

REPORT TO EASTERN AREA PLANNING COMMITTEE**Report No.**

Date of Meeting	17 April 2025
Application Number	PL/2024/003348 & PL/2024/03701
Site Address	The Wheatsheaf Inn, Chilton Foliat, Hungerford, RG17 0TE
Proposal	Construction of restaurant extension to rear, internal alterations to create a new kitchen servery hatch, insertion of rear door to kitchen, construction of cellar access, creation of new bay window to front elevation, raising of ceilings in the 3 first floor bedrooms, erection of fence and gates to enclose the bin store, revised parking layout including parking space to front.
Applicant	The Wheatsheaf (CF) Ltd
Town/Parish Council	CHILTON FOLIAT
Electoral Division	Aldbourn & Ramsbury
Grid Ref	51.43202, -1.539237
Type of applications	Full Planning Permission & Listed Building Consent
Case Officer	Helena Carney

REASON FOR THE APPLICATION BEING CONSIDERED BY COMMITTEE :

This application has been brought before the Committee at the request of Councillor Sheppard should the application be recommended for **REFUSAL** due to the importance to the community of keeping a village public house.

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 both planning permission and listed building consent be refused.

This report covers both the full planning permission (ref: PL/2024/03348) and listed building consent (ref: PL/2024/03701) applications.

2. MAIN ISSUES

- Principle of development
- Scale, design and materials
- Impact upon neighbour amenity
- Impact upon heritage assets
- Highway safety / parking

- Drainage
- Ecology
- Impact upon the North Wessex Downs National Landscape

3. SITE DESCRIPTION AND SITE CONSTRAINTS

The applications relate to the Wheatsheaf PH in Chilton Foliat. The PH is a Grade II listed building which benefits from several outbuildings, beer garden and parking to the rear. The site lies within the North Wessex Downs National Landscape and the Chilton Foliat Conservation Area.

The Historic England listing description reads as follows:

House, now public house. Early C19. Daiper brickwork with laced flintwork on return. Thatched roof. 2-storey, 3 bays with 2 half glazed 6-panel doors with bracketed pent roofs. 2 late C19 canted and hipped bays. First floor has 3-light segmental headed windows. Blue vitrified brick band at first floor level. Gable stacks and stack between 1st and 2nd bays. To left, rear 2-bay wing of early C19 with 12- and 20-pane sashes.

The key site constraints are as follows:

- Within the built-up area of Chilton Foliat
- In the Chilton Foliat Conservation Area
- The Wheatsheaf Inn is a grade II listed building
- The outbuilding within the grounds of the pub forming part of this application is considered to be curtilage listed
- Proximity to grade II listed buildings (No. 67 and 72-78 Chilton Foliat)
- The village of Chilton Foliat is washed over by the North Wessex Downs National Landscape

The site is neighboured to the rear and sides by residential properties and the village hall to the east. Planning permission was granted in 2020 (ref: 20/01218/FUL) for the erection of a building in the north-east corner of the site, together with the conversion of an existing curtilage listed outbuilding to accommodate 8 rooms for guest accommodation. A subsequent planning application was approved in 2023 (ref: PL/2023/01602); this was to vary the approved plans condition to amend the scale and elevational design of the approved accommodation block. A further application has been approved (ref: PL/2024/03175) to further vary the approved plans of the original permission to revise the internal layout, elevations and siting of the approved accommodation block. At the time of writing, a further application has been submitted for the change of use of the ground floor of the detached accommodation barn from

4no. guest bedrooms to 4no. self-contained offices (pertaining to the original planning application 20/02128/FUL). A summary of the relevant planning history is detailed in section 4 below.

4. RELEVANT PLANNING HISTORY

- 20/01218/FUL - Proposed guest accommodation ancillary to the Wheatsheaf PH, including the conversion and extension of the existing outbuilding - Approved with conditions - 27/04/2020
- 20/01831/LBC - Proposed guest accommodation ancillary to the Wheatsheaf PH, including the conversion and extension of the existing outbuilding. - Approved with conditions - 27/04/2020
- PL/2023/01602 - Variation of condition 2 of 20/01218/FUL (Proposed guest accommodation ancillary to the Wheatsheaf PH, including the conversion and extension of the existing outbuilding) - to allow alterations to the internal layout and the elevations to the proposed new accommodation block - Approved with conditions - 29/06/2023
- PL/2023/03563 - Proposed guest accommodation ancillary to the Wheatsheaf PH, including the conversion and extension of the existing outbuilding. Approved with conditions 29/06/2023
- PL/2023/03749 - Change of use of Staff Accommodation and Gallery Space to Guest Accommodation ancillary to the Wheatsheaf PH, comprising internal alterations and new external staircase. - Approved with conditions 14/12/2023
- PL/2023/03985 - Change of use of Staff Accommodation and Gallery Space to Guest Accommodation ancillary to the Wheatsheaf PH, comprising internal alterations and new external staircase. - Approved with conditions 14/12/2023
- PL/2024/03175 – Variation of condition 2 (approved plans) on 20/01218/FUL to amend the proposed site layout, plan and elevations of the new accommodation barn. – Approved with conditions 30/09/2024
- PL/2024/10731 - Change of use of ground floor of detached accommodation barn to 4no. self-contained offices, under consultation at time of writing

5. PROPOSAL

The proposal is for the construction of a restaurant extension to the rear, internal alterations to create a new kitchen servery hatch, insertion of rear door to kitchen, construction of cellar access, creation of new bay window to front elevation, raising of ceilings in the 3 first floor bedrooms, erection of fence and gates to enclose the bin store, and revised parking layout including parking space to the front.

During the application process, the proposals have been amended several times and additional information has been provided to address objections raised, particularly in relation to highway safety/parking provision and heritage.

The original proposal comprised an 'extension of restaurant to rear with servery hatch to kitchen, construction of cellar access and delivery door to kitchen, creation of new bay window to front elevation and raising of ceilings in the 3 first floor bedrooms. Alteration to car park layout, highway and amenity space in front of the building.' As can be seen in the image below, the application site included the highway for the purpose of providing parking.



Original site location plan (extracted from Drg No. 2398-001 Revision E)

As will be covered in more detail later in this report, the council's Highways Officer objected to the proposals on highway safety grounds, lack of on-site parking provision and use of the access track to the west of the public house and recommended refusal. In addition, the council's Conservation Officer strongly objected to the proposals, particularly to the loss of historic features within the building and the principle of further extension.

The objections were brought to the attention of the agent and amended plans were submitted. The key amendments included removing highway land from the proposals, replacing the proposed restaurant extension with a freestanding pergola, parking space to front of public house and a revised parking layout to the rear. As the red line location plan was amended, this required the 8-week target decision date to be re-set. New site notices were also displayed by the case officer.



Amended location plan (extracted from Drg No. 2398-001 Revision F)

Based on the amendments, the council's Highways Officer removed her objection. However, the amendments did not address the objection raised by the Council's Conservation Officer who commented as follows:

“The revised plans have not addressed any of my previous concerns, and have actually introduced more elements of concern than the original proposals.... Whilst the building is used as a publicly accessible building and use as pub/restaurant/accommodation, a high degree of intervention has already been approved to allow for more flexibility for the uses. Further alterations and development is now considered to be much more harmful than the works already approved and therefore I maintain my objection to the proposals.”

Whilst the amendments addressed the highway objection, they did not satisfactorily address the heritage objection. Therefore, the agent was advised that the applications (based on the amended plans) were to be recommended for refusal on heritage grounds.

The agent decided to further amend the proposals, reverting back to the proposed restaurant extension in the knowledge that this would likely attract a highway objection as well as the heritage objection.

The amended plans reverting back to the restaurant extension were subject to a further period of consultation and new site notices were displayed by the case officer.



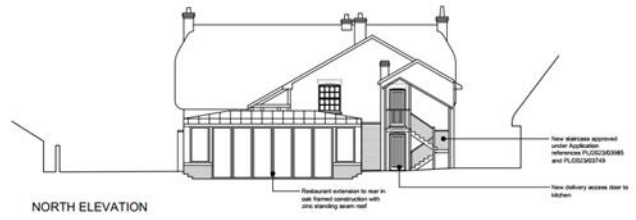
Case officer's photographs of front, rear and side elevations



Case officer's photographs of parking area and access



Case officer's photographs of first floor bedrooms (proposed ceiling removal)



Proposed elevations (extracted from Drg No. 2398-033 Revision K)



Proposed floor plans, roof plan and site plan (extracted from Drg No. 2398-030 Revision R)

Following the re-consultation on the revised plans, reverting back to the restaurant extension, the Highways Officer reinstated her objection to the proposals on highway safety grounds and lack of on-site parking provision.

The agent was advised that the applications would be recommended for refusal on both heritage and highway safety grounds. The intention was for the applications to be heard at the Eastern Area Planning Committee meeting in February. However, the agent asked for the applications to be heard at a later committee meeting to allow for additional information to be submitted to address the objections raised by the Highways Officer and Conservation Officer. The additional information submitted was a Transport Technical Note – Car Parking Assessment, Heritage Addendum & Photomontage. These documents were subject to further re-consultation, for a period of 21 days.

6. CONSULTATIONS

The consultation responses received have been summarised by the case officer as follows. Full responses are available to view on the council's website.

Chilton Foliat Parish Council (initial comments): support, commenting *“The Parish Council is happy to support this application. We believe that the enhancements will increase the attraction of the pub, thereby aiding its long term future. Loss of this valuable village amenity would be catastrophic for the local community.”*

Chilton Foliat Parish Council (further comments): support, commenting “*For the avoidance of doubt, I feel it necessary to add the following. The Parish Council, when considering any planning application, has to decide on the impact on the village as a whole. In this case, it seems to us that there is an existential threat to the viability of the pub, without being able to expand its ability to do business and we therefore chose to support this application. We, of course, are in regular contact with the applicants in continuing efforts to arrive at solutions which we feel are in the best interests of the village as a whole. There is one specific point which needs to be made concerning the access to the west side of the building. The construction of the cellar access is part of this planning application; use, however, is not. As the Parish Council own the access, the applicants will have to enter into a legal agreement with us over any use, such agreement needing to satisfy all affected parties.*”

Wiltshire Council Highways Officer (initial comments): objects, commenting “*This site has had an extensive history covering several iterations of accommodation, public house floor space and restaurant floor space. As part of the previous applications there has been intense and considered conversations about the available parking on the site.*

On the previous application I (as HDM officer) made it clear that the parking had been agreed based specifically on the scheme under consideration and that it was on the limits of acceptance.

This application is suggesting an increase in floor space for the restaurant which of course requires its own parking allocation. Given the high demand on the current parking I am not happy to accept any changes which will increase the pressures and as such I am minded to raise an objection on the basis that the proposal is likely to displace parking onto the highway at the detriment to the safety and amenity of all highway users.

I note that the applicant is proposing some off site changes to the highway . These changes will require a successful application for the stopping up of the highway to the front of the pub. Though I appreciate this may make the front of the pub more appealing I am not content that it offers any significant highway safety or amenity improvement and as such I am not willing to actively promote these changes via the planning application process.

If the applicant and the Parish Council (which I note are supportive of these proposed changes) are minded to pursue the changes then my advice is for the proposed scheme to be presented to the Council via the LHFIG process. To try to be as helpful as I can be I have raised the changes with my colleagues in the Asset Management Team to gain an opinion as to whether they would be willing to consider the scheme under that process. I will come back to you once I have a reply.

In summary, taking into account the previous discussions, concerns and constraints covered in other applications and accepting that the proposed floor layout changes covered by this application will only assert extra pressure on a situation finally balanced I am minded to raise a refusal on this application for the following reason:

The site cannot provide enough space for the additional parking required to facilitate the proposed increased floor space. Any additional vehicles attracted to the site will be required to park on the adjacent highway which will lead to the detriment of the safety and amenity of the users of the highway being contrary to Core Policies CP60 and CP61."

Wiltshire Council Highways Officer (further comments based on original plans): objects, commenting *"I have received correspondence from the Asset Management Team . This is the Council's department responsible for the management of the Council's highways. They are responsible for things such as Traffic regulation Orders and highway changes (which the parking would be considered as meeting).*

They have replied in agreement to my position that the off site changes to the highway are not necessary and not actively welcomed by the LHA.

They state:

"It does look as though its purely for the benefit of the business. I have no issue with your stance".

As such I am not minded to accept the off site changes proposed."

Wiltshire Council Highways Officer (further comments based on original plans): objects, commenting *"I also wanted to add my concerns over the applicant proposing to use the side access road (which is a private track) for access for delivery lorries. The arrangement does not provide any turning and will encourage vehicles to reverse on/off the highway which could potentially be dangerous. I am also minded that while a vehicle is parked for delivery this could prevent vehicular access for residents many that they will have to wait on the carriageway , potentially interrupting the flow of traffic on the highway.*

As such I am not encouraging of the proposed internal changes due to the possible negative impact on the wider users of the highway."

Wiltshire Council Highways Officer (comments based on revised plans – amendment to red line, omitting off-site parking spaces and replacing proposed restaurant extension with pergola): commented *"I note that some revised details have been provided. in relation to the pergola.*

My previous comment noted concerns over the use of the side track for deliveries but I note that the applicant is providing a delivery /drop off area to the front which helps to mitigate the impact. I am also minded that if this space is every occupied the odd delivery off road side would not be considered significantly detrimental.

The applicant is proposing a covering of the outside area with a pergola . In theory the adopted parking standards in relation to restaurant/public house use can relate to all "public space" so there is in theory a demand for parking related to the covered area as it includes table space. However, being mindful of the current use of the area and the nature of an area open to the elements meaning that the use will focused on good weather days and months, I am minded to not insist upon the parking being provided. However, I will clarify that if this area was to come forward as a formal restaurant area (covered/walled) I would be raising a highway refusal because this would make the use a permanent space and there would be a requirement for 13 associated parking spaces, which cannot be found within the site boundary.

I hope the above helps clarify the highway position in regards to the revised drawings provided."

Wiltshire Council Highways Officer (comments based on further revised plans, reverting back to restaurant extension instead of pergola): objects, commenting "I note that the applicant has reverted back to a position where the pergola/outside space is to be turned into a formal dining area.

Previous applications have fully considered the impact on parking of the accommodation uses (both inside and in the outside buildings) and any extension to the dining area . It was made clear that the site could only accommodate 24 spaces and a compromise made to accommodate the current pub/restaurant use and the accommodation uses. The introduction of more floor space requires more parking and it is clear that the site can not accommodate any more than the 24 spaces shown. .

The applicant is now proposing to add additional restaurant space. Calculating the parking requirement based on current parking standards of 1 space per 5m² the applicant would be required to provide approx. 29 spaces just for the restaurant alone. This is obviously not possible to achieve.

Though the standards are maximum standards it is clear that there is a high demand for parking for the business and that without adequate off street parking, displaced parking will be utilising the highway . I am minded that significant additional on street parking is likely to lead to a negative impact on the users of the highway and should be avoided.

As such I am minded to raise a highway objection to the proposed extension to the restaurant area.

I offer a highway refusal for the following reasons:

The additional changes coupled with the extant permission for residential accommodation means that the site is unable to provide an adequate and appropriate level of off street parking. The lack of adequate parking will displace vehicles onto the highway leading to the risk of a negative impact on the safety and amenity of users of the highway and contrary to CP 60 and CP 61.”

Wiltshire Council Highways Officer (comments based on additional information submitted - Transport Technical Note – Car Parking Assessment):

“As discussed I have asked my manager to consider the revised technical note provided by the applicant and address the applicant with the benefit of his input.

I have consistently applied the most recent standards of 1 per 5m² in relation to all public floor space, this leads to a requirement of 13 spaces for the proposed 66m² new restaurant space. In their technical note the applicant is requesting an application of "older" standards to the existing floor space , this being 1 per 25m². I chose to apply the 1 per 5m² standard due to the location of the pub as well as the current operation which appears to have a high level of demand and associated impact on the adjacent highway. Though I stand by the application of 1 per 5m² as I believe that it offers the best outcome in relation to mitigating the potential impact of the extension (in terms of displaced parking) I do acknowledge that technically there is a reasonable expectation on behalf of the applicant for the original standards to be applied to the current floor space. As such, I am willing to accept the standards outlined in Table 1 of the note, this suggesting a number of 30 spaces being required. However, I am not minded to accept the proposed 1/3 discount outlined in Table 2 . The level of a potential double use of a space I consider is likely to be far less than as proposed.

Therefore I am minded to accept in part the approach outlined by the applicant and will accept a number of 30 spaces as a total for the scheme as a whole (including the restaurant extension).

It is clear that the site cannot provide 30 spaces. The layout is designed in a way that all available space is completely utilised. There is also currently a potential query over land ownership which may make bringing forward two spaces more difficult. I am willing to count them at this time but there is a potential that the at least 2 more vehicles may be displaced in addition to the 4-5 already being noted.

The applicant has provided details of the on street parking and the parking “available” on site. Primarily any development should be able to accommodate its associated parking within its own control, with a principle that any displaced parking, in its own right, is a reason for refusal. This rests in the fact that the that the road is for the

passing and repassing of vehicles and not to accommodate stationary vehicles. As such, even if there is potential accommodation on street for a single or even multiple vehicles it still equates to a possible reason for refusal as it is in this case.

The applicant has benefitted from the planning authority's assessment of the site as a whole and has been provided, via the various applications on the site, an expert and considered application of current (and now acknowledging previous) standards and in turn provided with a layout which accommodates all existing uses (under previous applications) . The extension requires its own demand for spaces which cannot be achieved. As noted above, on street parking , is not considered an acceptable fallback position by virtue that parked cars of any number can be considered an obstruction.

Therefore after taking into account the submitted information and acknowledging the arguments outlined I am still I am minded to adhere to my previous objection."

Wiltshire Council Ecologist (initial comments): no objection subject to conditions

Wiltshire Council Ecologist (comments based on further revised plans, reverting back to restaurant extension instead of pergola): no objection subject to conditions

Wiltshire Council Conservation Officer (initial comments): objection, provided the following summary and conclusion (full comment available on the council's website):

"Overall there is a strong objection to the proposals, in particular the the loss of historic features within the building and the principle of further extension. The proposals are considered to cause harm to the significance of the designated heritage asset, thereby failing to preserve or enhance its special interest as a nationally important listed building. There are no public benefits that would otherwise outweigh the harm caused by the proposals. The proposals therefore fail to comply with the NPPF (paragraphs 206, 207 & 208) and Wiltshire Council core policies 57 and 58."

Wiltshire Council Conservation Officer (comments based on revised plans): summarised as follows (full comment available on the council's website):

"The revised plans have not addressed any of my previous concerns, and have actually introduced more elements of concern than the original proposals. Due to the level of harm to the building's overall significance, and its setting, the proposals are against national and local policy, which aim to protect designated heritage assets. Whilst the building is used as a publicly accessible building and use as pub/restaurant/accommodation, a high degree of intervention has already been approved to allow for more flexibility for the uses. Further alterations and development is now considered to be much more harmful than the works already approved and therefore I maintain my objection to the proposals. With the number of plans and applications going back and forth, the applicant is not clear on what needs this

business has and the proposals are speculative. If a strong business case had been provided, perhaps a more full and balanced assessment of need versus harm could be made rather than a speculative desire, and this should not be at the expense of this nationally important building.”

Wiltshire Council Conservation Officer (comments based on further revised plans):
summarised as follows (full comment available on the council’s website): objection, commenting:

“Amended plans have been received, which essentially revert back to the initial scheme, to which I raised strong objections to due to the harmful impact on the listed building’s significance and setting. The main areas of concern the relate to the internal works cause harm through loss of original 18th century ceilings (which, whilst desired, are not justifiable harm to the listed building’s character and fabric), the addition of the canted bay window, uncharacterful works to the brewhouse and the principle and poor design of the rear extension, all of which are against national and local policy. As these elements have been commented on in some detail already I am not going to repeat them here, so please refer to these previous comments.”

Wiltshire Council Conservation Officer (comments based on additional information submitted - Heritage Addendum & Photomontage):

Comment summarised as follows “Additional information has been provided to try and justify the removal of the original lath and plaster ceilings, and the principle of extension (by providing examples of other listed buildings that have been extended).

The information does not provide any justification to overcome the harm caused to the listed building’s character and historic fabric by the removal of important fabric that positively contributes to its overall significance.

With regard to the examples of other extensions, I cannot comment specifically on these as there are no precedents in planning and each application is judged on its own merits.

The proposals are still considered to cause harm to the significance of the designated heritage asset through loss of fabric and over-extension that has a negative cumulative impact on the special interest of the listed building and its setting. In addition, the design of the extension, as previously commented on, is poor and does not meet the high standards required to conform to Core Policy 57. The proposals also fail to comply with the NPPF (paragraphs 206, 207 & 208) and Wiltshire Council 58 and requirements to either preserve or enhance heritage assets.”

7. REPRESENTATIONS

The applications were publicised by letters posted to nearby neighbours, site notices and newspaper advertisements.

The Division Member, Cllr Sheppard, made a representation, requesting that the applications be considered by the Eastern Area Planning Committee should they be recommended for refusal, due to the "*The importance to the community to keep a village public house.*"

Thirty representations were received in total and these are summarised below (full comments are available on the council's website):

Objections/concerns:

- The proposed pedestrian crossing located in front of the pub, would put pedestrians crossing the road from south to north at very high risk and would impact upon users of buses getting on and off due to narrowing of road and may affect emergency vehicles;
- Objection to the proposed informal parking spaces on the public road, narrowing of the road reducing highway safety, residents have not requested these changes;
- Such designated parking spaces would encourage litter and noise, and alter the landscape of the village which is a conservation area and AONB;
- Inappropriate to lace the village with white lines and raised kerbs;
- The impact on the village and adjacent owners of the pub would be significant and reduce the amenity and character of the village;
- Objection to formalising parking spaces within 10 meters of the Stag Hill junction would increase the already high risk of traffic collisions;
- The proposed parking bays would be unsightly, especially as we are in a conservation area and are not needed;
- The access adjacent to Calstone House would raise some safety issues as it would now provide access for deliveries to the cellar, kitchen and bin store;
- This access is the main pedestrian route for villagers for school buses, the village hall, the pub etc. Careful mitigation measures will need to be put in place to ensure the safety of pedestrians;
- Overdevelopment of the public house;
- Terrible highway proposals;
- Highway proposals inappropriate for a rural village in the conservation area;
- Unclear what land is within the applicants ownership, access should be from within the applicants land;
- Safety concerns for road users and pedestrians;
- Naked attempt to turn the road through our village into an elongated pub car park;
- The design of the lobby doors and external door to not conform with the current Fire Exits and Regulations Information Guide;

- Proposed expansion to the amenity space to the front aspect is also objectionable as this will encourage unsocial loutish behaviour, noise and litter and health and safety highway issues with additional vehicles turning round in the road, speeding through the village and the general nuisance factor of a much bigger building which is inappropriate to the general amenity of the village;
- The number of additional bedrooms is too great for the size of the site and will be too dense and overwhelming for the village;
- Plans will cause huge and detrimental disruption to what is a beautiful village in a conservation area and will potentially increase accidents and endanger pedestrians;
- The owners of the pub do not seem to realise the effects they will have on our beautiful village with these plans and seek only to increase their profits with little regard for the safety and wishes of the people that live here;
- Safety concerns regarding cellar hatch/number and location of deliveries and impact on access to west of pub adjacent to Calstone House, pedestrian safety, blocking lane during deliveries etc, land not in applicants ownership;
- Location of kitchen door in access lane is unacceptable for users of lane and neighbouring properties;
- Concern about bin store location and refuse collection;
- Continual overdevelopment the pub car park is inadequate. It is already one space below the minimum requirement, despite leasing additional land for parking, which the highways officer has generously allowed;
- Concerns regarding number of applications submitted and ignoring previous feedback,
- Ongoing series of applications and the numerous previous ones submitted then withdrawn, seem like a 'creeping' plan from the developers;
- Insufficient parking for proposed orangery extension;
- Despite meeting held by applicant, plans considered not to relate to/have a direct correlation to the viability of the pub/business;
- What can be done to prevent applicants making continual planning applications that fail to build on feedback previously given by the Highways Officer and Planning Department, and which are not aligned with previous submissions?;
- Note with that Chilton Foliat Parish Council supports this application. However there has been no consultation with villagers nor any Public discussion at a Parish Council Meeting - anyone not notified by Wiltshire Council- who are aware of this application even though any change to the B4192 would affect them;
- This new iteration is breath taking in its scale and brazen disregard for the people who live in the village;
- The insertion of a long verge is totally out of keeping with the rest of the village and introducing modern and incongruent architecture will detract from the historical and aesthetic value of the village, not in the interests of the villagers;
- I don't know who the Parish Council represents;

- Current parking through the village presents significant challenges. The proposed developments will inevitably exacerbate these existing problems, increasing traffic volume and further straining already limited parking;
- The proposed pedestrian crossing is located at one of the worst possible points in the village, close to a blind bend;
- None of these proposals are beneficial to the village, certainly not one in a Conservation Area;
- The whole village wants the pub to be a success, but not at the cost of turning the rest of the village into a car park or indeed a mini town with lines painted down the road;
- We are seeing the inevitable knock-on effect of the ill-conceived plans, and poor planning decisions, to build too many bedrooms on the pub site;
- The planning authorities have a responsibility to balance the desires of property owners (in this case the pub) with the wider community, and our experience of this project as a whole is that the owners of the pub effectively have had free reign to develop whatever they want, and the Wiltshire planning and conservation officers have singularly failed in their duty to conserve this beautiful village for residents and visitors alike;
- Inconsistencies and inaccuracies on plans add ambiguity to each of the planning applications;
- Disturbed that the Parish Council continue to support these planning applications. It is to be noted that at no time has the Chairman or councillors considered the many objections laid before them by their Parishioners;
- The many iterations of these planning applications have confused and concerned the local community;
- Request the Parish Council arrange a meeting with the Owner to discuss our concerns as promised at the recent Parish Council meeting;
- We note that although the amended scheme has now changed the large dining room extension for an attached pergola enclosing additional seating, the scheme still proposes extensions and alterations to the building which were objected to by Ms Card. Ms Card's previous response was not explicit in terms of the degree of harm identified. However, we fail to see how the public benefits would outweigh the inevitable harm to this designated heritage asset;
- The proposals still result in an intensification of the use of the site. Ms Hannah Jones, the Highway Officer, could not have been clearer in her objection;
- We do not consider the amendments to have overcome the concerns we have raised and that have also been raised by officers;
- The Highway Officer's latest comments on 8th October 2024 do mention the danger of the proposed pergola becoming 'walled in' and turned into a permanent restaurant – this would become unacceptable for the reasons she has highlighted in her comment. I hope it will be a condition of any granted planning permission that this 'walling in' could not take place;

- Strong objection is to the developments proposed either in or affecting the side footpath running up between the Wheatsheaf and Calstone House. I understand the sole permitted vehicular access up the path is for the owners of Calstone House and their visitors;
- Deliveries Statement is misleading with regard to frequency of deliveries/refuse collections and type of deliveries;
- Siting of bin stores appears to ignore the condition imposed on a previous application and is inappropriately located;
- Parking space to front is only large enough for a van not a refuse lorry;
- Object to hydraulic platform adjacent to public footpath, would become an unsafe obstacle for pedestrians;
- No evidence that there used to be a cellar opening in this location;
- Concern that the previous approved accommodation barn is now proposed to be changed to 4no. offices at ground floor level – verbally communicated at meeting with applicant;
- I feel this relentless number of applications does not acknowledge the feedback given to the developers previously. This site is very limited in size, and thus there is a need to balance its use to ensure both road users and neighbours can exist in harmony with a village thriving pub;
- If allowed it would not only would locals be significantly impacted, but the pub's guests would be too; and
- Difficult to have trust/confidence in any plans submitted for this site due to sheer number of applications/revisions submitted, building works already carried out, change of location of bins stores despite condition on previous application and contravention of previous permissions;
- Why add a third bay window when one wasn't there before as it would alter the façade of the listed building
- The removal of the ceilings to expose beams in the bedrooms upstairs in the pub building – could increase fire risk, given that the building is thatched and has other thatched listed buildings close to it;
- No layout for the kitchen, no extraction shown, is this a conservation issue? Could be a nuisance factor to neighbours;
- There should be detailed drawings of the proposed large conservatory to see if the fabric and construction is commensurate with a grade II listed building;

Support – representations received from employees of The Wheatsheaf:

- Proposals would ensure business is viable as currently running at a loss;
- Take pub to next level, offering incredible food and service, and a beautiful site;
- Internal alterations would make use more practical;
- Dining space at rear would not take up any existing parking spaces;
- Proposed changes will bring significant benefits to the community;
- Extension and servery will retain the pubs character and key gathering space for locals;

- Side cellar access will significantly improve the safety and efficiency of managing deliveries. Additionally, this change will prevent delivery lorries from blocking access to the car park, helping to alleviate the issue of roadside parking. Deliveries will be scheduled when staff are present, ensuring that, if necessary, we can quickly move any obstructing vehicles to allow for emergency access;
- The proposed changes to The Wheatsheaf are crucial for its continued success and contribution to Chilton Foliat's community. The application addresses operational needs, respects historical and environmental considerations, and provides tangible benefits that will ensure the pub remains a vibrant and integral part of the village;

Support - representations from members of the public:

- In favour of the orangery;
- Bay window will add symmetry to the frontage of the pub, particularly if there was a bay window there originally although it will reduce the amount of space at the front of the pub for the bench users;
- Support relocation of kitchen door to north elevation (revised plans);
- Ceiling removal for front 3 bedrooms;
- Would be sensible to add access to the rear of the pub directly from the car park, as is currently possible through the pub back door.

At the time of writing, two further representations were received in relation to the additional information submitted (Heritage Addendum, Photomontage & Transport Technical Note – Car Parking Assessment):

A summary of the comments received, objecting to the proposals is as follows (full comments are available on the council's website):

- Photomontage dated 10th March 2025 of the proposed bay window to the front of the property is misleading, as it is also proposed that there should be two parking spaces at the front between the pub and the street. Cars parked in front of the proposed new bay window would leave very little space between this bay window and the parked cars and street and no room for pedestrians;
- Views 2 and 3 imply much more space between the Village Hall and the proposed restaurant than there actually is;
- The proposed restaurant or the stairs and roof to the new door at first floor level seem to complement or be in-keeping with the existing Grade II listed building;
- No sign of any extraction unit and surely a restaurant of this size will require a substantial extraction unit - where is this going to be placed?;
- Photo 1.24 in the Transport Addendum shows an unusual sight - it is rare for there to be so few cars parked in the village street;
- The Highways Officer has made points on 21st March 2025 about traffic and parking far more eloquently than I can;

- Surveys taken in January and February (traditionally the quietest months of the year for pubs) are not really very representative, especially given that none of the 12 six-seater tables in the garden at the back and three tables outside in the front of the pub were likely to have been in use in January and February;
- Neither of the two pubs used as comparison in the Transport Technical note are on a busy B road which is the direct route from Hungerford to Swindon and is also used as a relief road whenever the M4 is closed or has a problem, as this pub is, so they are not really comparable;
- Previous comments still stand;
- Collision analysis data and subsequent conclusions are misleading and should be disregarded; Crash Maps data comes exclusively from police records of road traffic accidents on public roads where someone is injured. Information on damage-only accidents, where there are no human casualties is not included;
- The danger of the proposed overdevelopment is primarily the constant small-scale accidents that will occur in on the B4192 in Chilton Foliat, due to a blind bend, insufficient width for two-way traffic and lack of places to 'pull in'. Though the potential for more serious accidents exists, of course;
- Car parking assessment was carried out during the quietest period of the hospitality calendar; the Wheatsheaf itself actually closed on one Sunday in January 2025. No reference is made to this in the submission;
- No reference to the increased number of staff cars that will accompany the expansion, or to the additional summer customers who drive to the Wheatsheaf;
- The garden area caters for up to 72 additional customers;
- No reference to the camper vans that are still allowed to park overnight and take up two car parking spaces;
- The 'comparison' with two other pubs does not compare like with like. The Crown at Aldbourne has only 4 guest rooms and The Bell only 10 and neither are situated on a road that is used as an alternative to the M4;
- It doesn't make sense to suggest that historic car parking standards should be applied to the older part of the pub. This is the equivalent of arguing that a kitchen doesn't need to meet current food hygiene standards if it was built before they were introduced. Wiltshire Council's highways experts should be allowed to do their job;
- NPPF para 89 states that when making planning policies and decisions in rural areas "it will be important to ensure that development is sensitive to its surroundings", Unfortunately this application does not demonstrate such sensitivity. Insufficient parking, the proposed relocation of bins and deliveries to outside a neighbouring property, and the proposed use of a pedestrian walkway for delivery all demonstrate a lack of sensitivity to surroundings; and
- Finally, the sole aim of the proposed Wheatsheaf restaurant and 15 bed hotel is to attract customers from outside the area, who will drive there in private vehicles. Neither the Wheatsheaf nor Chilton Foliat can provide the parking that this requires. A less ambitious expansion plan (4 - 10 rooms, like The Bell or The Crown) would overcome this.

Councillor James Sheppard (Division Member for Aldbourne and Ramsbury):

Called into Planning Committee if officers are minded to refuse the applications due to the importance to the community to keep a village public house.

8. PLANNING POLICY

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development Plan

At the current time, the relevant statutory development plan documents in respect of this application consist of the Wiltshire Core Strategy (WCS) – (adopted January 2015); and the ‘saved’ policies of the Kennet District Local Plan (KDLP) adopted June 2006 where relevant.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Wiltshire Core Strategy (WCS) adopted January 2015:

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 14: Marlborough Community Area
- Core Policy 40: Hotels, Bed & Breakfasts, Guest Houses and Conference Facilities
- Core Policy 41: Sustainable construction and low carbon energy
- Core Policy 49: Protection of rural services and community facilities
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape
- Core Policy 57: Ensuring High Quality Design and Place Shaping
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 60: Sustainable Transport
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management
- Core Policy 67: Flood Risk

Saved Policies of the Kennet District Local Plan:

None relevant

Supplementary Planning Documents (SPD):

Wiltshire Design Guide (adopted 2024)

National Planning Policy:

- National Planning Policy Framework (2024)
- Planning Practice Guidance (PPG)

Other Documents and Guidance

- Wiltshire Local Transport Plan 2011 – 2026 – Car Parking Strategy (March 2011)
- Sections 16, 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- Chilton Foliat Conservation Area Statement December 2003
- Wiltshire Design Guide March 2024
- Historic England - GPA 2 - Managing Significance in Decision-Taking in the Historic Environment
- Historic England - GPA3 - The setting of Heritage Assets

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.

Principle of development:

The proposal involves works to an existing public house within a small rural village. The following provides a brief summary of both the local and national policy which is supportive of the principle of such proposals.

The National Planning Policy Framework (NPPF) emphasises the importance of supporting and enhancing community facilities in rural areas, including those within villages. Specifically:

- Paragraph 98 encourages the creation and enhancement of social infrastructure, such as community facilities (including restaurants, pubs, and other local services), to promote strong, vibrant, and healthy communities. It highlights the role of these facilities in meeting the needs of local residents and visitors, as well as fostering social interaction.
- Paragraph 88 stresses the need for planning policies that support sustainable development in rural areas, including the retention and expansion of local businesses and services. This supports the viability of rural communities by enhancing the quality and availability of services.

In summary, the NPPF advocates the protection, improvement, and expansion of community facilities, especially in rural villages, as part of broader efforts to create sustainable and vibrant communities. The expansion or enhancement of these facilities is encouraged where it contributes to the overall well-being of the community and does not harm the character or function of the area.

The Wiltshire Core Strategy (2015) includes several policies that support the enhancement of community facilities in rural areas, as follows:

Core Policy 49 - Protection of Rural Services and Community Facilities:

- This policy aims to protect existing community facilities, such as shops, pubs, and community centres, from unnecessary loss in rural areas.
- It encourages the retention of these facilities and supports efforts to enhance their viability, including the development of new services where there is a clear need.
- Proposals that improve or add to community facilities in rural areas are encouraged, particularly where they enhance local accessibility and contribute to the overall sustainability of communities.

Core Policy 40 - Tourist Accommodation and Visitor Attractions:

- This policy promotes the development of tourist accommodation and facilities in sustainable locations, including rural areas. It supports developments that enhance the visitor economy.
- The policy stresses the importance of maintaining the character and scale of rural settlements, and encourages high-quality development that complements the area's environment. In all cases it must not have a detrimental impact on the vitality of the town centre and it must avoid unacceptable traffic generation.

Core Policy 14 - Marlborough Community Area:

- This policy highlights the importance of supporting new tourist accommodation in the Marlborough Community Area, where there is identified demand. It emphasises the role of these facilities in supporting rural economies and local services, particularly in areas where existing provision is limited.
- In conclusion, the Wiltshire Core Strategy strongly supports the enhancement of community facilities in rural areas through policies that protect existing services and encourage the development of new, sustainable amenities, including tourist accommodation and local services. These policies aim to ensure that rural communities remain vibrant, sustainable, and well-served by essential facilities.

Although there is no specific policy solely focused on the enhancement of rural community facilities, the policies outlined above strongly suggest that support should be given towards the principle of the proposed development – namely, the

improvement of a highly valued community asset. In this regard, it is important for the committee to consider the planning history outlined above, which demonstrates that the Council has been proactive in permitting the expansion of accommodation at the pub to support its vitality and long-term viability.

However, it is equally crucial to recognise that support for the enhancement of community facilities is conditional upon the acceptance of the detailed design elements of the proposal. These must adhere to the relevant place-shaping policies within the local plan, including Core Policies 57, 58, 61, and 64. These policies ensure that the development's design and its broader impact are in harmony with the character, quality, and sustainability of the surrounding area.

As such, while officers may be supportive of the principle of development and commend the applicant's efforts to protect a well-loved village asset, this must be carefully weighed in the planning balance against any potential conflicts with other policies of the development plan, such as those outlined above.

Scale, design and materials:

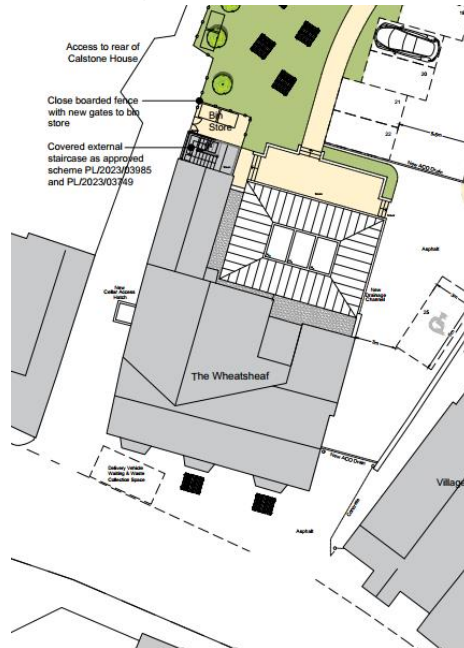
Core Policy 57 of the WCS states that "*A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.*"

Proposals should seek to enhance local distinctiveness and have regard to existing townscapes, patterns of development and the historic environment and landscape setting.

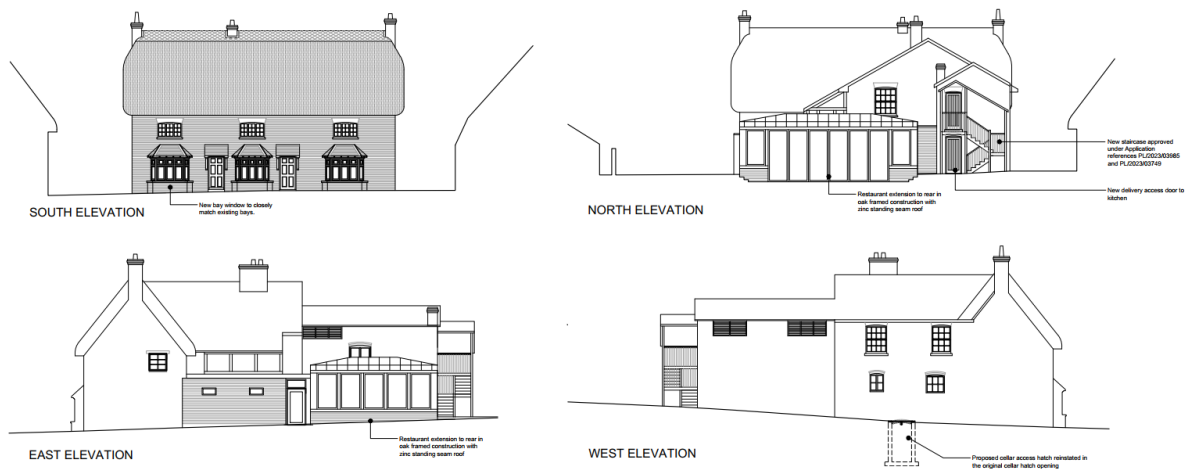
The application has been amended numerous times during the application process. The final scheme proposes the following key elements:

- Construction of ground floor restaurant extension to the rear, with a servery hatch to the kitchen and access to the beer garden.
- Construction of cellar access hatch and insertion of new door in rear of building to access the kitchen;
- Insertion of new bay window in the front elevation;
- Removal of ceilings in 3 bedrooms at first floor level;
- Relocation of bin store to rear of kitchen, enclosed by a close boarded fence and gate
- Revised parking layout to rear;
- Parking space to front;

The proposed restaurant extension will be constructed to the rear of the building, essentially squaring off the footprint of the existing building and would be constructed with an oak frame, under a standing seam zinc roof.



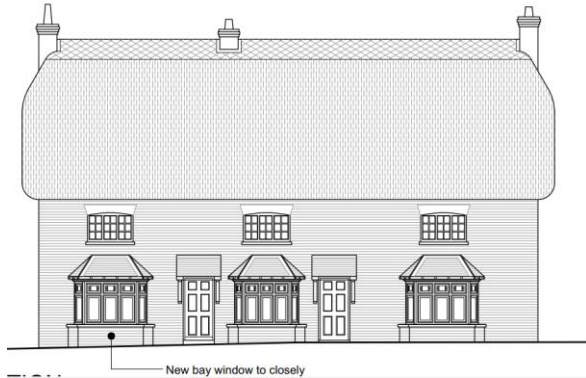
Proposed Site Plan/Beer Garden (extracted from Drg No. 2390-030 Revision R)



Proposed elevations (extracted from Drg No. 2398-033 Revision K)

It is considered that the proposed extension would be a large structure, which would dominate the existing building to the detriment of its character and appearance. The proposed design and materials would also be out of keeping with the existing design and materials and would appear as an incongruous addition.

The front elevation of the property comprises 2no. bay windows and it is proposed to construct an additional bay window. The proposed plans indicate that this would be constructed to closely match the existing bay windows.



*Proposed front elevation (extracted from
Drg No. 2398-033 Revision K)*

*Photograph of front elevation
(extracted
from Design and Access Statement)*

There are no concerns from a planning perspective to the proposed new bay window. The additional window would match the existing windows in terms of scale, design and materials and would provide a balanced and symmetrical appearance to the front elevation.

The proposed cellar access hatch would be constructed in the access track that runs between the application property and the neighbouring property to the west. The submitted documents and plans indicate that the proposed cellar access hatch would be reinstated in the original cellar hatch opening. However, the council's Conservation Officer has queried this as she is uncertain whether there has ever been a cellar hatch in this location, commenting "*The heritage statement suggests that the 2016 application closed off the cellar access and that the original opening was blocked up. Whilst this application (ref. 16/00162/LBC) did approve alterations to the cellar access internally: as far as I am aware this did not include any works to an external cellar access, and no reference to an external access hatch was made on the previous applications. The heritage statement does not include evidence that the hatch was once in this location.*"

Notwithstanding whether there has been a cellar access hatch in this location previously, the proposed cellar access hatch is a relatively minor addition, which would not result in such harm to visual amenity as to warrant a reason for refusal from a planning perspective.

The proposed new door in the rear elevation to provide access to the kitchen, erection of a close boarded fence and gate to enclose the relocated bin store to the rear of the building are also considered acceptable from a planning perspective. These proposals are also relatively modest in nature and would not cause harm to visual amenity, as these elements would be to the side/rear of the building and not overly prominent within the street scene.

The proposed bay window, fence and gate, rear door and cellar access are relatively minor additions and would be in accordance with Core Policy 57 of the adopted WCS.

However, by virtue of its scale, design and materials, the proposed restaurant extension would appear as an incongruous addition to the existing building and would conflict with Core Policy 57 of the adopted WCS and therefore this element of the proposal is recommended for refusal.

Impact upon neighbour amenity:

Core Policy 57 of the WCS, criterion (vii) outlines that there needs to have regard to the compatibility of adjoining buildings and uses, including the levels of amenity of existing occupants.

The proposed restaurant extension and bay window are considered not to materially impact upon residential amenity as a consequence of overbearing impact, overshadowing or loss of privacy due to the siting of the proposals in relation to the nearest residential properties.

However, it is noted that the proposed cellar access hatch would be located in the track between the Public House and Calstone House, the nearest residential property located to the west, which uses the track to access the rear of the property. It is also proposed to insert a new door in the rear elevation of the kitchen and to relocate the bin store to the rear of the kitchen, adjacent to the track. A close boarded fence and gate would be erected to the western side of the bin store, adjacent to the track. These elements are considered not to materially impact upon the occupiers of the neighbouring property to the west as a consequence of overbearing impact, overshadowing or loss of privacy due to the minor nature of the proposals.

However, it is understood that these proposals would allow deliveries and refuse collections to take place, which could impact the occupiers of Calstone House as a consequence of noise pollution and disruption. It is acknowledged that a number of concerns have been raised by members of the public regarding the location of the bin store, cellar hatch and the resultant deliveries & collections adjacent to Calstone House.

In this regard, it is noted that a Deliveries Statement has been submitted in support of the application, which states "*Whilst the position of deliveries into the building and the location of the new cellar access has changed, the frequency, time and method of the delivery vehicle are expected to stay as per the current situation. A dedicated parking bay for delivery vehicles has been located at the front of the Wheatsheaf Inn to ensure that the shared neighbour's access route and the entrance to the car park are not obstructed. Despite the change in the bin store location, the frequency, time and method of the waste collection from the Pub is expected to stay as per the current situation.*"

Officers acknowledge that the proposed cellar hatch and bin store adjacent to a residential property is not particularly neighbourly. However, Officers also recognise that the application property is an established Public House, and its current use is likely to generate noise and disruption. Furthermore, it is considered that the siting of the cellar hatch & bin store are the most practical in terms of running an established Public House.

Therefore, it is considered that the noise and disruption generated as a consequence of using the cellar access hatch for deliveries/collections and the location of the bin store is unlikely to result in such harm to the reasonable living conditions of the occupiers of Calstone House to warrant a reason for refusal in this instance. Notwithstanding this, there is separate environmental health legislation to deal with noise nuisance should it occur.

Impact upon heritage assets:

Section 16 & 66 of the Planning (Listed Building and Conservation Areas) Act 1990 – requirement to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 – requirement to pay special attention to the preservation or enhancement of the character or appearance of the surrounding Conservation Area.

The National Planning Policy Framework (2021) outlines government policy, including the historic environment (Section 16). National Planning Policy Guidance provides guidance on making changes to Heritage Assets.

Historic England's *Advice Note 2 – Making Changes to Heritage Assets* is also relevant guidance for applying the policies within the NPPF.

Historic England's "Conservation Principles" provides policy and guidance for the "sustainable management of the historic environment". Additional guidance is also contained within their publications:

- *Historic Environment Good Practice Planning Advice Note 2 – Managing significance in Decision-Taking in the Historic Environment*
- *Historic Environment Good Practice Planning Advice Note 3 – The Setting of Heritage Assets(2nd edition)*

Wiltshire Council's Core Strategy Policy CP57 'Ensuring high quality design and place shaping': A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

Wiltshire Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance."

As already covered in this report, this application has been subject to several revisions. The final proposals comprise the following key elements:

- extension of restaurant to rear with servery hatch to kitchen;
- construction of cellar access;
- creation of new bay window to front elevation; and
- raising of ceilings in the 3 first floor bedrooms.

In consideration of the final set of revisions, the council's Conservation Officer commented "*Amended plans have been received, which essentially revert back to the initial scheme, to which I raised strong objections to due to the harmful impact on the listed building's significance and setting. The main areas of concern relate to the internal works cause harm through loss of original 18th century ceilings (which, whilst desired, are not justifiable harm to the listed building's character and fabric), the addition of the canted bay window, uncharacterful works to the brewhouse and the principle and poor design of the rear extension, all of which are against national and local policy. As these elements have been commented on in some detail already I am not going to repeat them here, so please refer to these previous comments.*"

For clarity, the council's Conservation Officer previous assessment, summary and conclusion to which she is referring to is as follows:

"Assessment:

To deal with the separate elements within the proposals in turn:

Removal of historic lath and plaster ceilings - The removal of original lath and plaster ceilings from this 18th century listed building was proposed in the previous application, which raised concerns (and resulting objection) caused by the harm to the building's historic fabric and significance as a designated heritage asset. A small alteration to part of one of the bedroom's ceilings was agreed, to allow for head room to access the room (due to the differing floor levels and loss of original access to the first floor).

The current application still seeks the removal of the original ceilings within the oldest part of the building i.e. the 18th century thatched building.

The impact assessment provided within the heritage statement has the following on the ceilings: The removal of the ceilings on the first floor to open the rooms up to the underside of the roof will create an enhancement to the designated heritage asset by

revealing historic form and fabric. The ceilings are partly historic fabric and partly modern plasterboard. The existing low ceiling height is present due to the original use of the first floor as a dwelling. However, with the change of use of these rooms to short-stay accommodation it would be highly beneficial for the ceiling to be raised to better suit modern requirements, which would also take advantage of the existing structure of the building.

The completion of these works will significantly improve the level of quality of the upper floor accommodation, which will improve the economic viability of the business and retention of the traditional use of the public house.

Having assessed the ceilings on site, the majority of the historic 18th century lath and plaster ceilings survive, and the claim that they are 'partly historic fabric and partly modern plasterboard' is deliberately misleading, as it does not quantify the proportions of lath and plaster against the minimal amount of plasterboard. I do not concur with the view that removing the ceilings would better suit modern requirements – this is a listed building which should be treated with care and respect for the vernacular heritage that it is an example of, and listed, for the nation, for. Removing ceilings should not and does not have any impact on the economic viability of the building (as evidenced by many other historic and listed public houses that also provide letting rooms: it is purely the vision and desire of the owner to alter and reinvent this space. The proposals to rip out the ceilings does not respect the building, its heritage or fabric.

There is no convincing or robust justification, other than the desire to 'open up' the rooms to expose the timber frame, that overrides the harm caused to the building's significance and fabric, as there are no public benefits that outweigh the harm caused.

Extension - On the previous scheme I had commented about losing some of the first-floor dining spaces to residential accommodation – the applicant replied, during a site meeting on 4th October 2023, stating that 'we did not suggest during the meeting that we needed additional dining space. Presently, we cannot fill our existing available covers. If we could, and there was additional demand, then of course we would have considered this first floor space for that purpose'.

Therefore the extension to provide additional seating for the public house comes as a surprise, as the comments made relatively recently contradict this.

Historic England's Advice Note 2 'Making Changes to Heritage Assets' states, in paragraph 41, the following:

'The main issues to consider in proposals for additions to heritage assets... are proportion, height, massing, bulk, use of materials, durability and adaptability, use, enclosure, relationship with adjacent assets and definition of spaces and streets, alignment, active frontages, permeability and treatment of setting... It would not

normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate.'

The proposed extension is a large glazed structure with zinc roof, squaring off the footprint of the existing built elements i.e. the listed building and its existing extensions.

I fail to see how the 'design will take vernacular detailing cues from the existing Grade II listed building and the adjoined extensions' as p.21 of the heritage statement claims, as what has been illustrated is a rather standard glazed box on the rear. Its size and detailing, combined with awkward roof shape take no reference from the host building, the local vernacular along with the size and proportions of the 18th century thatched building and its later additions. It is simply an overly large, glazed structure with zinc roof, sited to square off the footprint of the 'L' shape formed by the current building and its extensions.

The type and form of the proposed extension is claimed to be of an 'orangery' style: architecturally an Orangery would be associated with a formal country house or estate, often Georgian or Neo Classical in era and style, before the more ornate (and technical) conservatories of the Victorian period came along. Therefore one would suggest that an 'orangery' is not an appropriate building type to add as an extension to an overtly vernacular building. However this can be construed as simply the incorrect use of a term for what is essentially a large glazed box, of poor design, that adds nothing to the host building and detracts from it, diluting the overall significance somewhat. The additional extension results in a hotchpotch of styles to the rear of this building, adding too much visual discord in alternative styles and approaches: this results in harm caused to overall character of the listed building and its setting, the cumulative impact of extensions dominating the rear.

The extension might not have a harmful impact on the setting of the conservation or neighbouring heritage assets (both listed and unlisted buildings), but it has a significant harmful impact on its own setting i.e. over-development of the site, an increase to the mass of built form to the rear of the listed building, poor design and to the relationship of built elements already executed.

Delivery access to kitchen – a new door opening on the west elevation, within the former brewery, is proposed, to provide additional access to the kitchen facilities. If the opening is formed correctly i.e. no cut bricks, closers and whole bricks to be used, with a timber door, this new opening will not harm the significance of the designated heritage asset.

Cellar access hatch – The heritage statement suggests that the 2016 application closed off the cellar access and that the original opening was blocked up. Whilst this

application (ref. 16/00162/LBC) did approve alterations to the cellar access internally: as far as I am aware this did not include any works to an external cellar access, and no reference to an external access hatch was made on the previous applications. The heritage statement does not include evidence that the hatch was once in this location: this should be provided to justify the works.

Removal of double doors to former brewhouse – the plans note this as being a servery ‘hatch’ although the opening is much wider than one would expect a ‘hatch’ to be. This is much more of a long counter top provided in a much enlarged opening. The servery could be accommodated simply by removing the existing doors and utilising the extent of the existing opening – this would not involve any physical works to the building or loss of the character of the former brewhouse. The works proposed are much more involved and invasive than actually working with the existing building – the building should not be sacrificed to be moulded into providing the use, the building should inform how the building can be used, creatively, for the desired use. Again there seems little need for the works, simply the desire, and the extent of alteration proposed does not really suggest that the listed status of the building and its significance are fully understood or appreciated.

Construction of linking lobby – This is proposed due to the requirement of fire escape routes, if the extension was to be constructed. Therefore if the extension is not approved, there is no need for this additional lobby.

Summary & Conclusion:

Overall there is a strong objection to the proposals, in particular the loss of historic features within the building and the principle of further extension. The proposals are considered to cause harm to the significance of the designated heritage asset, thereby failing to preserve or enhance its special interest as a nationally important listed building. There are no public benefits that would otherwise outweigh the harm caused by the proposals. The proposals therefore fail to comply with the NPPF (paragraphs 206, 207 & 208) and Wiltshire Council core policies 57 and 58.”

The final revisions to the scheme also include a revised location of the new door to the kitchen, from the side (west) to the rear (north). The above comments were based on the new door being in the side elevation as originally proposed. The Conservation Officer has since confirmed verbally that the revised location of the new kitchen door does not raise any concerns and as with the original location of the new door “If the opening is formed correctly i.e. no cut bricks, closers and whole bricks to be used, with a timber door, this new opening will not harm the significance of the designated heritage asset.”

In light of the above objection (and Highways objection covered in the following section) the agent was advised that the applications were recommended for refusal on heritage and highway safety grounds.

The applications have been called-in by the local Councillor to be considered by the Eastern Area Planning Committee should they be recommended for refusal. The applications were scheduled to be considered at the February Eastern Area Planning Committee meeting. However, the agent asked for the applications not be scheduled for this meeting to allow for additional information to be submitted to address the objections raised by the Highways Officer and Conservation Officer. The additional information submitted was a Transport Technical Note – Car Parking Assessment, Heritage Addendum & Photomontage.

In consideration of the Photomontage and Heritage Addendum, the council's Conservation Officer maintained their objection, commenting as follows:

“Additional information has been provided to try and justify the removal of the original lath and plaster ceilings, and the principle of extension (by providing examples of other listed buildings that have been extended).

The information does not provide any justification to overcome the harm caused to the listed building's character and historic fabric by the removal of important fabric that positively contributes to its overall significance.

With regard to the examples of other extensions, I cannot comment specifically on these as there are no precedents in planning and each application is judged on its own merits.

The proposals are still considered to cause harm to the significance of the designated heritage asset through loss of fabric and over-extension that has a negative cumulative impact on the special interest of the listed building and its setting. In addition, the design of the extension, as previously commented on, is poor and does not meet the high standards required to conform to Core Policy 57. The proposals also fail to comply with the NPPF (paragraphs 206, 207 & 208) and Wiltshire Council 58 and requirements to either preserve or enhance heritage assets.”

Whilst the additional information is noted and appreciated, it has not overcome the objection raised by the council's Conservation Officer overall, particularly the loss of historic features within the building and the principle of further extension. With no compelling reason to disagree with this assessment, the proposed development is considered unacceptable and is recommended for refusal on heritage grounds.

Highway safety / parking:

Core Policy 61 'Transport and New Development' of the WCS seeks to ensure that applications demonstrate that the scheme proposed has given consideration to the needs of all transport users and that the proposal is capable of being served by safe access to the highway network.

In consideration of the final revisions to the scheme, the council's Highways Officer commented as follows:

"I note that the applicant has reverted back to a position where the pergola/outside space is to be turned into a formal dining area.

Previous applications have fully considered the impact on parking of the accommodation uses (both inside and in the outside buildings) and any extension to the dining area . It was made clear that the site could only accommodate 24 spaces and a compromise made to accommodate the current pub/restaurant use and the accommodation uses. The introduction of more floor space requires more parking and it is clear that the site can not accommodate any more than the 24 spaces shown. .

The applicant is now proposing to add additional restaurant space. Calculating the parking requirement based on current parking standards of 1 space per 5m² the applicant would be required to provide approx. 29 spaces just for the restaurant alone. This is obviously not possible to achieve.

Though the standards are maximum standards it is clear that there is a high demand for parking for the business and that without adequate off street parking, displaced parking will be utilising the highway . I am minded that significant additional on street parking is likely to lead to a negative impact on the users of the highway and should be avoided.

As such I am minded to raise a highway objection to the proposed extension to the restaurant area.

I offer a highway refusal for the following reasons:

The additional changes coupled with the extant permission for residential accommodation means that the site is unable to provide an adequate and appropriate level of off street parking. The lack of adequate parking will displace vehicles onto the highway leading to the risk of a negative impact on the safety and amenity of users of the highway and contrary to CP 60 and CP 61."

It is also worthy of note that two of the parking spaces shown on the parking layout plan, (parking spaces No.1 & No.10) would be on land not within the ownership of the applicant. It is understood that the land in question is within the ownership of the Parish Council. This issue was brought to the attention of the Parish Council to ascertain the

situation and it is understood that whilst discussions have been held between the Parish Council and the applicant, they have not yet come to an agreement on this issue. The Parish Council have advised *“No work will be allowed to commence on anything which may impinge on Parish Council property until an agreement over such work has been agreed between the Parish Council, the pub owners and the occupants of No. 67 Chilton Foliat. We will be content if, all other matters having been resolved, this be made a condition of any approval.”*

Should the application be approved by members, a legal agreement would be required between the interested parties to ensure that the parking spaces can be brought forward. Advice has been sought on this matter from the council’s Legal Services Team but at the time of writing no response has been provided.

In the event that this matter is not resolved and the applicant is unable to bring the 2no.parking spaces forward, this would reduce the number of available spaces and would likely result in additional detrimental impact upon highway safety and parking provision.

As can be seen in the photographs below taken by the Case Officer during their site visit, public footpaths in the vicinity of the Public House are either extremely narrow or non-existence, requiring pedestrians to walk on the highway. The road itself is also narrow in this part of the village and currently accommodates on-street parking. It is currently difficult to walk along this section of the road in either direction from the Public House. It is considered that additional on-street parking is likely to exacerbate this situation, as well as potentially causing an obstruction for larger vehicles.

The photographs below are evidence of the unsuitability of the road to accommodate additional parking as a result of the proposed development.



The image below is from Google Street View showing the access to the car park with the village hall on the right-hand side



In light of the above objection (and Heritage objection covered in the previous section) the agent was advised that the applications were recommended for refusal on highway safety and heritage grounds.

The applications have been called-in by the local Councillor to be considered by the Eastern Area Planning Committee should they be recommended for refusal. The applications were scheduled to be considered at the February Eastern Area Planning Committee meeting. However, the agent asked for the applications not be scheduled for this meeting to allow for additional information to be submitted to address the objections raised by the Highways Officer and Conservation Officer. The additional information submitted was a Transport Technical Note – Car Parking Assessment, Heritage Addendum & Photomontage.

In consideration of the Transport Technical Note – Car Parking Assessment, the council's Highways Officer maintained their objection, commenting as follows:

"As discussed I have asked my manager to consider the revised technical note provided by the applicant and address the applicant with the benefit of his input.

I have consistently applied the most recent standards of 1 per 5m² in relation to all public floor space, this leads to a requirement of 13 spaces for the proposed 66m² new restaurant space. In their technical note the applicant is requesting an application of "older" standards to the existing floor space, this being 1 per 25m². I chose to apply the 1 per 5m² standard due to the location of the pub as well as the current operation which appears to have a high level of demand and associated impact on the adjacent highway. Though I stand by the application of 1 per 5m² as I believe that it offers the best outcome in relation to mitigating the potential impact of the extension (in terms of displaced parking) I do acknowledge that technically there is a reasonable expectation on behalf of the applicant for the original standards to be applied to the current floor space. As such, I am willing to accept the standards outlined in Table 1 of the note,

this suggesting a number of 30 spaces being required. However, I am not minded to accept the proposed 1/3 discount outlined in Table 2 . The level of a potential double use of a space I consider is likely to be far less than as proposed.

Therefore I am minded to accept in part the approach outlined by the applicant and will accept a number of 30 spaces as a total for the scheme as a whole (including the restaurant extension).

It is clear that the site cannot provide 30 spaces. The layout is designed in a way that all available space is completely utilised. There is also currently a potential query over land ownership which may make bringing forward two spaces more difficult. I am willing to count them at this time but there is a potential that the at least 2 more vehicles may be displaced in addition to the 4-5 already being noted.

The applicant has provided details of the on street parking and the parking “available” on site. Primarily any development should be able to accommodate its associated parking within its own control, with a principle that any displaced parking, in its own right, is a reason for refusal. This rests in the fact that the that the road is for the passing and repassing of vehicles and not to accommodate stationary vehicles. As such, even if there is potential accommodation on street for a single or even multiple vehicles it still equates to a possible reason for refusal as it is in this case.

The applicant has benefitted from the planning authority’s assessment of the site as a whole and has been provided, via the various applications on the site, an expert and considered application of current (and now acknowledging previous) standards and in turn provided with a layout which accommodates all existing uses (under previous applications) . The extension requires its own demand for spaces which cannot be achieved. As noted above, on street parking , is not considered an acceptable fallback position by virtue that parked cars of any number can be considered an obstruction.

Therefore after taking into account the submitted information and acknowledging the arguments outlined I am still I am minded to adhere to my previous objection.”

In addition to the above objection, a considerable number of objections have also been raised by members of the public as summarised in the ‘third party representation’ section of this report and are available in full on the website. Where relevant, these representations have been factored into the planning consideration.

Whilst the additional information is noted and appreciated, it has not overcome the objection raised by the council’s Highways Officer and the many objections raised by members of the public with regard to lack of on-site parking provision and highway safety.

With no reason to disagree with the Highways Officer's assessment and conclusion, the proposed development is considered unacceptable and is recommended for refusal due to lack of on-site parking provision and highway safety grounds.

It is also worthy of note that not all parking spaces shown on the layout plan can be provided without consent from the landowner.

Drainage:

The drainage assessment of the scheme remains unchanged from the previous applications in relation to the parking area. The parking area will be made with a permeable surface, and it is considered that surface water will not be significantly increased. The foul drainage will connect to mains sewer and run off will be dealt with via a sustainable drainage system. This is acceptable to the LPA.

Ecology:

The proposed development comprises alterations and extensions to an existing building and the provision of a parking area to the rear of the building.

In consideration of the final proposals, the council's Ecologist provided the following response:

"The following submitted documents have been reviewed alongside council data and records:

- *Bat Survey at The Wheatsheaf, Chilton Foliat. (Envirotech Ecological Consultants, Environmental and Rural Chartered Surveyors, 09/03/2023).*
- *Design and Access Statement, including Planning Statement. (HPA Architects, 12/11/2024).*
- *Location Plan Drawing No: 2398-001. (HPA Architects, February 2023).*
- *As Proposed Restaurant Extension Plans. Drawing No. 2398-030 Revision R. HPA Chartered Architects, February 2023).*

The development is not located in any of the council's consultation zones for protected wildlife sites. The submitted bat survey report concludes that there is negligible potential for impacts on roosting bats and that continued ecological functionality of the site is unlikely to be affected.

Precautionary mitigation measures provided in Section 9.2.1.1 points 1-7 of the Bat Survey at The Wheatsheaf, Chilton Foliat report should be adhered to.

Biodiversity Net Gain

From 12 February 2024 Biodiversity Net Gain (BNG) became mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14

of the Environment Act 2021). The development proposal has been amended and does not include 'Gravel parking area adjacent trees as approved scheme PL/2023/03749. Revised layout to be determined under application PL/2024/03175. Based on the information available the biodiversity gain planning condition is not considered to apply to this application as the development meets the following criteria and is therefore below the de minimis threshold, meaning the development:

- does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

The development does not meet the threshold of requiring BNG therefore is not required to deliver BNG.

CONDITIONS:

The following, or similarly worded, conditions are recommended. **Compliance with submitted documents**

The development will be carried out in strict accordance with the following documents:

- Mitigation measures provided in Section 9.2.1.1 points 1-7 of the Bat Survey at The Wheatshef, Chilton Foliat. (Envirotech Ecological Consultants, Environmental and Rural Chartered Surveyors, 09/03/2023).

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

Informative: Roosting Bats

There is a very low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.”

In consideration of the above and subject to the suggested condition, the proposed development is considered to be in compliance with Core Policy 50 of the Wiltshire Core Strategy.

Impact upon the North Wessex Downs National Landscape:

CP 51 of the adopted WCS, titled: 'Landscape' sets out that new development should protect, conserve and where possible, enhance landscape character and must not have a harmful impact upon landscape character. CP 57 of the adopted WCS, titled: 'Ensuring High Quality Design and Place Shaping' requires a high standard of design for all new development which should respond positively to the existing townscape and landscape.

The Government has provided guidance on the "protected landscapes duty" contained in the Levelling Up and Regeneration Act which requires authorities to seek to further the purposes of protected landscapes while preparing development plans and reviewing planning applications. Under the Levelling Up and Regeneration Act (LURA), authorities must "seek to further" the purposes of protected landscapes, rather than simply "have regard to" them, as was previously the case, with the guidance making clear this is an "active", "not passive" duty.

The proposed development comprises internal and external alterations and extensions to an existing building. Whilst the proposals do not necessarily seek to further the purposes of the protected landscape, the proposed development would be read in the context of the existing buildings on site and neighbouring properties and as there would be no encroachment into open countryside, the proposed development would have a neutral impact upon the special qualities of the North Wessex Downs National Landscape.

Other matters:

Comments received in relation to inaccuracies and discrepancies within the submitted plans and documents have been duly noted. The case officer is satisfied that any discrepancies have been resolved during the application process and is able to make an informed decision based on the most recent set of plans and documents received.

Comments relating to works on land outside of the applicant's ownership have also been duly noted. It is understood that the land in question is within the ownership of the Parish Council and would be required to come forward to facilitate the construction of the cellar hatch and a couple of the parking spaces on the north-western side of the application site.

This issue was brought to the attention of the Parish Council to ascertain the situation and it is understood that whilst discussions have been held between the Parish Council and the applicant, they have not yet come to an agreement on this issue. The Parish Council have advised "*No work will be allowed to commence on anything which may*

impinge on Parish Council property until an agreement over such work has been agreed between the Parish Council, the pub owners and the occupants of No. 67 Chilton Foliat. We will be content if, all other matters having been resolved, this be made a condition of any approval.”

Should the application be approved by member of the committee, a legal agreement would be required between the interested parties to ensure that the parking spaces and cellar hatch can be brought forward. Advice has been sought on this matter from the council's Legal Services Team but at the time of writing no response has been provided.

In the event that this is not resolved and the applicant is unable to bring the 2no parking spaces forward, this would reduce the number of available spaces and would likely result in additional detrimental impact upon highway safety and parking provision.

10. CONCLUSION

The adopted WCS contains a dedicated policy that deals with the protection of community facilities such as pubs in rural villages (Core Policy 49). It is clear from this policy that the intention is to prevent the loss of these facilities and as such, any efforts that are being made to make such facilities more viable is something the Council should be looking to support. This sentiment is backed up by the NPPF where there is general support given to the protection of community facilities in rural areas.

It is also worthy of note, that in having regard to CP 49 that deals with the protection of community facilities such as pubs in rural villages, the LPA has supported previous applications, such as the provision of guest accommodation ancillary to the Public House, including the conversion and extension of the existing outbuilding; change of use of staff accommodation and gallery space to guest accommodation ancillary to the Public House, some of which has been implemented by the applicant.

As highlighted in this report, the proposals have been amended several times, and the Local Planning Authority has also allowed the applicant to submit additional information at a late stage in the application process to address objections raised by the Highways Officer and the Conservation Officer, which resulted in the applications being considered at a later committee meeting. The Local Planning Authority believes it has worked proactively with the applicant, allowing numerous amendments and further justification of the proposed works to overcome the objections raised. In addition to working proactively on this scheme, it is also worthy of note that the Local Planning Authority has approved various applications, such as guest accommodation including the conversion and extension of the existing outbuilding; change of use of staff accommodation and gallery space to guest accommodation, with the aim of enhancing the vitality and viability of the Public House.

The proposed restaurant extension by virtue of its scale, design and materials would appear as an incongruous addition to the existing building, contrary to CP 57 of the adopted WCS.

From a heritage perspective, there is an objection to the proposals, in particular the loss of historic features within the building and the principle of further extension. The proposals are considered to cause harm to the significance of the designated heritage asset, thereby failing to preserve or enhance its special interest as a nationally important listed building. This harm is considered to be less than substantial and in such scenarios the NPPF states at paragraph 215 of the NPPF that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

The Court of Appeal has held that even where harm to a heritage asset was considered "less than substantial," the decision-maker must rigorously balance the harm against the benefits, and those benefits must be of a scale that can justify the harm ('the heritage balance'). This has reinforced the need for substantial public benefits to outweigh less than substantial harm to heritage assets.

In this case, and in consideration of the recently submitted additional information, Officers do not consider there to be any public benefits that would be significant enough to otherwise outweigh the harm caused by the proposals. Officers note the proposals are put forward on the basis they are seeking to enhance the vitality and viability of this public house. Furthermore, as identified previously in this report, the LPA has been proactive in supporting development at the Public House, aimed at enhancing its vitality and viability where it does not impact on the character, setting or special interest of the listed building e.g., the extra accommodation in the grounds of the Public House.

In light of this, and the lack of evidence put forward by the applicant, officers cannot consider that there is a public benefit here that is significant enough to warrant the harm. The proposals therefore fail to comply with the NPPF (notably, paragraph paragraphs 206, 207, 208 & 215) CP 57 and CP 58 of the adopted WCS.

Despite amendments to the scheme and the recently submitted Transport Technical Note –

Car Parking Assessment, the objection raised by the council's Highways Officer has not been overcome. The application site is unable to provide an adequate and appropriate level of off street parking required for the proposed restaurant extension. The lack of adequate parking will displace vehicles onto the highway leading to the risk of a negative impact on the safety and amenity of users of the highway and

contrary to CP 60 and CP 61 of the adopted WCS. This is also reflected in paragraph 116 of the NPPF which states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*”

The overall planning balance therefore concludes that the harm caused as a result of the proposed development would significantly and demonstrably outweigh the benefits in this instance and accordingly the proposed development is recommended for refusal.

RECOMMENDATION:

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

1. The proposed development, in particular the loss of historic features within the building and the principle of further extension are considered to cause harm to the significance of the designated heritage asset. Whilst this harm is considered to amount to less than substantial harm, paragraph 215 of the National Planning Policy Framework requires there to be public benefits to outweigh this harm in order to grant planning permission. No public benefits have been identified which are considered to outweigh the harm to the heritage assets. The proposal is therefore considered to be contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy 2015; paragraphs 207, 208, 210, 212, 213 & 215 of the National Planning Policy Framework and the duty placed on the Council under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the desirability of preserving listed buildings and their settings.
2. The application site is unable to provide an adequate and appropriate level of off-street parking required for the proposed restaurant extension. The lack of adequate parking will displace vehicles onto the highway leading unacceptable impacts on the safety and amenity of users of the highway. The proposals therefore fail to comply with Core Policies 60 and 61 of the adopted Wiltshire Core Strategy 2015 and paragraph 116 of the National Planning Policy Framework.

That listed building consent be **REFUSED** for the following reason:

1. The proposed development, in particular the loss of historic features within the building and the principle of further extension are considered to cause harm to the significance of the designated heritage asset. Whilst this harm is considered

to amount to less than substantial harm, paragraph 215 of the National Planning Policy Framework requires there to be public benefits to outweigh this harm in order to grant planning permission. No public benefits have been identified which are considered to outweigh the harm to the heritage assets. The proposal is therefore considered to be contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy 2015; paragraphs 207, 208, 210, 212, 213 & 215 of the National Planning Policy Framework and the duty placed on the Council under section 16 of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the desirability of preserving listed buildings and their settings.