

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No. 1**

Date of Meeting	20th September 2018
Application Number	18/06331/FUL
Site Address	Watergate House 46 Watergate Lane Bulford Salisbury Wiltshire SP4 9DY
Proposal	Create a new driveway to Watergate House and close off the existing. The new access will be located (in part) outside of the domestic curtilage, utilising part of a low grade pasture field (re submission of 17/12478/FUL)
Applicant	Dr Goodson-Wickes
Town/Parish Council	BULFORD
Electoral Division	BULFORD ALLINGTON AND FIGHELDEAN – Councillor J Smale
Grid Ref	416417 143429
Type of application	Full Planning
Case Officer	Richard Nash

Reason for the application being considered by Committee

This application has been Called In by the local Member for the following reasons:
Strong Local Support: At an open meeting of residents, the Parish Chairman briefed those assembled on the current application and asked for their opinions. It was a unanimous vote to approve the proposed new driveway to avoid flooding that occurs on the existing track. Parish Council are in support. No Highways or Environmental issues have been raised.

1. Purpose of Report

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

2. Report Summary

The report considers the following planning policy issues surrounding the proposed development, together with community and consultee responses.

- Principle of Development
- Character and Visual Impact
- Neighbouring Amenity
- Listed Building
- Archaeology
- Highways
- Ecology
- Flood Risk

The report concludes that the proposal would not be acceptable.

3. Site Description

The application site comprises a section of an un-adopted road and track known as Watergate Lane, running west of the A3028 High Street in Bulford, and a part of the

curtilage of Watergate House. Within the Watergate House boundaries, the site follows a proposed track line from an existing access over a ditch and across a pasture towards a pond in front (south) of the main dwelling.

Watergate House is a Grade II Listed Building as are barns further to the north and the site is within an Area of Special Archaeological Significance. A Public Right of Way (Footpath BULF1) follows a short length of the track adjoining the residential property. A watercourse to the west forms part of the River Avon System Site of Special Scientific Interest and the pasture is within Flood Zone 3.

4. Relevant Planning History

17/12478/FUL

Creation of new driveway and closing off of existing

Withdrawn following concerns over extent of site and lack of information on impact on listed building

18/06327/LBC

Concurrent application for Listed Building Consent for current proposal

5. The Proposal

The application proposes the creation of a new driveway as described above and the closure of an existing access to the property.

6. Planning Policy

National Planning Policy Framework

National Planning Practice Guidance

Wiltshire Core Strategy

Core Policy 1 (Settlement Strategy)

Core Policy 4 (Spatial Strategy for the Amesbury Community Area)

Core Policy 50 (Biodiversity and Geodiversity)

Core Policy 57 (Ensuring High Quality Design and Place Shaping)

Core Policy 58 (Ensuring the Conservation of the Historic Environment)

Core Policy 61 (Transport and Development)

Core Policy 67 (Flood Risk)

Core Policy 69 (Protection of the River Avon SAC)

7. Summary of consultation responses

Bulford Parish Council: No objections.

Conservation: Some aspects of the proposals are insufficiently detailed in order for us to assess impact properly. Firstly, in the Design & Access Statement it states that 'We are unable to provide any evidence of this route providing an access to Watergate House, beyond the physical presence of the raised causeway and excavation works confirming the presence of historic stonework which has been covered with turf over the passage of time'. If there is evidence of the physical presence then this should be provided – it cannot both exist and be impossible to prove the same. Where is the report of the excavation works?

The statement goes on to make a claim (sentence beginning 'Circumstantially') that appears, in the absence of the above, to be complete conjecture. There is historic mapping to which the agent has previously been referred that does not support this. It would seem that works will be required to the existing bridge, but no information regarding its structure or historic interest has been provided, nor do we have any details of the proposed replacement bridge. No information has been provided regarding a stone bridge closer to the house; if this is historic, we need to see more details including a structural assessment of its ability to serve the desired purpose.

The statements regarding the listed status and visibility of the building betray a fundamental misunderstanding of this legal status and its interpretation. ('Watergate House is Grade II listed and is therefore considered less significant than Grade II* and Grade I listings. All buildings constructed before 1700 which survive in anything close to their original condition are listed. Watergate House is therefore listed by virtue of its age rather than any specific historical significance.') Over 94% of listed buildings are grade II; they have national significance for architectural or historic interest. Age is a significant factor. The invisibility of a listed building from the public realm, and the degree of public accessibility, have no role in the consideration of the impact of proposals on a listed building; it is of national interest – one cannot see the interior of any listed building from the public realm but consent applies equally to internal alterations. These are treasures of local and national significance that have been accorded legal protection for good reason. ('Watergate House cannot be viewed from any publicly accessible space, and indeed, many local inhabitants may be unaware of its presence. Only visitors to Watergate House are afforded the opportunity to appreciate the building and therefore these proposals offer neither a public benefit, nor any public harm. The proposals do offer a significant benefit to the occupiers of Watergate House by affording greater privacy and security, and to visitors by affording an enhanced view of the listed building.'))

Archaeologist: No Comments.

Environment Agency: None received.

Highways: Watergate Lane is not classified as a public highway and therefore no highway objection to the proposal.

Ecology: Given that whole site is in flood zone, likelihood of Great Crested Newts being present in the pond is unlikely, which leaves issue of potential pollution as a result of construction to resolve. Pond is large and appears to have capacity to cope with minimal disturbance from construction works. However, applicant needs to demonstrate that due regard is given to how works proceed.

This should be established by, if permission is given, a condition requesting a working method statement to demonstrate how works will proceed to minimise run-off and pollution of the surrounding waterbody and wet habitat to the east and west of the proposed track. It should cover details such as weather conditions, which side of the track workers will stand, how current water flow will be retained and prevention of particulates going into the water.

8. Publicity

The application, and the concurrent application for listed building consent, were publicised by way of a site notice, a press advertisement and letters to neighbouring properties. In response, 1 Objection has been received from the community on the following grounds (in summary):

- Field is very low lying and water table is very close to surface;
- Also a water meadow and SSSI site;

- Impact of construction and traffic on condition of track and neighbouring amenity;
- Deed of Surrender required for closure of access;
- Proposed entrance currently used as a layby - passing point would still be needed

NB: As Watergate Lane is not adopted, the last three issues are not material planning considerations in this case.

9. Planning Considerations

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

9.1 Principle

Section 55 of the Town and Country Planning Act 1990 defines the meaning of development as the means of carrying out of building, engineering, mining, or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. The development plan accepts the principle of development subject to the aims and objectives of policy being met.

Bulford, in conjunction with Amesbury and Durrington, is defined as a Market Town under CP1 and CP4, where there is potential for significant levels of development. The site lies predominantly outside the settlement boundary but the proposal relates to works aimed at improving the enjoyment of an existing residential property. As such the proposal is considered to constitute development which, due to the use and type of work proposed, is accepted in principle subject to more detailed and site specific policies as discussed below.

9.2 Character and Visual Impact and Neighbouring Amenity

The applicant claims that there was formerly an access drive in the location now proposed but has been unable to provide evidence of this. These are however relatively minor works that would not result in a significant impact in the wider locality or on neighbouring amenity. This does not however negate the need to preserve the character and setting of the listed building, as discussed below.

9.3 Listed Building

The Conservation Officer's comments are set out above. In summary, the proposals are insufficiently detailed for the Council to be able to assess their impact properly. If there is evidence of the physical presence of a track then this should be provided. There is historic mapping to which the Agent has previously been referred that does not support their claims. Works would be required to an existing bridge, but no information regarding its structure or historic interest has been provided, nor are there any details of a proposed replacement bridge. No information has been provided regarding a stone bridge closer to the house; if this is historic then more details including a structural assessment of its ability to serve the desired purpose are required.

9.4 Other Matters

Neither the Archaeologist nor the Highways Officer has objected to the proposal. The Ecologist has no objection subject to the condition noted above. The proposal is aimed

at reducing flooding and the Applicant has effectively provided a Flood Risk Assessment within their supporting statement. The Environment Agency has not commented on this application, but did advise that the previously withdrawn similar proposal would not present a flood risk.

10. Conclusion (The Planning Balance)

The proposal is acceptable in principle. Technical concerns are mostly limited and could be overcome by condition. However, impact on the listed building cannot be properly assessed due to the lack of information provided in support of the application.

RECOMMENDATION

Refuse for the following Reason:

- 1** The application provides insufficient information for the Local Planning Authority to be able to properly assess the impact of the proposal on the character and setting of the Grade II listed building known as Watergate House. The application does not therefore meet the requirements of Paragraph 189 of the National Planning Policy Framework, which requires Local Planning Authorities to require an applicant to describe the significance of any heritage assets affected by development proposals, including any contribution made by their setting and the potential impact on their significance. For the same reasons the application fails to demonstrate that the proposal would be sympathetic to the historic building, or that it would protect, conserve or enhance the historic environment. The proposal therefore also fails to meet the requirements of Core Policies 57(iv) and 58 of the Wiltshire Core Strategy.