

AGENDA

Meeting: Eastern Area Planning Committee

Place: Wessex Room - The Corn Exchange, Market Place, Devizes, SN10 1HS

Date: Thursday 29 January 2015

Time: 6.00 pm

Please direct any enquiries on this Agenda to Adam Brown, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718038 or email adam.brown@wiltshire.gov.uk

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Membership:

Cllr Charles Howard (Chairman)	Cllr Nick Fogg MBE
Cllr Mark Connolly (Vice Chairman)	Cllr Richard Gamble
Cllr Stewart Dobson	Cllr Jerry Kunkler
Cllr Peter Evans	Cllr Paul Oatway

Substitutes:

Cllr Liz Bryant	Cllr Jeff Osborn
Cllr Terry Chivers	Cllr James Sheppard
Cllr Ernie Clark	Cllr Philip Whitehead
Cllr Dennis Drewett	Cllr Christopher Williams

AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 24*)

To approve and sign as a correct record the minutes of the meeting held on 20 November 2014.

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 and Councillors' Questions**

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

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 **Thursday 22**

January 2015. 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

To receive details of the completed and pending appeals.

7 Planning Applications

To consider and determine the following planning applications:

7a **14/10471/FUL - Southfield House, Victoria Rd, Devizes** (Pages 25 - 42)

7b **14/11572/FUL - 4 Turnpike Cottages, Hilcott** (Pages 43 - 54)

7c **14/10281/FUL - Land at Home Farm, Woodland Rd, Patney** (Pages 55 - 68)

7d **14/09307/ADV - Roundabout South of 248 High Street, Burbage** (Pages 69 - 74)

8 Urgent items

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

Part II

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

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EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 20 NOVEMBER 2014 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Paul Oatway, Cllr Jerry Kunkler, Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Stewart Dobson and Cllr Christopher Williams (Substitute)

Also Present:

Cllr Jemima Milton

52. Apologies for Absence

Apologies were received from Cllr Richard Gamble.

Cllr Gamble was substituted by Cllr Christopher Williams.

53. Minutes of the Previous Meeting

The minutes of the meeting held on 28 August 2014 were presented for consideration, and it was,

Resolved

To APPROVE as a true and correct record and sign the minutes.

54. Declarations of Interest

Cllr Stewart Dobson declared a non-pecuniary interest in item 7, as he was the objector to the application. For this item Cllr Dobson withdrew from the Committee and spoke as a member of the public.

55. Chairman's Announcements

There were no announcements.

56. Public Participation and Councillors' Questions

The rules on public participation were noted. There were no questions or statements submitted.

57. **Planning Appeals**

There were no planning appeals.

58. **Wiltshire Council Borough of Marlborough Path No. 26 (Part) Stopping up Order and Definitive Map Modification Order 2014**

Public participation

Cllr Stewart Dobson spoke in objection to the order.

Mr Alex Deane spoke in support of the order.

The Rights of Way Officer introduced the application which recommended the Order be submitted to the Secretary of State for Environment, Food and Rural Affairs for determination and that Wiltshire Council supports the Order.

There were no late items.

Members of the Committee then had the opportunity to ask technical questions of the officer. Questions were asked on the history of where the path crosses the river Kennet. It was stated that there were no records of the path on Ordinance Survey maps ever being a ford.

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

A debate followed where the heritage and usage of the pathway in its current state was discussed. It was noted that the path runs through the river Kennet. It was stated that the renovation of a grade II listed building was being delayed as long as the order was not being implemented.

At the conclusion of debate it was,

Resolved

That Wiltshire Council makes an order under s.257 of the Town and Country Planning Act 1990 and s.53 of the Wildlife and Countryside Act 1981 to extinguish part of Marlborough path no. 26 at Bridge Garage and if after due advertisement no objections or representations are received the Order be confirmed and the definitive map and statement altered accordingly.

59. Planning Applications

59.1 14/06522/FUL Ludgershall Garden Centre, Granby Gardens, 25 Astor Crescent, Ludgershall, SP11 9RG

Public participation

Adele Martin spoke in opposition to the application.

Mark Sanderson spoke in opposition to the application.

David Gollings spoke in objection to the application.

Steve Carrington spoke in support of the application.

Anna Greenwood spoke in support of the application.

The Planning Officer introduced the application which was recommended to be delegated to the Area Development Manager to approve subject to the signing of a Section 106 legal agreement and conditions. Key issues were stated to include: whether the site can accommodate up to 181 dwellings, together with the necessary car parking, public open space and strategic landscaping, and access.

Late correspondence had been received from the Environment Agency and the Council Ecologist.

Members of the Committee then had the opportunity to ask technical questions of the officer. Clarification was sought on the percentage of affordable housing, it was explained that 30% had been reached as a viable percentage after much negotiation. It was asked why highways had objected to item 8b but not 8a. It was explained that it had been considered that there was an upper limit of how many dwellings could be reasonably accommodated on the site and that this point had been reached in the second application. It was also asked why there were not appeals for both applications for non-determination at Ludgershall Garden Centre, this was said to be up to the discretion of the applicant.

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

It was explained that with regards to the number of houses, that the density was not too high. Simmonds Road was explained as being the best route into the site, and highways were noted as being content subject to the conditions. A substantive contribution was said as being given towards education as a part of the application's conditions.

A debate followed where the issue of making sure motorists adhere to speed limits in the area was discussed. It was asked whether there should be measures in place to make sure that working and development only takes place during weekdays. Concerns were raised over the width of the roads and access. The location of the car parking bays in relation to the village green were discussed. It was asked if some kind of fencing should be placed around to protect children playing on the village green from traffic accidents. The effect of

181 extra houses on the infrastructure of services in the neighbourhood was debated.

At the conclusion of debate it was,

Resolved

To delegate to the Area Development Manager to approve subject to the signing of a Section 106 legal agreement in respect of the following –

Affordable Housing - 30% contribution

Highways – A planning obligation to secure a contribution of £100,555 (£250k / 450) x 181) time limited to 10 years, index linked for, congestion relief in Ludgershall.

Education - Financial contribution of £1,340,000 towards improvements to existing education

infrastructure, in accordance with policy HC37 of the Kennet Local Plan 2011.

Children’s Recreation - Installation of play equipment and a trim trail (and commuted payments for maintenance if the applicants want to offer the equipment to the Council for adoption).

Adult Recreation – Off-site contribution of £72,599.00 towards pitch provision, in accordance with policy HC34 of the Kennet Local Plan 2011.

Social and Community Infrastructure - £100,000 towards Memorial Hall roof repairs, in accordance with policy HC42 of the Kennet Local Plan 2011 and the planning brief.

Ecology - £19,877.42 towards the Stone Curlew Project within the Special Protection Area for Birds, to mitigate for the impact of increased use of Salisbury Plain for recreational activity by residents of the development.

S106 Monitoring Fee – £3,000

and 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 details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. REASON: In the interests of visual amenity and the character and appearance of the area.

3) No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied. REASON: In the interests of visual amenity and the character and appearance of the area.

4) No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details. REASON: In the interests of visual amenity.

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

Proposed Site Plan – 11.026.128 rev.B

HA Allocation Plan – 11.026.129 rev.B

Location Plan – 11.026.100

House Type A – 11.026.103

House Type B – 11.026.104

House Type C – 11.026.105

House Type Ch – 11.026.106

House Type D – 11.026.107

House Type E – 11.026.108

House Type Eh – 11.026.109

House Type F – 11.026.110

House Type G – 11.026.111

House Type H – 11.026.112

House Type I – 11.026.113

House Type J – 11.026.114

House Type K – 11.026.115

House Type L – 11.026.116

House Type M – 11.026.117

House Type Mh – 11.026.118

House Type N – 11.026.119

House Type Nh – 11.026.120

House Type O – 11.026.121

House Type Oh – 11.026.122

House Type P – 11.026.123

House Type Ph – 11.026.124

House Type Q – 11.026.125

Existing Street Scenes – 11.026.126

Proposed Street Scenes – 11.026.130

Garage – 11.026.131

Landscape Plans – FOR 19182 11A/12A/13A/14A/15A/16A/17A/18A

Topographical Survey – ENC-151112-9M9

Tree Protection Plan – J472.07.181

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

6) No construction or demolition work shall take place at the site on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of neighbouring amenity

7) Prior to occupation of the 50th dwelling the Astor Crescent north footway (between the site entrance and Empress Way) shall be planed off 30mm and resurfaced in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing safe and convenient pedestrian access to the development.

8) Prior to occupation of the 50th dwelling Astor Crescent north (between the site entrance and Empress Way shall have had its street lighting improved to current residential standards in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing safe and convenient access to the development.

9) Prior to occupation of any of plot numbers 1 to 25 the access to Astor Crescent including a junction table shall have been laid out and constructed in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing safe and convenient access to the development.

10) No construction traffic shall use Astor Crescent to access the site at any time.

REASON: In the interests of protecting the amenity and environment of residents of Astor Crescent which is considered unsuitable to cater for construction traffic movements.

11) Prior to occupation of any dwelling, the access to Simmonds Road shall have been laid out and provided included associated local footway alterations and road markings, in accordance with details to in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing safe and convenient access to the development.

12) No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

13) Prior to the commencement of development a scheme detailing how the buffer strip along the Northern boundary with Lena Close and Queens Close will be managed, shall be submitted to and approved in writing by the local planning authority. Such a scheme shall include details of how those parts of the buffer strip adjacent properties in Lena Close and Queens Close shall be transferred to those properties where they request transfer of the land and how the remaining parts of the buffer strip shall be managed.

REASON: In the interest of maintaining in the long term the buffer strip between the existing residential properties and the new homes.

INFORMATIVE

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

INFORMATIVE

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

59.2 14/04684/FUL Ludgershall Garden Centre, Granby Gardens, 25 Astor Crescent, Ludgershall, SP11 9RG

Public participation

Adele Martin spoke in opposition to the application.

Roger Greenwood spoke in opposition to the application.

The Planning Officer introduced the application which had been appealed against non-determination within the statutory timescales, and would not therefore be determined by the Council. However, the Council would be asked for its view on that application and so it recommended that planning permission be refused. Key issues were stated to include: whether the site can accommodate up to 200 something dwellings, together with the necessary car parking, public open space and strategic landscaping, and access.

There were no technical questions from the Committee.

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

A debate followed where the density of the proposal was discussed. The relevance of approving the previous application 14/06522/FUL was also discussed.

At the conclusion of debate it was,

Resolved

That the Council oppose the appeal and advise the Planning Inspector that it would have refused planning permission for the development for the following reasons -

1) In the absence of plans amending the scheme to reflect the highways officers concerns as set out in his consultation response of the 20th August 2014 (and as attached) with regard to parking, internal road widths, service strips turning heads and other internal highway related issues within the estate layout. It is considered that the layout as submitted will lead to an unsafe highway configuration for both vehicular and pedestrian traffic contrary to policy AT1 of the Kennet Local plan.

2) In the absence of a suitable legal agreement, a scheme and suitable financial contributions for Education, Affordable Housing, highways contribution for congestion relief, adult and children's recreation, social and community infrastructure and ecology cannot be secured. The proposal would therefore fail to accord with saved policies HC34 and HC42 of the Kennet Local Plan.

60. 14/05846/FUL - Drummond Park, Ludgershall, SP11 9RT

Public participation

Kim Slow spoke in support of the application.

The Planning Officer introduced the application which recommended the application be delegated to the Area Development Manager to approve subject to the prior completion of a Section 106 legal agreement and conditions. Key issues were stated to include: highway safety, affordable housing provision, public open space provision, and visual and residential amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked if there was any flexibility on the 25% affordable housing rate, it was heard that this had been agreed for viability reasons on the outline application. Questions were asked about the roundabout and the lack of

a right hand turn at the Devizes entrance. It was explained that the site could not justify a roundabout but that speed reduction measures and lighting would be funded.

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

A debate followed where the speed limit of 40mph was discussed. It was noted that speed limits could be commented on at a later stage. The state of the derelict site next door was debated, it was stated that they hoped the rest of this site would be demolished soon. The land set aside for a roundabout and the lack of a right hand turn on the A342 was discussed.

At the conclusion of debate it was,

Resolved

To delegate to the Area Development Manager to approve subject to the prior completion of a Section 106 legal agreement covering the following matters and subject to the conditions set out below:

Section 106 –

- 1. Affordable housing – 30% to be affordable;**
- 2. Highway works –**
 - a financial contribution towards future projects to relieve congestion in Ludgershall;**
 - a financial contribution towards bus revenue support for local services;**
 - the submission of a street lighting scheme and a financial contribution towards its provision;**
 - an assurance in perpetuity that land will be set aside at nil cost for any potential link roads and/or potential paths between the application site and adjacent land within Drummond Park and between the application site and the A3026 (whether direct or crossing the railway line or other land), and any land within the site that may be required for a potential roundabout at the junction of the ‘tank road’ and the A342 will be protected at nil cost for this purpose.**
- 3. Education – financial contributions towards to cost of primary and secondary education provision locally;**
- 4. Open space – a financial contribution towards off-site adult/sports pitch provision/improvement in the locality;**
- 5. Ecology – a financial contribution towards the cost of future management and monitoring schemes for the Wessex Stone Curlew project;**
- 6. Community facilities – a financial contribution towards the cost of providing and/or improving existing social and community facilities within Ludgershall;**

7. **Waste collection containers – a financial contribution towards the cost of waste collection containers.**

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 details of the proposed ground floor slab levels for the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

REASON: In the interests of visual amenity.

- 3 **No development shall commence on site until details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

- 4 **No development shall commence on site until details of the proposed Equipped Play Spaces (to comprise a 'play area' of 150sqm and a 'trim trail' of 465sqm) and the Casual Play Spaces (to total 1,469 sq m), and a programme for their provision and completion, shall be submitted to the local planning authority for approval in writing. The details shall include layout plans and drawings/specifications for the equipment to be provided. The Equipped Play Spaces and Casual Play Spaces shall be provided and completed in accordance with the details and programme as agreed.**

REASON: To accord with the terms of the planning application and to ensure appropriate provision of play space in the interests of amenity.

- 5 **No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with 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, 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.

- 6 **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.

- 7 **No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure (including any temporary means of enclosure between the site and the former military base) have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure for each dwelling shall be completed in accordance with the approved details prior to the occupation of the dwelling concerned.**

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

- 8 **No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.**

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.

- 9 **The development shall be carried out strictly in accordance with the recommendations set out in the 'Extended Phase 1 Habitat Survey and Bat Suitability Assessment - Update' by Seasons Ecology and dated May 2014.**

REASON: To safeguard ecological interests.

- 10 **No development shall commence on site until details of measures to safeguard the amenities of future occupants of the development from potential disturbance from employment and future employment developments on the adjoining business park and from the railway line have been submitted to the local planning authority for approval in writing. Development shall be carried out in accordance with the approved details.**

REASON: The adjoining business park and railway line could cause disturbance to the occupiers of the approved houses unless appropriate design or mitigation measures are applied. This is in the interests of residential amenity.

- 11 **No development shall commence until full details of how on-site renewable energy will be provided to reduce carbon dioxide emissions from energy use by owners/occupiers of the dwellings**

by 10% 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: To achieve reductions in carbon dioxide emissions in accordance with the local planning authority's adopted policy.

- 12 No dwelling hereby permitted shall be first occupied until the access, turning area and parking spaces serving that dwelling 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.

- 13 No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. 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.

- 14 No development shall commence until a scheme for the disposal of foul water from the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an options appraisal which will consider the options available and assess impacts of each on the environment and appropriate mitigation measures. No dwelling on any part of the development shall be first occupied until the approved scheme has been fully implemented.

REASON: To minimise the risk of pollution to the water environment.

- 15 No development shall commence until a Construction Environmental Management Plan, incorporating pollution management measures, has been submitted to and approved in writing by the local planning authority. The plan shall be implemented as approved throughout the construction period.

REASON: To minimise risk of pollution of the water environment.

- 16 No development shall commence until a scheme for water efficiency has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

REASON: In the interests of sustainable development and the prudent use of natural resources.

- 17 **No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:**

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved.

- 18 **No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.**

REASON: To safeguard residential amenity.

- 19 **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.

- 20 No dwelling shall be occupied until the parking spaces together with the access thereto have been provided in accordance with the approved plans.

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

- 21 No development shall commence within the development site until:
1. A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 2. The approved programme of archaeological work has been carried out in accordance with the approved details.

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

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

All plans set out in the 'Design and Access Statement' by James Armitage Architects & Urban Designers dated 09/06/14 and received by the lpa on 12/06/14; and

All drawings listed in the 'Document Issue Register' by James Armitage Architects & Urban Designers dated 30/10/14 and received by the lpa on 31/10/14.

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

- 23 **INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
- 24 **INFORMATIVE TO APPLICANT:** This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated xxxxxx.

- 25 **INFORMATIVE TO APPLICANT: The applicant is advised to contact Veolia regarding the design of the scheme for the discharge of foul water and how/when it will be implemented. The scheme will likely include a programme for implementation and mechanisms for funding including from the applicant.**

60.1 14/05847/FUL Manor Farm, West Overton, Marlborough, SN8 4ER

Public participation

Mr Huw Roberts spoke in opposition to the application.

Mr Martin Roberts spoke in opposition to the application.

Dr Mike Bishop spoke in opposition to the application.

Mr Aaron Smith spoke in support of the application.

Mr Bob Green spoke in support of the application.

Mike Morrissy spoke on behalf of Fyfield and West Overton Parish Council.

The Area Development Manager introduced the application which recommended the application be delegated to the Area Development Manager to approve, subject to conditions and the prior completion of a Section 106 legal agreement. Key issues were stated to include: impact on the visual amenities of the area including the North Wessex Downs Area of Outstanding Natural Beauty; and whether the proposal would preserve or enhance the setting of heritage assets including grade II-listed Manor Farm and the setting of nearby Scheduled Monuments and Avebury World Heritage Site.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked whether changes of use to agricultural sites required permission. In explanation it was stated that anyone wanting to redevelop farmyard sites of this nature should come up with proposals after discussing with the community and parish and that planning permission was required for the erection of the buildings themselves, not a change of use only.

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

The local member, Cllr Jemima Milton, then spoke on the application. Cllr Milton expressed thanks to those who had all worked together in order to try and find a solution to the situation. Concerns were expressed by Cllr Milton on the level of provision of affordable housing, drainage for West Overton and the Kennet, and access to the main road (A4).

It was heard that the single lane track was not the only route to the A4 or in and out of the village. The Environment Agency and Thames Water had responded by requiring detailed schemes that needed to be approved and before development could begin and implemented before occupation. In response to questions on affordable housing it was explained that there had been an assessment of the viability of the scheme and that the Housing team had assessed that 20% was viable. It was stated that it was possible to defer and

delegate on this issue to seek to negotiate an increase in the level of on-site provision to 30% within the section 106 agreements.

A debate followed where the issue of foul drainage was discussed. Reassurance was sought that this issue was covered. It was explained that recommended condition 7 was requested by Thames Water and recommended condition 6 was requested by the Environment Agency. These pre-commencement conditions should satisfactorily deal with the matter. The provision of affordable housing was debated. It was suggested that 30% would be a more appropriate rate given the development plan policy and the emerging Wiltshire Core Strategy. It was advised by a councillor that the Community Area Transport Manager would be the appropriate person to approach regarding provision of passing places on the road to the A4.

At the conclusion of debate it was,

Resolved

To delegate to the Area Development Manager to approve, subject to the conditions set out below, and subject to the prior completion of a Section 106 legal agreement to secure the necessary open space contribution, and to seek to increase the level of provision of affordable housing to 30%, in preference to the educational contribution originally sought.

- 1. No demolition shall begin until details of a dust management plan have been submitted to and approved in writing by the local planning authority. The plan shall include details of the method for dealing with any materials containing asbestos on the site. The demolition shall be undertaken in accordance with the approved details.**

REASON: To protect the amenity of nearby residents.

- 2 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.

- 3 No development shall commence until:
- a written programme of archaeological investigation, which should include on-site and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the local planning**

authority; and

- the approved programme of archaeological work has been carried out in accordance with the approved details.

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

- 4** No development shall commence on site until details and samples of the materials to be used for the road surfaces, external walls (including free standing walls); roofs; and joinery, and details of the proposed brick bonding to be used, 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.

- 5** No development shall commence on site until details of the slab levels for the new buildings have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

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

- 6** No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the 1 in 100 with an allowance for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Prior to occupation of any dwelling on the site the scheme shall be implemented in accordance with the approved details.

The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON: To prevent the increased risk of flooding, both on

and off site

- 7** No development shall commence until a drainage strategy detailing any on and off-site works has been submitted to and approved in writing by the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed in accordance with the details set out in that strategy.

REASON: To ensure that sufficient capacity is provided to deal with the development, in order to avoid any adverse impact on the amenity of the area.

- 8** Before development is commenced, details shall be submitted to and approved in writing of the proposed location and design of any external bin stores. The stores shall be provided in accordance with the approved details before more than 50% of the dwellings are occupied.

REASON: To ensure satisfactory provision of external bin storage, in the interests of the appearance of the area.

- 9** No development shall commence on site until the trees on the site which are shown as being retained have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

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

- 10** The development shall be constructed in strict accordance with the recommendations given in the Ecological Appraisal and Bat Survey, Manor Farm, West Overton, Nr Marlborough, Wiltshire, August 2013, by Lindsay Carrington Ecological Services Ltd.

REASON: In order to ensure no adverse effects on

protected species or habitats either within the site or in immediate surrounding areas.

- 11 Before any dwelling is first occupied, the parking spaces and access to them shall be provided in accordance with the approved plans, and shall thereafter be retained for these purposes.

REASON: To ensure the provision of adequate parking and access facilities for the dwellings.

- 12 No dwelling shall be first occupied until details of the maintenance arrangements for the private roads within the site, including management responsibilities, has been submitted to and approved in writing by the Local Planning Authority. The arrangements shall thereafter be retained in accordance with the approved details.

REASON: To ensure the proper management of the private road areas.

- 13 Before the dwellings are first occupied, the footpath to the front of the site shall be provided.

REASON: In the interests of road safety

(Informative to applicant - this will require approval and a licence from the Council as local highway authority)

- 14 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 new houses 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.

- 15** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: Storage tanks were identified on site and groundwater lies some 6 m below ground level. Abstracted water may be used for private supply locally so groundwater is sensitive.

- 16** Any external flues shall be factory finished in matt black.

REASON: To protect the appearance of the area.

- 17** The buildings marked as cartsheds; store(s) and garage; stables and home office shall be used for purposes ancillary to the residential use of Manor Farm only.

REASON: To define the extent of the permission in the interests of clarity and to protect the amenity of the area.

- 18** 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 that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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.

- 19** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the workshops shall be used solely for purposes within Class B1 of the Town and Country Planning (Use Classes Order) and/or for purposes ancillary to the residential use of the dwelling known as Manor Farm and marked on the site plan, and for no other purposes.

REASON: To ensure that the uses are properly regulated to ensure that the amenity of nearby dwellings is properly secured and the site is not overdeveloped.

- 20** No construction works shall take place on the site outside of the following hours:

Monday- Friday 7:30am - 6pm; Saturday 7:30am -1pm. There shall be no construction work taking place on the site on Sundays and Bank holidays.

REASON: To protect the amenity of the area.

- 21** The development hereby permitted shall be carried out in accordance with the approved plans.

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

- 23** **NOTES TO APPLICANT – Environment Agency**

Sustainable Construction

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy

plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

61. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 8.45 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

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

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REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	29 January 2015
Application Number	14/10471/FUL
Site Address	Southfield House, Victoria Road, Devizes, Wiltshire SN10 1EY
Proposal	Demolition of existing 42 place residential care home and construction of 47 new extra care apartments together with communal facilities.
Applicant	Wiltshire Council
Town/Parish Council	DEVIZES
Division	DEVIZES NORTH
Grid Ref	400913 161652
Type of application	Full Planning
Case Officer	Morgan Jones

Reason for the application being considered by Committee

This application is brought to committee in accordance with the scheme of delegation specific to planning i.e. applications submitted by Wiltshire Council cannot be dealt with under delegated powers where an objection has been received raising material planning considerations.

1. Purpose of Report

To consider the recommendation that the application be granted planning permission.

2. Report Summary

The key issues for consideration are:-

- Principle of development and provision of care facilities;
- Density and layout;
- Design, landscaping and visual impact;
- Ecology;
- Environmental impacts, flood risk and drainage;
- Impact on highway and pedestrian safety;
- Impact on residential amenity;
- Planning obligations.

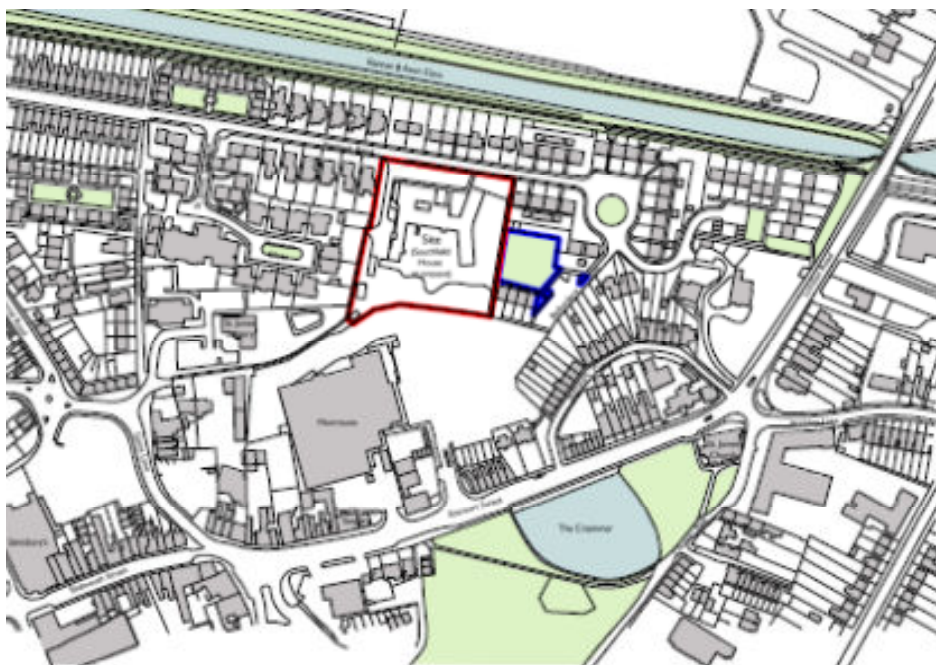
3. Site Description

The application site comprises the Southfield Care home located on the southern flank of Victoria Road, just north of Devizes town centre and just south of the Kennet and Avon canal. It is approximately 0.7 hectares in area (1.72 acres).

The land is owned by Wiltshire Council but is currently occupied by a care home, Southfield House, which is operated by The Orders of St John Healthcare Trust. With their relocation to a new facility, being built in Horton Road, Devizes, the Victoria road site is available for brownfield development as an extra care home. On 21 November 2013, Cabinet approved the use of the Southfields Care Home site for the development of an extra care scheme.

Vehicular access to the site is via New Park Road only; Victoria Road is a no through road. The main pedestrian access is from Victoria Road but there are pedestrian links to the town centre via Sedgfield Gardens or London Road.

On the northern flank of Victoria Road, opposite the site, there is a row of semi-detached and two storey brick built dwellings. The eastern boundary of the site adjoins a brick built three storey block of flats which backs onto a play area, beyond which is a row of recently constructed two storey brick built dwellings. The south side of the site adjoins the Morrisons supermarket and car park and the west side adjoins a range of brick built single storey dwellings.



Site Location Plan

4. Planning History

There is no relevant planning history on the application site.

5. The Proposal

The application seeks full planning permission for the demolition of the existing 42 place residential care home and the construction of 47 new extra care apartments. The development is to be provided by Wiltshire Council. The accommodation will be exclusively for those aged 55 and over. The apartments will be self-contained, however, the scheme will include communal facilities.



Proposed Site Plan

The proposed development is for a part two storey/part three storey building which will include a total of 39 two bed apartments and 8 one bed apartments with ancillary accommodation for refuse and external communal areas. The scheme will include 28 car parking spaces within the curtilage of the site.

The Design and Access Statement outlines that the building consists of two north–south wings of apartments linked together by the communal accommodation. It further states that “The wings run parallel to the east and west boundaries and enclose a south facing, open sided garden courtyard. The Victoria Road end of east wing is stepped back from the road to respect the existing building line. To the south the wings are stepped back from the boundary to allow as many trees as possible to be retained to provide a visual barrier to the supermarket car park.”

Materials have been selected to reflect the local vernacular. Walls will generally be in red/ orange facing brickwork with render used to the walls of the recessed balconies and to other feature areas.

The proposal maintains the existing access point. The west access point gives access to the car park and a turning head provides access for deliveries and refuse collection. The east access point provides the exit from the car park and a drop-off bay for ambulances and minibuses adjacent to the main entrance. There are allocated disabled parking bays located next to the main entrance with level access.



Proposed Front Elevation

6. Planning Policy

The **National Planning Policy Framework** (NPPF) with particular regard to Chapters 1 'Building a strong, competitive economy', 4 'Promoting sustainable transport', 6 'Delivering a wide choice of high quality homes' and 7 'Requiring Good Design'.

The Saved Policies of the adopted **Kennet Local Plan 2011** (KLP), in particular

- PD1 Development & Design;
- HC5 Net Housing Density;
- HC7 Housing Layout;
- HC28 Affordable Homes Target, HC30 Affordable Housing on Large Sites;
- HC34 Recreation Provision on Large Housing Sites;
- HC42 Additional Social & Community Needs;
- NR7 Protection of the Landscape;
- HH1 Protection of Archaeological Remains;

The emerging **Wiltshire Core Strategy** (WCS), which carries very significant weight, in particular:

- Core Policy 12 Spatial Strategy: Devizes Community Area;
- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 43 Providing Affordable Homes
- 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 60 Sustainable Transport, 61 Transport & Development, 62 Development Impacts on the Transport Network.

Community Benefits from Planning (March 2005) Supplementary Planning Guidance.

This document provides guidance on how the Council will implement the above policies and secure benefits to existing and new communities from development through the use of planning obligations where necessary.

Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

Wiltshire and Swindon Waste Core Strategy 2006 – 2026 (July 2009).

7. Consultations

Highway Authority – No objection, subject to conditions.

Wessex Water – No objection; standard advice and guidance provided.

Council's Drainage Engineer – No objection, subject to conditions.

Council's Public Right of Way team – No objection.

Council's Public Protection team – No objection, subject to conditions.

Council's Arboricultural Officer – No objection.

Council's Archaeologist – No objection.

Council's Ecologist – No objection, subject to conditions.

Council's Energy Officer – No objection.

Council's New Housing Team – No objection.

Council's Urban Design Officer – Verbally confirmed no objections to the proposal.

Devizes Town Council – No objection.

Wiltshire Fire & Rescue Service – No objection; standard advice and guidance provided.

8. Publicity

The application has been publicised via press and site notices and letters have been sent to properties within close proximity of the site. Five letters of representation have been received raising the following comments and concerns:

- Victoria Road is a known bottleneck and emergency traffic already has difficulty in getting down this road with parking both sides. The increased use of this site will cause more problems in this area for drivers and pedestrians;
- The main pedestrian route to the town centre would be via Gains Lane. The lane needs improving as it has no central pedestrian refuge nor pedestrian controlled crossing,
- The location of the bin store is a concern because it is close to neighbouring properties (resulting in noise and air pollution) and next to a hedge which will be impossible to maintain;
- The first floor apartment will overlook the properties within Henman Close;
- The proposed building will be taller than the existing and coupled with the additional planting along the western boundary will result in a loss of light to properties within Henman Close;
- Existing trees along the western boundary may be damaged during the construction phase;
- The proposed additional planting along the western boundary of the site will help screen the development from numbers 4, 5, 6 and 7 Henman Close;
- It is not clear what additional planting will be introduced along the western boundary;
- All efforts should be made to get the new planting underway as soon as site clearance has been completed and not to await the completion of building;
- It is unfortunate that some trees will be removed from the south and east boundaries of the site.

The concerns raised as a result of the public consultation are all discussed within the following section of the report.

The RSPB has no objection to the proposed development but believes that there is an opportunity to create a net gain in biodiversity by incorporating nesting/roosting boxes into appropriate locations in the building.

9. Planning Considerations

9.1 Principle of Development & Provision of Care Facilities

Nationally, statistics indicate that the number of older people will rise dramatically in future years. Following a comprehensive study into older people's accommodation, the Council has identified that between 2007 and 2026, the older population within Wiltshire will increase by

57.9%, which is higher than the average for England and is the second highest growth projected for the South West region.

In Devizes, the older population will increase by 49.6% by 2026 – this will see the population of Devizes aged over 65 increasing from 5,750 in 2007 to 8,600 in 2026. In order to address the shortage of appropriate facilities for older people, an Older People's Accommodation Development Strategy was produced and approved by Cabinet on 25th January 2011. This identified a need for an additional 1,100 units of extra care across the county and the need for a 50 unit extra care scheme in the Devizes area.

The scheme is being delivered by Wiltshire Council who will deliver all the units as affordable housing. The Council's New Housing department has confirmed that the scheme will provide much needed affordable housing and will contribute towards meeting the identified need for older people's housing in the Devizes area.

The application site falls within the Limits of Development for Devizes and a care home is currently operating from the site. The residential use of the site is therefore already established and as such the principle of the proposed development is considered acceptable.

9.2 Density and Layout

Policy HC5 'Net Housing Density' of the KLP states that the new density of residential development on large sites should be a minimum of 30 units per hectare, with the exception of sites which have been allocated for a lower net density because of site constraints. The policy states that higher densities will be sought where:

- (a) the location is close to a concentration of employment, a town centre or a public transport service where higher densities can contribute to a more sustainable pattern of development or
- (b) the development provides housing for special local needs such as small units for single people or dwellings for elderly or disabled people.

Policy HC5 further states that to achieve densities greater than 30 dwellings per hectare in sustainable locations, the amount of open space required on each site may be reduced in consultation with the local planning authority. When deciding whether any such reduction in open space on the site will be allowed, the policy requires the Council to take account of the extent and position of existing open space in the locality, to ensure that overall provision for occupiers of the new development is acceptable.

The proposed development will be built at a density of 67 units per hectare. Whilst this is well above the densities expected for conventional family housing, this is a flatted development and therefore making comparisons is difficult as densities for this type of scheme will always be higher.

The site falls within the Limits of Development of Devizes, is within walking distance of the town centre and has easy access to public transport facilities. The site is therefore considered to be within a very sustainable location. As the proposal will provide housing for special local needs (i.e. elderly people) the high density of the proposal is permitted by policy HC5. As such, the key consideration is whether the scale and massing of development is appropriate in this location and whether the scheme displays a high standard of design, as required by policy PD1 of the KLP and Core Policy 57 of the WCS as discussed within the following section.

9.3 Design, Landscaping and Visual Impact

Policy PD1 'Development and Design' of the KLP and Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the WCS lay down the requirement for good design. The policies outline that a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

The submitted Design and Access Statement recognises that the building is larger in scale than those surrounding it, but outlines that its visual impact is mitigated by the design feature, stating that the "three-storey elevations face the courtyard and Victoria Road. The setback in section to the second floor means that the east and west elevations are two-storey, with flat roof areas behind a parapet wall. Roofs to the three-storey elements are shallow pitched with low parapets. Wide balconies are punched into the main façade, providing layering and breaking up the elevations".

The general layout, form and height of the building evolved during pre-application discussions in order to ensure the building was of an appropriate scale for the context of the site and did not adversely impact on the residential amenity of neighbouring residents. The design has been tailored to achieve the maximum amount of accommodation possible whilst taking account of the site's constraints and existing built environment.

The overall concept for the scheme is to provide a crisp, modern looking building, however officers raised concerns about the appearance of the building as originally submitted. As a result the appearance of the building has been amended in order to break up the elevations and add variety and interest to the character of the building. The Council's Urban Design Officer has noted that the changes in the architectural style of the buildings have greatly improved the appearance of the building.

The proposal will use appropriate materials for the context of the site. However, in order to ensure they are of a high quality, samples can be request via a condition of any planning permission along with information on the architectural detailing.

The site is not prominent within the town but the front of the building will be clearly visible from Victoria Road. The building has been sited to respect the building line along Victoria Road and will achieve an active street frontage. The site will also be well landscaped to help soften and integrate the development into the site.

The existing mature tree belt along the south and west boundaries of the site will be retained. This will preserve the existing height and depth of screening for the Morrisons site and the properties within Henman Close. A number of trees within the site will, however, need to be removed in order to accommodate the development. The existing trees comprise a mix of evergreen and deciduous species located primarily to the rear of the existing care home. The application is therefore supported by a Tree Survey and Constraints Plan report which details which trees are to be removed.

The department's Arboricultural Officer is in support of the proposed development provided that the proposed replacement tree and hedge planting is carried out to ensure no net loss of trees within the site. The proposed replanting is shown within a detailed landscape design scheme and planting specification. A condition can be imposed on any planning permission to ensure the landscaping is provided within the first planting season following the completion of the development. A condition can also be imposed to require the protection of the existing trees during the construction period.

9.4 Ecology

An Ecological Walk Over Survey has been carried out by SLR Consulting and the report accompanies the application. The Council's Ecologist has reviewed the submitted report, visited the site and provided the following assessment:

"I consider that sufficient survey has been conducted within and around the site to provide appropriate information in support of this application, in relation to the ecology of the site and any potential impacts as a result of the proposed development. SLR ecological consultants found that the habitats within the site offer a low function for biodiversity, which is in agreement with the findings of my own site visit approximately one month previously. SLR recommend that further emergence surveys for bats within the buildings should be carried out, however during my visit I noted that there appeared to be no access points into the roof voids for bats. Furthermore the roof voids themselves are very small and would not support the species of bat that require indoor flying space. The external features of the building offer only *opportunistic* roosting for individual bats, therefore there is no likelihood of a colony of bats roosting within the structure. This leaves the very small possibility of individual, crevice dwelling bats utilising external features of the building for *opportunistic* roosting only, not established, long term or regular shelter. I therefore consider that further survey is unnecessary and will not add to our current knowledge of the site. Further survey could not be undertaken until at least April of next year and I consider that the risk of bat presence is so small that it would be unreasonable to delay the application for several months. I further consider that demolition of the existing building, if carried out sensitively is unlikely to result in adverse impact on any protected species. I therefore request that a construction method statement, including a soft stripping process to demolish the existing building, should be drawn up and submitted to the LPA for approval. The CMS should also address sensitive measures to be employed in removal of trees and other vegetation from the site.

Although several trees will be removed from the site to enable the construction of the replacement buildings, there is a proposal to replant some areas with additional trees. These are mainly around the boundaries and I am satisfied that these will offer some connectivity of habitat around the edges of the site and link into adjacent habitat areas, allowing a range of birds, bats and other small mammals to commute between different foraging and resting areas."

The Council's Ecologist is therefore of the opinion that subject to the submission of a suitable construction method statement, the development will not result in any adverse impacts to biodiversity either within or adjacent to the site. This can be conditioned. A lighting plan has already been provided which addresses the comments of the Council's Ecologist in relation to the need to retain a darkened corridor within the edge of the site for wildlife movement. The detailed landscape design scheme has also been updated to show the new bat boxes as requested by the Ecologist.

The RSPB has recommended that in order to create a net gain in biodiversity, the scheme should incorporate nesting/roosting boxes in appropriate locations within the building. The applicant has considered this request and as a result the detailed landscape design scheme has been updated to include nesting boxes along with bird feeders and bird baths within the site.

9.5 Environmental Impacts, Flood Risk and Drainage

The proposed development does not lie within an area of flood risk and there are no records of flooding at the site. The Design and Access Statement outlines that the drainage strategy for the site will not have an impact upon flooding. The drainage has been designed to accommodate a 1:100 year storm event plus 30% to take account of climate change.

The surface water drainage strategy consists of a gravity network which outfalls into an attenuation tank located beneath the front car park. From here the surface water is discharged at a controlled flow rate (5l/s) via a hydrobrake chamber into a combining manhole. From this manhole the surface water is discharged into the public combined sewer located beneath Victoria Road. The proposed drainage strategy will remain preliminary at this stage but a condition can be attached to any planning permission requiring the submission and approval of a full strategy as requested by the Council's Drainage Engineer.

The development will produce foul water effluent of a domestic nature only. The proposed foul drainage consists of a gravity network which connects to a combining manhole prior to its discharge to the public combined sewer located beneath Victoria Road. Wessex Water has no objections to the proposed development but will need to approve discharge into its asset.

The Council's Public Protection Team has indicated that as the proposal involves the replacement of an existing building of the same use there are no major environmental health concerns with regard to potential noise, odour or lighting issues. It was, however, recommended that noise levels from any plant and machinery and light spillage from the site be controlled via conditions. The hours of operation during the construction phase will also have to be controlled via a Construction Method Statement, the submission and approval of which can also be conditioned.

The Design and Access Statement outlines that waste management will be addressed at source with the provision of a large (27m²) recycling compound with segregated waste containers which will be used by residents and staff. There will also be facilities for composting with the opportunity to dispose of organic waste in the garden area. Concerns have been raised by local residents concerning the proximity of the bin store to existing residential properties due to the potential for air pollution. However, the bin store will be a totally enclosed structure constructed of brick and should therefore keep out any vermin and contain any air pollution.

The application outlines that the main sustainability and energy aim for the project is to have a reduced impact on climate change by decreasing CO₂ emissions associated with energy usage associated with the development in line with Wiltshire Council's target of 40%. The Council's Energy Policy Officer is satisfied that work is being undertaken to comply with Core Policy 41 'Sustainable Construction and Low Carbon Energy' of the WCS. An energy report has been submitted which confirms that the development will achieve the relevant BREEAM 'Very Good' standards.

9.6 Impact on Highway & Pedestrian Safety

The proposed development will utilise the existing access point from Victoria Road. The Design and Access Statement outlines that "the existing care home has 19 parking spaces, so the new provision represents a 48% increase. This reflects the change in use from nursing care, where none of the residents has their own car, to extra care, where some residents will need parking. It is anticipated that visitor numbers will be similar, but staff numbers will be reduced.

The increased parking provision should minimise the displacement of parking onto Victoria Road. There will be an inevitable slight increase in traffic generation.

Provision has been made to accommodate spaces for an ambulance and a delivery vehicle within the car park design, ensuring that Victoria Road is not obstructed by ambulance pick-

up and drop-off or deliveries. It is not anticipated that there will be any increase in this type of vehicle movement. Control measures will be adopted to prevent unauthorised parking on the site.”

In order to establish how many parking spaces are needed to serve the development, research has been undertaken at other care homes for comparison purposes, with the proposed parking numbers outlined within the applicant’s Design and Access Statement. It was concluded that the five Council projects surveyed “have a parking provision in the range of 0.26 to 0.65 spaces per unit, giving an average of 0.45. The proposed provision for this project is 28 spaces (incl. 3 disabled) for 47 units, 0.59 spaces per unit. This is an above average provision on the basis of the other similar schemes investigated.” Provision has also been made for cycle parking for residents along with space for mobility scooters.

The Council’s Highways Officer has advised that in line with the Council’s adopted parking standards, the scheme should provide 1 space per 2 units + 1 space per 5 units. This would necessitate around 32 spaces. It is noted that only 27 parking spaces are to be provided and Victoria Road is at times subject to on street parking. However the parking standards are maximum and the likelihood of vehicles being displaced onto the adjacent highway is considered to be relatively low and therefore there is no objection to the proposed number of parking spaces.

The NPPF advises that development proposals should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The application demonstrates the level of parking will be sufficient to serve the development and the Council’s Highways Officer is satisfied with the level of parking provision being proposed. As such, it is not considered that there will be any significant impacts on highway safety.

9.7 Impact on Residential Amenity

The scheme has been carefully designed to limit the impact on the residential amenity of neighbouring residents. The building consists of two north–south wings of apartments which run parallel to the east and west boundaries. The east and west boundaries adjoin residential properties, however, the building has been carefully sited to ensure the necessary separation distances between neighbouring properties, as outlined within the KLP Supplementary Planning Guidance, are achieved to avoid direct overlooking. The internal layout of the building has been reconfigured to ensure no overlooking of neighbouring properties where the separation distance cannot be met. The height of the building has also been limited to two storey close to the boundaries, with the three storey element facing the courtyard within the centre of the site and Victoria Road.

A number of occupiers of properties in Henman Close, that adjoin the site, have expressed concerns that the scheme will result in the loss of the mature landscaping which provides screening and that they will therefore be overlooked by the new building. The existing boundary treatment will, however, be retained and additional landscaping will be introduced to strengthen the boundary as shown on the submitted landscape design scheme and planting schedule. The separation distance between the new building and the existing single storey bungalows will also exceed the minimum amount (21m) required by the KLP Supplementary Planning Guidance. The new building will therefore not appear overbearing or directly overlook the neighbouring properties to such an extent as to result in a loss of amenity.

The details of the methods to control disturbance to neighbouring residents and the environment during the construction phase of the development can be provided within a construction management plan which will be required by way of a condition on any planning permission.

In light of the above, it is considered that the scheme will not have a significant adverse impact on the residential amenities of the occupiers any neighbouring properties.

In relation to the residential amenity of future residents of the development, each apartment will have a balcony to serve as private outside space and there will be a communal garden. The amount of private/shared amenity space would not be considered acceptable for family housing. However, as the scheme is intended to provide specialist accommodation to meet a local need a reduction from the normal standard is considered acceptable in this instance. This approach is in accordance with policy H5 of the KLP.

9.8 Planning Obligations

9.8.1 Affordable Housing

The Council's most recent policy in relation to affordable housing is outlined within the WCS i.e. Core Policy 43 'Providing Affordable Housing', which seeks to secure 30% affordable housing in this location.

The scheme is being delivered by Wiltshire Council who will deliver all the units as affordable housing. However, the Council will sign a unilateral undertaking to ensure that at least 30% of the units are affordable and remain as such in perpetuity.

9.8.2 Recreation Provision

Policy HC34 'Recreation Provision on Large Housing Sites' of the KLP requires developments of 20+ units to provide recreational open space. This standard comprises three parts: (i) equipped play for younger children; (ii) casual equipped play for older children; and (iii) formal pitch provision for adults. The development generates no requirement for children's play and therefore only the adult element is relevant. This is normally provided via a commuted sum, and the monies in this instance should be used for any form of recreation suitable for the over 55's.

Based on the size of the development, the relevant figure, calculated in accordance with the Supplementary Planning Guidance document 'Community Benefits from Planning', and having taken account of the number of residents within the existing care home on the site and information from the applicant in relation to the likely occupation of the new building, is £6,609.00. This figure will also be secured by the unilateral undertaking.

10. Conclusion

The development will result in the demolition of the existing 42 bed care home and the construction of 47 new extra care apartments which will be delivered by Wiltshire Council as 100% affordable housing. The accommodation will be exclusively for those aged 55 and over and will meet a recognised need for older people's housing in the Devizes area.

The scheme is considered to be of an appropriate design for the context of the site and will not result in a detrimental impact on the local landscape or townscape character. The development will not have any adverse ecological, or environmental impacts or severe highway impacts.

No statutory consultees have objected to the proposal and whilst the concerns of some local residents are acknowledged, the scheme is considered to be in accordance with both national and local planning policy and with suitably worded conditions, and a section 106 agreement to secure the minimum amount of affordable housing required by current policy

(30%) in perpetuity and £6,609.00 towards public open space to serve the residents of the development, it is recommended that planning permission be granted.

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions and a unilateral undertaking to secure 30% affordable housing and £6,609.00 towards public open space:

- 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 Each of the apartments hereby permitted shall be occupied only by:
 - persons of 55 years of age or over;
 - persons living as part of a single household with such a person or persons;
 - persons who were living as part of a single household with such a person or persons who have since died.

REASON:

The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

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

REASON:

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

- 4 No above ground development, excluding demolition, shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, and canopies 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.

- 5 No above ground development, excluding demolition, shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON:

To ensure that the development can be adequately drained.

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

- 7 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 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.

- 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 protective fencing as shown on drawing no.00210.00025.16.002 RevB 'Vegetation Retention, Protection and Removal Plan' and in accordance with the approved Arboricultural Method Statement and Tree Protection Plan and British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been erected to protect all trees to be retained.

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 practice.

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.

[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 and neighbour amenity.

- 9 The lighting scheme hereby approved shall comply with guidance issued by the Institution of Lighting Professionals Engineers for an E3 Zone.

REASON:

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

- 10 All building services, plant and fixed machinery shall be so sited and designed in order to achieve a Rating Level LArTr of 37dB between the hours of 0700 and 2300 and Rating Level LArTr 30dB between the hours of 2300hrs and 0700hrs as measured at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142.1997.

REASON:

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

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

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) measures to control the emission of dust and dirt during construction;
- e) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- f) hours of construction, including deliveries;
- g) details of the soft stripping process to demolish the existing building; and
- h) details of sensitive measures to be employed in removal of trees and other vegetation from the site

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

- 12 The development hereby permitted shall be carried out in accordance with the following approved documents and plans:

- Planning, Design and Access Statement, received 04 November 2014;
- Drawing no.P-Site-01 Issue P02, Site Location Plan, received 04 November 2014;
- Drawing no.P-Site-02 Issue T016, Proposed Site Plan, received 14 January 2015;
- Drawing no.P-0-10 Issue P03, Proposed Ground Floor Plan, received 23rd December 2014; Drawing no.P-1-10 Issue P03, Proposed First Floor Plan, received 23rd December 2014;
- Drawing no.P-2-10 Issue P03, Proposed Second Floor Plan, received 23rd December 2014;
- Drawing no.P-3-10 Issue P03, Proposed Roof Plan, received 23rd December 2014;
- Drawing no.E-10 Issue P03, Proposed North and South Elevations, received 23rd December 2014;

- Drawing no.E-11 Issue P03, Proposed East and West Elevations, received 23rd December 2014;
- Drawing no.E-12 Issue P03, Proposed Courtyard Sectional Elevations, received 23rd December 2014;
- Drawing no.00210.00025.16.001 RevB, Landscape Proposals, received 04 November 2014;
- Drawing no.00210.00025.16.002 RevB, Vegetation Retention, Protection and Removal Plan, received 14 January 2015;
- Drawing no.00210.00025.16.003 Rev1, Hard Landscape Proposals, received 14 January 2015;
- Drawing no.00210.00025.16.004 Rev1, Soft Landscaping Proposal, received 14 January 2015;
- Drawing no.00210.00025.16.005.0, Timber Fence and Gates, received 14 January 2015;
- Drawing no.414.00210.00 025.16.01, Plant Schedule, received 14 January 2015;
- Drawing no.DECH-ATK-Z0-XX-PL-E-4600, Electrical Services - External Lighting Light Spill', received 04 November 2014;
- Drawing no.C14730-C-01 RevP2, Drainage Layout - Preliminary, received 04 November 2014;
- Schedule of Luminaires by Atkins, received 14 January 2015;
- TR1 GRP Substation, received 14 January 2015;
- Tree Survey and Constraints Plan by Tim Pursey Arboricultural Consultant, received 14 January 2015;
- Arboricultural Method Statement and Tree Protection Plan by Tim Pursey Arboricultural Consultant, received 14 January 2015;
- Landscape Management Plan by SLR Global Environmental Solutions, received 14 January 2015;
- Environmental Noise Assessment by Atkins, dated 14 November 2014, received 20 November 2014; received 20 November 2014.

REASON:

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

- 13 **INFORMATIVE TO APPLICANT:**
The attention of the applicant is drawn to advice and guidance provided by the Wiltshire Fire & Rescue Service within their letter dated 17 November 2014.
- 14 **INFORMATIVE TO APPLICANT:**
The attention of the applicant is drawn to advice and guidance provided by the Wessex Water within their letter dated 07 November 2014.
- 15 **INFORMATIVE TO APPLICANT:**
The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
- 16 **INFORMATIVE TO APPLICANT:**
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the _____

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Application Number	14/10471/FUL
Site Address	Southfield House, Victoria Road, Devizes, Wiltshire. SN10 1EY
Proposal	Demolition of existing 42 place residential care home and construction of 47 new extra care apartments together with communal facilities.
Case Officer	Morgan Jones

Map



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REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	29 January 2015
Application Number	14/11572/FUL
Site Address	4 Turnpike Cottages, Hilcott, Pewsey SN9 6LQ
Proposal	Erection of a pair of attached 2-storey dwellings
Applicant	Mr & Mrs T & R Bailey
Town/Parish Council	NORTH NEWNTON
Division	PEWSEY VALE
Grid Ref	410781 158546
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by Committee

The application is before the Committee upon the request of the Division Member Councillor Oatway in order to consider the application of planning policies for new residential development in rural areas, and to consider the local support for the proposal.

1. Purpose of Report

The purpose of this report is to allow the Committee to consider the recommendation that planning permission is refused.

2. Report Summary

The main issues to be considered are:

- a) The principle of new residential development in the countryside
- b) The impact upon the rural character of the area
- c) The sustainability of additional new residential development in this location
- d) The amenity of the occupiers of the proposed dwellings adjacent to high voltage power lines

3. Site Description

The 0.22 hectare site forms part of the garden of 4 Turnpike Cottages, being off-set to the side of the cottage with a frontage of approximately 60 metres along Wilsford Road. Hilcott is designated in the Core Strategy as a Small Village. The site is located outside the built up areas of village. The site frontage comprises a mature rural hedgerow, with a grass verge and ditch alongside the road, which has no pedestrian footway.



Site Location

To the east, on the opposite side of the road runs a similar hedgerow and open farmland beyond. To the north and west lies an area of woodland, with the terraced Turnpike Cottages set to the south. The site itself is largely laid to grass with a row of coniferous trees through the site at right angles to the road.

4. Planning History

K/14428	Erection of a two-storey extension to the cottage	Approved
14/05680/FUL	Two semi-detached houses and garage building	Delegated refusal 7 August 2014

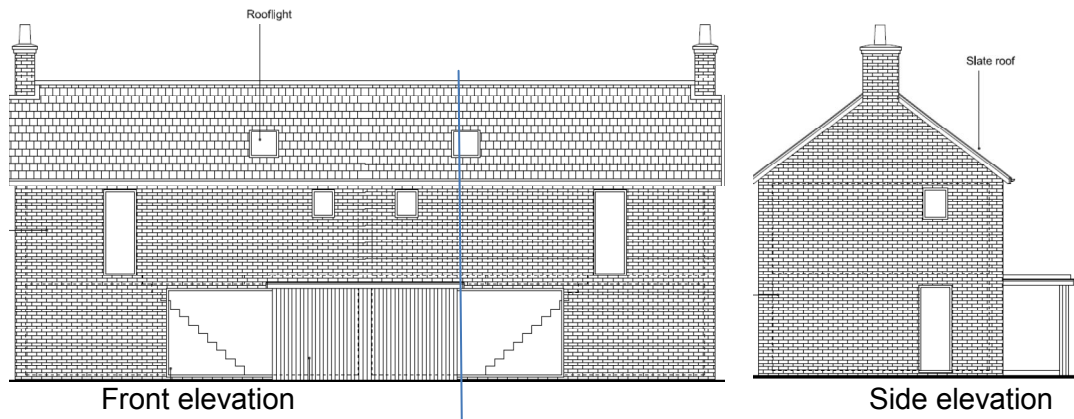
The application above earlier in 2014 was similar to the current proposal, and was refused for reasons relating to:

- 1) the detrimental impact on the character of Hilcott;
- 2) the unsustainability of the location for new residential development;
- 3) sub-standard visibility onto the Wilsford Road; and
- 4) the potential impact on residential amenity from noise from the overhead power lines.

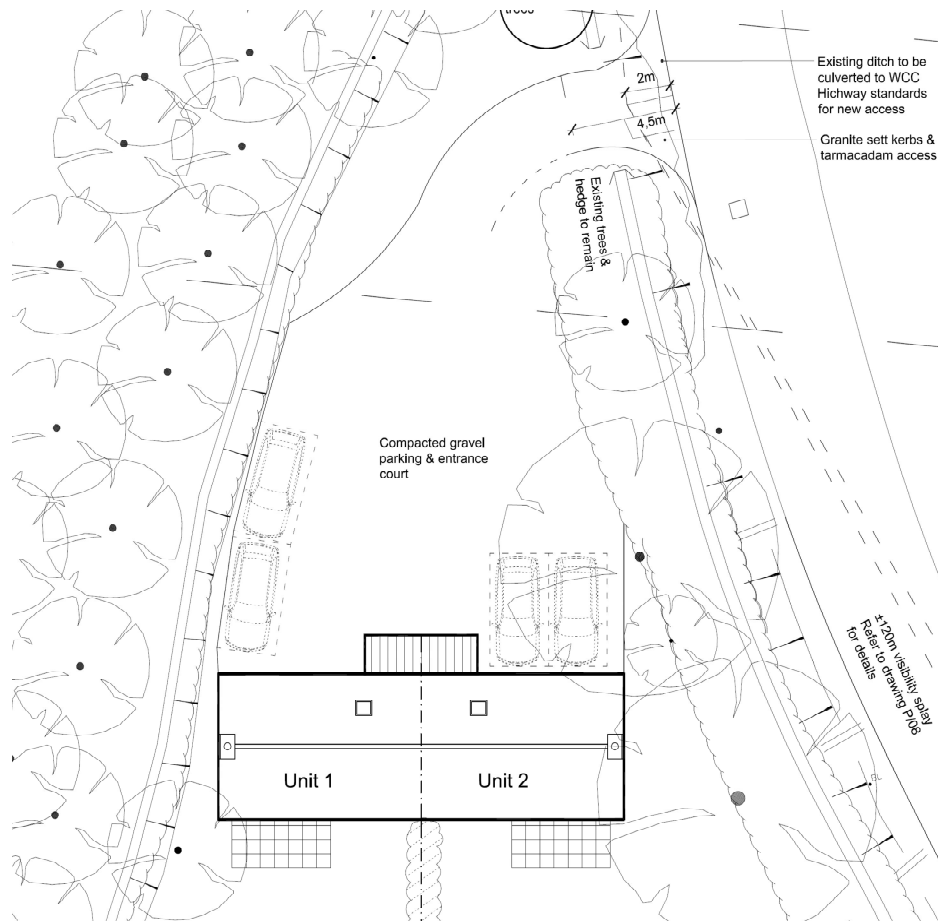
5. The Proposal

The proposal is similar to the previous application in proposing two 3-bedroom 2-storey attached houses set at right angles to the road. The dwellings would have a height of 7.35 metres and each would occupy a footprint of 54m² with internal floor areas of c. 85m².

The pair of properties would be of simple pitched roof form and brick/ slate construction with porches to the front.



The application seeks to address the previous third refusal reason above by way of revised road access with improved visibility splays. There is little change in the current application specifically in respect of reasons 1, 2 & 4 although the design and position of the dwellings and the parking arrangement have been altered.



Proposed site plan (part)

6. Local Planning Policy

Core Policy 18 of the Wiltshire Core Strategy identifies Hilcott as a Small Village which is defined in Core Policy 1 as having 'low level of services and facilities, and few employment opportunities' where there is a 'general presumption against development' unless it is

needed to help meet local housing needs (or to improve employment opportunities, services and facilities).

Core Policy 2 similarly directs that new housing will be developed in sustainable locations, and within the Small Villages, will be limited to infill within the existing built area, where, in order to be supportable, the development must seek to meet housing needs of the settlements and respect the character and form of the village without elongating the village or imposing development in sensitive landscape areas, and which does not consolidate an existing sporadic loose knit area of development. For the purposes of Core Policy 2, 'infill' is defined as 'the filling of a small gap within the village that is only large enough for not more than a few dwellings, generally only one dwelling.' The policy text highlights that exceptions to this approach will only be considered through the neighbourhood plan process or site allocation DPD's.

Outside the built up area of the small villages, residential development is generally only supported in order to meet needs for affordable housing (Core Policy 44) or to support employment essential to the countryside (Core Policy 48).

The policies of the Core Strategy must be considered to be fully compliant with the National Planning Policy Framework having been found sound following their examination in public. In respect of new housing in rural areas, the policies of the Core Strategy accord with national policy for the recognition of the intrinsic beauty and character of the countryside and the 'great weight' that needs to be attributed to the need for conserving the landscape and scenic beauty of the North Wessex Downs AONB, as well as the need to ensure that new housing is developed in areas that are well served by local services and facilities so as to minimise the need for travel.

Considering all issues, the following policies of the Wiltshire Core Strategy are relevant to the proposal:

CP1	Settlement strategy
CP2	Delivery strategy
CP18	Pewsey Area Strategy
CP41	Sustainable construction and low carbon energy
CP43	Providing affordable homes
CP44	Rural exception sites
CP45	Meeting Wiltshire's housing needs
CP48	Supporting rural life
CP50	Biodiversity and geodiversity
CP51	Landscape
CP57	Ensuring high quality design and place shaping
CP60	Sustainable transport
CP64	Demand management
CP65	Movement of goods
CP67	Flood risk

7. Summary of consultation responses

North Newton Parish Council:

No comments received at the time of drafting the report. Comments are anticipated prior to the meeting of the planning committee and Members will be updated verbally at the meeting. It is understood that the parish council is likely to support the application.

North Wessex Downs AONB Unit – note that the site is not an infill site and is in a sporadic loose knit part of the village outside the built up area of the village.

National Grid – no objection as the separation of the dwellings from the power lines meets its safety standards.

Wiltshire Council Highway Officer - no objections subject to conditions to secure suitable access arrangements and parking provision.

Wiltshire Council Environmental Health Officer – concerns regarding amenity aspects arising from the proximity to the high voltage overhead power lines and the potential for noise disturbance, but no objection raised as noise levels would be unlikely to exceed levels recommended by the World Health Organisation.

Wiltshire Fire & Rescue – no objection, but recommend installation of a domestic sprinkler system.

8. Publicity

Two letters of objection have been received from local residents raising the following points:

- A) Contrary to the development plan as outside the built up area of the village
- B) Disturbance to the wide variety of wildlife that inhabits the area,
- C) Lack of need demonstrated by difficulties in selling several similar properties,
- D) Lack of facilities in the village for new homes,
- E) Contrary to policies for sustainable development,
- F) Detrimental to the character and beauty of the North Wessex Downs AONB,
- G) Road safety issues, and
- H) Precedent for further development of the area.

9. Planning Considerations

The main issue is the acceptability of residential development in this rural location taking into account the lack of local services and amenities, the location outside the built up area of the village, and the resulting impact on the rural character and landscape of the area and the North Wessex Downs AONB.

9.1 Principle of development

The vision and policies of the Wiltshire Core Strategy seek to concentrate new residential development in areas well served by local services and facilities so as to reduce the needs for travel. The Core Strategy thus sets a presumption against development outside villages in rural areas unless for a number of excepted circumstances, none of which apply in this instance.

The applicant maintains that the site is within the village, and furthermore that it is within the built up area of the village, and thus an 'infill' development. There is no basis or justification for this however. The village does not have a defined boundary in the Core Strategy, but has three small but distinct clusters of development. Turnpike Cottages is at the northern edge of a cluster of development around the village crossroads. Northwards beyond the cottages lies

farmland and woodland providing a clear undeveloped gap from the development to the north at Bottlesford. The development would extend into this gap. Whilst the application site is part of the curtilage of 4 Turnpike Cottages, the NPPF makes clear that gardens do not fall within the definition of 'previously developed land' and that they should thus be considered as 'greenfield' sites. The site is thus outside the built up area of the village, does not comprise 'previously developed land', does not constitute an infill site and its development would elongate the village. As such the principle of the development is unacceptable under Core Policies 1, 2 and 48 in the Wiltshire Core Strategy.

9.2 Sustainability of location

Core Policy 60 provides that the Council will use its planning powers to help reduce the need to travel particularly by private car through measures such as planning development in accessible locations. Hilcott has no services, amenities and facilities to speak of, other than a village hall and bus stop for the 'Line 2' bus service to/ from Pewsey. As such the occupants of the dwellings would likely be heavily dependent on the use of private cars for day-to-day activities and journeys. The site location thus does not contribute towards the aims of sustainable development. Development of the site would thus be contrary to Core Policy 60.

9.3 Impact on the character of the area

Hilcott has no single built up village centre, but rather comprises a number of small built up areas separated by areas of farmland, woodland, paddocks etc.

In terms of landscape, the Kennet Landscape Character Assessment identifies the 'essentially rural, agricultural character' of the Pewsey Vale and notes as a principal threat and issue 'the influence of built development on the fringes of settlements'. The assessment identifies the need to guard against the 'coalescence of linear settlements' within the Vale. The North Wessex Downs AONB landscape character assessment similarly notes as a key issue 'intense development pressures, particularly for new housing - impact on the character of the villages and their edges' with the landscape objective being 'to maintain the pattern of discrete small villages set within a quiet rural landscape'.

Whilst the application proposes to retain the roadside hedge, the housing on the site would be clearly evident from within the street by reason of a c. 5m gap in the hedge and driveway, and views through and above the hedging, particularly in winter. The development would result in the encroachment of development into an undeveloped rural area that forms a noticeable gap between areas of settlement, and would extend the development at the crossroads in Hilcott towards the built-up area to the north (Hilcott/ Bottlesford). As such, the spread of development outside a built up area, and reduced physical and visual separation from adjoining areas of settlement would be detrimental to the rural character of the area and the landscape of the North Wessex Downs Area of Outstanding Natural Beauty.

The pair of dwellings would also be sited at right angles to the street, and whilst the applicant suggests that this is a characteristic of development in the area, it would be out of keeping with the area in terms of the general character and grain of development around the Hilcott crossroads where dwellings predominantly face and address the street as a ribbon of development. As such, if the principle of developing the site as an extension to the built up area were acceptable (for example as an outcome of the neighbourhood planning process),

the form of development currently proposed would fail to reinforce the sense of place and character of Hilcott, and as such would be contrary to the design policies of Core Policy 57 in the Wiltshire Core Strategy.

9.4 Sustainable design and construction

Core Policy 41 seeks a minimum compliance with Level 4 of the Code for Sustainable Homes in the design and construction of new homes. The application does not include any details on sustainability although it is noted that the majority of windows in the dwellings would be south-facing to maximise solar gain and the use of natural light. The applicant has confirmed however that the dwellings would be able to achieve this standard, and this could be secured by way of planning conditions in the event that planning permission is granted.

9.5 Ecology

A respondent raises concerns regarding the impact of the development on wildlife in the adjoining woodland. The site itself however is of limited ecological value, comprising close-mown grass. Boundary hedging and trees would be retained and additional planting is proposed such that it is concluded that there would be no ecological impact sufficient to substantiate a refusal of permission.

9.6 Salisbury Plain Special Protection Area

The site is within the 15km visitor catchment area for the European designated Salisbury Plain Special Protection Area, designated for the protection of Stone Curlews. Mitigation is currently only required for developments of 10 or more dwellings.

9.7 Residential amenities

The rear windows would look towards the rear garden of 4 Turnpike Cottages. The 16m garden depths with boundary hedging to be planted would be sufficient to avoid any material degree of overlooking of the garden area. There would be over 30m distance between the proposed rear windows and the windows in 4 Turnpike Cottages, and they would have an angled relationship to avoid any direct view between windows so as to avoid any overlooking between windows serving living accommodation.

Core Policy 57 requires proposals to ensure that appropriate levels of amenity are achievable within the development. The proposed garden depths of 16m would be proportional to, and provide an adequate level of private garden space for the 2 dwellings. The internal floor area of 85m² for each dwelling however is in accordance with minimum national recommendations for internal floor space being proposed by the government (but not yet adopted).

The Council's Environmental Health Officer raises concerns over noise impacts from the high voltage power lines passing above the site, but raises no objection as noise levels are likely to remain with World Health Organisation recommendations.

Whilst there may also be concerns regarding the impact of electromagnetic fields around the cables, currently no causal link has been established with ill health through diseases such as cancer so as to prevent the development. The National Grid is satisfied that the proposal

meets its safety standards but nonetheless advises that there can be good amenity reasons, not associated with electro-magnetic fields, to avoid building residential properties under overhead power lines wherever possible. Whilst there are no clear amenity reasons associated with the overhead cables to warrant refusal of the application, it is an issue that suggests that any housing need in Hilcott would be better met elsewhere, and as such the position of the dwellings adjacent to the power lines fails to provide support in favour of developing the site.

9.8 Access and parking

The Council's Highway Officer is satisfied that the revised access arrangements would provide for adequate visibility at the junction with Wilsford Road. The officer is also satisfied that adequate on-site parking and turning space could be provided. The details of the access, parking and turning arrangements could be secured by planning conditions in the event that planning permission is granted.

9.9 Flood risk and drainage

The site is not in an area of known flood risk. Planning conditions could ensure that the gravel driveway is maintained of permeable construction, and the need for Land Drainage Consent would ensure satisfactory bridging or culverting of the roadside ditch. The development would thus have an acceptable drainage and flood risk impact.

9.10 Housing need

The Core Strategy sets the approach for housing delivery within the area up to 2026, with a 137 further dwellings yet to be identified within the Pewsey Community Area. The aim of the Core Strategy is that these dwellings are to be concentrated in Pewsey and the Large Villages. The Core Strategy provides that housing outside built up areas (other than exceptions such as farm worker dwellings or affordable housing) shall only be provided through the neighbourhood plan process or site allocation DPD's, the process for which allows full sustainability appraisal in the choice of sites.

The application promotes the dwellings as being 'affordable' by reason of their modest proportions. They would be for sale on the open market however and as such do not meet the definition of affordable housing so as to be supported by policy Core Policy 44. In any event, the Council's Housing Needs Register currently only shows 1 household in the parish of North Newton with a housing need, which is a need for a 1 bedroom house rather than the 3-bedroom dwellings proposed. There is thus nothing in terms of local housing needs to offer any significant support for the proposal.

Notwithstanding the above it is also to be noted that in accordance with the NPPF, any identified shortfall in housing provision within the North Wessex Downs AONB does not provide a presumption in favour of development.

10. Conclusion (The Planning Balance)

The application site is outside the built up area of the village and would not comprise infill development. The principle of residential development is contrary to the vision and policies

of the Wiltshire Core Strategy for sustainable development, and the policies for protection of the countryside and landscape of the North Wessex Downs AONB. Whilst the development would provide 2 additional dwellings to meet the general needs of housing within the wider area, there is nothing in terms of local housing need or the level of amenity provided by houses in proximity to the high voltage power lines that supports the proposals so as to warrant approval contrary to the development plan.

RECOMMENDATION

That planning permission be REFUSED for the following reasons:

- 1 The development would not constitute 'infill' and would occupy a countryside location beyond the built up part of the village of Hilcott (identified as a 'small village' in Core Policy 18 of the Wiltshire Core Strategy). It would therefore conflict with Core Policies 1, 2 and 48 of the Wiltshire Core Strategy, which sets a presumption against development outside of the villages in rural areas unless for a number of exceptional circumstances, none of which apply in this instance.

Furthermore, the development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private cars for the majority of routine journeys, contrary to the principles of sustainable development set out in Core Policies 1, 2 and 60 of the Wiltshire Core Strategy.

- 2 The siting and layout of the development set perpendicular to the road would be out of keeping with the general character of development around the crossroads of Hilcott and would elongate the built up area of the village into open countryside and towards the neighbouring built up area to the north, thereby eroding the separation between built up areas to the detriment of the rural character of the area and the landscape and scenic beauty of the North Wessex Downs AONB contrary to Core Policies 2, 51 and 57 of the Wiltshire Core Strategy.

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Application Number	14/11572/FUL
Site Address	4 Turnpike Cottages, Hilcott, Pewsey. SN9 6LQ
Proposal	Proposed two semi-detached houses.
Case Officer	Nick Clark

Map



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REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 3

Date of Meeting	29 January 2015
Application Number	14/10281/FUL
Site Address	Land at Home Farm, Woodland Road, Patney, Devizes SN10 3RD
Proposal	Erection of 2 no. detached dwellings, with associated parking, turning, landscaping, improvements to existing access arrangements; and extension to the residential curtilage to No. 45 Woodland Road.
Applicant	Mr & Mrs A Snook
Town/Parish Council	PATNEY
Division	PEWSEY VALE
Grid Ref	407171 158836
Type of application	Full Planning
Case Officer	Eileen Medlin

Reason for the application being considered by Committee

The Division Member Cllr Paul Oatway has called the application to committee to open up the application to public debate.

1. Purpose of Report

To consider the recommendation that planning permission be refused.

2. Report Summary

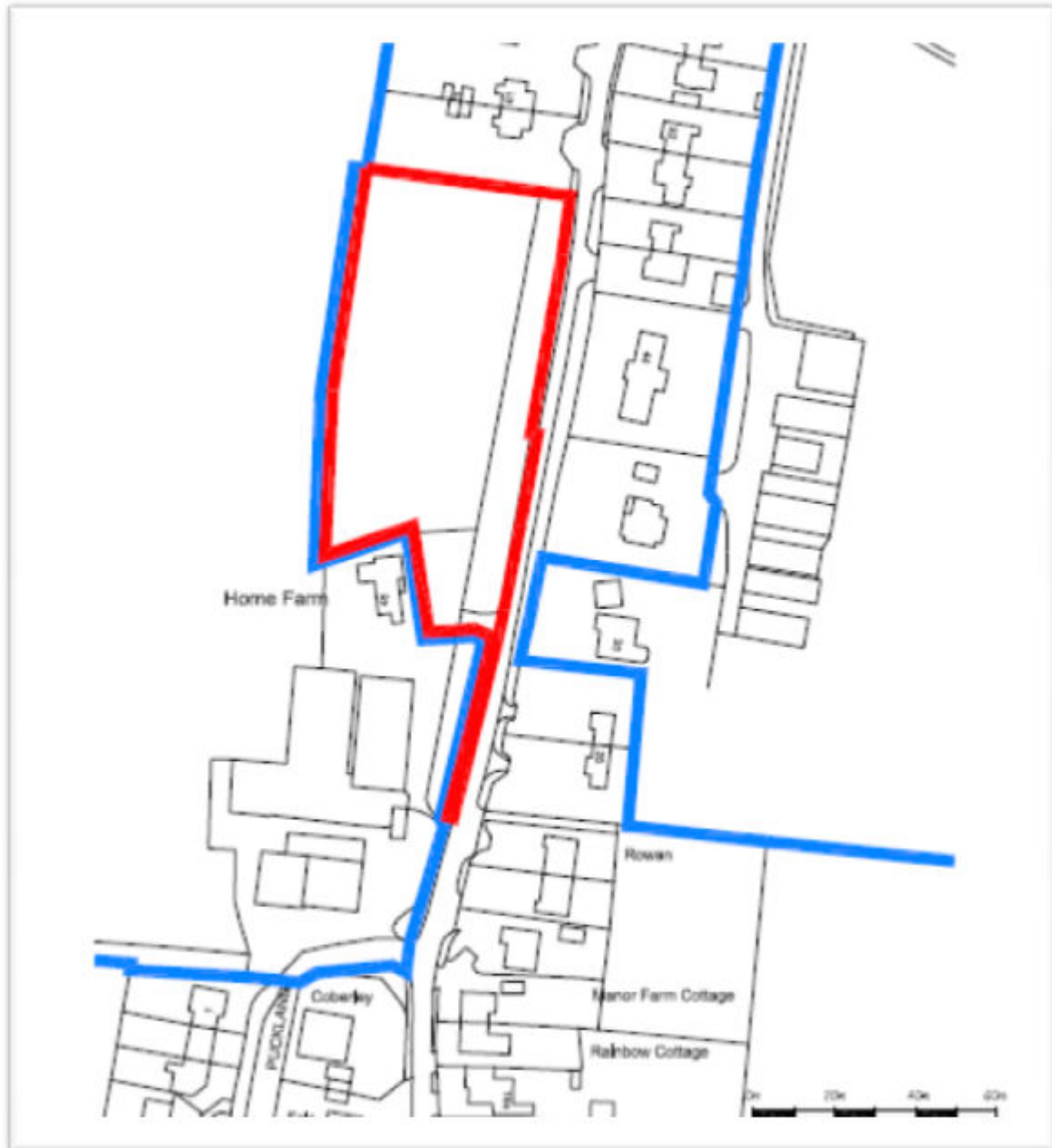
The main issues to consider are:

- The principle of development
- Impact on character of the landscape and special quality of the North Wessex Downs AONB (NWB AONB)
- Impact on trees

3. Site Description

The application site is located to the north of Home Farm, on the western side of Woodland Road. It is currently a large agricultural field with a significant belt of trees along its eastern boundary. A provisional Tree Preservation Order was put in place on 4 December 2014 to protect the trees on the site, as they are considered to be of high amenity value. As a consequence, no tree works/removal will be permitted without permission from the local

planning authority. To the east of the site is open countryside and to the north the site is separated from open countryside by a pair of semi-detached houses.



Site Location

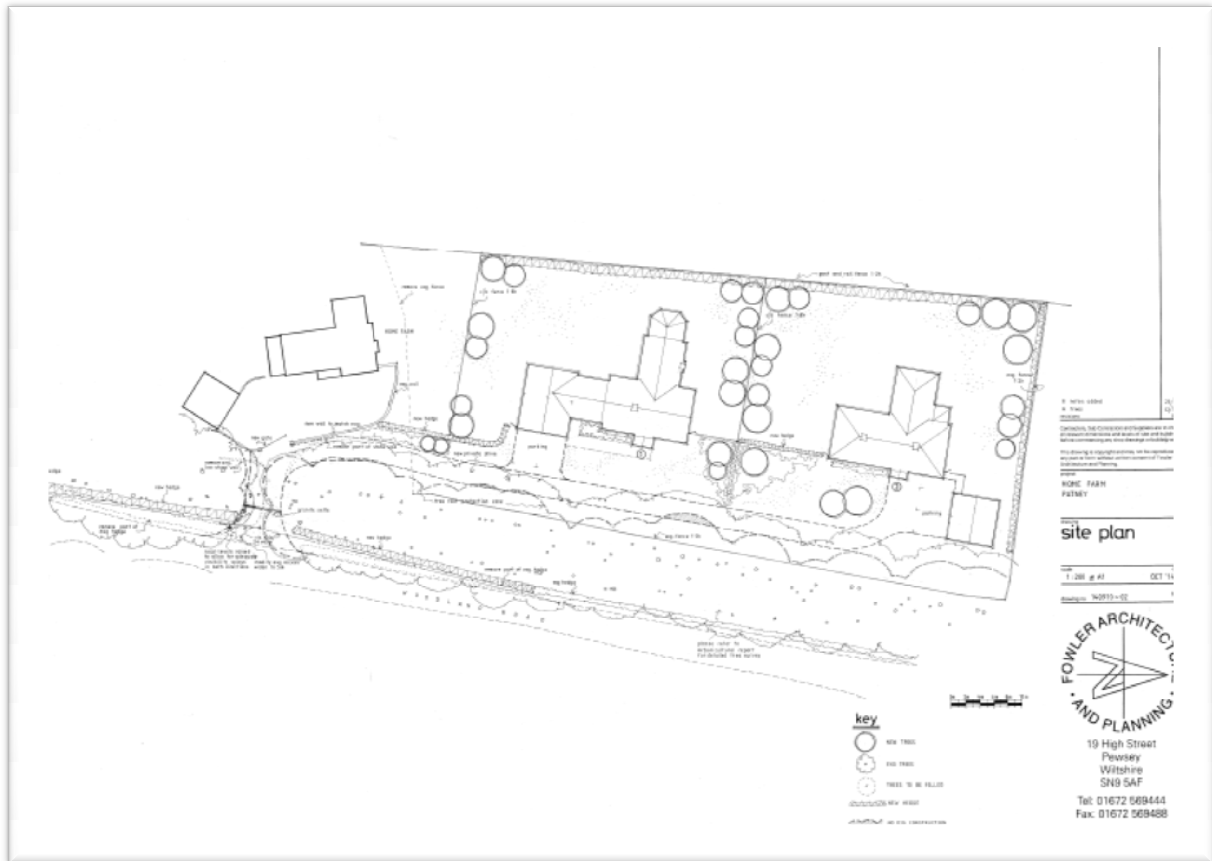
4. Planning History

K/76/0180 - erection of new farm house and farm buildings, granted in June 1976. The planning permission included an agricultural occupancy condition.

5. The Proposal

The application proposes the erection of 2 no. detached dwellings, with associated parking, turning and landscaping. The plots would be accessed via the existing access to Home

Farm, which would be widened as part of the application and visibility splays improved through the removal of some of the trees and re-siting of an existing hedgerow. The application also proposes an extension to the residential curtilage to No. 45 Woodland Road to the north which would widen the plot for that house.



Proposed Site Layout Plan

6. Planning Policy

Development Plan context

It is anticipated that the Wiltshire Core Strategy (WCS) will be adopted at the special council meeting on 20 January 2015. At that time, the WCS will be afforded 'Full Weight' in planning terms. In the interim, in the light of its imminent adoption, and following publication of the Inspector's Report in December 2014, it is the Council's policy that for the purposes of decision making "very significant weight" must be accorded to the Emerging Core Strategy.

At the time of writing this report, the situation is that:

- a. **Adopted development plan** – The Kennet Local 2004 is the adopted development plan covering the area in which the development site is located. The development plan also includes the Swindon and Wiltshire Waste and Minerals Core Strategies and their subservient DPD's.
- b. **Emerging development plan** – The emerging Wiltshire Core Strategy 2014 will supersede a number of the policies in the Kennet District Plan. Those policies which will continue to be saved are listed in Appendix D of the emerging Wiltshire Core Strategy.
- c. **Neighbourhood Planning** – No neighbourhood plan proposed for Patney.

National Planning Policy context

The **National Planning Policy Framework (NPPF)** was introduced as a principal material consideration in the determination of planning applications in March 2012. It introduces the presumption in favour of sustainable development at paragraph 14 as a 'golden thread' running through plan making and decision taking.

The NPPF is clear in stating that '*planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise*'. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Paragraph 17 of the NPPF sets out the core planning principles and paragraphs 18-219 constitute what sustainable development means in practice. The sections of the NPPF that are considered relevant to this application, as well as paragraphs 14 and 17, are:

- Building a strong, competitive economy
- Delivering a wide choice of high quality homes
- Conserving and enhancing the natural environment
-

Planning Practice Guidance (PPG) has been prepared by to assist with interpretation of the policies contained within the NPPF.

7. Summary of consultation responses

Wiltshire Council Highways Officer – no objection, subject to conditions regarding visibility, surface water and parking.

Wiltshire Council Arboricultural Officer – requested an Arboricultural Impact Study, Root Protection Plan and any mitigation in support of the application. A provisional Tree Preservation Order has also been placed on belt of trees on the eastern boundary of the site. Additional information was provided to the satisfaction of the Arboricultural Officer. However, he remained disappointed at the number of trees required to be removed to facilitate access.

Wiltshire Council Ecology Officer – No objection subject to informative.

Patney Parish Council – Supports the application.

The North Wessex Downs AONB unit – Object - This proposal would result in development not within the built up area of this small village and it would consolidate an existing sporadic, loose knit area of development and impose development in a sensitive landscape area (the nationally protected NWD AONB). Patney has few services and facilities and so this would also be an unsustainable location for new housing development. The development of this site would result in a new urbanising influence and change of character to this part of the AONB including from views from the wider open landscape, including from the public right of way to the south and west of the site. This proposal is considered to be contrary to the purposes of conserving and enhancing the NWD AONB as confirmed within the emerging Core Strategy, the emerging NWD AONB Management Plan and the NPPF.

Wiltshire and Swindon Fire and Rescue Service – sets out requirements identified under B5 of Approved Document B relating to The Building Regulations 2010 and recommendations to improve safety and reduce property loss in the event of fire.

8. Publicity

Eleven letters have been received in response to consultation on this application, 6 in objection, 4 in support and 1 neutral. The main comments are summarised below:

Object:

- Conduct of the Parish Council
- Party held by applicants should not be considered a public meeting
- Loss of view and outlook
- Loss of privacy
- Noise and disturbance
- Increase in traffic
- Dead trees to be removed should be replaced
- Not infill development
- Results in the loss of huge swathes of agricultural land
- Consolidates existing sporadic loose knit development
- Not effective use of land
- Not contributing the sustainable transport
- Would detract from character and appearance of the area
- Object in principle
- Not meeting the needs of the village; commercialising on agricultural land
- Trees need to be properly protected to ensure the development does not result in their loss
- Set a precedent for further development
- Housing supply in the area is being met by bigger developments in Devizes etc.

Support:

- Development screened by an existing belt of trees.
- The plots are infill between two existing houses
- Reasonable development to diversify farming
- Sympathetically designed to blend in with the surrounding village.
- A positive step for Patney.
- Applicants and application will provide work for local tradesmen
- Development would bring extra people to support the local economy and infrastructure
- Good design

Neutral

Ensure trees and associated wildlife are protected as part of the application

9. Planning Considerations

9.1 The Development Plan

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

The Development Plan for Wiltshire Council is currently in a period of transition as the Wiltshire Core Strategy approaches adoption. At the time of writing, the emerging Wiltshire Core Strategy can be given very significant weight as the Planning Inspector examining the Core Strategy has submitted his final report to the Council and has found the Core Strategy to be sound, opening the way for it to proceed towards adoption. The adoption of the Core Strategy is scheduled to be discussed at the Council meeting on 20 January 2015. Consequently, it is likely that the emerging Core Strategy will have full weight when this application is being discussed at committee on the 29 January 2015.

The policies in the adopted Kennet District Plan are still relevant until the adoption of the Core Strategy but very significant weight can be given to those in the emerging Core Strategy at its current advanced stage. A number of detailed policies within the Kennet Local Plan will not be superseded by the Core Strategy and will continue to be relevant following adoption.

The Development Plan also consists of the Wiltshire and Swindon Minerals and Waste Core Strategies and subservient Development Plan Documents (DPD's) and proposals map.

NPPF paragraph 49 identifies that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of housing. The latest assessment of housing land supply in Wiltshire demonstrates that a sufficient land supply exists to demonstrate a five year housing land supply. The Wiltshire Core Strategy Examining Inspector's report also confirms a five year housing land supply. Therefore, paragraph 49 of the NPPF is not engaged and the development plan policies are considered to be up to date.

9.2 Principle of the development

Core Policies 1 (Settlement Strategy), 2 (Delivery Strategy) and 3 (Infrastructure Requirements) of the Wiltshire Core Strategy set out how the spatial strategy for Wiltshire will be delivered..

9.2.1 Core Policy 1: Settlement Strategy

Core Policy 1 sets out the settlement strategy for Wiltshire, identifying four tiers of settlement namely:

- Principal Settlements
- Market Towns
- Local Service Centres
- Large and Small Villages.

The policy directs housing development toward the towns and villages identified in the relevant area strategies according to their hierarchy within the settlement strategy.

Patney is located within the Community Area for Pewsey but is not identified as a village in Core Policy 18 (Spatial Strategy for Pewsey Area). Topic Paper 3: Settlement Strategy and addendums, January 2012 sets out the approach to categorising the hierarchy of settlements. Patney, whilst identified in the Kennet Local Plan as a 'small village with limited facilities' is not identified as a small village in the Core Strategy. It was removed from consideration because of the lack of basic facilities available in the settlement.

As Patney is not identified as a small village within the Wiltshire Core Strategy, the settlement strategy does not envisage further housing growth in this location. The site is considered to be in open countryside for the purposes of applying planning policy.

9.2.2 Core Policy 2: Delivery Strategy

Core Policy 2 sets out the delivery strategy. The Core Strategy advises that a number of sources of supply have been identified for new housing in Wiltshire including through future Site Allocations DPD's and neighbourhood plans.

Core Policy 2 also advises that,

'At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- i) Respects the existing character and form of the settlement*
- ii) Does not elongate the village or impose development in sensitive landscape areas, and*
- iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.'*

Patney is not identified as a small village within the settlement strategy and as such the criteria applicable to small villages do not apply. Notwithstanding this, it is worth noting that the development is not considered to constitute 'infill' within the existing built up area as the site is an agricultural field which could accommodate approximately 5 dwellings. The plots of 46 to 56 Woodland Road (6 dwellings) occupy a similar area of land.

Given the size of the site and its location (with only an agriculturally tied property to the south, a modest pair of semi-detached properties to the north and open countryside with no defined field boundary to the west), it is considered that it does not fall within the built up area of the settlement nor would it constitute infill development of the scale envisaged by Core Policy 2. Furthermore, it would consolidate an existing sporadic loose knit area of development on the western side of Woodland Road. The site effectively separates Home Farm from the two dwellings which are the last on this side of the road. The housing in the settlement fronting Woodland Road is occasionally interrupted by agricultural fields which extend to the road boundary, as with the application site, and this contributes to the loose knit character of the settlement.

The criteria for small villages in Core Policy 2 reflect those in Policy HC24 which will be superseded on adoption of the Core Strategy. It is considered that the proposals would also fail to meet the requirements of HC24 for the reasons given above.

The relevant exception policies set out in paragraph 4.25 are

- Rural exception sites (Core Policy 44)
- Specialist accommodation provision (Core Policies 46 and 47)
- Supporting rural life (Core Policy 48)

The proposal is for two open market housing units and would not meet the requirements of the above exception policies as it is not 100% affordable housing, does not provide specialist accommodation and is not essential for agriculture or forestry.

It is also necessary to consider whether there are any other material considerations that should be taken into account in considering the principle of development on this site at this time. One of these is the question of five year housing supply. If the Council cannot demonstrate a five year housing land supply, the NPPF advises that planning policies for housing should not be considered up to date, and planning permission should be granted unless 'adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole'. Currently, the Council considers that it has a five year land supply for the housing market area within which the site sits. This has been endorsed by the findings of the Core Strategy Inspector. The provision of the NPPF therefore does not engage and the in principle objection to the scheme is maintained.

9.23 Core Policy 3: Infrastructure Requirements

The application site is below the threshold for seeking formula based S106 contributions as set out in the PPG and no site specific infrastructure improvements are required.

Core Policies 1, 2, 3 and the exceptions policies will supersede the following policies relevant to this application:

HC1 Strategic housing provision

HC24 Villages with limited facilities

HC26 Housing in the countryside

NR6 Sustainability and protection of the countryside

9.24 Core Policy 18: Spatial Strategy for Pewsey Community Area

A modest level of housing growth is planned in the Pewsey Community Area. Table 5.11 of the Core Strategy advises that a further 137 units are required to meet the housing needs of the area to 2026. Policy 8 advises that this should be achieved in accordance with the settlement strategy set out in Core Policy 1.

9.3 Protection and Enhancement of the Natural, Built and Historic Environment

9.3.1 Core Policy 51: Landscape

Core Policy 51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character. The term 'landscape' in this policy is used to refer to both the built, historic and natural environment in urban and rural areas.

The policy advises that proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:

- i. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies
- ii. The locally distinctive character of settlements and their landscape settings
- iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe
- iv. Visually sensitive skylines, soils, geological and topographical features
- v. Landscape features of cultural, historic and heritage value
- vi. Important views and visual amenity
- vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion
- viii. Landscape functions including places to live, work, relax and recreate, and

ix. Special qualities of Areas of Outstanding Natural Beauty (AONB's) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.

The site is within an agricultural field in the North Wessex Downs AONB. The proposal would consolidate existing sporadic loose knit development which is characteristic of the settlement and as such it is considered that the proposal would detract from the local distinctive character of the settlement and as such the surrounding AONB. It is further considered that the site layout fails to take adequate consideration of the tree belt adjacent the site and its relationship to the proposed dwellings. This is considered further under Core Policy 57.

This policy supersedes Kennet Local Plan policy NR7 Protection of the landscape.

9.3.2. Core Policy 57: Ensuring High Quality Design and Place Shaping

This policy addresses the design of new developments.

Policy 57 states that a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. The policy set out that applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through meeting the criteria set out in the policy. The indicative layout is assessed against these criteria below:

i. Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced

The development would consolidate existing sporadic loose knit development and as such is considered to conflict with the above policy requirement.

ii. The retention and enhancement of existing important landscaping and natural features, (for example trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development

Natural features on the site such as the existing tree belt to the east of the site are to be retained. However, it is considered that the proposed site layout fails to take adequate consideration of this dominant landscape feature. The access driveway would encroach into the root protection area of some of the trees which is unfortunate, particularly as the scale of development proposed could potentially be achieved without encroachment, which in turn would have negating the need for hand dig areas as proposed in the Arboricultural Report.

iii. Responding 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

As with ii above it is considered that the proposed building layouts fails to give adequate consideration to the existing tree belt to the east of the site. The front elevations of the proposed houses would look onto the tree belt which due to its size and density would block the morning sun from the front gardens of the proposed houses and the windows in the principal elevation leading to future pressure to fell trees within the belt. The Design and Access Statement submitted with the application does not set out how the presence of this natural and prominent landscape feature has been taken into account in planning for the

layout of the proposed development. As such it is considered that the proposal would conflict with the above policy requirement.

v. The maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41

The proposed buildings are orientated east to west in keeping with the prevailing building line. In keeping with this, the principal windows to habitable rooms are primarily facing east or west with those windows on the southern elevation either serving non habitable rooms or are secondary windows in habitable rooms. Given the impact of the existing tree belt it is considered that buildings and spaces have not been orientated to maximise benefit from sunlight and passive solar energy.

9.4 Other Issues

9.4.1 Addressing Climate Change

Core Policy 41 of the Wiltshire Core Strategy identifies how sustainable construction and low-carbon energy will be integral to all new development in Wiltshire. In doing so this policy sets the framework for meeting a number of national and local priorities (for example Part L of the current Building Regulations) that seek to achieve sustainable development and conserve natural resources. This policy will help to reduce Wiltshire's contribution to climate change through improved design and construction methods.

The policy requires all new housing development to achieve Level 4 of the Code for Sustainable Homes. This can be secured by condition in the event that planning permission is granted.

9.4.2 Providing everyone with access to a decent affordable home

Core Policy 43 sets out when affordable housing provision will be required and indicates the proportions which will be sought from open market housing development. The threshold in the Core Strategy for seeking affordable housing is 5 units. The proposal falls below this threshold. Furthermore, recent changes to the PPG advise that affordable housing contributions should not be sought on sites comprising 10 dwellings or less.

Core Policy 43 will supersede policies HC28: Affordable homes target and HC29: Definition of affordable housing.

Core Policy 45 provides the basis for considering dwelling type, density and mix of housing to be built. Two 4 + bed market housing units are proposed. A mix of units would not be required on an application of this scale.

Core Policy 46 requires developers to demonstrate how their proposals respond to the needs of an ageing population.

9.4.3 Core Policy 50: Biodiversity and Geodiversity

Core Policy 50 advises that development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale.

The Council's Ecologist has commented on the application and has advised that the site location appears to be contained wholly within an area of improved grassland on the edge of an arable field. These are both habitats of low ecological concern and unlikely to support any sensitive wildlife species. It was noted that the line of trees at the eastern edge of the site boundary will be retained and that a root protection zone has been shown on Drawing

No. 140910-02. As such, the Council's Ecologist considers that the integrity of the trees and subsequently their function for biodiversity will be retained within the development.

It is therefore considered that the proposals do not conflict with Core Policy 50.

This policy supersedes Policy NR4: Nature conservation outside designated sites.

vi. Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area

The application proposes two large houses on substantial plots. This is not uncharacteristic of the area where there are a mix of building styles, sizes and plot sizes. The site could accommodate more dwellings but on balance no objection is raised on this basis.

vii. Having 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 (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)

The site is surrounded by agricultural and residential uses. It is considered that the proposed dwellings are sufficiently distant from existing residential properties and would not give rise to unacceptable levels of overlooking, loss of privacy etc. nor would they have an overbearing appearance when viewed from neighbouring properties.

xii. The use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm

In the event that planning permission is granted, materials can be required by condition.

Overall it is considered that the design and layout of the proposed dwellings do not respond positively to their landscape setting, fail to take account of important natural features on the site and fail to maximise benefits for passive solar gain contrary to the requirements of Policy 57.

This policy supersedes policies PD1: Development & Design and HC7: Housing layout

9.4.4 To ensure that essential infrastructure is in place to support our communities - Core Policy 60, 61, 62, 64: Transport

Core Policy 60 advises that the Council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire.

Core Policy 61: Transport and New Development, advises that new development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives. This policy also sets out the areas to be addressed in a required Transport Assessment, the requirement for safe access to the highway, contributions towards sustainable transport improvements and the use of travel plans.

Core Policy 62: Development Impacts on the Transport Network, advises that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

Core Policy 64: Demand Management, refers to residential car parking standards.

As the site is located outside identified limits of development it would fail to contribute to sustainable transport as required by Core Policy 60. Notwithstanding the above officers consider that adequate access to the site can be achieved.

These policies replace policies AT1: Transport appraisal process and AT9: Motor vehicle parking standards

10. Conclusion

The proposal conflicts with the Development Plan for the area as the application site is not identified as an appropriate location for future housing development in the Settlement and Delivery Strategies. Furthermore the development of the site would lead to an undesirable consolidation of sporadic development which would have an adverse impact on the landscape character of the village of Patney and the AONB. It is also considered that the proposed site and building layouts fail to adequately consider important landscape features and as such would lead to future pressure to prune or fell trees in a tree belt which is an important and dominant feature in the local landscape.

RECOMMENDATION

That planning permission be REFUSED for the following reasons:

- 1 The application site is not identified as an appropriate location for future housing development in the 'Delivery Strategy' and 'Settlement Strategy' set out at Core Policies 1 and 2 of the Wiltshire Core Strategy. It would therefore constitute unsustainable development to which no exceptional circumstances apply that may otherwise warrant the proposal acceptable.

 Furthermore, the proposed development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private cars for the majority of routine journeys. It would therefore be contrary to Core Policies 1, 2, 48 and 60 of the Wiltshire Core Strategy.
- 2 The proposed development would result in an undesirable encroachment into the countryside and a consolidation of sporadic loose knit development. This would have an adverse impact on the landscape character of the village of Patney and the special qualities of the North Wessex Downs Area of Outstanding Natural Beauty, which would be contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy.
- 3 The proposed development fails to adequately consider important landscape features and as such would lead to future pressure to prune or fell protected trees in a tree belt which is an important and dominant feature in the local landscape. This would be contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy.

Application Number	14/10281/FUL
Site Address	Land at Home Farm, Woodland Road, Patney, Devizes. SN10 3RD
Proposal	Erection of 2 no. detached dwellings, with associated parking, turning, landscaping, improvements to existing access arrangements; and extension to the residential curtilage to No. 45 Woodland Road.
Case Officer	Eileen Medlin

Map



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REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 4

Date of Meeting	29 January 2015
Application Number	14/09307/ADV
Site Address	Roundabout South of 248 High Street, Burbage SN8 3AR
Proposal	5 free standing non illuminated sponsorship signs
Applicant	Wiltshire Council
Town/Parish Council	BURBAGE
Division	BURBAGE AND THE BEDWYNS
Grid Ref	423055 160738
Type of application	Full Planning
Case Officer	James Taylor

Reason for the application being considered by Committee

This is a Wiltshire Council application and objections have been received; as such under the terms of the constitution the application must be referred to committee.

1. Purpose of Report

The purpose of this report is to set out the nature of the proposals, the relevant material considerations, and the consultation responses and then in light of this provide a balanced assessment and recommendation to members.

2. Report Summary

This report sets out that this is an application for the erection of 5 non-illuminated advertisements on a roundabout to the south of Burbage, Wiltshire; that the material considerations are public amenity and public safety only; that the site is located within an area of outstanding natural beauty; that Burbage Parish Council objects and that 9 public letters of objection have been received.

3. Site Description

The application site is a 5 junction roundabout to the south of Burbage, Wiltshire. It is the junction of the A338, A346 Burbage bypass, B3087 and the C-classified Burbage High Street. The roundabout is landscaped with grass and a central area planted to trees. It is characterised in part by highway signage including illuminated chevron signs at each junction.

The immediate surroundings are landscaped highway verges laid to grass with highway signage and furniture. The whole roundabout including the highway has a sense of enclosure from established tree planting.

To the north is a petrol station with associated signage. The site is on the southern periphery of Burbage.

4. Planning History

K/85/1028 - Burbage bypass

5. The Proposal

This is a proposal for 5 sponsorship signs on a roundabout south of Burbage, Wiltshire. The signs would be sited adjacent to the highway chevron signs and be approximately 0.3 square metres in area; being 300mm in height and 1 metre in length. They would be 375mm above the ground so having an overall height of circa 675mm. The signs would be non-illuminated.

6. Local Planning Policy

It is anticipated that the Wiltshire Core Strategy (WCS) will be adopted by the date of this meeting (adoption is scheduled for January 20th 2015). At that time the WCS will be afforded 'Full Weight' in planning terms and will largely replace the policies of the Kennet Local Plan 2011.

Wiltshire Core Strategy Policy CP57 (WCS)

National Planning Policy Framework 2012 (NPPF)

Planning Practice Guidance (PPG)

7. Summary of consultation responses

Burbage Parish Council: Objection.

"The full Burbage Parish Council considered the proposal at an open committee meeting on 27 Oct 14. The Council understand the need for Wiltshire Council to explore means of fund raising, particularly with impending, but not yet confirmed, budget cuts. Burbage Parish Council considers the proposal inappropriate for this rural location. The advertisements/sponsorship signs on the roundabout would spoil the site. Together with mandatory direction signs, the roundabout would be cluttered with street paraphernalia. The effect would be to damage first impressions for visitors to a village nominated as Wiltshire's Best Kept village in 2013. The advertisement/sponsorship signs are not wanted in Burbage and Burbage Parish Council Objects to the Proposal."

Wiltshire Council Highways: No objection.

"The signs sit next to the existing instructional signage as such they will not interfere with visibility. They are unlit and of a size which should not cause a distraction to passing drivers. As such I am happy to offer no highway objection."

8. Publicity

The application was advertised by way of a site notice. The public consultation raised 9 letters of objection:

- These signs will be a visual eyesore in a rural location, more suited to towns.
- Detriment to an attractive village.
- They would also distract drivers, who else are they aimed at?
- Highway safety hazard
- Obstruct views of cyclists
- The applicant gives no justification for the application.
- Loss of flowers in spring.
- Further proliferation of adverts.
- Cumulative impact with other adverts.
- Existing lights are dangerous and a waste of money.
- If this is a revenue generating exercise then a wider debate should be had about the appropriateness of such an activity.

9. Planning Considerations

9.1 Principle of development.

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

The emerging Wiltshire Core Strategy Policy CP57 states:

"Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through.....the sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials".

The relevant national policy position on adverts is set out at paragraph 67 of the NPPF which states:

"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

Paragraph 115 goes on to state that *"great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."*

In principle the erection of signage is acceptable and it is the detailed matters of amenity and public safety only that require further consideration.

9.2 Public amenity

The application site is within a nationally important landscape – the designated North Wessex Downs Area of Outstanding Natural Beauty. It is accepted that this is a consideration that needs to be given *great weight*. However due to the small scale, siting and non-illuminated nature of the proposals within an enclosed and evidently engineered environment then no harm would occur to the local landscape.

The roundabout lies outside and to the south of the Burbage Conservation Area. Given the small scale, siting and non-illuminated nature of the signs then it is assessed that no harm would occur to this designated heritage asset.

Whilst the signage at the petrol garage to the north is noted and relatively prominent there is no other permanent signage in the immediate locality other than the necessary highway signs and furniture. There would be no cumulative impact with other signage on the area's amenity.

Due to their small size and location on an engineered roundabout, the proposed signs would not cause significant harm to the amenity of the area including the cultural and heritage interests of the landscape and conservation area.

9.3 Public safety

The application site is located on a road junction that includes A; B; and C-classified roads. The signage is considered to be relatively discrete and modest in size so as to avoid causing any significant distraction to drivers or pedestrians that are behaving in a reasonable fashion. There would be no illumination.

Moreover it is noted that the highway officer raises no objection to the proposals; and given this, the proposed signs would not cause significant harm to public safety including the highways.

10. Conclusion

Whilst the public objections and the Parish Council objections are noted; it is assessed that the proposals would cause no harm to the relevant considerations of amenity and public safety. As such the application is recommended for consent.

RECOMMENDATION

Grant advertisement consent, subject to the following conditions:

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

Location plan received on 26 September 2014; Block Plan received on 17 October 2014; and Sign Spec received on 26 September 2014.

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

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to-

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

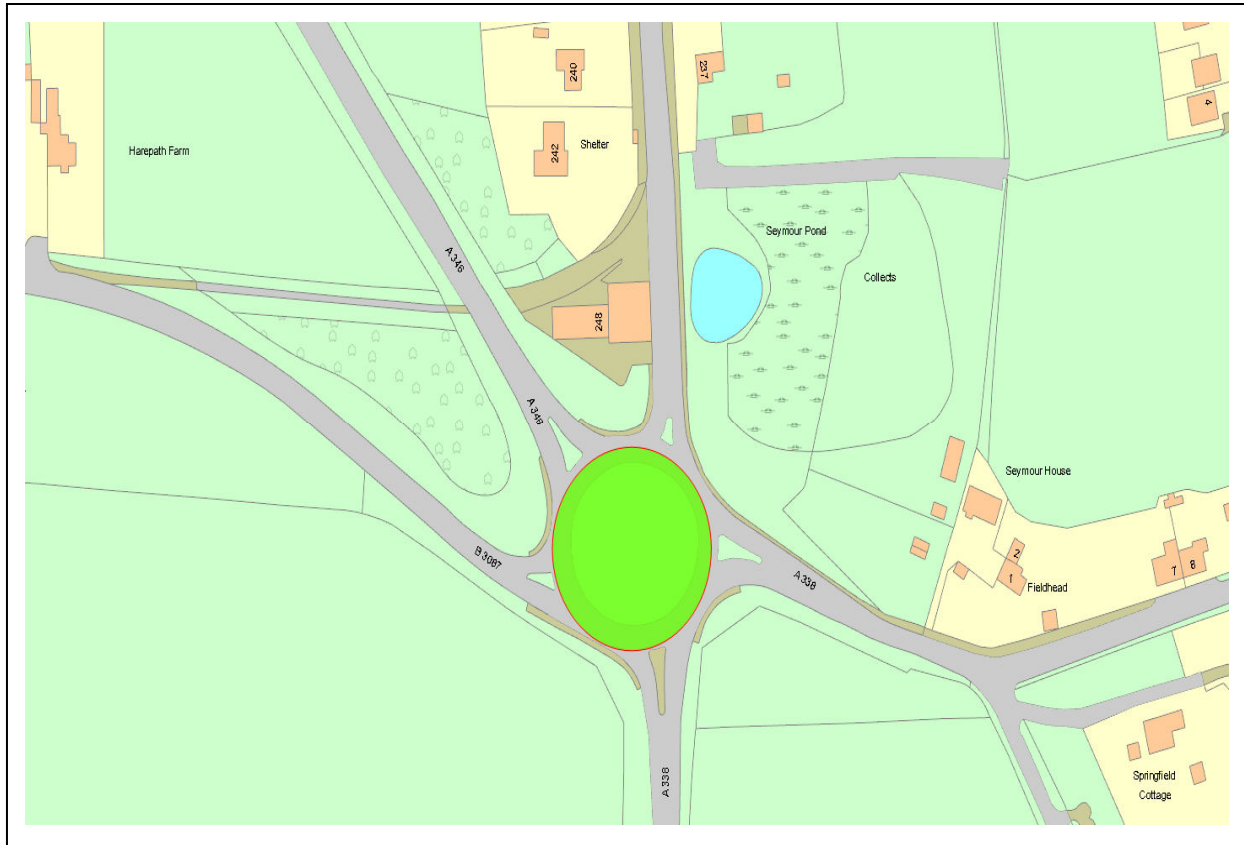
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON (2-5): To comply with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Application Number	14/09307/ADV
Site Address	Roundabout South of 248 High Street, Burbage, Marlborough, Wiltshire.SN8 3AR
Proposal	5 free standing non illuminated sponsorship signs
Case Officer	James Taylor

Map



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