

Date of Meeting	16 February 2016
Application Number	16/10483/FUL
Site Address	Woodlands Farm, Witcha, Ramsbury SN8 2HQ
Proposal	Demolition of existing bungalow, and the erection of a replacement dwelling; with associated garaging, turning, landscaping, private amenity space, and the creation of a new vehicular access point (Resubmission of 15/12652/FUL)
Applicant	Mr & Mrs C Crofton-Atkins
Town/Parish Council	RAMSBURY
Electoral Division	ALDBOURNE AND RAMSBURY – Cllr Sheppard
Grid Ref	429525 172894
Type of application	Full Planning
Case Officer	Ruaridh O'Donoghue

Reason for the application being considered by Committee

The application is brought before committee at the request of Councillor Sheppard, in order that the scale of development, its visual impact upon the surrounding area and its design, bulk, height and general appearance can be considered.

1. Purpose of Report

To consider the detail of the application against the policies of the development plan and other material considerations, and the recommendation that the application be refused.

2. Report Summary

The main issues to be considered are the principle of a new dwelling in relation to Policy HC25, the size and impact of the dwelling proposed upon the rural character and landscape of the area, notably, the AONB.

3. Site Description

The application site is approximately 0.26 hectares in size, the majority of which forms residential curtilage to Woodlands Farm; a modestly sized, detached bungalow with an attached garage. The site is located within the open countryside, well outside of any defined Limits of Development for nearby settlements. It is surrounded by agricultural land on all sides, with a barn located immediately to the north-west of the site.

Vehicular access is onto the Membury Road to the south-east. The site benefits from a good degree of screening on the north-eastern side, with the remainder of the site bordered by low hedging/sparsely plated shrubs/bushes.

The site slopes upwards away from the road, thus the existing dwelling sits in an elevated position in relation to Membury Road.

The site and its surroundings are located within the North Wessex Downs AONB. A public right of way (RAMS19) lies around 200m to the south-west of the site, on the opposite side of the Membury Road in an elevated position. There are no other landscape or heritage designations covering the site.



4. Planning History

K/13040	Extension to dwelling, demolition of existing garage and rebuild	Approve with Conditions
K/77/0290	Extension to dwelling	Approve with Conditions
E/2012/0434/FUL	Replace existing bungalow with traditional house and garage.	Withdrawn
E/2012/1117/FUL	Demolition of existing bungalow and replacement with two-storey house and detached garage	Approve with Conditions
15/07049/FUL	Demolition of existing bungalow and former agricultural barn, and the erection of a replacement dwelling; with associated garaging, turning, landscaping, private amenity space, and the creation of a new vehicular access point.	Withdrawn
15/12652/FUL	Demolition of existing bungalow, and the erection of a replacement dwelling; with associated garaging, turning, landscaping, private amenity space, and the creation of a new vehicular access point	Refused at Eastern Area Planning Committee

The previous application (15/12652/FUL) was refused on the grounds that the scale, height and positioning would have a detrimental landscape impact, notably, on the AONB which in turn would conflict with Core Policy 51 of the Wiltshire Core Strategy. In addition to this, the dwelling was deemed to be significantly larger than the existing bungalow and was therefore considered to not comply with Saved Policy HC25 in the Kennet Local Plan.

5. The Proposal

The application proposes the demolition of the existing bungalow and the erection of a replacement five bedroom dwelling with associated garaging, turning, landscaping, private amenity space, along with the creation of a new vehicular access point.

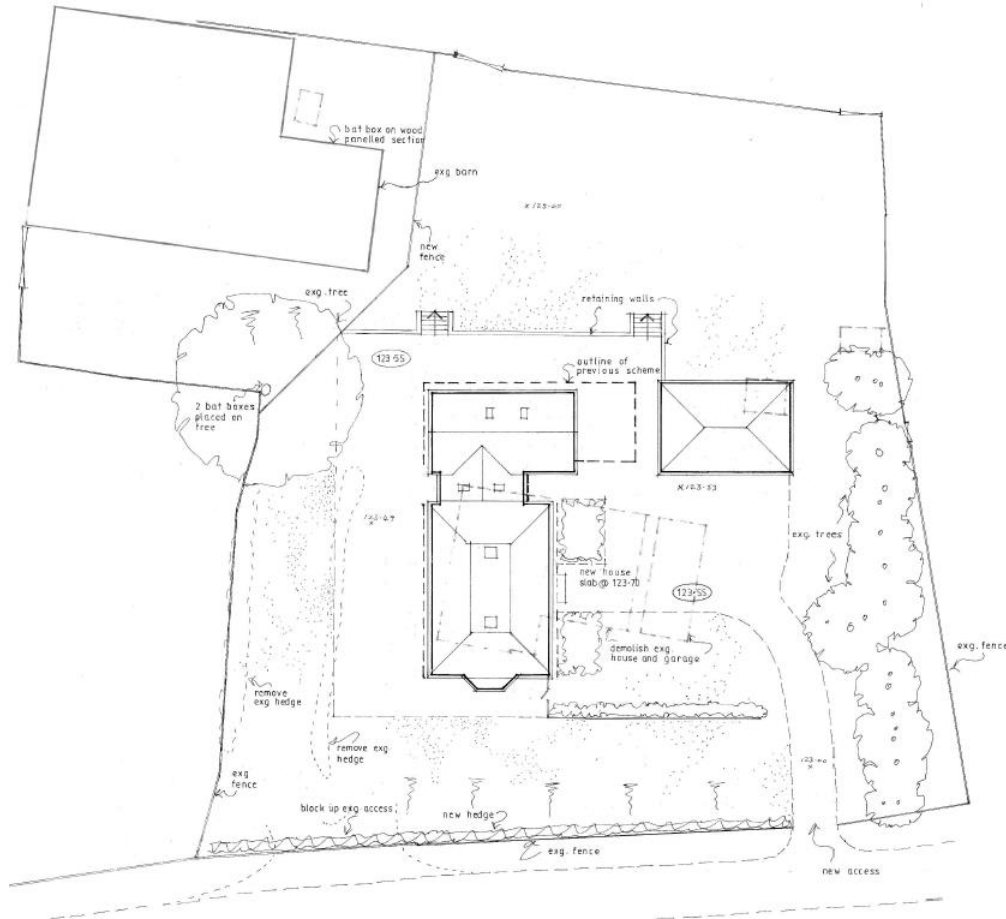
The dwelling would occupy a footprint of approximately 188m² and would have a ridge height of 8.25 metres. It would be constructed out of facing bricks with plain clay tiles to the roof. Windows would be white uPVC with stone cills.

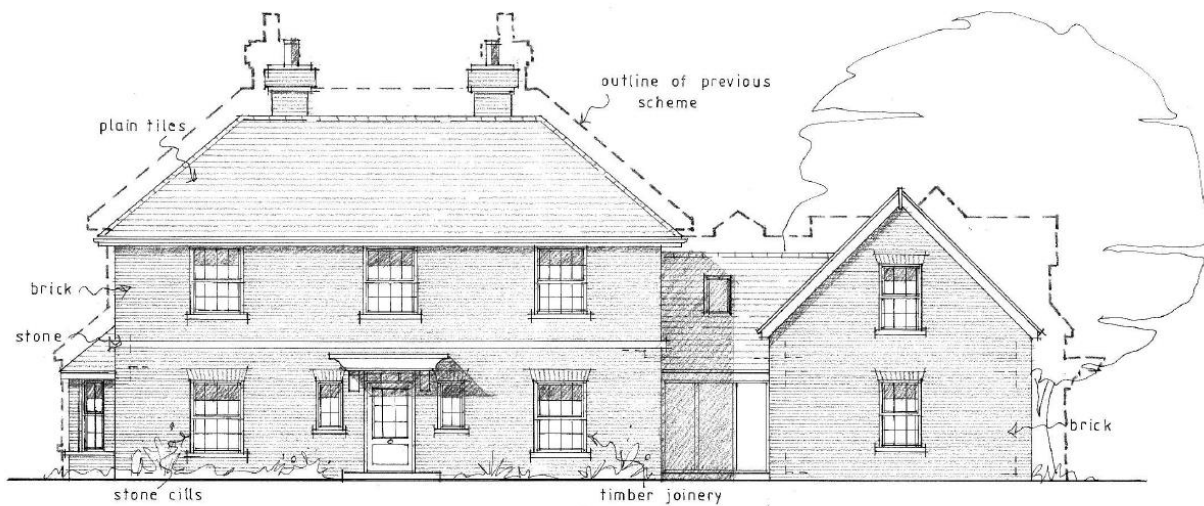
The application has been amended since it was originally submitted. The principle amendments include a slight reduction in the overall floor area and height of the dwelling (a reduction from 8.5m to 8.25m) and the relocation of the garage to the north-eastern side of the site. The plans were submitted with a view to addressing officer concerns about the scale and visual impact of the proposed development.

The table below highlights the size of the proposed development in relation to the existing dwelling on the site and the previously approved scheme from 2012.

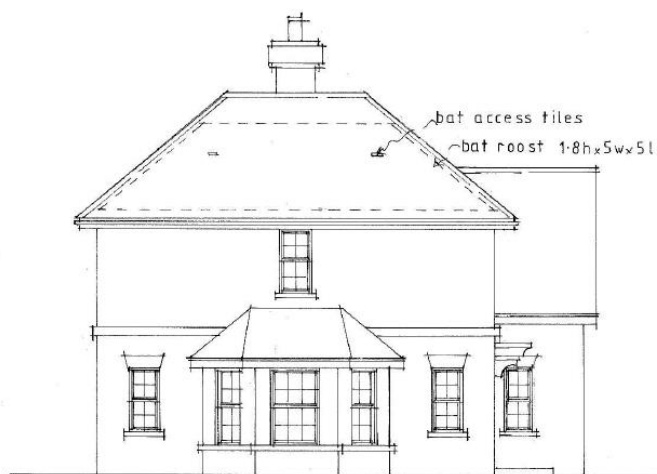
	Existing	E/2012/1117/FUL	15/12652/FUL	16/10483/FUL
Height	5.2m	8m	9m	8.25m
Floor Area	195.5m ²	227.5 m ²	506.5 m ²	375m ²
Floor Area with Garage	n/a	274.3 m ²	568.8 m ²	445m ²
% Increase in Floor Area	n/a	16%	159%	92%
% Increase in Floor Area with Garage	n/a	70%	190%	128%

Below is a copy of the plans and elevations of the proposed scheme.

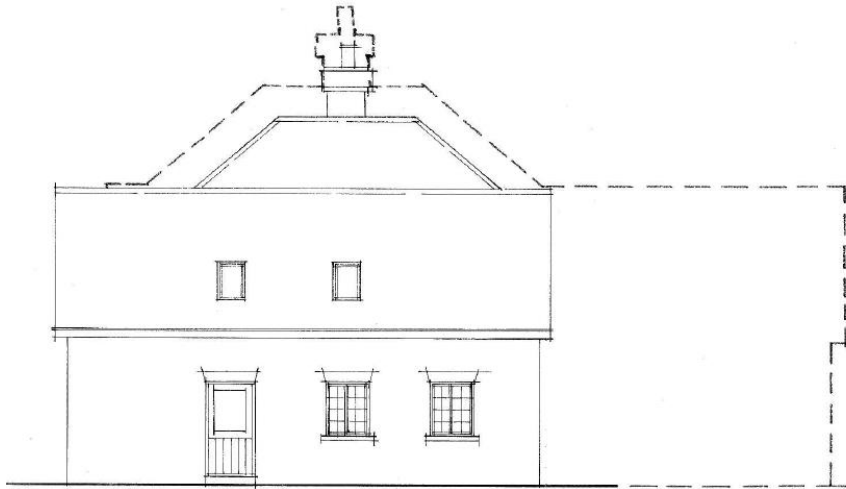




north east elevation



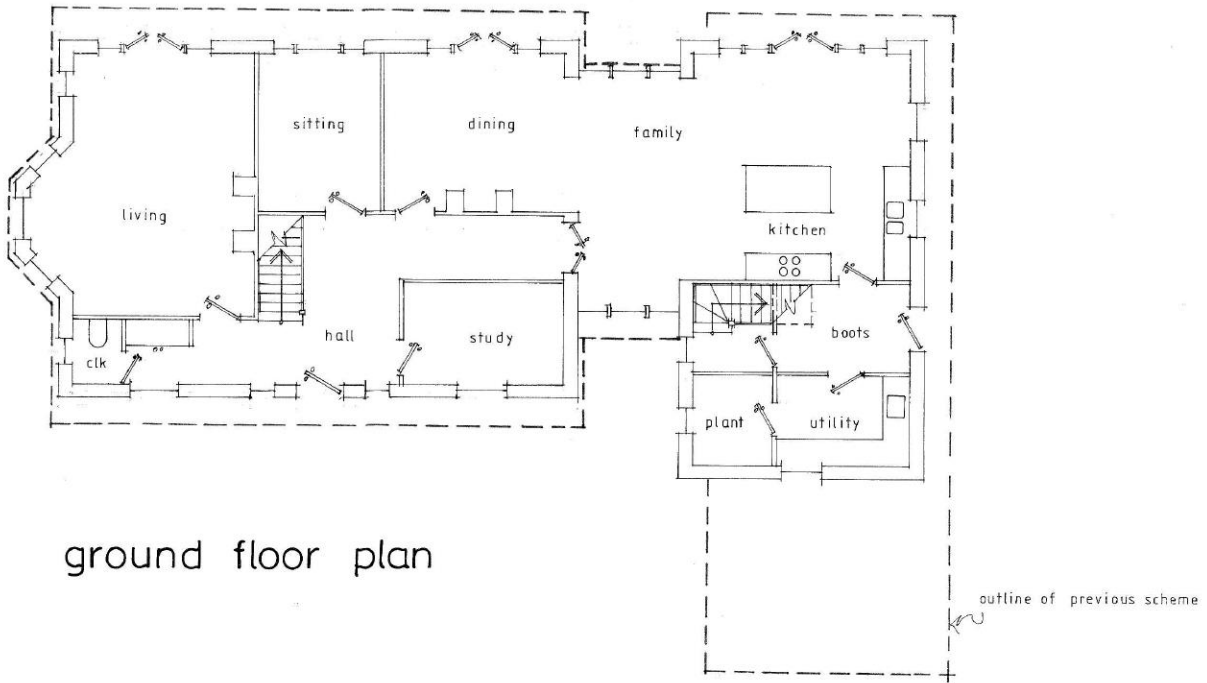
south east elevation



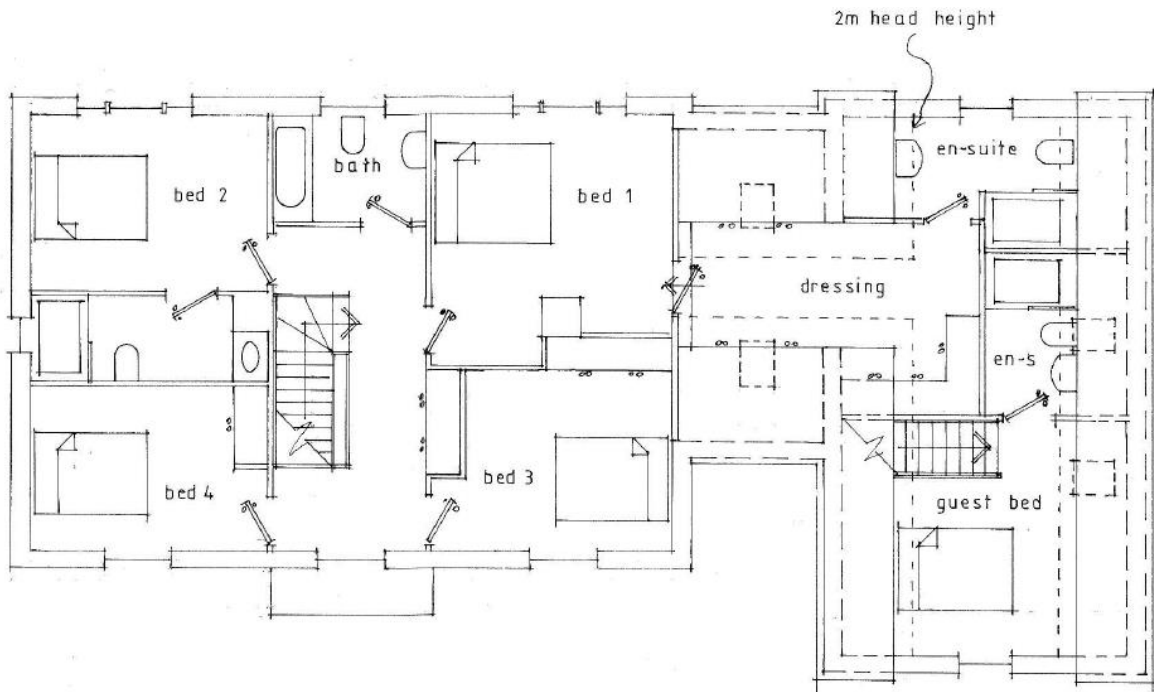
north west elevation



south west elevation



ground floor plan



first floor plan

6. Planning Policy

Wiltshire Core Strategy 2015 (WCS):

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 14 – Marlborough Community Area Strategy
- Core Policy 50 – Biodiversity and Geodiversity
- Core Policy 51 - Landscape
- Core Policy 57 – Ensuring high quality design and place shaping
- Core Policy 61 – Transport and Development
- Core Policy 64 – Demand Management
- Saved Policy HC25 – Replacement Dwellings – Kennet Local Plan 2011 (Annex D of WCS)

National Planning Policy Framework 2012 (NPPF)

The Planning Practice Guidance provides guidance on the policies contained within the NPPF.

Supplementary Planning Guidance:

- Local Transport Plan 2011-2026 Car Parking Strategy (March 2011) – minimum residential parking standards.
- Wiltshire Landscape Character Assessment (2005)

Material Considerations

- Conservation of Habitats and Species Regulations 2010
- North Wessex Downs AONB Position Statement – Housing (Oct 2012)

7. Summary of consultation responses

Ramsbury and Axford Parish Council

No objections.

Wiltshire Council Highways Officer

Has considered the information provided and is minded to adhere to the highway comments raised under the previous application.

A visibility splay drawing has been provided; it shows 2.4m x 120m (and to the bend) as previously requested on other applications.

The splay dimensions as shown are accepted. It does appear to include boundary treatments but the adjacent fields are outlined in blue and are therefore within the applicant's control. As this is the case, the proposed visibility splay can be conditioned.

CPRE

The application must fail on the same grounds as the previous refusal as it is still contrary to Policy HC25. It will also conflict with the landscape character of the AONB.

Wiltshire and Dorset Fire and Rescue Service

Standard advice and guidance.

8. Publicity

The application has been publicised by way of a site notice posted outside the site, with letters sent to neighbouring properties and to statutory and other consultees.

Two letters of objection have been received. A summary of the concerns are listed below:

- Significantly larger than the existing dwelling
- The proposal does not conform to the requirement of the North Wessex Downs AONB Position Statement on Housing
- Large residential building would not meet the requirement of Wiltshire Core Strategy policy CP57
- Contrary to CP51 of the WCS.
- Landscaping needs to be robust

An additional letter was received that although was not objecting to the scheme, wished to raised concerns over visibility to the north of the access due to the bend in the road. If the application is approved they would wish to ensure the northern splay is suitable and maintained as such.

9. Planning Considerations

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

9.1 The principle of development

The proposal in principle needs to be assessed against the replacement of existing dwellings policy of the development plan ie. policy HC25 of the Kennet Local Plan. This permits the replacement of an existing dwelling, but subject to the following criteria:

- a) the siting of the new dwelling is closely related to that which it replaces; and
- b) the scale of the replacement dwelling is not significantly larger than the original structure

Referring to the table in section 5 of this report, the dwelling with garage represents a 128% increase in floor area over the existing dwelling on the site. This is far beyond what would normally be considered to be 'not significantly larger.' It is therefore difficult to see how this

proposal can be considered to comply with the requirements of policy HC25. This judgement is consistent with historic decisions on the site. The original scheme (E/2012/0434/FUL) was withdrawn due to concerns over scale with the approved scheme (E/2012/1117/FUL) being a marked reduction in size such that it was considered to be policy compliant i.e. a 70% increase was not judged to be 'significantly larger' than the existing dwelling. Whilst the current scheme is somewhat smaller than the previous refusal (15/12652/FUL), it is the original structure against which this application needs to be assessed, not the reduction in scale compared to previous proposals. In this case, the proposal is still deemed not to comply with part b of Policy HC25 as a 128% increase in floor area is considered to be 'significantly larger'.

9.2 Visual impact

Core Policy 57 seeks amongst other things to ensure that development responds positively to its setting in terms of layout, built form, height, massing and scale; and policy Core Policy 51 seeks the protection and where possible enhancement of Wiltshire's distinctive landscape. National planning policy recognises the importance of the countryside in its core planning principles where at paragraph 17 it states the planning system should recognise *'the intrinsic character and beauty of the countryside.'* It expands upon this point in Section 11 – Conserving and Enhancing the Natural Environment. It goes on to state at Paragraph 115 that when considering proposals within an AONB *"Great weight should be given to conserving landscape and scenic beauty in...Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."*

In addition to this, the North Wessex Downs AONB Position Statement on Housing states the following at Paragraph 323 xiv that *"Replacement dwellings should be of a scale and location that does not result in the new dwelling being particularly larger or higher or in a different location compared to the existing, unless exceptional justification and other landscape and ecological benefits can be provided. Proposals for replacement dwellings should demonstrate how the quality of the landscape is conserved and enhanced."*

Whilst the site is currently well-screened to the north-east by mature hedging, it is open and visible from the surrounding countryside and Membury Road itself. The Landscape Character Assessment for the area (taken from Wiltshire Landscape Character Assessment) identifies the key features of this landscape as being:

- *Open, smoothly rolling downland, dissected by a network of dry valleys and long sinuous steep scarps.*
- *An expansive and simple rural landscape, with strong sweeping skylines with a strong sense of exposure and remoteness.*
- *Very sparsely populated, generally restricted to scattered farms and equestrian establishments contributing to strong sense of isolation.*

The Landscape Character Assessment for the area states that to preserve this landscape one should “*Conserve the sense of remoteness and isolation, with sparse settlement and road network and limited visible development.*”

The existing dwelling, whilst of no particular architectural merit, is single storey and modestly sized, therefore it could be classed as ‘limited visible development.’ The dwelling proposed is not. It is considered to be neither small-scale nor sensitively designed and within the sensitive and exposed open rolling arable landscape setting, would be detrimental to the rural character and landscape of the area. The large detached garage would exacerbate this visual harm as it sits in an elevated position within the site, thus adding to the bulk of development within the plot. Furthermore, significant planting is likely to impact upon the strong sense of exposure and openness that the Marlborough Downs is so characterised by.

No exceptional circumstances have been demonstrated nor have any landscape or ecological benefits been identified that would warrant a departure from this view. The proposal is considered to be contrary to Core Policies 51 and 57 of the WCS as well as central government guidance contained within the NPPF (notably para 115). Furthermore, given that the NPPF attaches great weight to the conservation of the AONB, the respective management plans and the associated documents should form a material consideration in the planning balance. As highlighted above, the proposal would be contrary to guidance on housing proposals within the AONB as set out by the North Wessex Downs Organisation.

It should also be highlighted that the approach of simply containing development using additional planting to increase the enclosure is not a responsible approach to the conservation and enhancement of the AONB (in reference to the additional planting proposed by the applicant to be planted in and around the site). Simple screening or hiding of development does not reduce or mitigate harm. The harm has still occurred, the loss of amenity and to the open character of this part of the AONB has still taken place and the character of the AONB as a result has been altered, regardless of whether it can be seen or not. With this in mind, officers do not consider that further planting should be the sole means of mitigating the impact of a development as it does not result in the sensible management of the AONB. If significant additional planting is required in an attempt to mitigate visual harm, then surely then the question must arise as to whether this is appropriate development in the first place.

9.3 Ecology

A bat report has been submitted with the application which has identified the presence of bats at the site within the roof void of the existing dwelling. The subsequent report suggests that since a roost will be destroyed the works will require a licence from Natural England. The report also gives some recommendations for bat mitigation designed to remove or significantly reduce adverse impacts to bats as a result of the development.

The application for a development licence from Natural England will need to satisfy the following three tests:

1. The development is in the interests of public health and safety or is required for other imperative reasons of overriding public interest.
2. There is no satisfactory alternative to the development.
3. The development will not be detrimental to the maintenance of the bat populations concerned at a favourable conservation status in their natural range.

The level of mitigation proposed in the application would satisfy test three for the EPS licence from Natural England. However, the bat boxes and roost in the trees and barn would need to be erected prior to the demolition of the dwelling and maintained at all times during construction to ensure the protection and preservation of bat species within the site. Such measures could be suitably conditioned. Accordingly, there is no objection on ecological grounds from the local planning authority.

9.4 Access and parking

The dwelling proposes to make use of a new access into the site. The Highways Officer has raised no objections to the proposal subject to conditions.

If the application were to be supported, a condition to ensure visibility is provided in accordance with the splay plan at a height of 900mm could be imposed; so too could a condition ensuring the access is surfaced in a consolidated material over the first 5 metres. With such conditions in place, no highways objection is raised to the new access.

The site is capable of accommodating the required turning space to ensure vehicles can enter and exit in a forward gear. Minimum parking standards can also be achieved within the site.

9.5 Precedent

Whilst applications should be determined based upon their own individual merits, officers are concerned that by allowing this development it would make it more difficult to resist further planning applications for similar developments elsewhere, thus exacerbating harm. This would undermine the spatial strategy, spatial objectives and core policies of the WCS and erode the character and quality of the open countryside.

9.6 Other Considerations

Given the relative isolation of the dwelling there will be no neighbour amenity impacts.

10. Community Infrastructure Levy

The development would fall within the scope of the Council's Community Infrastructure Levy Charging Schedule. That said, if the development is a self-build it would be exempted from paying CIL.

11. Conclusion (The Planning Balance)

Officers consider that the replacement dwelling would be significantly larger than the existing dwelling on the site (128% larger). The proposal is therefore not considered to comply with saved Policy HC25 of the Kennet Local Plan 2011.

Furthermore, the dwelling by reason of its height, size and positioning in the open landscape would have a detrimental impact upon the landscape character and scenic quality of the area and the AONB, such that there are no material circumstances sufficient to justify approval against conflict with Core Policies 51 and 57 of the WCS and with central government guidance contained within the NPPF. The scheme is also considered to conflict with documents produced by the North Wessex Downs AONB Organisation and supplementary planning guidance contained within the Wiltshire Landscape Character Assessment, which are a material consideration.

Officers have reviewed the scheme and conclude that there are no benefits being brought forward by the scheme that would outweigh the significant harm identified in this report. As a result, the proposal would manifestly conflict with the development plan.

RECOMMENDATION

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

- 1) The scale of the replacement dwelling and garage is significantly larger than the original structure. As such, it does not comply with the terms of saved Policy HC25 of the Kennet Local Plan listed in Annex D of the Wiltshire Core Strategy 2015.
- 2) By reason of its height, size, scale and positioning in the open landscape the proposed dwelling would have a detrimental impact upon the landscape character and scenic quality of the area and the North Wessex Downs AONB. There are no material circumstances sufficient to justify approval against conflict with Core Policies 51 and 57 of the Wiltshire Core Strategy and with central government guidance contained with Section 11 of the NPPF.