

<b>Date of Meeting</b>	30 <sup>th</sup> January 2020
<b>Application Number</b>	19/09834/FUL
<b>Site Address</b>	Clock House, Road Off Honeystreet North Of Canal, Honeystreet SN9 5PS
<b>Proposal</b>	Demolition of two dwellings and vacant commercial buildings and replacement with six dwellings
<b>Applicant</b>	Mr Donovan Love
<b>Town/Parish Council</b>	ALTON
<b>Electoral Division</b>	Pewsey Vale - Cllr Oatway
<b>Grid Ref</b>	410364 161604
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Ruaridh O'Donoghue

### Reason for the application being considered by Committee

The application has been called to committee at the request of Councillor Oatway on matters relating the scale of development, the visual impact on the surrounding area, the design of the scheme, the impact on the surrounding environment / highways and car parking provision

#### 1. Purpose of Report

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

#### 2. Report Summary

The main issues to be considered are:

- Whether the development is acceptable in principle (CP 1 and 2);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would preserve or enhance the historic environment (CP 58) with particular regard to:
  - the setting of the nearby listed building
  - The setting of the Kennet and Avon Canal as a heritage asset
  - Non-designated heritage assets within the site
  - Archaeology
- Whether the scheme would have an acceptable landscape impact (CP 51);
- Whether the proposal would have a negative effect upon highway safety, including if there is sufficient parking for the proposed development (CP 61 and 64);
- Whether the site can be adequately drained; and
- Whether there would be any harmful impacts upon protected species or habitats

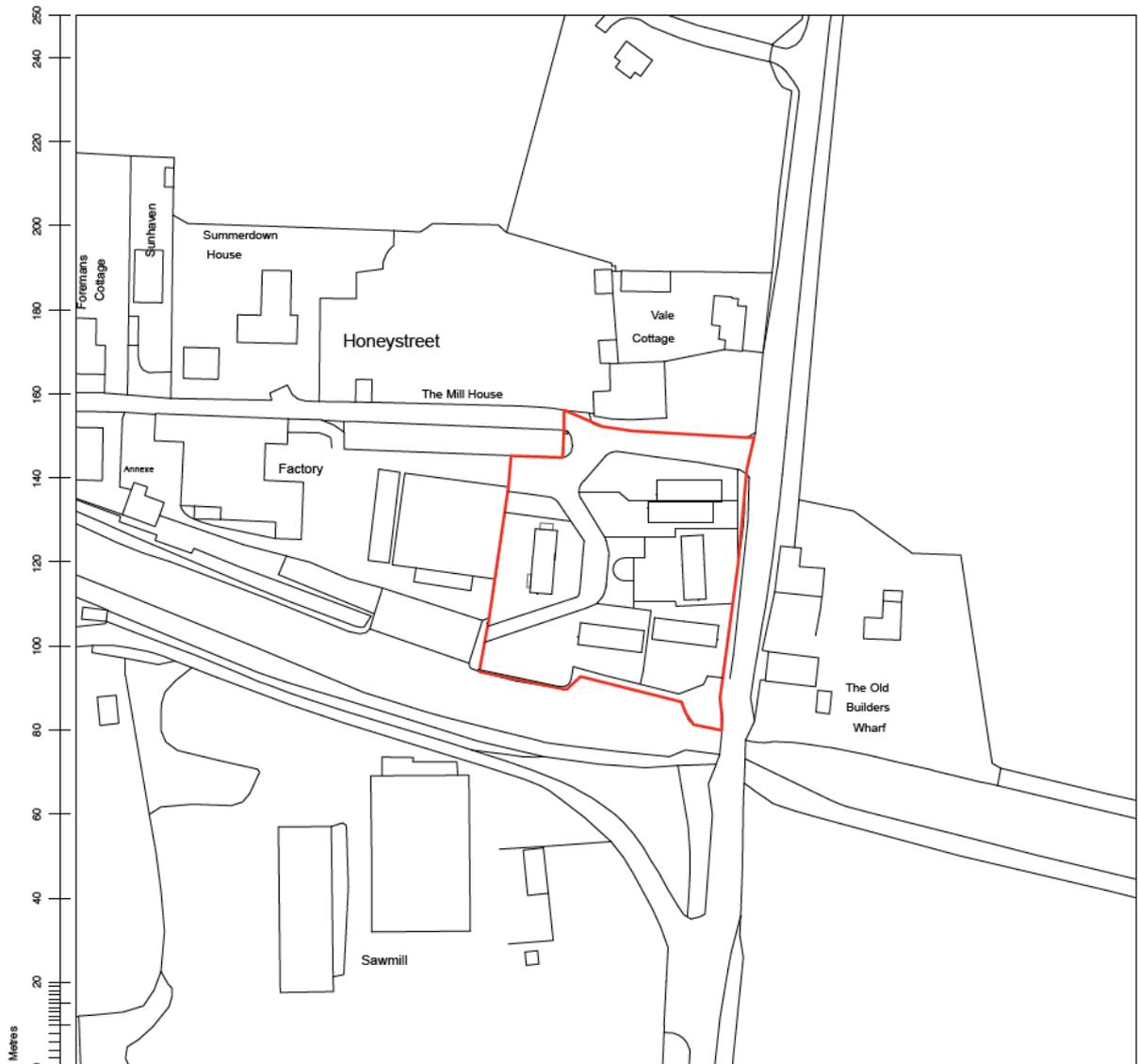
#### 3. Site Description

The site is located within the built-up area of the settlement of Honeystreet which lies on the Kennet and Avon Canal between Pewsey and Devizes.

The existing site contains two unoccupied dwellings which are in a poor state of repair, overgrown ruderal vegetation and hardstanding areas along with a number of former commercial buildings which are also in a dilapidated state (but are considered to be non-designated heritage assets). The site is bounded to the north by housing, to the east by the main road (The Sands) and the Old Builders Wharf (commercial and residential), to the south by the Kennet and Avon Canal (a non-designated heritage asset) and the Honeystreet Saw Mill, and to the west by commercial buildings.

In planning policy terms, the site lies in the open countryside as Honeystreet has no status in the development plan's settlement strategy. Honeystreet is washed over by the North Wessex Downs AONB. The Mill House, a grade II listed dwelling, lies immediately to the north of the site. There are no other landscape or heritage designations covering the site.

Below is a location plan accompanied by photographs of the site.





**View of the road running to the east of the site**



**View of the site from the road looking west (showing entrance)**



**View of the site looking north from the Canal edge**



**View of the site looking south east from a point in front of Mill House**



**View of the site from the road bridge of the Canal looking north west**



**View of existing roadside building**



**View of existing roadside building**



**View of building to west of site from Canal**



**View of wharf side from the site**

#### **4. Planning History**

##### E/10/0772/FUL

Demolition of two dwellings and vacant former commercial buildings and replacement with five no. dwellings. It was approved in March 2014.

##### 17/02632/FUL

Demolition of two dwellings and vacant former commercial buildings and replacement with five dwellings (Renewal of E/10/0772/FUL). This was approved in May 2017.

## 5. The Proposal

The application proposes the demolition of two dwellings and vacant commercial buildings, and their replacement with six dwellings.

The dwellings are to be of similar appearance, using black-stained timber for the walls with natural slate tiles for the roofs. Windows are to be timber-framed with black zinc clad doors. Dormers will be faced with black zinc with conservation style rooflights. Each property will have a stainless-steel flue.

The dwellings will occupy very similar footprints and thus similar gross internal floor areas (127-129m<sup>2</sup>), save for plot 3 which will have a basement. The dwellings will have the same ridge heights (7.9m) but due to differing site levels will not all be at the same level. Each property will have dedicated parking to either their front or side with dedicated bin storage both at the property and an area for storage on collection days located next to the visitor parking spaces.

Cycle storage is provided for each dwelling.

In addition to the site plan, and plans and elevations for each of the dwellings, the submitted application includes the following additional information:

- Landscaping scheme (hard and soft)
- Landscape management proposals
- External lighting scheme
- Lighting assessment
- Fencing details
- Ecological report
- Contaminated land appraisal & strategy
- Sustainable Urban Drainage scheme
- Foul drainage scheme
- Design and Access Statement

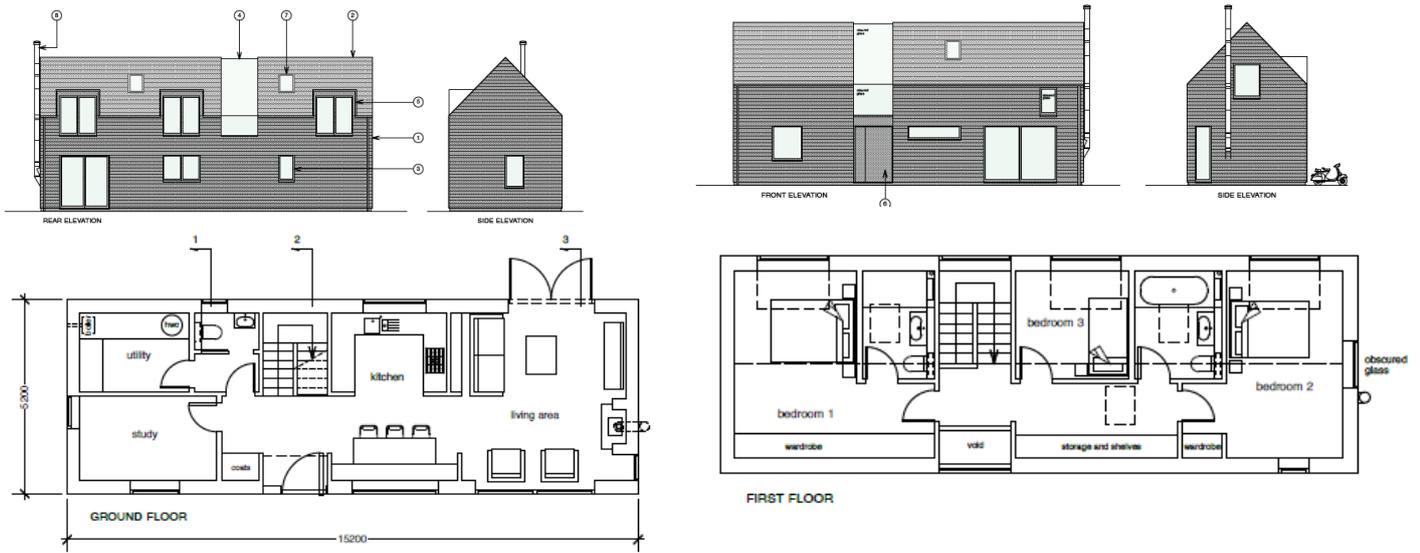
The scheme has, over the course of the application, been amended and subject to re-consultation. However, the latest amendment was to secure an error on the site plan drawing relating to Plot 5. It has not been felt necessary to consult on this change, but it has resulted in an updated set of drawings.

Below is a site layout plan along with plans and elevations for each of the housing types.

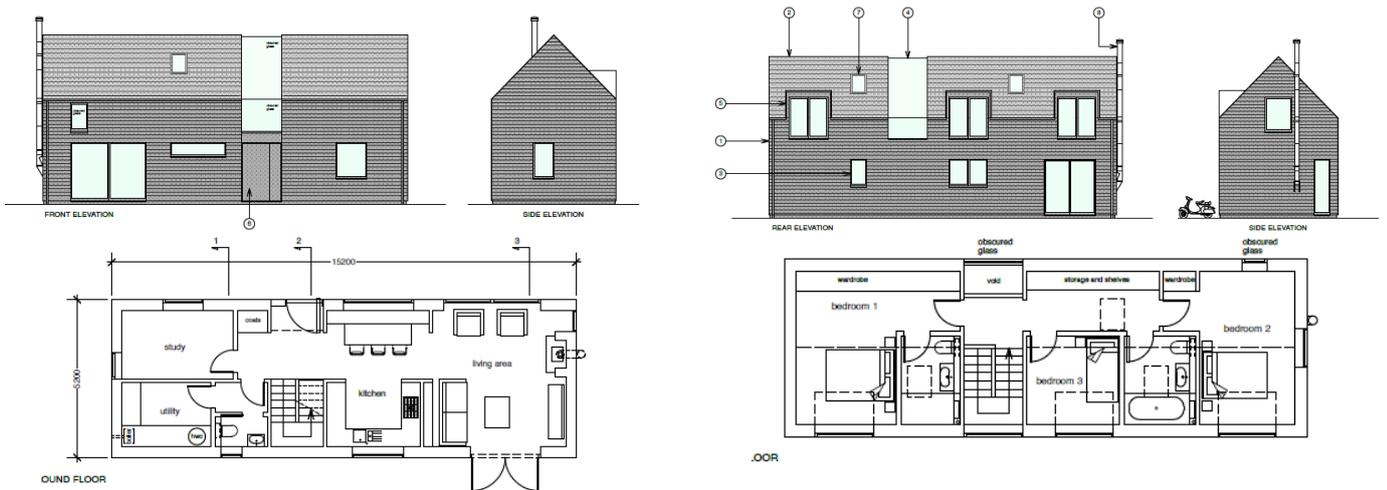


PROPOSED SITE PLAN  
scale 1:200

### House Type 1A (plots 4 and 6) – Elevations and Plans

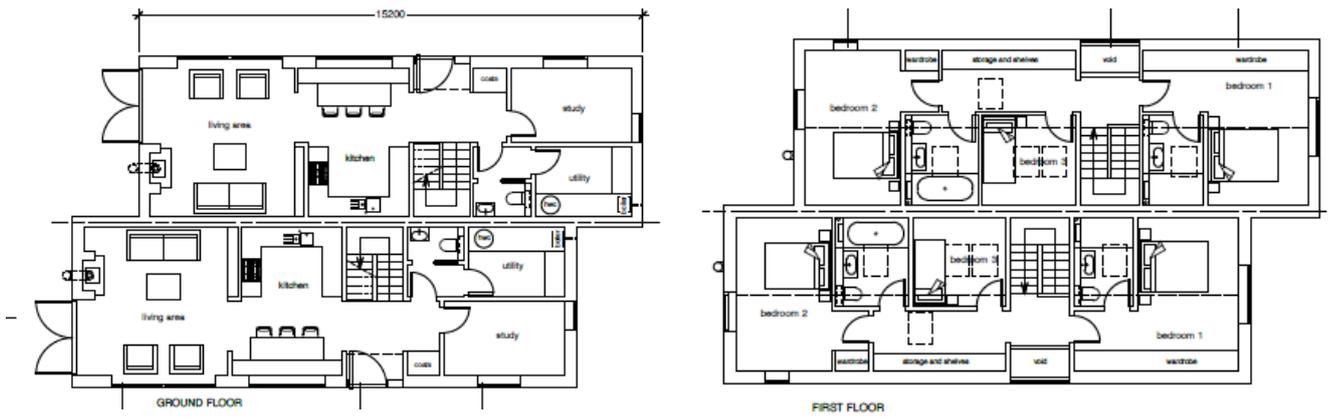


### House Type 1B (plot 5) – Elevations and Plans

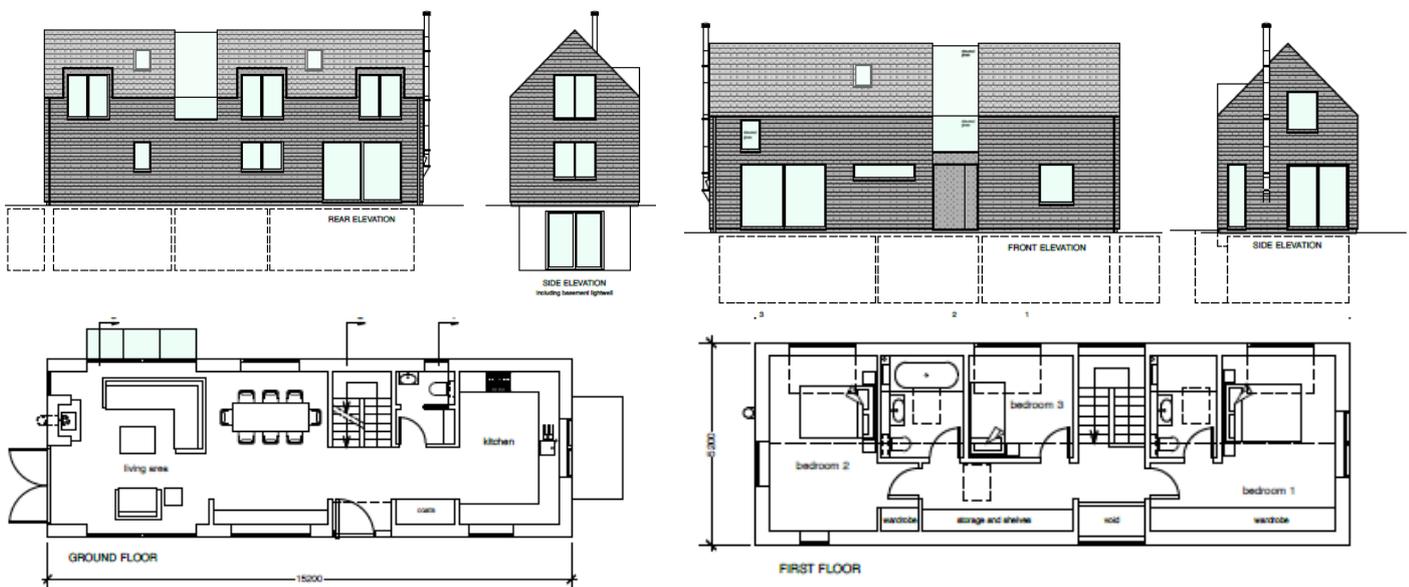


### House Type 2 (plots 1 and 2) – Elevations and Plans





**House Type 3 (plot 3) – Elevations and Plans**



## 6. Local Planning Policy

### Wiltshire Core Strategy 2015 (WCS):

- CP 1 – Settlement Strategy
- CP 2 – Delivery Strategy
- CP 18 – Pewsey Community Area Strategy
- CP 51 – Landscape
- CP 50 – Biodiversity and Geodiversity
- CP 56 – Contaminated Land
- CP 57 – Ensuring High Quality Design and Place Shaping
- CP 58 – Ensuring the Conservation of the Historic Environment
- CP 60 – Sustainable Transport
- CP 61 – Transport and new development
- CP 64 – Demand Management
- CP 67 – Flood Risk

Section 16 and 66 of the Planning, Listed Building and Conservation Areas Act 1990

## National Planning Policy Framework 2019 (NPPF)

Section 85 of the Countryside and Rights of Way Act 2000: requires the Local Planning Authority to 'have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'.

### Supplementary Planning Guidance:

- Local Transport Plan 2011-2026 Car Parking Strategy (March 2011) – Minimum residential parking standards.
- Local Transport Plan 2011-2026 Cycling Strategy (March 2015) – Appendix 4
- Wiltshire Landscape Character Assessment 2005
- Honeystreet Village Design Statement (2006)

## **7. Summary of consultation responses**

### Wiltshire Council Conservation Officer

'The application site is a mixed range of historic buildings in various states of repair, but it is mostly quite a dilapidated site of timber clad industrial-type buildings relating to the historic wharf. The site has extensive planning history, including an approved 2010 application (E/10/0772/FUL), which was renewed in 2017 (17/02632/FUL). This extant permission is for the redevelopment of the site for 5 dwellings. The current application seeks to amend the approved design of the approved dwellings and site layout and increase the number of dwellings to 6.

The conservation section has not been involved in the previous applications however due to the concerns raised by third parties, I have been asked to give an opinion on the impact of the proposals upon the setting of the neighbouring grade II listed building. I have read all the relevant submitted information from both the Agent and third parties with interest and considering that there is an extant planning permission on the site.

In order to achieve an additional dwelling on the site, the layout of the buildings has been revised, resulting in some of the plots being re-orientated.

I do concur that development beyond a listed building's curtilage can have an impact on its setting, however the NPPF makes it clear in paragraph 193 that '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*'. Therefore, what is required to be assessed is the impact of the proposed development on the significance of the designated heritage asset: significance can include a building's setting. Mill House is a formal stone-built late Georgian/Early Victorian villa-style building and retains some distinction from the main wharf site by being a gentleman's house in independent grounds to the north of the industrial site, distancing itself from the working buildings in geography and character. Its separation from the wharf site is achieved by an access lane and containment provided by physical boundary treatments.

The reference to a c.1870 painting of the site viewed from the south is of some interest and the layout of buildings does appear rather similar to that evidenced on the later 19<sup>th</sup> century historic OS map, and it certainly shows a social history captured as a snapshot in time. It illustrates an industrial site with the Pewsey Vale and Alton Barnes white horse landscape in the background, I do not consider that the view and layout can be taken with conclusive, historical accuracy as there may be a degree of artistic licence used when drafting this composition. With a little further research, the artist, Joseph Barnard Davis, tended to paint bucolic landscapes, an idealised view of rural England that was in stark contrast to the industrial age that was burgeoning throughout the country in the later Victorian period.

What remains unclear is whether Mill House had a designed view of the canal wharf through the wharf site and it could be that the view to the south was coincidental, as it just so happens to be along the access routes, building positions and thoroughfares within the site that have enabled this perceived view over time. Irrespective of this, based on the historic OS map, a line can be drawn from the west end of Mill House to the wharf, but is this just coincidental? I do not consider this to be conclusive evidence that it was designed but acknowledge that it is there: but this line of view can also be drawn through the site when looking at the existing layout, the approved layout and the proposed layout of buildings, albeit altered. The main consideration therefore is whether or not the proposed alterations to the approved layout have any impact on the setting of the listed building and whether or not this amounts to harm to the significance of the designated heritage asset.

Mill House has always had a variety of building types located to the south and south-west, of varying materials, ridge heights, use etc and the approved site layout takes development slightly further away from Mill House whilst the proposed layout offsets development, by bringing plots 1 & 2 further forward towards the main road. The proposed layout is generally set back from the road more than the existing and approved site layouts. The plot division and boundary treatments are more residential in character, but the design of the buildings, in my opinion, is a more bespoke scheme when considering reflecting industrial character of the site. The boundary treatments, in my opinion, could be improved by removing the high hazel panels and estate railings, and this could off-set some of the impact on the development by ensuring a more cohesive character for the site.

In considering that there is an extant permission on the site, which could be implemented tomorrow (or after any conditions are discharged, as may be required), the current proposal does not, in my opinion, cause any additional harm to the setting of the listed building than the approved scheme may already have upon it. In interests of public benefit, considering this is a dilapidated site and the buildings are a local eyesore due to this, the redevelopment of the site would achieve a balance of public interest that is of benefit to the local area.'

Alton Parish Council (original response)

'Note: this is an interim comment. It is necessitated by the last-moment agreement by the applicants at the Parish Council meeting last night (Nov 14) and right on deadline to negotiate over their proposals. It is without prejudice to any future view the PC might take.

The Parish Council held a long discussion of this application, including many residents' views.

Members agreed that the number of houses should be five rather than the six proposed. There were serious concerns about parking and traffic management. There were criticisms over light pollution and the uniformity of the buildings. There was also agreement that the site, derelict for the past 17 years, is an eyesore in urgent need of renewal.

Other issues raised included heritage; concerns over "suburbanisation"; the need for an independent environmental impact assessment; and the need to preserve the essentially open character of the village.

There was also strong concern that the current simultaneous applications for the Clock House site and the adjacent Crop Circle Exhibition (19/10296/FUL) are apparently being considered in isolation from each other.

There was general agreement that, in the light of the developers' offer to negotiate, the deadline for consideration should be extended to allow this to take place. No PC member proposed a formal resolution. There was, however, an indicative show of hands among members over whether they might (a) be ready to support the application if sufficient conditions were met or (b) they would oppose regardless. A substantial majority supported option a.'

Alton Parish Council (response on amendments)

'This response from Alton Parish Council follows the interim response submitted on November 11.

At a meeting of the Parish Council on December 10 2019, the following resolution was proposed and seconded: That the Parish Council objects to this application due to lack of variety of building designs and materials, the extent of the roof-glazing and lack of spare parking space. Agreed 5-1. No abstentions.

Among other issues, most Parish Council members voiced continued concern over the application for six new dwellings rather than the five approved approximately ten years ago.'

Wiltshire Council Highways (original response)

'I note that there was a previous application for 5 dwellings on this site. at the time of that application there were several discussions over the maintenance of the access to the canal as well as ensuring that each property had adequate parking and direct access.

I am minded that an additional dwelling is not going to increase the vehicle movements in a significant manner.

However, the layout has now changed to have vehicles directly reversing onto the entrance track. The track is well used, and it would be preferable to have the vehicle spaces accessed from within the site. If the applicant is not willing to address this suggestion, then some changes to the parking bays will be required.

All spaces will require a 2.4m x2.4m splay at the sides of each to ensure that visibility for passing vehicles and more importantly pedestrians is not impinged upon by planting.

The applicant should also be demonstrating cycle parking per property alongside bin storage for each property and a length of bin storage for collection days along the site frontage, this could be accommodated by some of the side garden of plot number 1.

Therefore, subject to the applicant achieving the above I would foresee no highway objection.'

#### Wiltshire Council Highways (response to objections)

'Though I fully appreciate the position of the complaint and I do acknowledge that the development in the area has appeared to have been approached by the applicant in a piecemeal manner I will confirm that in regards to the proposed new business uses each will be assessed in relation to the other uses and the applicant will always be asked to explain parking allocation and use for each one.

In regard to the housing application, the proposal has already been approved for 5 houses and I am minded that an additional dwelling does not justify a refusal as the specific traffic movements could not be considered a significant detriment. I am appreciative of the fact that the track is used by all road users including pedestrians but as stated above the principle of 5 dwellings has been agreed and an additional single dwelling does not warrant a refusal.

The applicant has agreed to address the bin collection day provision along with individual bin storage and cycle storage. They have also acknowledged that each parking bay will be provided with the correct visibility splays. In regard to the bollards, though it is not customary to use bollards I appreciate the requirement and if the residents are in agreement then I would be happy to accept the idea.

Therefore, in summary, though I appreciate the concerns raised I am mindful that this application which is in effect a single extra dwelling is not significant enough to warrant a change of position from the previous highway one.'

#### CPRE

'Thank you for allowing CPRE to make a late response to this application, following the parish council meeting last week. The view of the parish council was unclear, since it voted twice: first against the development and then to support it with (unspecified) conditions. Nevertheless, the opinions expressed by those villagers present were such

that their majority view was against the proposal, for much the same reasons as we now put forward.

The six 3-bed houses proposed are identical in style and alien to Honeystreet canal-side hamlet in development type. Large in size, with black weatherboarding, they would give a dominant and dark overall group impression. Huge 'feature' windows from the roof ridge line down to the bottom of the 1st floor window level would allow shafts of artificial light to become a major feature in the night sky both close-by and from the more distant Downs, conflicting with Core Policy 51.vii. Tall exterior shiny metal chimneys would be prominent. The development would lack any of the historic features of this industrial site related to the canal. CPRE therefore objects to the application on the following further grounds.

1. The site is in the AONB. Honeystreet, with its fine views towards the white horse and the Downs and vice-versa, is in popular walking and cycling country and a regular destination for visitors to the area. There are strict criteria for development that is sympathetic to this (designated) rural location, as required by the NPPF para. 170.
2. The development would not enhance the setting of the adjacent Listed Grade II Mill House, contrary to Core strategy Policy 58, re conserving and enhancing the historic environment – and to the NPPF paras. 189–90 and, notably, para. 194: “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting [our emphasis]), should require clear and convincing justification.”
3. The Core Strategy requirement for affordable housing in the Marlborough area is 40% where 5 or more houses are proposed (Core Strategy Policy 43 and NPPF para. 63), so at least 2 affordables should be included in a proposal for 6 houses.
4. Although the 42% of villagers who responded to the (now out of date) Alton Housing Needs Survey in 2015 indicated no affordables were required by those villagers, this does not mean that no more affordables should be built here: the policy for the whole Wiltshire area should be respected but, since permission has already been given for five open-market houses on the site, there might be a special case made here for one affordable and a contribution from the developer to affordable housing elsewhere in the county. Alternatively, the development should have no more than five houses.

Some villagers who responded to the survey said they wanted 2-bedroom homes to buy. The country desperately needs smaller houses for first-time and single buyers and custom-built houses for the elderly and disabled. Any such housing in Alton would be likely to be welcomed since it would enable young people, perhaps starting a family, to live in the parish and possibly less physically able people to stay. Such an approach would help to keep the local school (Woodborough) open and the bus service, such as it is, operating.

Thus, there is a strong case for a mix of house sizes and types for a variety of owners and a sustainable village community. If no positive effort is made in Wiltshire to meet these needs then our village communities will finally change into places where mainly the better off can afford to live and local services will decline further, in conflict with the requirements of the NPPF paras. 61, 62 and 77; and Core Strategy paras. 5.79 and para.6.40– 6.41.

5. The Honeystreet VDS is explicit on new housing and its design:

“Any development should be on a scale and of a character appropriate to the hamlet, employing local materials and open spaces and avoiding uniformity. It is essential to retain and where possible restore the character and historic buildings of the Wharfside area.”

The proposals are uniform and show no hint of the former historic use of the site, resulting in the opposite of what the VDS asks for. In previous development proposals, consultees gave emphasis to retention of the attractive pantiles on a former barn now derelict on the site – one simple way of retaining local material and an element of the site’s history, in line with Core Strategy Policy 58

Wilts Core Strategy Policy 57 (Ensuring high quality design and place-shaping) is also relevant here and, notably, NPPF para. 130 (Achieving well-designed places): “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. . .”

One house in the proposed style, sited adjacent to the industrial building still in use, might be acceptable – apart from the huge roof lights which would dominate the night sky. Weatherboarding might be stained brown or green instead of black. Variety in developments makes them more pleasant to look at and live in.

We accept that the development site, with its unsightly collapsed buildings, needs “tidying up” but a more suitable and attractive scheme might be proposed, such as the one previously agreed.

We suggest that many of the ten “Characteristics” set out in the newly-published (Sept 2019) MHCLG National Design Guide might be borne in mind: e.g., C1–C2 (Context), I1–I3 (Identity), B2 (Built Form) and U2–U3 (Uses).

We hope the Council will refuse this application and suggest that the applicant brings forward a mixed-style scheme, using a variety of local materials and retaining elements of the historic use of the site. The development ought to include some smaller, less expensive houses, perhaps with at least one “affordable” dwelling.’

Wiltshire Council Drainage Officer

‘We are pleased to see that the surface water drainage strategy is based on SUDS principles and includes SUDS features.

As the ultimate point of discharge is to Kennet and Avon Canal, The Canal Trust must be consulted to ensure that a sufficient capacity is available in the Canal and to confirm the connection point and agree discharge rates. Land Drainage Consent /Permit may be required from Kennet and Avon Canal Trust for discharge of surface water and connection to the canal.’

Wiltshire Council Public Protection Officer

'Further to our conversation, I can confirm that I am happy with the Contaminated Land options appraisal and remediation strategy report submitted and note that a verification report will be produced to confirm that the strategy has been completed as prescribed.

Can I propose that we condition that the development proceeds in line with the report with the proviso that the Verification Report be submitted and approved by both this office and the Environment Agency (assuming they are also ok with the remediation strategy)?'

**8. Publicity**

The application was advertised by way of a site notice and neighbour notification letters. Whilst it has been suggested that the site notice was taken down prior to it being up for the full 21 days (the applicant asserts this was not by them), the publicity requirements for this planning application as defined and set out in the Development Management Procedure Order 2015 have been met i.e. letters were sent out.

As a result of this publicity numerous objections letters have been received. To a large extent the letters repeat the same points, but a summary of the main issues raised is highlighted below.

- Extent of blue line ownership not shown
- Design of houses not suitable for Honeystreet
- Fencing at the entrance will restrict visibility to further unsafe levels
- Too many houses
- The scheme will create further traffic and parking issues
- The new scheme does not retain any of the heritage of the site
- The previous application was suitable and approved and it should remain within the scope of that. The developer was fully aware of this when they purchased the site and this presents itself as a clear example of squeezing more profit out of the site to the detriment of the new inhabitants and existing villagers.
- Six houses is one too many as can be seen from the plan with two houses back to back with each other.
- Having all the woodwork in black is a complete eyesore and detracts from the hamlet.
- Having the proposed houses all of basically the same construction is completely foreign to the rest of the village.
- Lack of adequate provision for new resident parking
- Remain very concerned over the omission of the undeveloped part of the old warehouse building and feel this is being held back for a further dwelling application in the future.
- Concerned about the development impact on the wildlife within this area.
- One of the properties is totally unrealistic with a huge protected tree in its then overwhelmed garden.
- Six similar buildings in design and finish look more like a gated community development - unsuitable for Honeystreet.
- The huge roof lights and windows would cause light pollution at night and be noticeable from the surrounding hills.

- No re-use of any of the original building materials is suggested, or any historic features left or recreated.
- Harmful impact on Mill House
- The height of the new buildings which is out of sync with the surrounding properties
- The density of development is inappropriate in the countryside.
- Maintenance of soft landscape areas once completed is being left in the hands of a management company, in my experience they often fail to deliver.
- Watering will be needed to establish plants – no mention has been made of including an underground rainwater storage tank to use for irrigation in the summer months. A sustainable solution like this should be included.
- It is proposed to use herbicides to control weed growth. There is a risk that this will seep into the canal once it gets into the ground. Could other methods be explored.
- The mature retained trees (lime, ash, walnut) should be made the subject of tree preservation orders.
- Include a mandatory height restriction on hedges planted – high hedges would alter the open feel of the environment.
- We seem to be losing sense of history of Clock House. Would it be possible to acquire the former clock (now at Crofton?) and include a clock tower and timber crane within the development?
- The size of the dwellings suggests these will be unaffordable especially for first time local buyers.
- It is imperative that consideration is given to overall traffic management, parking and the safety of pedestrians given the demands that will be made by the two other pending planning applications in this small area of Honeystreet.
- Concern over the lack of provision on the site for Swifts and other wildlife.

## 9. Planning Considerations

### ***Principle of Development***

Honeystreet is considered to be open countryside, as defined by the settlement strategy in the WCS. As such, under current local plan policy, planning permission would not normally be granted for new housing developments in the settlement as it would conflict with CP 1 and 2 unless, of course, it accords with one of the exception policies listed at paragraph 4.25 of the WCS. However, these are not normal circumstances as an extant planning permission exists on the site for the erection of 5 dwellings and this must be treated as a significant material consideration. In other words, planning permission already exists to erect 5 dwellings on the site and this could be implemented now. It is therefore the fall-back position, as quite clearly there is a very realistic prospect of the approved scheme being implemented should planning permission not be forthcoming for this scheme.

The focus of this debate therefore concerns the addition of 1 further dwelling on the site (i.e. a scheme for 6 not 5 dwellings) and whether planning policy and other material considerations can justify allowing a larger (in numbers terms) scheme than consented. Whilst it is acknowledged that CP 1 and 2 seek to restrict new open market housing in

Honeystreet, in this instance it comes down to the addition of just 1 dwelling. The points that can be noted from this are that:

- a scheme of 6 dwellings would see more efficient use of a brownfield site i.e. the sixth dwelling would not push the development outside of the previously developed land envelope;
- the current scheme sees a better layout which appears as a less dense form of development, thus ensuring it makes optimal use of the site potential (NPPF para 123);
- it contains, overall, a smaller building footprint i.e. more permeable / semi-permeable area; and
- in locational sustainability terms, the impacts associated with 6 dwellings versus 5 is not going to be materially different.

Whilst acknowledging that strictly speaking the scheme would be contrary to policy, in this instance there are material considerations that would justify allowing an extra dwelling on the site. As such, officers consider it justifiable to accept the principle of 6 dwellings on the site on the proviso that it raises no further material planning harm than the scheme of 5 does, when weighed against the policies of the development plan.

### ***Design***

The amount of development has increased from 5 dwellings in the extant permission to 6 with the current proposal. However, looking at the plans submitted by the applicant, it is clear that the approved scheme has a greater footprint than the current proposal. It is difficult therefore to see how any arguments could be put forward to suggest this was overdevelopment of the site when the amount of physical development would be less. There is more of an open feel to the current scheme and as such, the amount of development is considered acceptable in relation to CP 57.

The layout of the development differs from the extant permission, but officers do not consider any precedent to have been set by the extant layout. The existing buildings, bar one (which was of no real architectural merit) are to be removed under the extant consent. Officers consider that a design which reflects the industrial heritage of the site would be a better option than trying to put back buildings in the exact location of former ones and as such, consider the layout of this scheme to be acceptable. The only real layout requirement for the site was to ensure the accessway to the wharf remains clear and free of obstruction as it is still in active use. The current layout secures this, arguably better so than the extant permission. Officers do not consider there to be any important views into, within or out of the site that needed to be retained. Any glimpsed views of the canal that are currently present are considered to have arisen fortuitously rather than by deliberate design – certainly, no sound evidence has been provided to suggest this. In any event, the current scheme, to a large extent, maintains the same glimpsed view of the Canal.

Whilst concern has been raised over plots 1 and 2 being attached in the manner they have, this has been a deliberate attempt by the architect to add interest to this corner of the site by creating a larger building with a stepped build line to reflect the larger industrial / commercial buildings that occupy or occupied the site. The LPA has no concerns with this approach and is in broad agreement with the reasoning behind it. The primary views from these dwellings is to the sides rather than the front or back, which has also somewhat

dictated the layout in this part of the site and thus the way in which the dwellings are connected.

With regards height, all of the dwellings will have a ridge height of approximately 7.9m and an eaves height of 4.4m. The most important buildings are those that lie in close proximity to existing development and therefore need to be compatible to ensure the development fits into its context well. In this respect, plots 1, 2 and 3 are the most critical. According to the topographical survey data and finished floor level information submitted by the applicants, plots 1 and 2 will have an eaves height approximately 1m lower than the nearest neighbouring building (Mill House), with a ridge approximately 0.75m higher. Plot 3 will have a ridge height 0.1m higher than the building to the west and 0.6m higher than the building to the north. Eaves heights for plot 3 will be 1.3m lower than the building to the west and 0.7m higher than the building to the north. Overall, it can be concluded from this that, whilst the height of the dwellings will be taller than the surrounding development, this is not to an unacceptable extent and will ensure that the proposal fits into the area without being dominant. Furthermore, 7.9m is not excessively tall for a dwelling; rather, it is more on the average side for building heights for modern dwellings. Unlike previous consents, a slab level condition is not necessary as this information has been submitted upfront to the acceptance of the LPA.

With regards scale and form, each dwelling will have a footprint of approximately 79m<sup>2</sup>. The nearest residential property, The Mill House, has a footprint of more than double this with the other neighbouring buildings being former industrial buildings of a far larger scale. The rest of Honeystreet contains a range of scales from small cottages, terraced dwellings to large detached houses. The simplistic rectilinear plan form, with narrow, yet traditional gable spans, reflects the industrial / commercial history of the site and fits in with adjoining buildings well. Overall, there are no concerns regarding the scale and form of the dwellings.

Plot sizes, as you would expect in a small rural settlement, vary considerably. The proposed development follows suit by including variations to the plot sizes. Whilst perhaps smaller than quite a number of the properties in Honeystreet, the plot sizes ensure more than adequate amenity space for each dwelling and is not dissimilar to the extant planning permission. Furthermore, paragraph 122 of the NPPF makes it clear that efficient use of the land should be supported in planning decisions and therefore large plots is not something that national planning policy is seeking to promote.

Looking at elevational treatment, the bulk of the buildings are broken up by the large format glazing that varies in shape and size and the differing placement of dormer windows. This is enough to ensure interest to the facades of each of the dwellinghouses. In addition to this, the soft landscaping scheme and varying degree of boundary treatments will help to soften the impact. Materials for the development do not vary from dwelling to dwelling – in general, traditional materials are used in a contemporary manner on the dwellings. Whilst the materials may not be to the taste of all of the locals, notably, the dark stained timber, they are traditional and in use locally (black stained timber is in use within the wider area e.g. Alton Barnes and Woodborough (both neighbouring settlements)). Its use reflects the industrial / commercial heritage of the site where the use of dark stained or tarred timber would have been more common in practice on timber

buildings (particularly around the 19<sup>th</sup> century when soft wood started to be imported and used). Furthermore, although not the black colour proposed for this development, timber stained buildings are present on the site and elsewhere in Honeystreet. With the proximity of the canal, it is not surprising to see slate in prevalent use within Honeystreet and thus as a roofing material for the dwellings there is no concern.

With regards the boundary treatments, they do vary across the site. Whilst there is some use of close boarded fencing, this is limited to areas that are not the most visually prominent. At the entrance to the site, hazel hurdles are used along the roadside for plots 1-3. At the turning point into the development itself metal estate railing is used, and along the canal side edge of the development, post and cleft chestnut rail fencing is proposed. These boundaries treatments coupled with the soft landscaping proposed in and around the development, including mix native hedging at boundaries are an appropriate response to the areas rural character. Similarly, minimising the use of tarmac within the development and opting for permeable paving instead adds more to the scheme's response to the rural surrounds. In all, these hard and soft landscaping proposals ensure that the development does not have an overtly suburban feel. The comments of the conservation officer and locals are noted in this respect, but it has not caused the officer to change their position on the matter.

Parking spaces, including visitor bays, are appropriately positioned throughout the development to ensure the scheme does not result in a prevalence of parked cars. This has been achieved by avoiding parking courts and wrapping the landscaping around the spaces provided. The scheme includes bin storage for each property and a storage area for collection days which is considered good design, aiding the reduction in visual clutter.

### ***Neighbour Amenity***

The nearest residential property to the development is Mill House. Its occupiers' privacy will not be materially harmed as a result of this development in the opinion of officers. Windows at ground floor level are already impacted upon by the highway which runs to the front of this property. Views into the ground floor windows of Mill House are afforded by users of this highway which was apparent during the officer's site visit. The ground floor windows from Plot 1 of the proposed development would not provide any greater means of overlooking to these windows than is not already afforded by the users of this highway. The windows at first floor in Plot 1 are however a different matter. That said, one window serves a bedroom and is a secondary window – this can be obscurely glazed – as indicated on the submitted drawings. The other window at first floor is a landing window serving a circulation space rather than a habitable or principal living room of the house. Fleeting glances from people passing this window as they move about the first-floor rooms is not considered to result in significant overlooking of Mill House to an extent that would militate against the grant of planning permission. Notwithstanding this assessment, it is noted that this window is also annotated to be obscurely glazed on the submitted plans and can be conditioned accordingly.

In respect of light / overbearing impact to Mill House, Wiltshire Council has no space standards for dwellings that are front to front. That said, Plot 1 and 2 are located more to the side of The Mill House than in front of it (unlike the existing building on the site). Taking this into account, and the fact that the roofs are sloping away from this property, together

with a separation distance of approximately 14.5m, it is not considered that the scheme will cause significant loss of light to Mill House nor will it have an overbearing impact. It is noted that, although single storey, the existing buildings on the site lie in closer proximity to Mill House than the current scheme and in respect of the extant permission are in a not too dissimilar position.

The properties to the east of the application site are located over the main road and due to separation distances will not be impacting upon by the development. The same conclusions apply to the property south of the development which is separated by the Canal. Furthermore, this is a sawmill, not a residential property. To the west of the site lie commercial buildings which act as a screen for the development. The scheme will not have a material impact upon these buildings.

With regards the impacts within the development site itself, the properties are suitably spaced and orientated such that there will be no overbearing impacts or loss of light caused. With regards privacy, the applicant has shown on the submitted plans that all sensitive windows i.e. those that have the potential to cause overlooking, are obscurely glazed. Officers have reviewed this, and whilst it agrees that some of the windows need to be obscurely glazed, not all the ones shown need be. The windows that do can be conditioned as such to ensure privacy is maintained in perpetuity.

No other properties stand to be affected by the development. Furthermore, residential use of the site has already been considered acceptable with regards adjoining land uses and properties.

### ***Visual Impact***

The site sits in a fairly prominent location. Views will be afforded of the development from the road, from the Public Rights of Way (PRoWs), ALTO9 and ALTO19, the Canal and its towpath, as well as from within Honeystreet itself. More distant views of the site would likely be afforded from higher ground when traversing the PRoWs up on the Downs (notably at Walkers Hill).

It must first be highlighted that the extant scheme for 5 dwellings was considered not to cause any significant harm to the surrounding landscape, notably the AONB. As this is the valid fall-back position (as discussed previously), i.e. realistically likely to be implemented should planning permission not be given here, it would be prudent to factor this into the visual assessment i.e. it would be legitimate for the character change and visual effects arising from the extant permission to form the baseline for the assessment of this one.

Although we are now faced with a different design proposal that includes an extra dwelling, as mentioned above, the scheme actually has a smaller built footprint with more permeable areas. As the proposal is still for a residential development, the landscape character change will be broadly similar i.e. a former industrial / commercial brownfield site will still be changing to a residential housing development. That said, the new design is more sympathetic to the heritage past of the site with the buildings taking on a more wharf like industrial appearance than the extant permission. It could therefore be argued

that the character changes with the current scheme will not be as pronounced or overtly domestic.

The greatest of the changes lies in the assessment of the visual effects. However, the baseline is the extant planning permission and this scheme would already have a marked effect on the visual receptors close to the site. What is currently a derelict site and arguably a visual detraction in the landscape would, as a result of the development, be rejuvenated. The site has been vacant for a period in excess of 20 years and it would appear that a residential scheme is the most viable option for the redevelopment of the site. Whilst the design of the individual dwellings may not be to everyone's taste, it is not for the LPA to get involved in matters of architectural style per se (as this is subjective) but rather to guide the overall scale, height and massing of a development to ensure it is an appropriate fit for the site and would not result in visual harm. With this in mind, it is not considered that the scheme would give rise to any significant harm to nearby visual receptors where intervisibility is possible. From these receptors the site would still be read as a residential scheme in conjunction with, and contained within, the rest of the built-up area of Honeystreet.

The current scheme sees more glazing, notably in the roofs. This has the potential to increase light spill, particularly in an upward direction. As noted, a key aim of the AONB Management Plan is to maintain the dark skies of the North Wessex Downs and this is reflected in Core Policy 51 of the WCS. In acknowledging this, it is accepted that there will already be some ambient light spill from the existing buildings at Honeystreet – indeed, the applicants lighting assessment has confirmed this, with street lighting, canal boats, pub lighting and security lighting on commercial / industrial premises in addition to the residential properties being the sources. Furthermore, it is accepted that the current proposal remains within the existing built envelope of Honeystreet on the footprint of the extant permission i.e. it sits within the current illuminated area rather than extend it. It must be noted that the request for a lighting assessment was by the case officer to aid the assessment of the application and thus it was not considered necessary to consult upon this; after all it is not changing the proposal in anyway.

With regards mitigation, the proposed dwellings have been designed to ensure lighting is angled downwards to reduce upward spill. Lighting is to be censored and timed to ensure it is not permanently on and only triggered when there is movement – this applies to the circulation spaces in the dwellings as well as the external lighting. Furthermore, the areas served by the large glazed sections of each dwelling are circulation spaces rather than habitable rooms and as such will not need to be as brightly lit when on for the short times these spaces are in use. Furthermore, black out blinds will be installed to be time operated to prevent light spill at night. In addition to this, there will be some light screening provided by the proposed planting scheme and boundary treatments as well as the existing buildings around the site.

On balance, when the baseline is factored in (i.e. the effect of lighting from a 5 dwelling scheme), the ambient lighting that already exists within Honeystreet, the fact that it will not extend the illuminated area of Honeystreet, and the mitigation measures proposed by the applicant in the design of the lighting scheme for each dwelling, the effect of light spill on the AONB will not be at a level that would justify a reason for refusal. In other words,

the dark skies of the AONB will not be materially harmed by this proposal. The development can be conditioned to be carried out in strict accordance with the mitigation measures set out in the submitted lighting assessment and the external lighting plan.

Comments relating to the very similar appearance of the dwellings and the use of dark stained timber are noted but are not considered to cause any significant harm to nearby visual receptors. The industrial like design of the buildings using materials that are in use within the wider area should not be a visual detraction or indeed an unsurprising feature within the landscape when you consider the location of the site and its heritage.

### ***Heritage Impact***

With regards the buildings within the site itself, all were considered to be non-designated heritage assets under the previous assessment. However, the extant permission earmarks all but one of these buildings for demolition and this scheme was not objected to by the Conservation Officer. The status of these buildings has not changed, nor has their condition (if anything, they are likely to be in a worse condition) and as such, it would be difficult to draw a different conclusion here. A well-designed residential scheme would on balance secure a new long-term use of the site and enable it to be brought back into a reasonable state which would enhance the setting of the canal, the adjacent listed building and bring a number of residences compatible with the small scale of this settlement. Having weighed up the significance of the buildings and the contribution they make to the historic environment, their loss, whilst still considered to be regrettable, it seems unlikely from a viability perspective that these buildings could be saved (notably as we are now much further down the line from the original consents on the site when this assessment was made), and the benefits of the proposed scheme are considered to outweigh the loss of these structures.

With regards the Canal, it is considered to be a non-designated heritage asset under the terms of the NPPF. It is therefore important to consider the schemes impact upon its setting whilst factoring in the impacts that have already been agreed as acceptable by virtue of the extant permission. Officers consider the design of the current scheme to be acceptable and indeed the wharflike / industrial design to the dwellings gives a better reflection of the sites industrial Canalside heritage. The development is not considered to have a negative impact on the canal and will thus preserve it as a heritage asset. Furthermore, the design includes public access to the edge of the canal including to the wharf which helps preserve the vitality and vibrancy of the asset. In addition to this, the loss of the leylandii will open up this part of the canal and improve intervisibility between the development site and the Canal which historically would have been the case.

In respect of Mill House, a grade II listed building, concern has been raised by the owner that the development would have a harmful effect on the setting of this building, namely through the proximity of the development to the building and the loss of the views and connection of the house to the Canal. In respect of this issue, the owner of the property has commissioned two heritage assessments to demonstrate the harm in conjunction with their objection letter. The Conservation Officer has reviewed these and the concerns raised by the neighbour and other locals and formed the view that the proposals will not have a significantly harmful impact upon the setting of Mill House and more so than the

extant consent. They have also concluded that there is no concrete evidence to suggest that the views afforded from Mill House to the Canal were anything but coincidental.

Whilst a painting was produced in 1870 that shows the orientation of the buildings on the site in a north south direction, and it shows Mill House with a view across these buildings towards the Canal, it does not explain why this was so or indeed qualify if any artistic license was applied. To interpret from this painting that Mill House was designed with a view of the Canal and wharf site would not be correct and would be based upon assumptions. The relationship may well have been fortuitous rather than deliberate design which someone else would be entitled to form as an opinion on this painting. Without any written evidence from say, the then Mill Owner (e.g. a diary or something) which states the buildings were designed to ensure The Mill House had a view of the Canal etc. for functional purposes then little weight can be given to a painting to make inferences about the buildings historic setting.

Previously a condition was imposed to secure an archaeological Investigation at the site and to ensure that any development was carried out in accordance with this. Such a report was produced to the satisfaction of the County Archaeologist and as such, the 2017 permission only included a condition to ensure development was carried out in accordance with this. The same condition can be imposed here.

Overall, the site is not considered to preserve the setting of Mill House and other heritage assets (save for those already agreed to be demolished). Accordingly, the scheme is in broad accordance with Core Policy 58 of the WCS and the historic environment chapter of the NPPF.

### ***Highway Safety / Parking***

As acknowledged above, planning permission exists on the site for 5 dwellings. As the established and valid fall-back position, Honeystreet would therefore be subject to the vehicular movements associated with these 5 dwellings should this scheme be implemented (realistically this would happen if consent is not given for this scheme). This is irrespective of any additional traffic flows that have arisen in Honeystreet since this permission was granted e.g. the Honeystreet Cafe.

The current proposal sees an addition of 1 dwelling and accordingly, it has been necessary for the Local Highway Authority (LHA) to look at the implications of this on the adjoining highway network i.e. would the increase by one dwelling have a materially harmful impact to highway safety. In the absence of an objection from the Local Highway Authority, officers consider that the addition of 1 further dwelling on the site would not give rise to any significant harm to highway safety and that such movements can be accommodated by the adjoining highway network. A single extra dwelling is not significant enough to warrant a change of position from the previous one taken by highways.

The LHA have not considered it necessary to request a transport assessment for this application (primarily basing this on the fact that the scheme is introducing just 1 additional dwelling). It is noted that the NPPF states at para 111 that such statements should only be required where a development would generate significant amounts of movement – a scheme is 6 dwellings would not. The LHA have considered the information supplied by

one of the local objectors to the development (a transport assessment) and it has not caused them to alter their view.

The proposed development meets the minimum parking standards set out in the Local Transport Plan including the provision of a visitor parking spaces – despite numerous comments from locals that there is a lack of parking provision. The Council has set standards and cannot insist upon greater provision where the policy requirements are met. Bollards have been proposed by the applicant to prevent the visitor spaces being used by visiting members of the public to the café or other amenities in Honeystreet. The LHA are prepared to accept the use of bollards here, notably, as it is something the locals have expressed a desire for. The proposal therefore complies with CP 64 of the WCS. Comments relating to overflow parking when residents of the new properties have events or parties is not something the LPA can request. The existing properties must be faced with the same issues when they too wish to hold events / parties – it would be unreasonable to impose different standards upon the new dwellinghouses.

The plan shows bike storage for each dwelling. This would comply with the Council's cycling strategy to provide cycle storage provision for all new dwellings.

The conditions requested by the LHA can be imposed to secure adequate visibility for vehicular accessing the parking spaces associated with the dwellings.

### ***Drainage***

The surface water drainage scheme has not been met with any objection from the Council's drainage team. However, they do states that:

*“As the ultimate point of discharge is to Kennet and Avon Canal, The Canal Trust must be consulted to ensure that a sufficient capacity is available in the Canal and to confirm the connection point and agree discharge rates.”*

The Canal and Riverside Trust have been consulted on this proposal, but no response has been received from them. A condition can be imposed to ensure development is carried out in accordance with the submitted drainage scheme. However, a caveat can be worked into this condition that permits a different drainage scheme to be applied for under a discharge of condition application should the Canal and Riverside Trust not be happy with the current scheme.

### ***Ecology***

Previous assessment of the site raised no objections from an ecological point of view subject to development being carried out in strict accordance with the mitigation and enhancement measures outlined in the then submitted ecological report. The current application sees an updated ecological report submitted for the site where this time round, protected species / habitats have been found (minor bats roosts in a couple of the buildings). Accordingly, a license is required from Natural England for their destruction.

The submitted ecology report is considered to contain enough mitigation during and post construction (e.g. hand removal of all clay tiles for the crevice dwellings bats and installation of bat boxes on the trees and houses) to ensure the favourable conservation

of the species such that a license is unlikely to be withheld. Provided development is carried out in strict accordance with the mitigation and enhancement measures set out in the ecology report, there are no objections to the scheme on this point.

In addition to the above, it is noted that since the previous applications were determined NPPF policy has changed in so far as new development sites are now expected to achieve net biodiversity gain. The site currently has little biodiversity as it is largely made up of buildings, hardstanding and ruderal vegetation which the ecology report identifies as low value. As such, the robust landscaping scheme with more native species, introduction of bat, bird and hedgehog boxes are enough to ensure the development achieves biodiversity gains.

### ***Environmental Issues***

Noise attenuation measures on the dust extractor from the operational sawmill across the canal have been agreed under the discharge of condition letter dated 6<sup>th</sup> November 2015 for planning permission 10/0772/FUL. No further action is therefore necessary under this planning application. Rather, a compliance condition can be imposed to ensure development is carried out in accordance with this already approved scheme.

A report has been submitted with the application to deal with matters relating to contaminated land to address the requirements of Core Policy 56 of the WCS. This report includes a remediation strategy. This information is met with approval from the Public Protection Officer subject to a condition to ensure development is carried out in accordance with it on the proviso that the Verification Report be submitted and approved by both this office and the Environment Agency. This can be conditioned accordingly.

### **10. S106 contributions**

No contributions are triggered by this development.

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

Whilst acknowledging the conflict with CP 1 and 2, there is an extant permission for 5 dwellings on the site and so the primacy focus lies with the additional dwelling. In respect of this case, the applicants have demonstrated that a sixth dwelling can be accommodated on the site without compromising the ability to deliver a high-quality design that is visually acceptable within the context of the existing built fabric of Honeystreet and the wider AONB landscape. Your officers would agree with these conclusions.

The site is currently vacant and has been so in excess of 20 years. It visually detracts from the character and appearance of the area. The scheme would see the delivery of a high-quality design that would bring a number of residences compatible with the small scale of this settlement. It would secure a new long-term use of the site and enable it to be brought back into a reasonable state which would enhance the character and appearance of this part of Honeystreet, the setting of Mill House and the Canal, and introduce a robust landscaping scheme full of native planting. These are benefits of the scheme.

The NPPF also advocates efficient use of land and states that substantial weight should also be given to the use of brownfield land. Whilst there is some conflict with the development plan (the introduction of a sixth dwelling), your officers consider the benefits that the scheme will deliver, and the other material considerations contained within the NPPF, are sufficient to justify the granting of planning permission on this site.

Officers have considered all the representations raised by third parties during the course of the consultation period but this has not caused them to reach a different conclusion on the matter.

## **RECOMMENDATION**

That planning permission be **GRANTED** subject to the following conditions:

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

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

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

- Application Form
- Site Location Plan
- Drg No. 0376-201C - House Type 1A - detached units
- Drg No. 0376-202C - House Type 2 - semi-detached units
- Drg No. 0376-203C - House Type 3 - detached with basement
- Drg No. 0376-207 - House Type 1B - detached unit
- Drg No. 0376-200H - Site Plan Proposed
- Drg No. 0376-304B - Site Plan - plot boundaries & views
- Drg No. 0376-402 - Proposed External Lighting Scheme
- Drg No. 454/100 Rev B - Soft Landscaping Proposals
- Drg No. 454/101 Rev B - Proposed Fencing

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

- 3 No dwelling hereby approved shall be first occupied until the alternative scheme of noise attenuation approved by the Local Planning Authority in the discharge of conditions letter dated 6th November 2015 attached to E/10/0772/FUL has been so implemented and maintained as such in perpetuity.

REASON: To attenuate noise from the dust extraction system which would be harmful to the amenities of the occupiers of the new development.

- 4 The external flues shall be finished in a matt black colour and maintained as such thereafter.

REASON: In the interests of preserving the character and appearance of the area which is within the North Wessex Downs AONB.

- 5 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.

- 6 The landscape management plan shall be implemented in accordance with the submitted scheme by Enderby Associates dated September 2019.

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

- 7 No part of the development hereby approved shall be first occupied until the parking areas shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 8 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.

- 9 The development shall not be occupied until parallel visibility splays of 2.4 x 2.4m have been provided at the sides of the 2 visitor parking spaces and those serving plot 1. The visibility splays shall be cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level. Those areas shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

- 10 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/extensions or external alterations to 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 external alterations.

- 11 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), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans or approved under the provisions of the above conditions, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

- 12 The following windows at first floor shall be glazed with obscure glass to an obscurity level of no less than level 3 and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted:

- Window serving bedroom 2 on the front (north) elevation of Plot 1
- Window serving landing / stairwell on the front (north) elevation of Plot 1
- Window serving landing / stairwell on the front (south) elevation of Plot 2
- Window serving bedroom 2 on the side (east) elevation of Plot 4
- Window serving bedroom 2 on the front (north) elevation of Plot 5
- Window serving landing / stairwell on the front (north) elevation of Plot 5
- Window serving bedroom 2 on the side (east) elevation of Plot 6

These windows shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 13 Development shall be carried out in strict accordance with the contaminated land options appraisal and remediation strategy by Groundfirst and dated the 11th September 2019. A Verification Report to confirm that the strategy has been completed as prescribed shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwellings hereby approved.

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

- 14 Unless otherwise agreed in writing with the local planning authority, surface water drainage shall be constructed in accordance with the approved scheme by SuDSmart Pro and dated 26th September 2019 prior to the occupation of the dwellings hereby approved.

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

15      **INFORMATIVE TO APPLICANT:**

The applicant/developer is advised to contact the Third Party Works Team on 0303 0404040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trusts“ Code of Practice for Works affecting the Trust”. The applicant is advised that an agreement with the Canal & River Trust would be required for the discharge of water into the canal.

- 16      Unless otherwise agreed in writing with the local planning authority, the foul drainage scheme shall be implemented in accordance with the submitted scheme shown on drawing no. 0376-400 dated October 2019 prior to the occupation of the dwellings hereby approved.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 17      The development shall be carried out in strict accordance with the approved Ecological Report by James Johnston Ecology and dated 25th September prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

- 18      The scheme of building recording shall be implemented in accordance with that agreed in the discharge of conditions latter dated 22nd February 2017 attached to planning permission E/10/0772/FUL.

REASON: To secure the proper recording of the undesignated heritage assets.

- 19      The approved programme of archaeological work agreed in the discharge of conditions latter dated 22nd February 2017 attached to planning permission E/10/0772/FUL shall be carried out in accordance with the approved details.

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

- 20      The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed. Development shall also be carried out in accordance with the details submitted in the Lighting Assessment Report dated 23rd December 2019 by Jacques Partnership.

REASON: To minimise unnecessary light spillage above and outside the development site in the interest of maintaining the dark skies of the AONB.

21 Development on site shall be carried out in full accordance with the structural report agreed in the discharge of conditions latter dated 22nd February 2017 attached to planning permission E/10/0772/FUL.

REASON: In the interests of visual amenity and to ensure the structural integrity of the retaining wall and adjacent road.

22 **INFORMATIVE TO APPLICANT:**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before such works commence.

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