CASE OFFICER'S REPORT

Application Reference:	PL/2023/05065
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	20 October 2023
Case officer:	Jemma Foster

Site Address:	Strathmore, 57 Potters Hill, Crockerton, Warminster, BA12 8AD
Proposal:	Erection of one dwelling and associated works
Recommendation:	

Policies

National Context:
National Planning Policy Framework (NPPF) Planning – revised July 2021
Practice Guidance (PPG)

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015:
CP1 – Settlement Strategy, CP2 – Delivery Strategy, CP31 Spatial Strategy Warminster Community Area, CP51 – Landscape, CP57 – Ensuring High Quality Design and Place Shaping, CP60 – Sustainable Transport, CP61 – Transport and New Development, CP64 – Demand Management, CP67 - Flood Risk

Saved Policies from the West Wiltshire District Local Plan (1st Alteration):
U1a - Foul Water Disposal,

Wiltshire Car Parking Strategy

Summary of Officer View

Longbridge Deverill Parish Council: No objections subject to the following conditions:
Fully support the highways comments and proposed conditions
Construction method statement
Access to remain ungated
Precondition highway survey to be carried out
No deliveries of building materials between 08:30 – 09:00 and 15:00 – 15:35 due to the adjacent school
This shall supersede planning application 2023/07829

Wiltshire Council Highways Officer: No objection subject to conditions

Wiltshire Council Archaeology: No objection subject to condition

Wiltshire Council Ecology: No objection subject to conditions

Wiltshire Council Drainage Team: This development does not trigger consultation with the drainage team, because it's a single dwelling. Therefore we will not be responding to this consultation.

Natural England: No objection

5 letters of objection have been received which makes the following comments (summarised):
• The proposed dwelling appears to be out of proportion to any of the adjoining properties
• There will be an enormous amount of building materials, plant and machinery required – how will this be controlled in a safe and reasonable manner
• I have noted that a new full width entrance to Strathmore has been recently constructed opposite Badgers Hollow – is this the new entrance to the site?
• There are hedges and trees on the northern boundary that if removed or reduced in height would look directly into two of our bedrooms and also our back garden
• It would spoil our current view
• The proposed dwelling will create a very overcrowded feeling in an overcrowded area with the recent new builds
• The height is higher than previously approved
• Any outdoor lighting shall be minimal
• It will add more traffic on our congested narrow lanes
• The overall footprint of the ground floor/roof area is approximately 185 sqm and the total area of the build on 2 floors is approximately 330 sqm. This is far greater than the figures expressed in the Planning Statement, which are ground floor 125sqm and first floor 115sqm (total 240sqm)

Constraints:

Relevant Planning History:

19/11188/OUT – Outline application with all matters reserved except for access for the erection of one dwelling - Approve with conditions

2022/07829 – Outline Erection of one dwelling – 12/01/23

Assessment

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
• Impact on the scale and character of the area/existing dwelling
• Impact on the significance of heritage assets, such as listed buildings/conservation areas/archaeology
• Impact on neighbour amenity
• Highway matters – including road safety /Parking
• Drainage

Principle of development
Crockerton is defined within the adopted development as a ‘small village’ (Core Policy 1 and Core Policy 32) capable of accommodating ‘limited infill’ (Core Policy 2) residential development, typically now more than a few dwellings. Proposals for development at the Small Villages will be supported where they seek to meet the housing needs of settlements or provide employment, services, and facilities provided that the development:

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

In this instance, the plot, which is located to the west of the property at No. 57, is bounded by Jersey Hill and Broadmead Lane among the residential development and, therefore, can be reasonably described as being part of the existing built area of the settlement. The proposed development is considered an infill development and has previously been considered acceptable for one dwelling. As such, the principle of development for the erection of one dwelling in this location has been established.

Impact on the scale and character of the area/existing dwelling
Core Policy 57 of the WCS must be considered as part of any planning permission. This policy states under paragraph (iii) that new development should respond positively to the existing townscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting. Paragraph (xii) of CP57 further highlights that applications must demonstrate how applications will make positive contributions to the character of the area through the use of high standards of building materials, finishes and landscaping.

Core Policy 51 (Landscape) of the adopted WCS also states that development should protect, conserve and, where possible enhance landscape character and must not have a harmful impact upon landscape character. The site is located in the Cranborne Chase and West Wiltshire Area of Outstanding Natural Beauty (AONB/Protected Landscape)

The character of Crockerton is one of the mainly two-storey properties set back from the road within generous-sized plots of land. Narrow hedge-lined lanes predominate, limiting views into and out of the site. The site itself slopes down to the west to the main building at No 57. The immediate area by the cross roads sees low lying single storey buildings built with brick and render,.

The proposed two storey dwelling is to be built with timber cladding (larch vertical), render gable under a zinc seam roof with metal rainwater goods.

The majority of the existing landscaping is to remain with a laurel hedgerow being planted on the western elevation. A landscaping condition can be attached to any approval to ensure that the landscaping is carried out and maintained. It is considered that the proposal would be an acceptable form of development, it is two storey and is built with materials that can be found in the immediate area. The land levels would result in the proposed dwelling being approximately the same height as the school building which is opposite and would largely remain unseen in the

wider context. The proposal is therefore considered to comply with Policies 51 and 57 of the Wiltshire Core Strategy and advice contained in the Framework.

Concerns have been raised regarding the proposal being larger and higher than previously approved. The approved outline application only saw indicative drawings which demonstrated what could be built and not what was going to be built.

Ecology & Drainage
Core Policy 67 - Flood Risk of the WCS outlines that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable. Saved Policy U1a of the West Wiltshire District Local Plan also states, "Development will only be permitted where adequate foul drainage, sewerage and sewage treatment facilities are available or where suitable arrangements are made for their provision." Therefore, conditions of surface water and the disposal of sewerage are required for the proposal. Core Policy 50 of the WCS requires that all development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale.

The site forms the northeast section of the garden of No. 57 Potters Hill. The application site consists of mainly a grass lawn with a tree-lined hedge to the north and east boundaries. The site slopes down to the south and west and is located in Flood Zone 1 which is the least likely to flood. The application site is situated within the Hampshire Avon catchment and is protected as a Special Area of Conservation (SAC), as well as the nationally designated Site of Special Scientific Interest (SSSI) that underpin these international designations.

The development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Accordingly, the Local Planning Authority considers this proposal, in combination with other developments, is likely to lead to significant effects on the European Sites and this is considered within the Appropriate Assessment (AA). Natural England have confirmed that that there are severe difficulties with delivering the required levels of mitigation for new housing in the Warminster area to prevent impacts on the River Avon SAC from increase phosphorus levels, and for unplanned housing growth the onus falls to the developers/applicants to deliver and plan on site solutions to deal with waste water.

The applicant has provided details of a replacement treatment plant for the existing dwelling which as it is located in the blue line can be appropriately conditioned to be replaced prior to the occupation of the dwelling hereby proposed. A treatment plant is also proposed for the new dwelling. These two treatment plants have been considered by Ecology to be sufficient as they provide a net loss in phosphorous burdens and have passed the Appropriate Assessment which was approved by Natural England. As such the proposal is considered to comply with the relevant policies.

Impact on the significance of heritage assets, such as listed buildings/conservation areas/archaeology
The site of the proposed new dwelling and the driveway are located within the medieval core of Crockerton. There is a good chance that groundworks associated with construction would impact upon as yet unrecorded archaeological features and/or deposits associated with these earlier

phases of the settlement and so it has been advised by the Councils Archaeologist that any future groundworks are monitored by qualified archaeologists, with this monitoring being secured via a condition to be attached to any planning permission that may be issued.
Above the various tiers of planning policy and guidance is the over-arching statutory requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special regard to the “desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses” (s16 and s66).

Paragraph 199 of the NPPF states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. ..This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 200 of the NPPF states that "Any harm to, or loss of, the significance of a designated heritage asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification."

Paragraph 202 of the NPPF states 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...”

Core Policy 57 of the Wiltshire Core Strategy states: “A high standard of design is required in all new developments, including extensions… Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through… being sympathetic to and conserving historic buildings”

Core Policy 58 of the Wiltshire Core Strategy echoes the above national policy in seeking the protection, conservation and, where possible, enhancement of heritage assets.

Wyle Hall is located to the North of the site and can be seen from the junction. The proposed dwelling would appear amongst other residential properties and as such it is considered that the proposed dweling would not impact upon the setting of this Grade II listed building and would comply with CP58.

Impact upon neighbouring amenity
Policy 57 of the adopted WCS requires in part vii for development proposals to have “regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)”.

The application demonstrates that there are no windows on the western elevation facing Strathmore and by reason of the proposed dwelling lying East and offset from the boundary of this existing dwelling it is considered that there are no overshadowing, overbearing or overlooking issues.

A neighbour has raised a concern regarding overlooking towards their bedrooms should any vegetation be removed. This dwelling is known as Gamekeepers cottage and lies approximately 30 metres North West of the proposed site. There are windows proposed to the front elevation (North) in the form of projecting bay windows at first floor and large glazing to the ground floor, however given the distance between these two properties and the oblique angle that would be required to look towards Gamekeepers cottage, even if the vegetation were to be removed, it is considered that there would be no overlooking issues that would warrant a refusal reason.

There are two first floor windows on the Eastern elevation that serve en-suites that would look towards the garden of Well House which are approximately 25 metres from the boundary of this existing property which lies to the East. Given the oblique angle and distance involved, it is considered that there would be no overlooking or overshadoing issues that would warrant a refusal reason.

Given that the area surrounding the site is residential it would be considered necessary to ensure that works only occur within appropriate times and as such an hours of use condition can be attached to any future approval.

The proposed site plan indicates that there would be sufficient space on site for the movement of vehicles and amenity space for the proposed dwelling as well as sufficient amenity space for the existing dwelling and therefore the proposal is not considered to be overdevelopment of the site and would be acceptable for future occupiers. The proposal is considered to comply with the relevant criteria of CP57.

Highway Matters

Policy 61 of the Wiltshire Core Strategy requires new development to be served by safe access to the highway. Core Policy 64, Demand Management, states that provision of parking associated with new residential development will be based on minimum parking standards.

The application is for one dwelling and it is considered there is sufficient space on site for the development to comply with current council parking standards in terms of the number of off-road parking spaces required. The existing access is not proposed to be altered and benefits from good visibility and as such the Highways Officer has raised no objection subject to conditions regarding a consolidated access, access to remain ungated, visibility splays, turning and parking spaces to be laid out and a construction management statement alongside a pre-condition highway survey which are all considered to be appropriate. The proposal is therefore considered to comply with CP60, CP61 and CP64

Other Issues

The Parish Council have requested that the previous outline application be superseded. The dwelling subject of this full application is on the same piece of land subject of the outline planning consent and as such two dwellings could not be built under these granted consents.

Conditions: (10)

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

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

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

10373_P: 10.1 (proposed site plan), 11 (proposed floor plan, section and west elevation), 12 (Proposed south, east and north elevations), 13 (existing site plan), 14 (location and entrance plans) received by the Local Planning Authority on 23rd June 2023.

Site section received by the Local Planning Authority on 26th July 2023

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

3 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
a) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) wheel washing facilities;
e) measures to control the emission of dust and dirt during construction;
f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
g) measures for the protection of the natural environment.
h) hours of construction, including deliveries;
has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

4 Prior to the first occupation of the dwelling hereby approved, the existing septic tank that serves the existing dwelling known as Strathmore located within the blue line of the location plan (drawing number P-13) shall be removed and the proposed package treatment plant for

the existing and proposed dwellings shall be installed, maintained and operated in accordance with the details submitted to the local planning authority on 9th November 2023. Any subsequent replacements shall have an equivalent or improved performance specification. The package treatment plant for the existing and proposed dwellings shall be maintained and operated thereafter for the lifetime of the development.

REASON: To provide ongoing and adequate nutrient mitigation for the nutrient neutrality water catchment for the life of the development and to ensure that any future package treatment plant is of an equivalent or improved standard.

5 Prior to any works commencing on site, a photographic pre-condition highway survey shall be carried out and submitted to the Local Planning Authority.

REASON: In the interest of highway safety

6 Prior to the first occupation of the dwelling hereby approved a photographic highway survey following the completion of the development shall be carried out and submitted to the Local Planning Authority.

REASON: In the interest of highway safety

7 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

8 The visibility splays shown on drawing number 1073 P-13 shall be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway for 43metres in each direction from the centre of the access.

Reason: In the interests of highway safety

9 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces (3) have been completed in accordance with the details shown on

the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

10 The vehicle access shown on the approved plans shall remain ungated.
REASON: In the interests of highway safety.

Informatives: (3)

1 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

2 It is important for the applicant to note that deliveries should be avoided during school term time between the hours of 08:30 – 09:00 and 15:00 – 15:35 due to the volume of additional traffic and the increase in pedestrians in the immediate area associated with the school.

3 It is important for the applicant to note that the Highway Authority will pursue rectification of any defects identified by the highway condition survey which can be attributed to the site construction traffic under the provision of S59 of the Highways Act.