



Devizes Town Council

www.devizes-tc.gov.uk

PLANNING COMMITTEE

You are summonsed to attend a meeting of the Planning Committee at the following, place and date:

Date: Tuesday 16th February 2021
Time: 6.00pm.

Join Zoom Meeting

<https://us02web.zoom.us/j/89058539599?pwd=WDBNYjR0b3E3UDA2MFJNU GhidU94UT09>

Meeting ID: 890 5853 9599
Passcode: 726492

Please note, this meeting may be recorded therefore if you do not want to appear on the recording, do not enable your camera

Enquiries: Town Hall - Tel: 01380 723333

Chairman: The Mayor, Councillor Gay

Councillors:	Bridewell	Burton	Carter
	Corbett	P Evans	S Evans
	Geddes	Giraud-Saunders	Godwin
	Greenwood	Hopkins	Nash
	Parsons	Pennington	Rose
	Rowland	Stevens	Von Berg

AGENDA

1. MINUTES

To approve as a correct record and authorise the Chairman to sign the minutes of the meeting held on 2nd February 2021 and which have been circulated alongside the agenda.

2. APOLOGIES FOR ABSENCE

3. DISCLOSURE(S) OF INTEREST

To receive any disclosure(s) of interest by a Councillor or an officer in matters to be considered at this meeting, in accordance with provisions of Sections 94 or 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

4. PUBLIC PARTICIPATION

At the Chairman's discretion, members of the public attending the meeting will be allowed to ask questions, make a statement or address the Council upon a matter of concern to that person which is relevant to the Council. A time limit of 5 minutes per person will be permitted, but this may be extended at the Chairman's discretion and a maximum period of 20 minutes has been allocated by the Council for this item of business.

5. REPORT FOR DECISION – PLANNING APPLICATIONS FOR CONSIDERATION

Details of Planning Applications for Consideration are attached ([doc 5/1](#)).

Members wishing to make enquiries about any of the applications listed or inspect plans before the meeting are advised to do so on line at Wiltshire Council.

6. REPORT FOR INFORMATION – WILTSHIRE COUNCIL'S NOTICE OF PLANS GRANTED OR REFUSED

Attached ([doc 6/1](#)) a list of plans granted, refused or withdrawn.

7. REPORT FOR INFORMATION – NOTICE OF PLANNING APPEAL DECISIONS, 16 & 18 SOUTHBROOM ROAD

Notification has been received that the Planning Inspector has rejected both appeals for the creation of vehicular access points and hardstanding areas at the above properties.

A copy of the decision notice is attached to this agenda ([doc 7/1-4](#)).

8. REPORT FOR INFORMATION – AMENDED PLANS FOR PLANNING APPLICATION AT 33 GREENFIELD ROAD

Officers have been notified of amended plans relating to the recent application for 'Two storey extension to the rear of a detached house' at 33 Greenfield Road. No objection was raised by the Committee to the original application.

A link to the amended plans is [here](#).

9. REPORT FOR DECISION – NEW PREMISES LICENCE APPLICATION – Muck and Dunder, 20a The Brittox

Recommendation

That the Committee reviews the new licencing application for 20a The Brittox and provides comments to the Licensing Officers.

Purpose of the Report

To provide an opportunity for the Town Council to comment on a new licence application for the premises 20a The Brittox.

Background

The Town Council is being consulted on a new licence application for the Muck and Dunder, 20a The Brittox.

Located in the Brittox, the Grade II listed building was formerly trading as The Beehive and therefore the application is submitting a change of use from A1 retail to create a new independent Rum Bar/ Café style premises, serving locally produced brownies and pastries with locally roasted coffee. The applicant is also planning to hold rum tasting events, ad hoc street food and a range of music genres (mainly background).

The application plans to refurbish the building and refurbish the retail space to create a large open space from the single front door where a bar will be situated on the far-left hand wall and the toilet facilities updated with an accessible toilet. It is also planned that an outside space currently used to park a car will become an outdoor guest area.

The application ([Doc9 attached](#)) is for:

- **Section E.** Indoor live music – 11pm to midnight, Fridays and Saturdays
- **Section F.** Indoor recorded music – 11pm to midnight, Fridays and Saturdays.
- **Section I.** late night refreshments – 11pm to midnight, Fridays and Saturdays
(Sections E, F and are 11pm to 1am on New Year's Eve)
- **Section J.** Supply of alcohol on and off the premises – 11am to 11:00pm, Sunday to Thursday and 11am to midnight, Fridays and Saturdays.
(and 11am to 1am on New Year's Eve)
- **Section L.** Opening hours – 8:00 noon to 11:30pm – Sunday to Thursday and 8am to 12:30am, Fridays and Saturdays.
(and 8am to 1am on New Year's Eve)

The Licencing application goes on to advise that there will be full training for staff and table service will be encouraged. Events will have limited numbers, although this number is not specified, with registered security on duty and CCTV.

Background music will be kept to a sensible level, with a cooling down period and closing time. From 6:00pm there will be an Over-21 rule in place.

Options Considered

The Committee needs to determine if there are any grounds to object to the application or if, under a test of reasonableness, changes to the application should be requested.

Implications and Risks

Financial and Resource Implications

Officers are unaware of any financial or resource implication for the Council associated with this decision

Legal Implications and Legislative Powers

The Council will be considering this matter under its General Power of Competence

Environmental Implications

Officers are unaware of any environmental implication for the Council associated with this decision.

Risk Assessment

Officers are unaware of any risk implication for the Council associated with this decision.

Crime and Disorder

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

10. REPORT FOR DECISION – WILTSHIRE LOCAL PLAN CONSULTATION

Recommendation

That the committee considers the draft response to the Wiltshire Local Plan consultation and decides if it wishes to adopt it as the Town Council's response or make any amendments.

Purpose of the Report

To provide the Town Council with an opportunity to respond to the Wiltshire Local Plan consultation.

Background

At its meeting on the 5th January, the committee reviewed the issues that were identified as relevant to Devizes in the Wiltshire Local Plan consultation document. At that meeting it was agreed the Neighbourhood Plan steering group should look the matter in more detail and provide a draft response for the committee to consider.

The Steering group have now considered the issues and drafted a response to the consultation with is set out below:

WILTSHIRE LOCAL PLAN CONSULTATION -DRAFT RESPONCE

Scale of Growth – What do we think about it?

The ‘Standard Method’ of projecting housing needs appears to be based on the Government’s discredited ‘algorithm’. It is not sustainable to plan for more housing than is needed, following the ONS/MHCLG household projections. If the Council is serious about improving housing affordability (or at least preventing further deterioration), it should prioritise the development of a more affordable mix of housing (more terraced houses and flats, including social and subsidized affordable housing). The ‘local needs’ projection option is even more unsustainable. Both options will lead to unnecessary growth in commuting to larger employment centres outside the county, and consequently unnecessary growth in peak-hour traffic, contrary to the objective to make the county zero-carbon.

It could be argued that there is some confusion around population growth for Devizes as whilst it is recognised that much of the town’s growth over recent decades has been driven by migration, the population statistics set out in the Local Plan Review consultation document infer otherwise.

Within the document the “Settlement Profile” there are indications that there will be a reduction in population for most age groups;

- 0-14 6% decrease
- 15-29 2% decrease
- 30-44 1% decrease
- 45-59 14% decrease

Only in the higher age groups do we see any growth

- 60-74 27% Increase
- 75+ 80% Increase

At face value the document should have a strategy on how to manage such a change in demographics and the statement within priorities “deliver homes to respond to local needs” has not been followed.

It may be that the wider housing need for the county is coming into play and therefore rather than being about organic growth from the town’s current population with an allowance for older person migration, the scale of growth is based on what the town can accommodate to help meet the wider population growth of the county.

It is feared that with this level of growth, it is highly likely that the town will be far less self-contained and therefore significant weight needs to be given to the constraints around transport, access to education, employment as well as the impact the additional growth will have on the town’s environment, landscape setting and sense of place.

Paragraph 11 of the review document states that “Each community is encouraged to help determine where development takes place through the preparation of a neighbourhood plan” subsequent paragraphs such as 12 and 25 clearly indicate that the “Local Plan” will identify sites to meet the strategic housing needs but falls short of setting out the Neighbourhood Plan’s role in this.

Priorities - Are they right?

Whilst it would be difficult to argue that the delivery of homes meets local needs, there is a question that this plan for Devizes does that if you compare it to housing needs set out in the settlement profile on pages 9-12. To reflect the changes more focus needs to be placed on types of accommodation.

The Plan should give very high priority to the conservation and enhancement of the natural beauty of the North Wessex Down AONB. High priority should be given to protecting the intrinsic character and beauty of the countryside generally, and conserving the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland (NPPF §170(b)). These are all important features and assets of Devizes’ immediate setting, but insufficient weight is given to them in Appendix 2 ‘Planning for Devizes’, and in the site assessments. In particular, insufficient weight is given to conservation and enhancement of the AONB in the assessments of sites 1 (adjoining Lay Wood) and 2 (Coate Bridge).

Our perception is that the town's setting is a hanging valley, defined by a few substantial topographical features, which should form the basis of planning policies to contribute to and enhance the natural environment in and around the town. These features are:

- The chalk scarp and toe slopes of Roundway Hill to the N and Etchilhampton Hill (including the lower chalk hill at Gipsy Patch) to the E. These features are included in the AONB.*
- The greensand scarp to the S (including Drews Pond woods and Furze Hill Lane); the Old Park valley to the SW (crucial to the setting of the Castle); the scarp from Caen Hill to Dunkirk Hill to the W (including the setting of the flight of locks); and all the woodland features (including Belvedere Wood and Newlands Wood) along the scarp between Dunkirk Hill and Conscience Lane to the NW, which connects to the chalk scarp at Roundway Hill.*

Whilst the issue is picked up in the sifting of possible development sites, albeit without consistency, priority needs to be given to projecting the wider landscape setting of the town and its views back towards the town for the adjoining open countryside as the topography of the town's hanging valley does mean that some development options will create harm.

Within the tourism-led regeneration comment it is important that the Gateway station is identified.

The priority for high standards of design is far too nebulous and has no meaning. At a minimum, the Plan should carry forward core policy 57 of the Core Strategy, that development should make a positive contribution to the character of Wiltshire. This approach is backed up by §127(a) of the NPPF, which says that development should add to the overall quality of the area. Our experience is that it is very often easy to identify proposals that fail to make a positive contribution, or add to the quality of the area. However, this is not enough. Wiltshire should consider reviving its design guide, and should for the time being adopt Building for Life as an assessment framework for significant new developments and renewal (NPPF §129). The Govt is working on policy proposals to promote beauty in development. The Plan should aim to respond to that if and when progress is made

What would be really helpful would be a statement about what is meant by good design. There is nothing in the document about building properties for future generations, ensuring that new homes are

delivered above minimum standards of efficiency, use of renewable energy is promoted within new properties.

Each site-specific proposal should contain one or more key design principles (landscape, urban design or access framework) to guide design and development, and give communities some idea of what to expect. There is an argument that this could fall within the Neighbourhood plan, but they should be clear proposals of the development plan.

We would also like to see not only how well-connected new sites are for those who are living in new housing to get into the town centre, places of work and learning centres, consideration also needs to be given to how new estates connect with the wider green infrastructure ensuring the enhancement wildlife corridors.

Potential Development Sites - is the pool right and other issues

It is disappointing that in developing the pool of potential development sites, at face value it would appear that no consideration has been given to the current neighbourhood plan. There are also number of sites, that whilst they are not in the pipeline, they are clearly going to come forward, but these have not been referenced and include;

- *Housing withing the Wharf regeneration project.*
- *The current hospital site.*
- *Enabling housing for the new Green Lane treatment centre.*

Over the next 5 years it is likely that a number of windfall sites will come forward and given the relatively low additional house need, of 330 over 10 years the pool is too large with many of the sites++ on balance likely to cause unnecessary harm to the town's setting.

Whilst it is important to develop brown field sites as a priority, there are not that many sites in Devizes and often those which are, are redeveloped with the loss of employment sites.

Site 1 Land adjoining Lay Wood (SHELAA 662)

In looking at the pool this site is of particular concern and we strongly feel that it should be removed. In the site sifting, site 550 - land to the south of Roundway Hill Farm has been removed as it impacts on the AONB. The buffer and setting to the AONB in this location has already been seriously eroded in this area with the development of the current development at Lay Wood and much was made of preserving

the eastern edge boundary nearest to the AONB, which would be lost if this site is brought forward. The distance from the town centre, being more than a 20-minute walk as identified as a priority with the current neighbourhood plan, will place a far greater need for car usage than many other sites.

Site 2 Land adjoining Coate bridge 693 b & A

In looking at the pool this site is of particular concern and we strongly feel that it should be removed. The argument for the removal of this site is much as site 1. The site sits on the rural approach to the town from the small village of Coate. For the entire length of the route between the village and the junction with Windsor Drive the town is completely shielded and therefore any housing development will cause great harm on this part of the town's rural setting. With the number of new homes needing to be identified between 2016 and 2036, there is a view that this site is far too large and this is supported by the current Neighbourhood Plan which will always favour small sites that integrate well into the community against larger sites that are isolated on the fringes of the town and rely on car ownership to travel into the town centre.

Site 3 Land to the East of Windsor Drive. 624

Whilst there is some merit in part of this site being within the pool, as identified, the document underplays the acuteness of the topography of the site, therefore any development to the north of the site would have a material impact on the landscape looking back from the AONB and this is evident by the existing radio mast. In addition, the steepness of the site would encourage car use. We believe that a lower level of development should only be allowed on the southern third of the site.

Site 4 Broadway Farm

In looking at the pool this site is of particular concern and we strongly feel that it should be removed. The site itself falls outside both the current settlement framework boundary and is outside the 20-minute walking distance from the town centre as defined within the Neighbourhood Plan. This coupled with its size compared with need and relative benefits of other sites, this site is not required.

Site 5 Sleight Road

The whole site is too big, it should only extend as far as the disused railway. Any further extension of this land will significantly impact on the landscape setting looking from Nine Hills to Monument Hill. Even the whole site to the north east of the disused railway line is too big for housing and therefore there is a view that part of the site should be used for employment in the creation of a high-quality office/commercial park, which will be a welcome addition to the

existing industrial centres. If this could be achieved it would outweigh the current issues of the site being outside the 20-minute walking zone.

Site 6 Greenacre Nursery (SHELAA 3259)

In looking at the pool this site is of particular concern and we strongly feel that it should be removed. In the site sifting process, site 806 has been rightly removed because of its proximity to the wood, but the same rules have not been applied to this site outside the 20-minute walking zone.

Site 7 Caen Hill Farm

The topography of the land will result in any development having a material impact on the view of the town from Whistley to Caen Hill.

Access by cutting through the Park Dale dyke at the end of Avon Road would cause unacceptable traffic congestion to the Victorian road structure where it connects to Bath Road and on the A361 itself. The site is not within the 20-minute walking zone of the Neighbourhood plan or close to any school. For this reason it should be removed.

Site 8 Land North of Roundway Park 549a

We do not agree with the assessment of adding sites 549b into the pool as we believe that it will have a material impact on the landscape setting of the Roundway area viewed from Folly Road. We do however believe that part of site 549a of the same names could be included as far as the 20-minute walking zone, as identified within the Neighbourhood Plan. This site meets many of the Neighbourhood Plan policy principles without having a material impact on the Town landscape setting.

Other Sites to be added

Site 532 Land at Hillworth Road

In looking at the pool of sites we do not understand why this site has been excluded. In the sifting text, concerns are expressed on its impact from the Whistley edge of town, whilst sites such as Coate Road Bridge, looking towards the AONB from Roundway, Caen Hill Farm coming from Whistley and even the Car Breaker Site will all have a significant visual impact. When looking at the policies within the Neighbourhood Plan this site meets all of the policies.

Site 419 Devizes Wharf and Hospital.

This site is identified within the SHELAA and is known to be a priority for development, therefore should be included within the pool.

Land to the East of Thomas Wyatt Road and West of Wordsworth Road

We have been advised by the owner of the land that it is planned for 24 homes to be built on this land within the next 12 months.

Other issues

We are concerned about the suggestion that sites could be amalgamated as this is counter to the NP which favours smaller sites.

Sustainability

Greater emphasis needs to be placed on the sustainability of our new homes and there should be an insistence that developments achieve the highest level of sustainability through innovation and good design.

- *Each property should have Solar PV panels included on the roof.*
- *Opportunities to develop shared energy generation should be included through the use of ground source heat pumps.*
- *That developments link in to green corridors that should criss-cross the town.*

Future Proofing Developments

In developing master plans for sites, provision must be made for changes that are likely to occur over the next 10 to 20 years, by providing properties with two charging points for cars for example, ensuring sufficient supply capacity to replace gas boilers and ensuring the homes are designed to incorporate better home working arrangements to meet the way we now work. New Developments must incorporate FTTP (fibre to the premises) to ensure excellent connective for home working.

Affordable Housing Provision

It is indicated that the level of affordable housing will be set at 40% and whilst there is no question that sufficient affordable housing is provided to meet the needs of the community, this cost burden cannot be offset by developing houses which are poorly designed, built to a low quality and crammed too tightly into the corner of a development. Consideration also needs to be real affordability and must take into

account average salaries for the town, which are the lower end of the national spectrum.

Extensions in small properties

There is an indication that additional policies will be put in place to prevent smaller properties being over extended. Whilst it is important that there is some management of extension building on smaller properties to stop them growing exponentially in size, this must not be made too complicated and probably should be managed through existing policies and weighed up against what will be left as outdoor spaces for a property.

Policy 44

There is a fear that changes to rural exception polices will allow for more than infill within our smaller rural villages.

Climate Changes

Clear and measurable targets need to be identified that will ensure new developments meet the highest standards of energy efficiency and climate management. There is a fear that policies will be too open and not sufficiently challenging.

Options Considered

Set out a range of options that members can consider in addition to the recommendation

Implications and Risks

Financial and Resource Implications

Officers are unaware of any financial or resource implication for the Council associated with this decision

Legal Implications and Legislative Powers

The Council will be considering this matter under its General Power of Competence

Environmental Implications

Officers are unaware of any environmental implication for the Council associated with this decision.

Risk Assessment

Officers are unaware of any risk implication for the Council associated with this decision.

Crime and Disorder

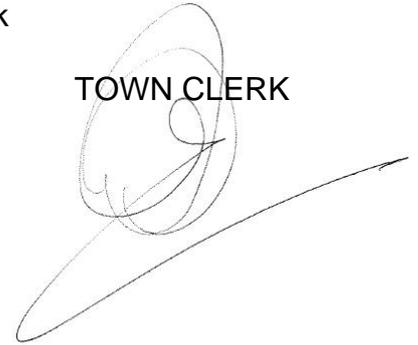
Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

11. QUESTION TIME

A short time is allowed at the discretion of the Chairman for councillors to ask questions on matters which are not on the current agenda but which are related to matters which have been previously discussed on an agenda relevant to the committee.

At least 24 hours' notice must be given to officers of the intended question. All other matters should be raised on an agenda and the request should be submitted through the Town Clerk

TOWN CLERK

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Devizes Town Council
PLANNING COMMITTEE

Committee Members :

DOC5/1

DOC5/1 . **20/10234/LBC** Plot Ref :- Type :- LISTED
Applicant Name :- Chris Chapman Date Received :- 04/02/2021
Parish :- Roundway Date Returned :-
Location :- Cedar Hse, Chapel Ct, Agent
Elm Ct
Thomas Wyatt Road
Devizes
Proposals :- Stonework repairs and renewals
Observations :-

DOC5/1 . **21/00085/FUL** Plot Ref :- Type :- FULL
Applicant Name :- Nick & Laura Paget Date Received :- 01/02/2021
Parish :- South Date Returned :-
Location :- Southbourne Agent
Wickfield
Devizes
Proposals :- Double storey side extension and single storey rear extension to
an existing dwelling
Observations :-

DOC5/1 . **21/00304/FUL** Plot Ref :- Type :- FULL
Applicant Name :- Mr N Grist, Grist Environment' Date Received :- 08/02/2021
Parish :- North Date Returned :-
Location :- North Lower Park Farm Agent
Whistley Road
Potterne
Proposals :- Retention of house and garage as built (amendment to planning
permission K/55774) with use as a house in multiple occupation
with a self-contained family unit
Observations :-

DOC5/1 . **21/00580/FUL** Plot Ref :- Type :- FULL
Applicant Name :- Mr & Mrs King Date Received :- 08/02/2021
Parish :- South Date Returned :-
Location :- Greenacres Agent
Old Park
Devizes

Link to plan 20/10234/LBC [here](#)

Link to plan 21/00085/FUL [here](#)

Link to plan 21/00304/FUL [here](#)

Link to plan 21/00580/FUL [here](#)

PLANNING COMMITTEE
16th February 2021

Proposals :- 'Demolition of existing dwelling and detached garage and erection of a replacement dwelling and detached garage with accommodation above'

Observations :-

DOC5/1 .	21/00611/FUL	Plot Ref :-	Type :- FULL
	Applicant Name :- Mr George Willis		Date Received :- 08/02/2021
	Parish :- Roundway		Date Returned :-
	Location :- 16 Fordson Road	Agent	
	Devizes		
	Proposals :- Installation of 4x roof lights		
	Observations :-		

Link to plan 21/00611/FUL [here](#)

PLANNING APPLICATIONS WHICH WILTSHIRE COUNCIL HAVE EITHER
GRANTED OR REFUSED PLANNING PERMISSION

Reference	Details	Applicant	Devizes Town Council Response	Granted or Refused
20/10213/FUL	First floor extension over garage and replacement conservatory – at 3 Kempsfield	Mr & Mrs Weyman	No objection, 17/12/2021	Granted, 26/01/2021
20/10236/FUL	Single storey extension to extend sitting room – at 32 Quakers Road	Mr & Mrs Benson	No objection, 17/12/2021	Granted, 27/01/2021
20/10412/FUL	Convert existing garage into a play room – at 80 Fruitfields Close	Mr Lee Boudebza	No objection, 05/01/2021	Granted, 28/01/2021



Appeal Decision

Site visit made on 15 December 2020

by **B Davies MSc FGS CGeol**

an Inspector appointed by the Secretary of State

Decision date: 1 February 2021

Appeal Ref: APP/Y3940/D/20/3259738
18 Southbroom Road, Devizes, SN10 5AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sean Mullan against the decision of Wiltshire Council.
 - The application Ref 20/00476/FUL, dated 16 January 2020, was refused by notice dated 18 May 2020.
 - The development proposed is creation of a vehicular access point and hard standing area.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. An appeal has also been made against the decision¹ to refuse development of a driveway at 16 Southbroom Road, which is adjacent to the site. This is subject to a separate decision², and I have amended the description of the proposal to reflect this. The appeals have been conjoined for the purposes of efficiency and consistency.

Main issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of Devizes Conservation Area;
 - highway safety.

Reasons

Character and appearance of the area and Conservation Area

4. The appeal site fronts the busy A360 near the historical core of Devizes. It is part of a row of slightly elevated semi-detached houses set back from the highway behind short front gardens. The row is fronted by a continuous stone retaining wall, regularly punctuated by pedestrian entrance gates, which lead to the front door of each house. The wall curves attractively around each gate entrance and is topped with a neat, thick hedge along the length of the row.

Appeal Decision

Site visit made on 15 December 2020

by **B Davies MSc FGS CGeol**

an Inspector appointed by the Secretary of State

Decision date: 1 February 2021

Appeal Ref: APP/Y3940/D/20/3260704 16 Southbroom Road, Devizes, SN10 5AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Gareth Ward against the decision of Wiltshire Council.
 - The application Ref 20/00472/FUL, dated 16 January 2020, was refused by notice dated 18 May 2020.
 - The development proposed is creation of a vehicular access point and hard standing area.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. An appeal has also been made against the decision¹ to refuse development of a driveway at 18 Southbroom Road, which is adjacent to the site. This is subject to a separate decision², and I have amended the description of the proposal to reflect this. The appeals have been conjoined for the purposes of efficiency and consistency.

Main issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of Devizes Conservation Area;
 - highway safety.

Reasons

Character and appearance of the area and Conservation Area

4. The appeal site fronts the busy A360 near the historical core of Devizes. It is part of a row of slightly elevated semi-detached houses set back from the highway behind short front gardens. The row is fronted by a continuous stone retaining wall, regularly punctuated by pedestrian entrance gates, which lead to the front door of each house. The wall curves attractively around each gate entrance and is topped with a neat, thick hedge along the length of the row.

5. The boundary of the Devizes Conservation Area (CA) runs adjacent to the front boundary of the row of houses. According to the Council, the Area Statement specifically refers to the sense of enclosure provided by trees and hedges on this approach to the CA. I consider that the row of gardens, and the continuous wall and hedge that frame the road, make a positive contribution to the setting of the CA.
6. The proposal would remove a 5.5 metre section of the wall and hedge, and replace the front garden with hardstanding and a low wall perpendicular to the house. This would appear incongruous when compared to the characteristic rhythm and structure of the wider boundary and gardens. I also consider replacement of the attractive wall, hedge and garden with hardstanding to be harmful to the appearance of the area. There would therefore be harm to the setting of the CA in a prominent location on the approach to the town.
7. The appellant has suggested that the hedge and wall could be removed at any time and I have nothing before me to suggest otherwise. However, both local and national policies strongly support conservation of heritage assets and their settings and I have considered the overall proposal to insert a vehicular access point and hardstanding in this context.
8. The appellant has drawn my attention to several properties along nearby Nursteed Road for which permission has been granted for driveways to the front of the properties. Most of the houses along Nursteed Road are not within the setting of the CA and the locations are therefore not comparable.
9. It is proposed to install a waterproof 3-pin socket on the outside wall of the house for charging electric vehicles. As the scheme would service a maximum of two cars, assuming the adjacent driveway was also allowed, the public benefits from this are small.
10. The development would therefore cause harm to the character and appearance of the setting of the CA. This would cause conflict with Policy 58 of the Wiltshire Core Strategy (adopted 2015) (CS), which requires that proposals must preserve and, where appropriate enhance, the special character of the CA and its setting. The development would also not meet the requirements of Policy 57, which requires that development draws on local context and is complementary to the locality.
11. Applying the test in paragraph 196 of the National Planning Policy Framework, there would be no public benefits from the development to outweigh the less than substantial harm caused to the character and appearance of the heritage asset. In coming to this conclusion, I have considered the duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

Highway safety

12. For the purposes of turning a vehicle the Council recommend an area of at least 10 metres by 10 metres, in addition to space for car parking. I acknowledge that no guidance is referenced to underpin these figures. However, I give them considerable weight because they have been recommended by the department of Highways Development Control, which will be experienced in such matters. In addition, no alternative argument to

demonstrate that this is not a suitable criterion has been provided by the appellant. The space available would be approximately 5.5 metres by 4.9 metres, which represents a significant shortfall.

13. Cars would therefore be unable to enter and exit the busy A-road in a forward gear as required by Highway Authority policy. In addition, they would have to reverse over a wide and well-used footway to enter the road. The proposal would therefore unacceptably increase the risk to highway safety.
14. The appellant has provided a long list of properties in Devizes which they consider have similar driveway facilities on A-roads. Many of these appear to have been designed this way originally or granted planning permission some time ago under earlier policies. I must make my decision on the merits of the case before me and I have found that the proposal is not acceptable under the current development plan.
15. There would be an increase in the risk to highway safety and the proposal does therefore not meet the requirements of Policies 60 and 61 of the CS, which require safe access to the highway network.

Conclusion

16. The proposal would cause harm to the setting of the conservation area, in addition to unacceptably increasing the risk to highway safety. The proposal is therefore not consistent with the requirements of the local development plan. For these reasons, the appeal is dismissed.

B Davies

INSPECTOR

Click [here](#) to return to Agenda item 8