Cllr Roger Fisher, Amesbury Town Council spoke in objection to the application

The Planning Officer presented the report which was recommended for approval. He drew Councillors attention to late correspondence in which two extra conditions were included.

A debate ensued during which concerns regarding the layout of the site, the possibility for crime and disorder, the size and construction of the boundary fence and the probable hours of operation were raised.

**Resolved**

**To refuse the application for the following reason**

**(1) The proposed development, by reason of its design, layout and the close proximity to nearby residential dwellings, particularly the circulation arrangement around the proposed kiosk, the height of the proposed fencing, and the potential for anti-social behaviour, would harm the amenities of adjacent dwellings, contrary to saved policy G2**

**of the Adopted Salisbury District Local Plan**

70d **140 London Road & Land & Buildings To Rear Amesbury Salisbury**

Public Participation:

Brigadier Andrew Durkin spoke in objection to the proposal  
Mr Michael Beese spoke in support of the application  
Cllr Roger Fisher, of Amesbury Town Council spoke in objection to the application

The Planning Officer presented the report and explained that the application was a Section 73 application, to vary the conditions of an existing (granted) application, namely the store's delivery hours, and the store's appearance.

There was a recess at 21.23 to enable the chairman to receive legal guidance.

The meeting resumed at 21.41.

Following a debate during which concerns were raised regarding the hours of operation it was

**Resolved:**

**In relation to the external appearance of the building, it is considered that the changes made by the applicant represent an upgrade of the store design in terms of sustainable measures which will enhance the environment, and would comply with sustainability policies (G1) as contained within the saved policies of the former Salisbury District Council Local Plan. It is not considered that the amendments proposed would have a significant effect on the amenity (in visual terms) of surrounding properties. The council considers that the removal of condition 20 (of planning permission reference S/2008/0572) to allow 24 hour deliveries to the store, as imposed by the secretary of state, would have an adverse effect in terms of noise and disturbance on the amenities of adjacent residential properties in Annetts Close contrary to policy G2(vi) of the Salisbury District Council local plan saved policies.**

***Therefore for the reasons above planning permission be granted subject to:***

**Completion of a legal agreement under Section 106 of the TCPA 1990 linking the planning permission hereby granted to the S106 legal agreement dated 30<sup>th</sup> March 2009, which relates to the development of**

**the site under the previous planning permission reference S/2008/0572, so that the previous S106 agreement dated 30<sup>th</sup> March 2009 applies to the development pursuant to this permission**

***And subject to the following conditions:***

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

**Reason - to comply with the provisions of section 91 and 92 of the Town and Country Planning Act 1990 and to reflect the size and nature of the development**

**2 Before development is commenced a schedule of materials and finishes and where so required by the Local Planning Authority samples of such materials and finishes to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority Development shall be carried out in accordance with the approved details**

**Reason - To secure a harmonious form of development**

**3 The development shall be carried out in accordance with the submitted land contamination details as approved by letter dated 8th June 2010**

**Reason - In order to ensure any contamination at the site is adequately remediated.**

**4 The development shall be carried out in accordance with the submitted hard and soft landscaping plans as approved by letter dated 8/6/2010.**

**Reason - to enable the Local Planning Authority to secure a satisfactory standard of design and implementation of landscaping of the development in the interests of visual amenity**

**5 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority**

**Reason - to enable the Local Planning authority to secure a satisfactory standard of design and implementation of landscaping of the development in the interests of visual amenity**

**6** The development shall be carried out in accordance with the schedule of landscape maintenance as approved by letter dated 8/6/2010.

**Reason - To enable the Local Planning Authority to secure a satisfactory standard of design and implementation of landscaping of the development in the interests of visual amenity**

**7** No development shall commence until a comprehensive programme for the undertaking of the off site highway works shall have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the off site works shall include the widening of the footway along the eastern side of Holders Road as shown on drawing 208302 107. All necessary off site highway works shall be provided and undertaken strictly in accordance with the approved programme.

**Reason - In the interest of ensuring that the required infrastructure is provided at the appropriate times**

**8** The development shall be carried out in accordance with the submitted green travel plan the details of which were approved by letter dated 8/6/2010. The approved Travel Plan shall be put in place prior to the first occupation of the building

**Reason - To minimise the impact of the proposed development on the Strategic Road Network and to ensure that sustainable travel objectives for the site are met**

**9** No development of the store shall take place until a detailed scheme for site accesses both vehicular and pedestrian cyclists has been submitted to and approved in writing by the Local Planning Authority. The building shall not be brought into use until the site accesses have been constructed in accordance with the approved details.

**Reason - In the interests of highway safety and amenity**

**10** The development shall be carried out in accordance with the comprehensive construction phase programme as submitted and approved by letter dated 8/6/2010.

**Reason - In the interests of highway safety and to mitigate any adverse environmental impact to neighbouring communities**

**11** The development shall be carried out in accordance with the

details approved of the construction Environmental Management plan as approved by letter dated 8/6/2010.

Reason - In the interests of the amenities of the residential occupiers in the locality

12 No construction work shall take place on Sundays or Public Holidays or outside the hours of 07 00 to 19 00 hours Monday-Friday and 07 00 to 13 00 hours on Saturdays. This condition shall not apply to the internal fitting out of the buildings.

Reason - In the interests of the amenities of the residential occupiers in the locality

13 The Acoustic fencing and hoardings shall be erected in accordance with the details submitted and approved by letter dated 8/6/2010. No development shall take place without the acoustic barriers being in place.

Reason - In the interests of the amenities of the residential occupiers in the locality

14 Development shall take place in accordance with the scheme for the control of airbourne dust emissions as approved by letter dated 8/6/2010.

Reason - In the interests of the amenity of neighbouring residents

15 Any ventilation refrigeration and combined heat and power plant shall achieve a noise rating of no more than the following dB A

Daytime LAeq 15 min 42dB A  
Nighttime LAeq 15min 36dB A

At the boundary of the site with Annett's Close

Reason - In the interests of the amenity of residents in Annett's Close

16 The acoustic barrier as shown on the approved plans shall be designed with a minimum superficial density of 10kg m<sup>2</sup> and of a minimum 2 metres in height.

The barrier shall be fully erected prior to the retail unit first coming into use and shall thereafter be retained and maintained in accordance with a scheme of repair and maintenance to be submitted to and approved in writing by the Local Planning Authority prior to the barrier being erected.

**Reason - In order to ensure that the acoustic barrier is erected and maintained thereafter in a manner which protects the amenities of adjacent residential properties**

**17 The retail unit hereby approved shall not be open to the public outside the following hours**

**07 00 hours to 23 00 hours Monday to Saturday**

**10 00 hours to 17 00 hours Sundays or Public Holidays**

**Reason - In the interests of the amenity of neighbouring residents**

**18 No deliveries (including home shopping deliveries) shall be taken at or dispatched from the site outside the following hours:**

**07.00 hours to 22.00 hours Monday to Saturday**

**09.00 hours to 16.00 hours Sundays and Public Holidays**

**Reason - In the interests of the amenity of neighbouring residents**

**19 Before the first occupation of any part of the building a scheme to restrict shopping trolleys leaving the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme as approved shall be implemented prior to such first occupation and thereafter shall be retained in relation to the development hereby permitted**

**Reason - In the interests of the general amenity of the surrounding area**

**20 This permission grants a net convenience sales floor area of 2300 square metres and a net comparison goods sales area of 1160 square meters.**

**Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any Order revoking and re-enacting that Order, there shall be no provision of retail floorspace in excess of the net areas defined within the building without the prior express consent of the Local Planning Authority neither shall there be any alteration or subdivision of the sales floor nor provision of ancillary or subsidiary retail units within that sales floor.**

**Reason - In the interests of the preservation of the vitality and viability of the specialist retail function of Amesbury Town Centre**

**21 Immediately upon the commencement of trading of the retail**

**store hereby permitted provision shall be made at the entrance to the store for the advertising of town centre retail and service facilities in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority prior to commencement of the internal fitting out of the building.**

**Reason - In the interests of the preservation of the vitality and viability of the specialist retail function of Amesbury Town Centre**

**22 Before the first occupation of any part of the building further details of any external lighting to be installed which shall demonstrate measures to reduce light spillage shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be installed and operated in accordance with those further details approved. The submitted details shall ensure no spillage of light into residential dwellings adjacent to the development hereby consented greater than 10 lux before 23:00 hours and 2 lux after 23:00 hours.**

**Reason - In the interests of the amenity of neighbouring residents**

**23 Before the first occupation of any part of the building a scheme for the covered secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority and the scheme as approved shall be implemented prior to first occupation of any part of the building and thereafter shall be retained in relation to the development hereby permitted.**

**Reason - To promote the use of energy efficient modes of transport in accordance with local and national policy objectives**

**24 Notwithstanding the provisions of Part 4 of Schedule 2 to the Town and Country Planning General Permitted Development Order 1995 or any Order revoking and re-enacting that Order, the car parking and service yard areas shall not be used for any other purpose without the prior approval by the Local Planning Authority.**

**Reason - To prevent temporary uses and structures ancillary to the retail use of the building taking place within the car park in the interests of the amenities of the locality and to ensure that adequate servicing and turning facilities are provided at all times**

**25 Surface water shall be disposed of in accordance with the details submitted to ensure that there is no surface water run off from the site for all events up to the 1 in 100 year storm, including an allowance of 20 increase in peak rainfall intensity to take account of climate change in accordance with Planning Policy Statement 25.**

**Reason - To ensure the satisfactory provision of drainage facilities to serve the proposed development**

**26 The scheme shall be implemented in accordance with the details of water efficiency and energy improvement measures as previously submitted and approved by letter dated 8/6/2010.**

**Reason - In the interests of sustainable development and prudent use of natural resources**

**27 Prior to being discharged into any watercourse surface water sewer or soakaway system all surface water drainage from impermeable parking areas and hardstandings for vehicles commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.**

**Reason - To prevent petrochemical substances from car parking surfaces polluting the water environment**

**28 The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:**

**Plan no's -**

**1621.110D**

**1621.101C**

**1621.123A**

**1621.167**

**1621.188 B**

**1621.122F**

**1621.166**

**6394-PL 105**

**Reason: In the interests of clarity**

**29 Notwithstanding the details of condition 20 of this permission, No part of the store hereby approved shall be used for the purposes of a pharmacy.**

**Reason: In the interests of clarity of condition 20 and to prevent impacts on pharmacy uses within neighbouring centres.**

**71. Urgent Items**

There were no urgent items.



(Duration of meeting: 6.00 - 9.45 pm)

The Officer who has produced these minutes is Liam Paul, Democratic Services Officer, of Democratic Services, direct line (01225) 718371, e-mail [liam.paul@wiltshire.gov.uk](mailto:liam.paul@wiltshire.gov.uk)

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## APPEALS

### New Appeals

Application Number	Site	Appeal Type	Delegated/ Committee	Decision	Overturn	Costs Applied for?
S/2009/1272	Upper Brickwood Farm, West Grimstead	Hearing	Delegated			
S/2010/0209	1 Landford Manor Landford	Householder	Delegated			

**WR** Written Representations  
**HH** Fastrack Householder Appeal  
**H** Hearing Local Inquiry

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# Agenda Item 7

## INDEX OF APPLICATIONS ON 05<sup>th</sup> AUGUST 2010

	<b>APPLICATION NO.</b>	<b>SITE LOCATION</b>	<b>DEVELOPMENT</b>	<b>RECOMMENDATION</b>	<b>DIVISION MEMBER</b>
1	S/2010/0654	HEATHERFIELD, OAK DRIVE, ALDERBURY, SALISBURY, SP5 3AJ	REPLACEMENT OF EXISTING BUNGALOW WITH 3 DWELLINGS	APPROVE	CLLR RICHARD BRITTON

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Deadline:	27 <sup>th</sup> SEPTEMBER 2010		
Application Number:	S/2010/0654		
Site Address:	HEATHERFIELD OAK DRIVE ALDERBURY SALISBURY SP5 3AJ		
Proposal:	REPLACEMENT OF EXISTING BUNGALOW WITH 3 DWELLINGS		
Applicant/ Agent:	MR ANDREW PYWELL		
Parish:	ALDERBURYALDER/WHITE		
Grid Reference:	418816.13967824 127006.866657078		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs B Jones	Contact Number:	01722 434388

<b>Application Number</b>	<b>S/2010/0654</b>
<b>Proposed Development</b>	<b>REPLACEMENT OF EXISTING BUNGALOW WITH 3 DWELLINGS</b>
	<b>HEATHERFIELD, OAK DRIVE, ALDERBURY</b>
<b>Officer Report</b>	

<p><b>Reason for the application being considered by Committee</b></p> <p>Councillor Britton has requested that this item be determined by Committee due to:</p> <ul style="list-style-type: none"> <li>• Scale of development</li> <li>• Visual impact upon the surrounding area</li> <li>• Relationship to adjoining properties</li> <li>• Design – bulk, height, general appearance</li> <li>• Environmental/highway impact</li> <li>• Local concern</li> </ul>
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<p><b>1. Purpose of Report</b></p> <p>To consider the above application and to recommend that planning permission be <b>GRANTED</b> subject to conditions</p>
<p><b>Neighbourhood Responses</b></p> <p>14 letters received objecting to the proposal (4 subsequently from the same neighbours)</p> <p>0 letters of support received</p> <p>1 letter commenting on the application received</p>

<p><b>Parish/Town/City Council response</b></p> <p>Object to the application for the reasons set out on page 2 of the report</p>
<p><b>2. Main Issues</b></p> <p>The main planning issues to consider are:</p>

1. Use of the site and its planning designation
2. Principle of the development in the Housing Restraint Area and the neighbourhood
3. Scale, design and impact on the character of the HRA
4. Impact on neighbouring amenities
5. Trees, geology and ecology
6. Drainage
7. Highway safety
8. Public open space provision

### 3. Site Description

The site comprises an area of land measuring about 1.4 hectares in size. It is occupied by a 3 bedroom bungalow (see existing floorplans and elevations), garage and two sheds, which are situated on an area of higher ground in the northern part of the site. Much of the plot is laid to grass and contains numerous plants, trees and shrubs. Larger trees are primarily located on and around the boundaries of the site. There is an existing vehicular access (gravel drive) to the property from Oak Drive and a gated access (1920s) is located in the north west corner at Lights Lane. The applicant has certified on the application form that the Highway Authority own the small parcel of land between the gate and the public highway at Lights Lane (see red line plan). The gated access does not have a hard surface, and the LPA has no evidence to confirm whether or not the access has ever been used for vehicles.

To the north is Lights Lane, and properties include One Oak, Woodside, Cranford, Bracken, Pwll Deri and Brendon. To the east is Oak Drive, and properties include Fern Hollow, Oakwood, Arundell, Out of the Way and Mere. To the south, with boundaries abutting the site, are Wattle Cottage, Clouds and Tanglewood. Bowden's Copse lies to the west. Further properties including Caynton's Lawn, Willow Bank and 1&2 Treetops are accessed from Oak Drive.

The site lies within the Housing Restraint Area, in the Special Landscape Area and Area of Archaeological Significance and adjacent to High Trees Wood (County Wildlife Site).

### 4. Planning History

**None for Heatherfield.**

Objectors have cited three cases below:

Application number	Proposal	Decision
S/2008/851	PROPOSED DETACHED BUNGALOW AND DOUBLE GARAGE, Caynton Lawns	<b>Refusal:</b> The proposed bungalow to the end of Oak Drive is considered unacceptable due to the unsatisfactory form of access to the site. Oak Drive is a long, narrow track with no passing places. It is unlit and poorly constructed, suffering also from poor visibility at its access point to the public highway. Oak Drive currently serves nine dwellings and in its current state it is considered that it is not of a suitable condition to be used by the additional vehicular traffic that will be generated by the proposed dwelling. As such, it is



S/2007/2302	USE OF LAND AS EXTENDED RESIDENTIAL GARDEN Wattle Cottage	considered that the additional traffic generated by the proposed development will be detrimental to the safety of the users of Oak Drive and the adjacent public highway of Lights Lane, contrary to 'saved' Policy G2 of the Adopted Salisbury District Local Plan (June 2003).
S/09/1864	TWO STOREY EXTENSION WITH BASEMENT TO EAST ELEVATION, Wattle Cottage	<b>Refused:</b> The Council is not satisfied that...the woodland outlined in red is being used as an extension to the domestic garden of Wattle Cottage.....  <b>Approved</b> 18/02/09

## 5. The Proposal

The applicant is seeking to demolish the existing buildings, and replace the bungalow with three two storey dwellings on separate plots, within a landscaped setting. Two would have four bedrooms, and the third would have three bedrooms. The existing access to Heatherfield would be stopped up, and a "replacement" access onto Oak Drive would serve one of the new dwellings. The two other plots would be served from the gated entrance onto Lights Lane in the north west corner of the site. Improvements and alterations to this access are proposed.

Proposed materials for the dwellings include brickwork for plinths and decorative panels with stained natural wood cladding for upper sections under clay tiled roofs (48 and 52 degree pitches). Each dwelling would have a permeable gravelled forecourt and integral garage. It is intended that each house would achieve Code 4 under the Code for Sustainable Homes (eg solar panels and rainwater harvesting).

The site is not protected by any tree preservation orders and it is proposed in the Arboricultural Method Statement to remove a small number of trees as part of the proposal, whilst important trees would be protected during construction. Appendix 1 of the AMS shows that none of these trees would be on the boundary of the site. Additional new deciduous and evergreen planting is proposed within and around the site. Some boundary planting has already taken place at the southern perimeter. Reptile and bat mitigation measures have also been proposed as part of the scheme, with two bat accesses being provided per dwelling and 20% of the site area being separated, fenced and managed for reptiles (see 1080/P19/A).

## 6. Planning Policy

The following policies are considered relevant to this proposal

PPS1 and PPS3 G1 and G2	Delivering Sustainable Development and Housing (as updated) Sustainable Development and General principles for development
D2	Design
H19	Housing Restraint Area
C6	Special Landscape Area
C12 and C13	Protected Species
TR11	Off street parking provision
R2	Public Open Space provision.



## 7. Consultations

**Parish Council – Object**, due to lack of information and on the following general grounds:

Impact on wildlife and marsh land, impact on trees, geological survey required, access issues with Lights Lane, House 3 would overlook Wattle Cottage causing loss of privacy. Need to approach Environment Agency. Trees have been cut down and question how many more would be cut. Full geological survey required.

**Officer notes:** *The impact on wildlife, geology and the grassland has been considered in the submitted Ecological reports and the Landscape and Visual Impact Assessment. No objection is raised by the ecologist. The impact on trees is considered in the Arboricultural Method Statement and the trees on site are not protected. The Highways department have provided their recommendation regarding access and highway safety issues for Oak Drive and Lights Lane (see below). The overlooking and privacy issues are also considered below. Geology would be addressed through building regulations (in relation to building foundations) and no planning issues are raised by this application in relation to geology. The EA do not wish to be consulted, as the site is not within a Flood Zone. Surface water drainage can be dealt with through building regulations and by planning condition.*

**Highways – No objection to amended plans, subject to conditions (see below)**

**Ecology – No objection subject to conditions (see below)**

**Fire Authority –** Building Regulation requirements referred to. Standard advice provided.

**Wessex Water – No objection.** Located in a foul sewer area and water mains are in the vicinity. Points of connection can be agreed at detailed stage. LPA to be satisfied with disposal of surface water. Developer to check sewers, mains within or near to site.

**Trees - No objection subject to conditions (see below)**

## 8. Publicity

The application was advertised by site notice, press notice and neighbour notification. Expiry date for the first round of public consultation was the 3<sup>rd</sup> June 2010.

First round of consultation:

**14 letters of objection** (in some case, more than one from the same address) and **1 letter of comment** have been received. Summary of key points raised:

- Detrimental adverse impact on the peaceful, spacious, rural character of the area. Overdevelopment of greenfield site. Loss of important open space. Loss of isolation from Alderbury. Precedence for further development.
- Loss of meadow (donkey paddocks). Impact of development on wild flowers and orchids, deer, foxes, birds, insects, bats, reptiles, loss of trees (prior and post application), loss of important habitats/grassland. Spring/summer Orchid survey required. Nitrate/Groundwater Vulnerable Zone. Limited maintenance regime to field. Additional reptile surveys, insect, bat and ground nesting bird surveys required. Environmental Impact Assessment and Ecological Impact Assessments required. Impact of people and chemicals. 1m maintenance strip and wildlife strip insufficient.
- Change of use of donkey/geese field to residential. Trees have been removed
- Impact of development on boggy land, affecting drainage patterns and flooding to Wattle Cottage and Mere. Site prone to flooding.
- Visual impact of white rendered wall on House 3. Loss of privacy, loss of view and overlooking of Wattle Cottage, its pool and garden. Height of Plot 3 above Wattle Cottage. House 3 visible from Oak Drive. Impaired views from Wattle Cottage by House 3. Time required for new planting to mature and deciduous trees provide limited cover. Visual impact of new roofs and first floors. Visual impact on Clouds. Further mitigation required. Boundary brick wall of House 3 will be visible from Oak Drive. Plot and house sizes larger than surrounding plots. Flat roofs out of keeping. Large driveway for House 3.
- Proposed accesses to Lights Lane and Oak Drive - dangers to highway safety. Impact on lane due to increased use. Will affect access by emergency/services to Oak Drive. Need to repair damage. Dangerous pinch point on Lights Lane. Blind point on Oak Drive, will force vehicles to reverse onto public road. Impact of construction traffic. Risk to pedestrians (no pavements or lighting) and cyclists. Noise and safety impacts to dwellings opposite Oak Drive. Route to St Marys' Church. Gated access never used for cars. No provision for turning in Oak Drive. Poor sight lines.
- Conflict between D&A statement dimensions of House 3 and elevation/plans. Inappropriate siting and scale and unsympathetic with landscape.
- Historic interest of site
- Does not meet planning policy criteria. South Wilts Core Strategy not adopted.
- General (non land use planning) points raised regarding plan labels and authors credentials. Claims bias. Postcode incorrect, incorrect use of words throughout application documents. Keys not clear. Confusion about scale of drawings. Use of "Plot 4." Erosion of Green Belt, Area of High Ecological Value and AONB.

**Officer note:** Amended plans have been obtained in respect of some of the points raised, and are detailed below. Furthermore, the applicant served notice on the Highway Authority and completed Certificate B on the application form in respect of the ownership of the parcel of land between the north west gate and Lights Lane. A second round of publicity was engaged upon. The application was re-advertised by site notice, press notice and neighbour notification. Expiry date for the second round of public consultation was the 29<sup>th</sup> July 2010.

**4 letters of objection**, summary of key points raised:

- Require proof that Heatherfield is 3 bedroom - safety hazard of potential increased use from new 3 bed house. Consider access for House 3 would be non compliant with current highway standards. Consider there will be an increase in traffic in Oak Drive from House 3, given increased size of house and parking. Risk from fire and lack of adequate access to services. Building regulations issues – non compliant, eg drainage, geology, historic interest, damage to protected species, overlooking into Wattle Cottage and its garden

area from House 3, House 3 would be larger than properties in Oak Drive and plot is too small. Change of use from donkey field to residential required. Could reinstate balcony to House 3 later. Insufficient mitigation for protected species.

- Highway safety danger of Lights Lane access, suggest use of a long standing access to the site 50 yards closer to Southampton Road which would be safer.
- Loss of habitat and impact on wildlife.
- Loss of important open space and contrary to policy. Impact of splays on trees. Require TPOs. Overlooking into Wattle Cottage including new extensions.

## **9. Planning Considerations**

### **9.1 Use of the Site and its Planning Designation**

Revised PPS3 has removed residential gardens from the category of previously developed brownfield land, and therefore, the previous presumption in favour of brownfield development on gardens such as Heatherfield has gone. The onus is therefore on the developer to demonstrate that there would be no adverse impact on the character of the area (Policy H19), or loss of an important open space, and that the development would be in keeping with its surroundings. Third parties have questioned the need for a change of use of the site to residential use (on the basis of S/2007/2302) but the new PPS3 has clarified that for the purposes of planning, the site is not presumed to be brownfield or previously developed. Officers are of the view that the site has no planning history but appears as land associated with the dwelling called Heatherfield on the historical maps (1843 to 1974). It therefore pre dates planning law, and whilst it has not been proven that the site entirely comprises residential curtilage, neither has it been proven that any changes of use (eg to a donkey paddock or grazing, which would have required planning consent) have ever taken place. More conclusively, the site lies wholly within the Housing Restraint Area, and therefore, it cannot be considered as countryside for policy application purposes. Furthermore, any change of use to residential use is implicit in the application and so the principle of new residential development on this site can be fully considered under Policy H19.

### **9.2 Principle of Development in the Housing Restraint Area**

Policy H19 sets out the criteria for residential development in Housing Restraint Areas. Residential development will only be acceptable if all the following criteria are met:

- i) There will be no adverse impact on the character of the settlement or the neighbourhood
- ii) There is no loss of an important open space which contributes to the special character of the area;
- iii) The loss of features such as trees, hedges and walls which contribute to the character of the area are kept to a minimum and
- iv) The development will be in keeping with the character of neighbouring properties.

The supporting text sets out the considerations for the Local Planning Authority (including plot size dwelling size and design) and states that there may be occasions where more than one dwelling will be acceptable, dependent on the size of the plot. The size of the application site is considerable, and the policy issues are considered below.

### **9.3 Scale, design and impact on character of HRA and the neighbourhood**

Many HRAs on the edge of settlements are characterised by their visual openness, allowing fingers of countryside to enter settlements and giving them a loose knit and open appearance. Large garden areas usually contribute visually to this openness and

houses appear spread out. In contrast, views into the Heatherfield site from Lights Lane and Oak Drive are characterised by its dense enclosure by trees, shrubs and hedges. Whilst Heatherfield is a large plot (over a hectare), its openness is not generally visible from the surrounding areas in Alderbury. Its openness can however be appreciated fully from within the site, and views out of the site are generally towards belts of trees and vegetation, with sight of some of the adjacent properties.

The proposal seeks to create three new dwellings (replacing Heatherfield) set in relatively generous plots. The applicant has sought to retain existing trees and reinforce site planting, having removed some trees prior to making the application. The Local Planning Authority cannot control this removal as the site is not protected by Tree Preservation Orders or Conservation Area status. Officers consider that sufficient planting cover would be retained on the site to maintain the existing character of the HRA in this particular area. The improved access onto Lights Lane would have little visual impact on the existing bank of planting bordering the site, as it is located in the north west corner, and the replacement access onto Oak Drive would also have little impact on the wider character of the area, being concealed from view from the public highway. Criteria (i) of Policy H19 is therefore considered to be satisfied, as there would be no adverse impact on the character of the settlement or the immediate neighbourhood.

It is acknowledged that the proposal would increase the density of built development on the Heatherfield site from one dwelling to three, and the dwellings would be larger than Heatherfield and some of the surrounding properties. However, the site is visually screened, and for this reason, does not directly contribute to the visual character of the area. Boundary planting would be maintained and reinforced. Therefore, officers do not consider that the development is excessively dense, or that it would result in the loss of an important open space which currently contributes to the "special character" of the area. Had the site been within the Alderbury Housing Policy Boundary, the Local Plan would have demanded a significantly higher density of development in order to satisfy government requirements for affordable housing. Therefore, in contrast, the development appears to be very low density for the plot size, enabling trees and planting to be retained. Given the retention of the existing boundary planting, criteria (ii) and (iii) of H19 are considered to be met.

Neighbouring properties are generally characterised by bungalows and dormer bungalows to the south and east of the site, with two storey dwellings to the north. Given the density of the boundary planting and the woodland characteristics of the setting, the dwellings surrounding the site do not make a dominant visual contribution to the character of the area. However, the applicant has sought to provide chalet style dwellings on the site, with a mixture of plain clay roof tiles and softwood cladding above brick plinths and glazed features. Roofs are intermittently broken up by dormer windows, gable ends, chimneys and rooflights. Therefore, whilst the dwellings would not be as modest as Heatherfield or some of the surrounding properties, the design is considered to be sympathetic with the character of the site and its woodland setting, and the plots are sufficiently generous that the development does not appear cramped on the site, in accordance with criteria (iv).

For these reasons, officers consider that Policy H19 would be satisfied.

#### **9.4. Impact on Neighbouring Amenities**

Policy G2 sets out the criteria for the consideration of undue disturbance to or conflict with neighbouring properties. PPS1 and PPS3 also include guidance for new development.

*North – Lights Lane.* Properties on the opposite side of Lights Lane are unlikely to be unduly disturbed by the development in terms of dominance, loss of privacy or overlooking, given the retention of the dense boundary planting and separation between the properties. The proposed access for two of the plots would result in some additional disturbance to occupiers of One Oak, Woodside, Cranford and Bracken. However, on balance, these dwellings are set back from the road's edge and the additional car movements from the two dwellings are unlikely to cause sufficient disturbance to occupiers to support refusal under Policy G2.

*East – Fern Hollow to Mere.* Heatherfield is a three bedroom bungalow (see floorplans) and its permitted development rights are intact, and so it could be realistically extended under the General Permitted Development Order 2008 without any need for planning permission (roof, walls, swimming pools, more garages and outbuildings etc). The proposal would replace the bungalow with a 3 bed house and there would be no net increase in accesses onto Oak Drive as a result of the development. The existing access to Heatherfield would be stopped up and the new access would serve one dwelling, to maintain the existing or potential level of vehicular activity in Oak Drive that could realistically be generated by new occupiers of Heatherfield. Third parties have raised issues such as degradation of the lane, but this is not a planning matter given its private ownership. Furthermore, there would be no net increase in its use in planning terms.

Another criticism raised by users of Oak Drive was the potential visual impact of the proposed east elevation patio wall for House 3. This has been deleted and replaced with a timber fence to soften its appearance through the trees, and this is considered to be acceptable.

The proposed dwellings are not considered to unduly affect the amenities of these properties in terms of disturbance, overlooking, or dominance, given the separation of the existing dwellings from the site by Oak Drive, the belt of trees to the east, private gardens, and the boundary planting to be retained on site. House 3 would be the closest dwelling to these properties, but its east elevation would be at least 17 metres from the nearest garden boundary to the east (Mere), which is acceptable.

#### *South – Tanglewood, Clouds and Wattle Cottage*

These three properties directly abut the site, and can be seen from within the site through the trees and vegetation. Third parties have objected to the development on the grounds of overlooking, loss of privacy, disturbance and other issues covered elsewhere in this report. House 3 would be the closest property to the south boundary with Clouds and Wattle Cottage (which has recently received approval for extension). Occupiers are likely to be able to see House 3 through the trees and boundary planting, but this house and its terrace would be at least 23 metres from the south boundary. A planning objection on the grounds of disturbance or overlooking would therefore be unreasonable and unsustainable, particularly given the retention of existing boundary planting and its reinforcement with new planting. Furthermore, the south elevation has been amended to delete the proposed first floor balcony, and this would further reduce any case for *perceived* overlooking from House 3 into these properties. The balcony's reinstatement can be prevented by removal of permitted development rights.

The materials for the south elevation of the garage have been amended from painted render to timber, to soften the appearance through the trees. Loss of rural views into the site has also been cited, but this is not a planning matter. It is acknowledged that there could be some additional activity created along the south boundary by the occupiers of the proposed dwellings. However, given the low density of the development, the sizes of the plots and the existing vegetation/trees, it is not considered that an objection under

Policy G2 could be supported on the grounds of disturbance to existing amenities.

In summary, whilst there would be some additional impacts on the amenities of residents in the immediate vicinity of the site, it is not considered that an objection under Policy G2 could be supported, for the reasons given.

### **9.5. Trees, Geology and Ecology**

*Trees.* As previously stated, the trees are not protected by preservation orders, and the tree officer does not consider that the site warrants such an order being placed upon it. There are a number of mature trees on the north boundary, which are outside the application site on the highway verge, in Highway ownership. The tree officer has no objection to the application, subject to imposition of a condition requiring the Arboricultural Method Statement to be adhered to. A small number of trees *within* the site are proposed for removal, and therefore, the development would not affect the existing boundary screening.

Any impact of the visibility splays required by the proposed highway conditions on boundary trees has also been assessed. Please refer to Plan Ref 1080.P19 which shows the splay. The applicant's tree consultant has confirmed, following a further site visit, that whilst there is a minor obstruction to visibility when looking to the east, the obstruction is as a result of a small amount of Cherry, Laurel and a small Yew leaning towards the road, each of which can be removed without affecting the character of the area. Once this minor obstruction has been removed there would be no obstruction, by either the bank or any of the large trees, to the required visibility splay. There is no obstruction to the view when looking west, other than a 30 mph road sign which will probably require re-positioning. The spot height shown at the edge of the carriageway is 90.52. As the gradient of the first 6 metres back into the site cannot exceed 1:15, the height 2.4 metres from the carriageway will therefore be 90.68 whereas the spot height of the bank where it intersects with the 43 metre splay is shown on the drawing as 90.78 ie. just 10cm higher. Therefore, whilst there may be a need to clear away some undergrowth to provide the 1 metre high clearance, it should be possible to retain the bank intact.

The splay for the Oak Drive access has also been checked, and some foliage management on some Cherry and Laurel and that there is no need for the loss of any trees. (Please refer to the slide).

Officers are therefore satisfied that even with the proposed requirements by Highways for the visibility splays, this would not result in the loss of any significant trees or affect their root systems through the loss of the banks. Therefore, the existing character of the Housing Restraint Area would not be harmed through the loss of significant boundary planting. A condition requiring any replacement hedgerows to reinforce the existing boundaries could be attached to any permission.

*Geology.* The Parish Council and a third party have raised concerns regarding the geology of the site. This is not considered to be a planning consideration, as any matters relating to geology in relation to land drainage or foundations would be dealt with under building regulations. Ecological matters that could be related to geology (eg types of species found on the site) have been considered by the submitted ecological reports and the ecologist. The Environment Agency do not wish to be consulted as the site is not within a Flood Zone, and surface water disposal from areas of new hardstanding can be dealt with by condition.

*Ecology.* Third parties have raised considerable objections to the development on the grounds of loss of habitat, trees, flora and fauna. The applicant has submitted

ecological reports that have been considered by the ecologist. The site is not designated as countryside, and does not lie within a Site of Special Scientific Interest or an Area of High Ecological Value, but lies adjacent to High Woods County Wildlife Site. Therefore, the site itself is not afforded any specific planning protection, and there is no guidance, policy or legislation that would preclude development on biodiversity grounds. Furthermore, protected species such as bats and nesting birds are also covered under separate legislation, which the developer must adhere to and obtain necessary licenses for.

The ecologist has considered the reports and the mitigation proposals for ecology including reptiles and bats, and these are considered to be acceptable subject to conditions being imposed. No further ecological or geological reports have been considered to be necessary by the ecologist for the development other than those recommended in the conditions.

### **9.6. Drainage**

The site does not lie within an Environment Agency Flood Zone and therefore, the EA do not wish to be consulted. Wessex Water have not raised any objection to the proposals.

Third parties have expressed concern at the potential for flooding in their properties as a result of the development. The applicant has stated that foul sewage will be disposed of by connection to the mains sewer, and surface water will be dealt with by soakaways and a sustainable drainage system (generally advocated by the Environment Agency). Drainage would normally be dealt with under building control regulations. However, a condition requiring details of drainage to be submitted could be to cover this issue.

### **9.7 Highway Safety**

Considerable objection has been raised to the development on the grounds of highway, pedestrian and cyclist safety and other traffic issues in relation to Lights Lane and Oak Drive. Highways have considered the proposals, after requesting amended details for the Lights Lane access and confirmation that the Heatherfield access would be stopped up. Highways have commented as follows:

*I refer to the above mentioned planning application received in my department on 6 May 2010.*

*I note that the proposal seeks the demolition of one dwelling served off Oak Drive, with the erection of 3 dwellings, 1 to be served off Oak Drive at a new access point and 2 to be served via a shared access off Light's Lane. Parking and turning associated with all 3 dwellings is sufficient and the new access onto Oak Drive for House 3 is laid out suitably. However, visibility at this access will need to be maintained at a point 2.4m back down the centre of the access, to points on the nearside edge of the track 11m in both directions with no obstruction to that visibility at above a height of 1m above the level of the adjacent track.*

*I note that concern has been raised over an intensification of Oak Drive, however the proposal includes only 1 of the 3 new dwellings to be served off this private drive. With the demolition of the existing dwelling, no intensification or increase in vehicular movements is likely to occur and the existing access onto Oak Drive will also be stopped up.*

*In relation to the shared access off Light's Lane, the details submitted are sufficient to serve a development such as this, however the visibility splays, especially in the*



*Easterly direction, will need to be maintained at all times with no obstruction to that splay at and above a height of 1m above the adjacent carriageway.*

*Another concern was with an intensification of Light's Lane itself, as there are no pedestrian facilities such as footways or street lighting. Despite this, the site is located at the limit of the Housing Restraint Boundary and with a sufficiently laid out access such as the one proposed, the increase in vehicular movement along Light's Lane caused by this development is not deemed detrimental to highway safety in this instance.*

*I therefore recommend that no Highway objection is raised subject to conditions being attached to any permission granted.*

The proposal would therefore satisfy Policy G2.

### **9.8 Public Open Space Provision**

The applicant has completed a Section 106 Agreement in accordance with Policy R2 of the local plan.

## **10. Conclusion**

The proposal seeks to replace an existing three bedroom bungalow in the Housing Restraint Area with three new dwellings. An existing access onto Oak Drive would be stopped up and replaced to serve one dwelling, and improvements would be made to a gated access onto Lights Lane to serve two dwellings. The proposal is considered to be in accordance with the adopted policies of the Salisbury District Local Plan and recent government guidance for the reasons set out in this report. However, conditions relating to highway safety, trees and protected species are recommended.

### **Recommendation:**

**It is recommended that planning permission is granted for the following reasons and subject to no new material considerations being raised in the public consultation period, which expired on 29<sup>th</sup> July:**

The proposal seeks to replace an existing three bedroom bungalow in the Housing Restraint Area with three new dwellings. An existing access onto Oak Drive would be stopped up and replaced to serve one dwelling, and improvements would be made to a gated access on to Lights Lane to serve two dwellings. Boundary trees and planting would be protected during construction and retained as part of the development. The scheme includes mitigation proposals for protected species including bats and reptiles.

Given the site's enclosure by dense vegetation and trees, the development is not considered to have an adverse visual impact on the character of the area or result in the loss of an important open space that contributes to the character of the Housing Restraint Area. Whilst the development may be visible to some neighbouring properties through the boundary trees and vegetation, there would be sufficient separation between the properties to prevent undue disturbance from overlooking or dominance. Subject to suitable conditions, the development would not be detrimental to highway safety, or cause harm to protected species.

The development would therefore be in accordance with the adopted policies G1, G2, D2, H19, C6, C12, C13, TR11, R2 and the guidance in PPS1 and PPS3.

**And subject to the following conditions:**

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

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

2. No development shall commence on site until visibility splays have been provided at the Oak Drive access between the edge of the carriageway/ track and a line extending from a point 2.4 metres back from the edge of the carriageway/ track, measured along the centre line of the access, to the points on the edge of the carriageway/ track 11 metres to the North and 11 metres to the South from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway/ track.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

3. No development shall commence on site until visibility splays have been provided at the Light's Lane shared access between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the east and 43 metres to the west from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

4. The development hereby permitted shall not be occupied until the first six metres of the shared access off Light's Lane, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

5. The gradient of the access way off Light's Lane shall not at any point be steeper than 1 in 15 for a distance of 5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

6. No development shall commence on site until a scheme for the discharge of surface water from the hard surfaces of the site (including surface water from the access/driveway off Light's Lane and Oak Drive), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until surface water drainage provision has been

constructed in accordance with the approved scheme.

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

Policy: G2 General Principles for Development and PPS25

7. The existing access off Oak Drive shall be stopped up in accordance with the approved details within one month of the first occupation of any of the dwellings hereby approved. No later than one month after the first occupation of any of the dwellings hereby approved, the sole means of vehicular access to the development shall be as shown on the plans hereby approved and listed in Condition 16.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

8. The development shall be carried out and completed in accordance with the Arboricultural Method Statement (AMS) and Tree Protection Plan provided by DJP Arboricultural Consultancy, dated 16<sup>th</sup> March 2010, and also Plan 1080.P19 (Visibility Splay Diagram) showing the visibility splay and trees (Oak, Sycamore and Lime) on the north west boundary of the site retained behind the splay.

Prior to commencement of development (including enabling works) a site meeting shall take place in accordance with section 2.1 of the AMS. At this meeting all aspects of tree protection shall be discussed and recorded, in the presence of all parties, to ensure that all parties understand the implementation and timing of the required protection measures. Any modification of the original AMS shall be recorded and submitted to the Local Planning Authority for approval in writing before any works take place on site.

Reason: To protect the visual amenity of the site and ensure that important trees are protected and retained.

Policy: C6 Special Landscape Area, H19 Housing Restraint Area

9. No development shall commence on site until details of the brick, tile, render and timber materials to be used on the development 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.

POLICY- D2 Design, C6 Special Landscape Area and H19 Housing Restraint Area

10. No development shall commence on site until a scheme of reinforcement hedgerow planting and boundary landscaping has been submitted for the north, east and south boundaries of the site (in accordance with the Mitigation section of the Landscape and Visual Impact Assessment, April 2010) and approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of any of the dwelling or the completion of the development, whichever is the sooner within that particular phase; 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.

REASON: To ensure a satisfactory landscaped setting for the development.

POLICY- C6 Special Landscape Area, H19 Housing Restraint Area, and G2 General Principles for Development

11 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars in the Arboricultural Method Statement and Site Plan 1080.P3B, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars in the Arboricultural Method Statement and Site Plan 1080.P3B; and paragraphs (a) and (b) 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 and planting on the site in the interests of visual amenity.

POLICY- C6 Special Landscape Area and H19 Housing Restraint Area

12. No demolition of the bungalow known as Heatherfield shall take place until the bungalow has been surveyed for bats by a qualified ecologist and a report of their recommendations has been submitted to and approved in writing by the Local Planning Authority. Demolition shall only proceed with the written agreement of the Local Planning Authority and in accordance with the agreed recommendations.

Reason: In the interests of protected species.

Policy C12 and C13 Protected Species

13. No works, including demolition, shall begin on site until reptiles have been translocated to a secure mitigation area (as shown on Gerald Steer drawing number 1080.P19A) by a qualified ecologist in accordance with section 7.1 of the Ecological Environmental Impact Assessment (Gould Ecology, May 2010) and a report of the translocation has been submitted and approved in writing by the Local Planning Authority. The mitigation area shall not be incorporated into garden space nor built on and shall be maintained solely for the purpose of wildlife conservation thereafter for the lifetime of the development, in accordance with the details on plan P1080.P19A. In accordance with this plan, the area is to be permanently fenced from the rest of the

gardens before there is any occupation of the dwellings, maintained as open grassland, and mown once a year with occasional hedgerow clipping.

Reason: In the interests of protected species.

#### Policy C12 and C13 Protected Species

14. No trees shall be felled within the red line of the application site until their potential to support bat roosts has been assessed by a qualified ecologist and a report of their recommendations has been submitted to and agreed in writing by the Local Planning Authority. Felling may only proceed with written agreement of the Local Planning Authority and in accordance with the agreed recommendations.

Reason: In the interests of protected species.

#### Policy C12 and C13 Protected Species

15. The development hereby approved shall be implemented in accordance with the Bat Access Tile Set details before there is any occupation of the dwellings. The bat access roof tiles shall be maintained in this condition thereafter.

Reason: In the interests of protected species.

#### Policy C12 and C13 Protected Species

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A (including provision of any verandah or balcony other than those expressly permitted), B, E(a) and F shall take place on the dwellinghouse(s) 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.

POLICY- H19 Housing Restraint Area, C6 Special Landscape Area, G2 General Principles for Development.

16. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council.

1080.P4 House 1 Floorplans	1080.P7 House 2 Floorplans
1080.P5A House 1 Elevations	1080.P8 House 2 Elevations
1080.P6 House 1 Elevations	1080.P9 House 2 Elevations
1080.P10B House 3 Ground Floor Plan	1080.P15 House 2 Sections and Bin Store
1080.P12B House 3 Elevations	
1080.P13B House 3 Elevations	
1080.P11B House 3 First Floor Plan	
Tudor Roof Tiles Bat Access Tile Set	1080.P1 Site Location Plan (red line)
1080.P3B Site Plan	1080.Sk1 Perspectives
1080.P19A Reptile Mitigation Plan	1080.P14 Site Sections
1080.P18 Plan of North West Driveway	1080.P19 Visibility Splay Diagram

Gould Ecology, Ecological Environmental Impact Assessment May 2010  
 Protected Species Survey, 25/9/2009, by S. Laurence  
 Orchids survey, by David Tullis  
 Landscape and Visual Impact Assessment, Plan A, April 2010  
 Arboricultural Method Statement DJP, 16/3/2010

Reason: For the avoidance of doubt

Appendices:	NONE
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Background Documents Used in the Preparation of this Report:	<p>1080.P4 House 1 Floorplans          1080.P5A House 1 Elevations          1080.P6 House 1 Elevations          1080.P10B House 3 Ground Floor Plan          1080.P12B House 3 Elevations          1080.P13B House 3 Elevations          1080.P11B House 3 First Floor Plan</p> <p>Tudor Roof Tiles Bat Access Tile Set          1080.P3B Site Plan          1080.P19A Reptile Mitigation Plan          1080.P18 Plan of North West Driveway</p> <p>Gould Ecology, Ecological Environmental Impact Assessment May 2010          Protected Species Survey, 25/9/2009, by S. Laurence          Orchids survey, by David Tullis          Landscape and Visual Impact Assessment, Plan A, April 2010          Arboricultural Method Statement DJP, 16/3/2010</p>	<p>1080.P7 House 2 Floorplans          1080.P8 House 2 Elevations          1080.P9 House 2 Elevations          1080.P15 House 2 Sections and Bin Store</p> <p>1080.P1 Site Location Plan (red line)          1080.Sk1 Perspectives          1080.P14 Site Sections          1080.P19 Visibility Splay Diagram</p>
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