

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 14 December 2017
Time: 3.00 pm

Please direct any enquiries on this Agenda to Lisa Moore, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01722) 434560 or email lisa.moore@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Fred Westmoreland (Chairman)	Cllr Mike Hewitt
Cllr Richard Britton (Vice-Chairman)	Cllr Sven Hocking
Cllr Brian Dalton	Cllr George Jeans
Cllr Matthew Dean	Cllr Ian McLennan
Cllr Christopher Devine	Cllr John Smale
Cllr Jose Green	

Substitutes:

Cllr Trevor Carbin	Cllr Bridget Wayman
Cllr Ernie Clark	Cllr Graham Wright
Cllr Tony Deane	Cllr Robert Yuill
Cllr John Walsh	

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 20*)

To approve and sign as a correct record the minutes of the meeting held on Thursday 16 November 2017.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 2.50pm on the day of the meeting.

The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Thursday 7 December 2017**, in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **Monday 11 December**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Appeals and Updates** (*Pages 21 - 22*)

To receive details of completed and pending appeals and other updates as appropriate for the period 03/11/2017 to 01/12/2017.

7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

7a **17/02198/OUT - Rose Farm, Hurdcott Lane, Winterbourne Earls, Salisbury, SP4 6HR** (*Pages 23 - 38*)

Outline Planning Permission Including Access Details for 2 Four Bedroom Detached Dwellings

7b **17/00842/OUT - Land opposite Horefield, Idmiston Road, Porton, Wiltshire, SP4 0LD** (*Pages 39 - 66*)

Outline Planning Application for residential development of 16 dwellings with all matters reserved. Provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 15 public car parking spaces for Horefield residents/school use.

7c **17/05578/FUL & 17/06125/LBC - 3 Silver Street, Wilton, SP2 0HX** (*Pages 67 - 84*)

Proposed alterations, replacement ground floor & new 1st floor rear extensions (Resubmission of 17/00328/FUL and 17/00693/LBC)

7d **17/05736/FUL - Longacre Farm, Figsbury, Salisbury, SP4 6DT**

(Pages 85 - 96)

Proposed portal frame building for hen house, service link, rearing shed and feedstore. Landscaping work. Work in connection with access. Stationing of mobile home all in connection with free range egg production flock.

7e **17/06734/FUL - Former Piggery Buildings at Cotswold Farm, West Dean Road, West Tytherley, SP5 1QA** *(Pages 97 - 116)*

Conversion of former agricultural buildings to 9 residential dwellings

7f **17/04001/OUT - Land off Firs Road, Alderbury** *(Pages 117 - 136)*

Outline application for residential development of up to 50 dwellings, associated parking and access (off of Firs Road), open space and infrastructure; relocated guide hut, new pre-school building and land to extend existing primary school playing fields.

8 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

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SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 NOVEMBER 2017 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Matthew Dean, Cllr Christopher Devine, Cllr Mike Hewitt, Cllr Sven Hocking, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale, Cllr Trevor Carbin (Substitute) and Cllr Robert Yuill (Substitute)

Also Present:

Cllr Jose Green

218 **Apologies**

Apologies had been received from:

- Cllr Brian Dalton – substituted by Cllr Trevor Carbin
- Cllr Jose Green – substituted by Cllr Robert Yuill
- Cllr John Smale

219 **Minutes of the Previous Meeting**

The minutes of the meeting held on Thursday 19 October 2017, were presented.

Resolved:

To approve as a correct record and sign the minutes.

220 **Declarations of Interest**

The following declarations were made:

- With regards to item 6 – Whiteparish Path No. 41, RoW Modification Order, Cllr Richard Britton noted that he was acquainted with the land owner of Mean Wood, but that his relationship was not prejudicial, so was able to take part in the discussion and vote on that application.

- Cllr Chris Devine noted that he was not a land owner.

221 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

222 **Public Participation**

The committee noted the rules on public participation.

223 **Whiteparish Path No. 41 Rights of Way Modification Order 2017**

Public Speakers

Andrew Lax spoke in support of the Order

Cllr Trevor King, Chairman of Whiteparish Parish Council spoke in objection to the order.

The Rights of Way Officer, Sally Madgwick introduced the report which set out the Whiteparish Path No. 41 Rights of Way Modification Order 2017. It was recommended that the Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs and that Wiltshire Council supports the confirmation of the Order as made.

It was noted that there was already a public footpath in this area, which was well maintained. The suggested path had been featured on the internet on a walking website. There had been evidence from users, who claimed to have used the route without permission, with no force or secrecy. The period of use for consideration was 1992 – 2012. There were no signs to inform people to keep out. The parish council had always regarded it as a permissive path, however no reference from the parish minutes had been forthcoming to support this claim.

Members of the Committee then had the opportunity to ask technical questions of the Officer, it was noted that the committee were able to vote to either support or not to support the Order, however there would need to be supporting evidence not to support it.

Members of the public then had the opportunity to present their views as detailed above.

The Parish raised the point that there would be no reason to expect to see any reference in the parish minutes to the path, when it had always been private land with a permissive path. Before this application came forward, there had been no reason to discuss Mean Wood.

The Unitary Division Member, Councillor Richard Britton then spoke, noting his frustration with the way the legislation disadvantages the land owner. Adding that after many years of free use by the public to enjoy particular locations, with

seeming ease, a group of members of the public can put together evidence of use over a period and the land owner has no way to stop this. T

He felt that the fact that there was nothing in the minutes, echo's that the land owner did nothing to stop the use. The members of the parish council did not need to record this in the minutes or discuss it.

Suggesting that maybe parish councils ought to minute any routes that seem as permissive, and make the land owners aware of it.

Cllr Britton chose to defer making a motion to the Chairman.

The Chairman, noted that there may be little value in debating the issue, unless Members could produce some substantial evidence. He then moved the motion to support the order in going forward to the Secretary of State for approval.

This motion was seconded by Cllr Mike Hewitt.

A debate then followed, where it was raised that there was a Rights of Way Act that lets people use paths like these.

The Committee then voted on the motion to support the Order as made.

Resolved

To support the Whiteparish Path No. 41 Rights of Way Modification Order 2017 as made and forward it to the Secretary of State for Environment, Food and Rural Affairs.

224 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda for the period 06/10/2017 to 03/11/2017.

It was noted that the table detailed application 17/03525/FUL, which was in Tidworth and was not part of the Southern Area.

Resolved

To note the update.

225 **Planning Applications**

226 **17/08365/FUL - Longs Farm, Sutton Mandeville SP3 5LT**

Public Speakers

Mr Willis spoke in objection to the application
Suzanne Keen spoke in objection to the application
Kathryn Billing spoke in objection to the application
Rachel Yeomans spoke in support of the application
Mrs Kate Whyte spoke in support of the application

Mr Howard Smith spoke in support to the application

The Senior Planning Officer, Warren Simmonds introduced the report, which recommended that the application for the proposed demolition of existing redundant buildings and its replacement with four tourist accommodation units together with associated works (Amended scheme following withdrawal of application 16/10495/FUL).

It was noted that access to the site was from a public highway from the north. The existing buildings on the site were in a dilapidated condition, with some falling down.

Each of the four dwellings would have allocated cycle storage and two parking spaces, with a further 3 additional car parking spaces to be shared by the site.

There had been 59 representations made by third parties, 35 in objection and 23 in support.

There had been no objections from Highways or Spatial planning, however the AONB had raised a number of concerns.

There had been a deal of debate over how CP39 should be interpreted.

Attention was drawn to the late correspondence circulated at the meeting. A site visit was also held earlier in the day.

Members then had the opportunity to ask technical questions of the Officer. It was clarified that there was currently no policy, on the use of redundant farm buildings. This site was in the AONB so excluded by the permitted development rights.

Members of the public then had the opportunity to present their views as detailed above.

The Chairman read a statement from the parish council which indicated support for the application.

The Unitary Division Member, Councillor Jose Green (who was in attendance, but not sitting as a member of the Committee at this meeting). As a resident of Sutton Mandeville for 45 years, she was in attendance with an open mind.

Cllr Green pointed out that the AONB was the sixth largest in the country out of 46 across Britain, 380 square miles, with Tisbury as the largest settlement.

The attraction to the area was diverse. The landscape and nature, were some of the reasons for visitors to come and stay, including film work, with 2 films being made in the village.

As a tourist guide for 20 years and having sat on many committees in her role as a councillor, including the Vision, and the AONB Management Board, all had mentioned a need for more bed space.

The applicant had submitted 38 documents addressing the concerns raised.

The Night Sky document refers not to switching lights off, but instead, about the right lights in the right place at the right time.

There had been no objections from the statutory consultees or spatial planning. Cllr Green felt that the 25 conditions in the report covered all aspects of concern. With CP39, seen overall with CP34 and CP38, Cllr Green felt that this was a worthy proposal.

Cllr Hewitt moved the motion of approval in line with Officers recommendation. This was seconded by Cllr Hocking

A debate followed where key issues raised included, the consideration of CP39 and whether the five criteria were met.

The Tisbury Area Strategy supported bringing tourism to the area. The proposed development would not be harmful to the AONB if the landscaping on the site was carried out properly.

It was the Committees core function to assess whether applications were compliant with national and local policies. It was felt by some members that this application was compliant as evidenced in the report. There was no demonstrable harm to the surrounding buildings and local residents were unlikely to be affected, providing the application could be conditioned effectively.

There was a need to develop tourism. There was ample evidence that a requirement existed in Salisbury and south Wiltshire for more beds.

The policy required an association to a particular tourist attraction.

People would walk around the countryside, and go to visit the Cranbourne chase. People would probably cycle and walk from the site as well as drive to other attractions around the county including Salisbury and Stonehenge.

The local community and the parish council generally seemed to be in support.

The Committee then voted on the motion of approval, subject to conditions.

Cllr Ian McLennan requested that his objection be recorded.

Resolved

That planning application 17/08365/FUL be approved in line with Officers recommendation, with the following conditions:

01. 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.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

**Drawing number PLO/25 Revision PL1 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL003 Revision PL5 dated 23.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL002 Revision PL4 dated 23.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL004 Revision PL3 dated 23.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL001 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL009 Revision PL2 dated 23.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL005 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL006 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL016 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL007 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL015 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL018 Revision PL3 dated 15.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL017 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL008 Revision PL4 dated 15.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL011 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL013 Revision PL3 dated 15.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL010 Revision PL2 dated 09.08.17, as deposited with the local planning authority on 11.09.17, and
Drawing number PL012 Revision PL3 dated 15.08.17, as deposited with the local planning authority on 11.09.17.**

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

03. No development shall commence on site until precise details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

04. No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area.

05. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;**
- (b) details of any to be retained, together with measures for their protection in the course of development;**
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**
- (d) finished levels and contours;**
- (e) means of enclosure;**
- (f) car parking layouts;**
- (g) other vehicle and pedestrian access and circulation areas;**
- (h) hard surfacing materials;**

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

06. 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.

07. The development hereby permitted shall not be first brought into use until the first five metres of the each access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

Reason: In the interests of highway safety.

08. No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of the carriageway, measured along the centreline of each access, to the points on the edge of the carriageway 43m to the east and 43m to the west from the centre of each access. Such splays shall thereafter be permanently maintained free of obstruction to vision above a height of 1.0m above the level of the adjacent carriageway.

Reason: In the interests of highway safety.

09. No development shall commence until details of a consolidated and surfaced vehicle turning space in respect of the eastern site access has been submitted to and approved in writing by the local planning authority. No part of the development shall be first brought into use until that turning space has been completed in accordance with the approved details. Such turning space shall be thereafter maintained and kept clear of obstruction at all times.

Reason: To enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

10. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the accesses/driveways), incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development

within Part 1, Classes A-E shall take place on the units of tourism accommodation hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no rooflight window(s), other than those shown on the approved plans, shall be inserted in any roofslope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

13. No external lighting shall be installed on site other than that shown on the approved plans (Proposed External Lighting & Landscape Finishes Key, drawing number PL004 Rev.PL3 dated 23.08.17). The lighting approved shall be installed and shall be maintained in accordance with the submitted details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

14. Development shall be carried out in accordance with the recommendations of the submitted Daytime Bat and Nesting Bird Survey Report (Sedgehill Ecology Services, July 2017).

REASON: In the interests of protected species and nature conservation interests.

15. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

16. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

17. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 at the location of any proposed soakaways, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

18. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

19. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of amenity

20. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority.

The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;**
- ii. The cutting or other processing of building materials on site;**
- iii. Wheel washing and vehicle wash down facilities;**
- iv. The transportation and storage of waste and building materials;**
- v. The recycling of waste materials (if any)**
- vi. The loading and unloading of equipment and materials**
- vii. The location and use of generators and temporary site accommodation**
- viii. Pile driving (If it is to be within 200m of residential properties)**

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times

REASON: In the interests of amenity

21. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details shall be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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

22. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and the Use Classes (Amendment) Order 2005 (or any Order revoking and re-enacting those Orders, with or without modification), the accommodation/buildings hereby permitted shall be used for holiday accommodation only and for no other purpose.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

23. No person shall occupy any of the holiday accommodation hereby permitted for a continuous period of more than 28 days in any calendar year and no accommodation on the site shall be reoccupied by the same person/s within 28 days following the end of that period.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

24. The owners/ operators of the site shall maintain an up -to -date register of the names of all occupiers of individual buildings on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

25. The building(s)/accommodation hereby permitted shall not be occupied as a persons' sole or main place or residence.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

INFORMATIVES

Highways Informative:

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence is required from the local highway authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

Dark Skies Informative:

The application site is located within the countryside of the AONB which is currently bidding for 'Dark Sky Reserve Status' (further information can be found via - <http://www.ccwwdaonb.org.uk/our-work/dark-night-skies/>). It is therefore recommended the applicant consider a scheme of screening/louvres to be attached to and used on all approved rooflight windows in the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

227 17/05344/ful and 17/05345/LBC - Garden Cottage, Penruddock Arms, Dinton - ITEM WITHDRAWN

This application had been withdrawn from the agenda following the withdrawal of the Councillor Call in.

The application would be dealt with under the remit of the delegated powers of the Planning Team.

228 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 pm – 5.00pm)

The Officer who has produced these minutes is Lisa Moore of Democratic Services,
direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Wiltshire Council
Southern Area Planning Committee
14th December 2017

Planning Appeals Received between 03/11/2017 and 01/12/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
16/10907/OUT	Land at Empress Way Ludgershall, Wiltshire	LUDGERSHALL	Outline application for up to 269 dwellings (Use Class C3), 2-form entry primary school, highways including extension to Empress Way, green infrastructure incl open space and landscaping, infrastructure, drainage, utilities and engineering works - External Access from Empress Way not reserved.	DEL	Hearing	Refuse	16/11/2017	No
17/04835/PNCOU	Longhedge Farm Yard Longhedge, Wiltshire SP4 6BS	DURNFORD	Notification for prior approval under class Q- proposed change of use of existing agricultural building to form one dwelling and associated operational development	DEL	Written Representations	Refuse	23/11/2017	No
17/05637/FUL	Land at Cherry Trees/Bruerne Cottage Gunville Road Winterslow, Salisbury SP5 1PP	WINTERSLOW	Creation of a new access.	DEL	Written Representations	Refuse	23/11/2017	No
17/05893/FUL	2 Duchy Cottages North Road Mere Wiltshire BA12 6HG	MERE	Proposed garage	DEL	Written Representations	Refuse	30/11/2017	No

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Planning Appeals Decided between 03/11/2017 and 01/12/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded
16/11152/FUL	Woodpeckers Brickworth Road Whiteparish Salisbury, SP5 2QG	WHITEPARISH	Proposed conversion of stable block into dwelling for family use only & conversion of garage block to function/play rooms. (Resubmission of 16/05092/FUL)	DEL	Written Reps	Refuse	Split Decision	03/11/2017	None
16/11459/FUL	38 High Street Salisbury, Wiltshire SP1 2NT	SALISBURY CITY	Conversion of existing 1st and 2nd floor offices to create 6 flats. The construction of a 3rd floor garden penthouse to create 2 two bed flats with roof-top patio gardens.	DEL	Written Reps	Refuse	Dismissed	22/11/2017	None

Agenda Item 6

16/12224/FUL	Land adjacent to 141 Parsonage Rd Amesbury, Wiltshire SP4 7HU	AMESBURY	Demolition of the existing garage and the construction of a single 1-bedroom dwelling in its place	DEL	Written Reps	Refuse	Dismissed	07/11/2017	None
17/01575/ADV	Land between the junction of A36 (Southampton Road) and New Petersfinger Road Salisbury, SP1 2NY	SALISBURY CITY	Installation of Freestanding 8M Totem Sign (Internally Illuminated)	DEL	House Holder Appeal	Refuse	Dismissed	07/11/2017	None
17/04218/FUL	40 Kilford Close Amesbury, SP4 7XS	AMESBURY	Convert and extend garage to give residential accommodation for dependent disabled relative	DEL	House Holder Appeal	Refuse	Allowed with Conditions	01/12/2017	Costs Applied for by Appellant ALLOWED

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	14 th December 2017
Application Number	17/02198/OUT
Site Address	Rose Farm Hurdcott Lane Winterbourne Earls Salisbury Wiltshire SP4 6HR
Proposal	Outline Planning Permission Including Access Details for 2 Four Bedroom Detached Dwellings
Applicant	Mrs P Goddard
Town/Parish Council	WINTERBOURNE
Electoral Division	BOURNE AND WOODFORD VALLEY – Councillor Hewitt
Grid Ref	417075 134079
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the application being considered by Committee

Councillor Hewitt has called the application to committee should it be recommended for refusal for the following reasons:

- The only reason this was refused last time was because it was not in the Neighbourhood Plan. It is now and recommended for approval by the Parish

1. Purpose of Report

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

2. Report Summary

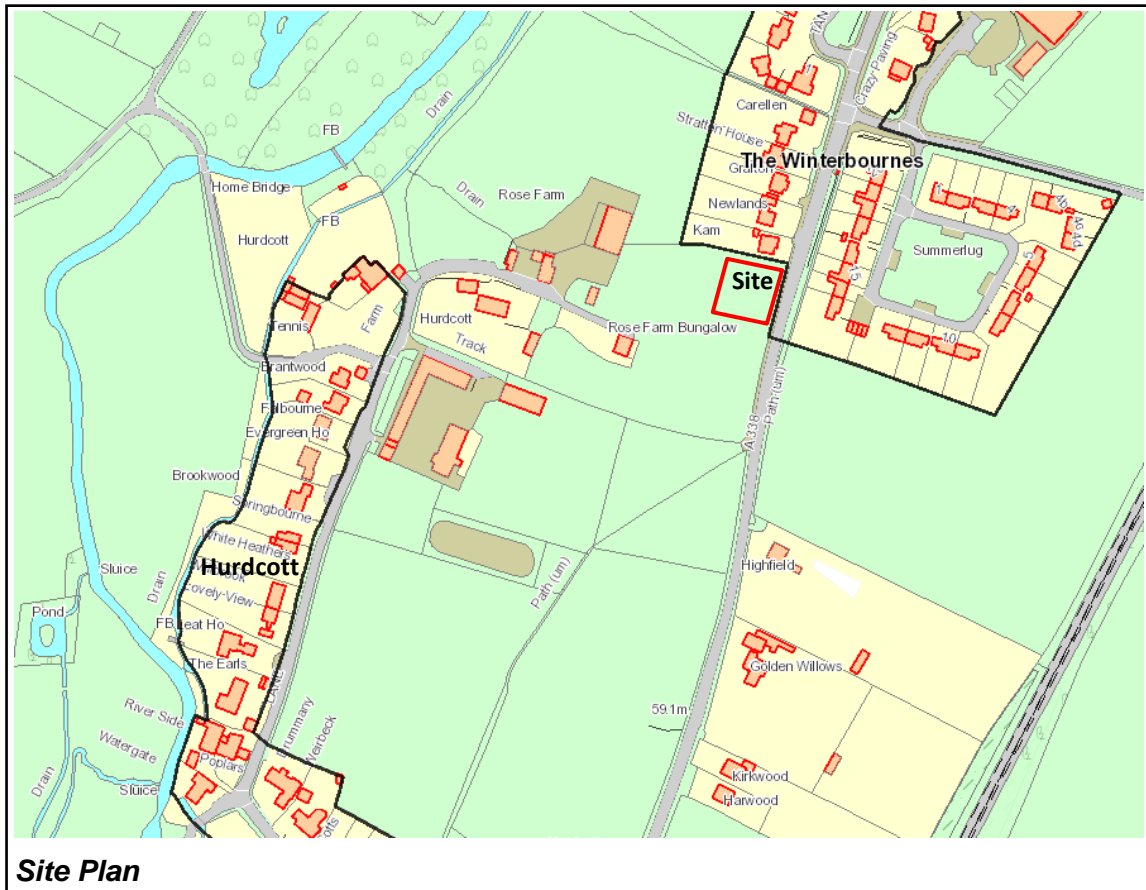
The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- Scale, Design, Siting
- Residential Amenity
- Highway Safety
- Archaeology
- CIL/S106

Publicity of the application has generated support from Winterbourne Parish Council; 4 letters of support; and 4 letters of Objection.

3. Site Description

The site is situated in the countryside on the edge of, and between the villages of Winterbourne Earls and Hurdcott. Together with Winterbourne Dauntsey and Winterbourne Gunner, these villages are collectively defined as a Large Village by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area), and are known as The Winterbourne's. As a Large Village they have a defined village boundary, and as is shown on the plan below, the application site lies outside of this defined boundary.



The site is situated adjacent to existing residential development and its associated parking/garden provision to the north and east. During the course of the application however the site area has been reduced slightly to provide a slight buffer strip between it and the nearest neighbours to the immediate north of the site. To the west and south the site is surrounded by fields/open countryside that forms part of the wider farmstead known as Rose Farm. The main farmhouse of which is located to the west, on the edge of the village of Hurdcott. The main road through The Winterbourne's (the A338) extends along the eastern boundary of the site. A public right of way also extends along this road along the site frontage before crossing the fields leading into Hurdcott.

The site currently forms one corner of an agricultural field. It is defined by hedgerows along its road boundary but is otherwise open to the rest of the field. It has a fall across it, falling from the road down towards the main farm buildings within Rose Farm to the west.

4. **Planning History**

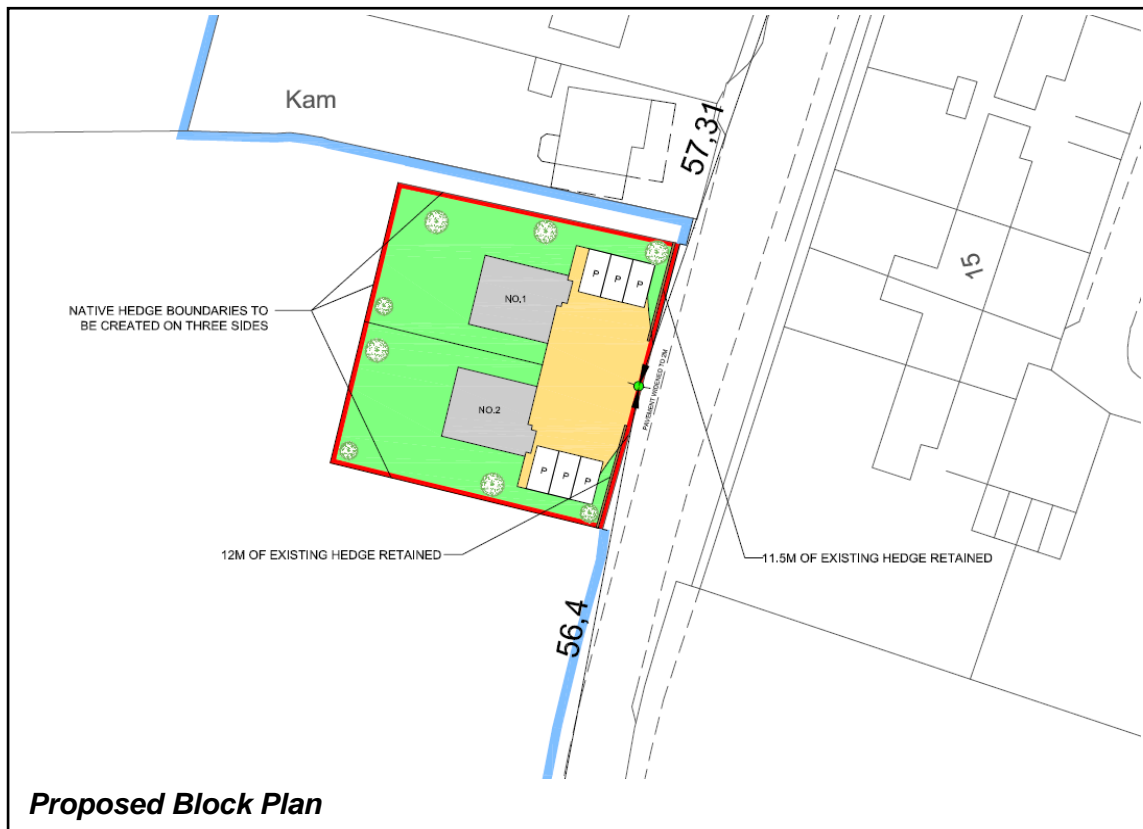
Application Ref	Proposal	Decision
15/07076/OUT	Erection of 2 x four bedroom detached dwellings.	Withdrawn
15/09990/OUT	Outline application for the erection of 2 x four bedroom detached houses with all matters reserved.	Refused – 21.12.2015

Despite local suggestion, the latter application was refused for the following TWO reasons:

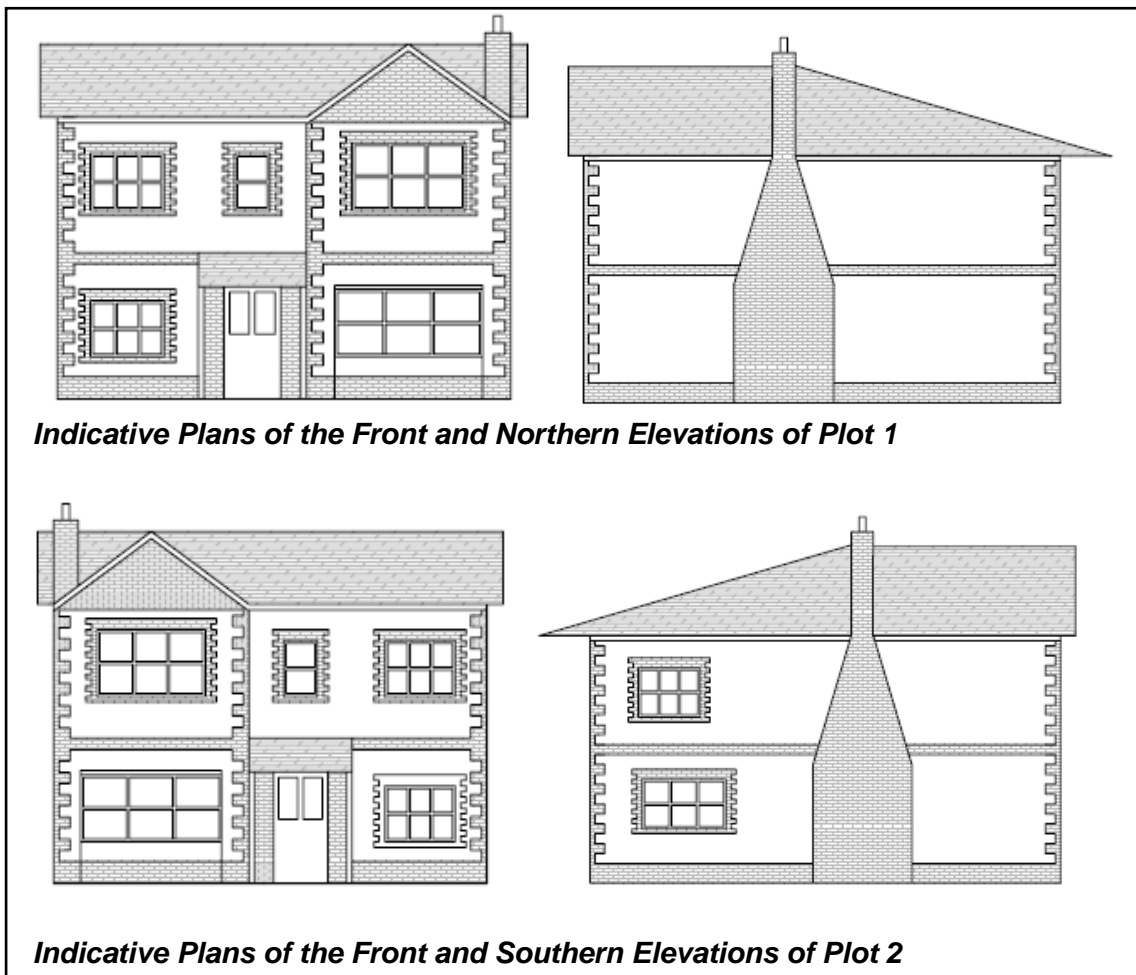
1. *The creation of new dwellings in this location outside of the defined settlement boundaries, without a proven agricultural or affordable housing need, would be contrary to the key sustainability aims of Local and National Planning Policy. The development would therefore be contrary to Wiltshire Core Strategy Core Policy 2, and the advice and guidance in regard to sustainable development contained within the NPPF*
2. *Insufficient evidence has been submitted to demonstrate that there will be sufficient visibility for cars to leave the site, to ensure that highway safety will not be adversely affected by the new development. The scheme is therefore considered to have an adverse impact on highway safety, contrary to Core Policy 57 (ix) of the Wiltshire Core Strategy.*

3. **Proposal**

This is an application seeking outline permission for the redevelopment of the site with two, detached dwellings. Originally all details were to be reserved for the later Reserved Matters stage of the process, but during the course of the application the matter of access has been included in the application and therefore this detail, along with the matter of principle, is now to be considered at this outline stage.



Amended plans have therefore been submitted during the course of the application which have identified the proposed access into the site. This was originally (indicatively) shown to be entering the site immediately adjacent to the northern neighbour (*Kam*). However as a result of the required visibility splays etc, the amended plan now shows that the access is to be provided more centrally within the road boundary. The plans therefore show that the two dwellings are to be served by a shared access with parking for each dwelling being provided to either side of the access in front of their respective dwellings. Whilst the remaining matters of scale, layout, appearance and landscape are not for consideration at this stage, a number of plans have been submitted identifying an envisaged site layout, floorplans and design of the proposed dwellings. The documentation also confirms that the proposed dwellings are to be four bedroom properties and of two storey, detached form. It should however be noted that the submitted elevation plans are incorrect and show an incorrect depiction of the roofline as well as missing some details such as bay windows etc between elevations. If the application were to be approved a notwithstanding condition would therefore need to be imposed accordingly.



4. **Local Planning Policy**
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy):
 R2 – Recreational Open Space in new development

Wiltshire Core Strategy:

- CP1 (Settlement Strategy)
- CP2 (Delivery Strategy)
- CP3 (Infrastructure Requirements)
- CP4 (Amesbury Community Area)
- CP43 (Providing Affordable Housing)
- CP50 (Biodiversity and Geodiversity)
- CP57 (Ensuring High Quality Design & Space Shaping)
- CP60 (Sustainable Transport)
- CP61 (Transport & Development)
- CP62 (Development Impacts on the Transport Network)
- CP64 (Demand Management)

Supplementary Planning Documents:

- The Winterbourne's Neighbourhood Plan (Draft)
- Creating Places Design Guide SPG (April 2006)
- Achieving Sustainable Development SPG (April 2005)
- Wiltshire Local Transport Plan – Car Parking Strategy:

5. Summary of consultation responses
Winterbourne Parish Council – No Objection

Spatial Planning – Comments

- Planning applications are decided in accordance with the local plan, unless material considerations indicate otherwise.
- An emerging neighbourhood plan may be considered as a material consideration depending on the stage the plan has reached and the level of consultation undertaken
- I haven't had a recent update from the steering group (SG) for the Winterbourne NHP for a while, but as far as I'm aware they are currently seeking further external conservation advice regarding one of the preferred sites that we screened as requiring SEA.
- I understand however that the NHP remains at a very early stage in the process with no draft Plan having been produced as yet.
- The three sites that we have been asked to SEA screen (the SG's preferred sites) include the application site
- Our screening response for this site determined no SEA required.
- I have seen some early drafts of site assessments that have been carried out by the SG but these are not widely published yet.
- As no draft plan has been produced yet, no weight can be given to the NHP as yet

Highways – No Objection subject to conditions

- I have seen the revised drawing
- I previously raised a query regarding the achievable sight lines at the new access and the internal parking layout.
- I note that speed surveys have been carried out and the results have determined the required sight lines. I therefore accept the sight lines as shown on the drawing to be conditioned accordingly.
- The revised parking layout provides sufficient parking together with a turning space served by a shared access.
- The proposal is now considered to be acceptable and I recommend no objection subject to conditions

Archaeology – No Objection

- There are no historic environment records within the site, although there are records in the near vicinity relating earlier farms and farmsteads.
- It is possible that the lack of archaeological finds might be due to a lack of previous archaeological work in this area.
- However, on the evidence available to me at present, I consider it unlikely that significant archaeological remains would be disturbed by the proposed development and so have no further comment to make.

Wessex Water – Comment

- New water supply and waste water connections will be required from Wessex Water to serve the proposed development
- In 2011 Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of previously private sewers and lateral drains. The applicant will need to survey and plot these sewers on plans that are submitted for planning or building regulation purpose
- It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements

6. Publicity

This application was advertised through the use of site notices, a press notice and letters of consultation.

Letters of Objection – 4 letters of objection received from the residents of 22 Roger Way, Salisbury; Heatherdene, Down Barn Road, Winterbourne Gunner; & Kam, Winterbourne Earls. The following comments made:

- This application does not address the two previous reasons for refusal (for application 15/09990/OUT).
- There were two previous reasons for refusal last time – principle and access
- the site is outside the defined settlement boundaries on the edge of the village and creating two new dwellings of this kind does not contribute to the affordable housing need
- The applicant and Cllr Hewitt quote the neighbourhood plan being in good progress however much further analysis of the proposed sites is required and there is no confirmation yet that sites have been decided, the neighbourhood plan steering group are in the process of discussing all 11 identified sites.
- The Winterbourne Neighbourhood plan policies clearly has affordable and lifetime homes as its objectives. This application does not support affordable housing.
- The principles of neighbourhood plan also aim to preserve Hurdcott with its historical identity as a separate hamlet. Currently this field is the boundary between the villages of Hurdcott and Winterbourne and with this proposed development the village and hamlet will almost merge.
- Premature as the democratic process has not decided that this site should be developed yet
- There is plenty of other land identified within the village to the back of the houses which would not impact on the entrance or the look of the village.
- It is my understanding that link officer advised the neighbourhood plan steering group not to extend the ribbon development of the village but to look for spaces tucked away that would maintain the character and visually pleasing look of the village.
- This stretch of road has twice-daily hold-ups due to school traffic parking along the road and regularly throughout the day where the road narrows if a bus or Lorry meets an oncoming similar sized vehicle traffic is brought to a halt while

they squeeze past each other. This is a regular bus route and a popular route for large lorries. We also have a significant number of cyclists the particularly those cycling to and from Porton down daily

- The access on to the A338 lacks visibility.
- The pavement is already inadequate, being excessively narrow for pedestrians escorting children and/or dogs and dangerous for the elderly.
- The narrowness of the pavement, combined with the excessive speed of the traffic means this is one of the most dangerous areas in the parish to walk.
- The application makes frequent reference to the development falling inside the "30mph speed limit zone". This particular stretch is used as the acceleration/deceleration area from the nearby 50mph zone.
- It would be naive or misleading to suggest the traffic this site moves at 30mph.
- Any traffic turning in/out of this site presents a very real hazard to through traffic on the A338.
- Access should be shared with the Rose Cottage vehicular access
- There have been accidents and near misses at this location and this development will have an adverse impact on highway safety by not having sufficient visibility at the proposed shared entrance/exit.
- The revised plans seem to suggest that there could be two accesses to the site
- I would have liked to see the speed survey data so I can see what the actual top speed of vehicles is in this stretch
- I am also concerned that the requirement suggests a 2.4 metre width of the pavement but the design shows only 2 metres
- A huge proportion of the hedge will have to be eliminated to create adequate splay for the entrance.
- Hedgerow provides habitat for birds and should be retained
- 50 m of a 30-year-old hedge is to be lost
- The character of the entrance to the village will be spoilt.
- The entrance to the village is an eclectic assortment of bespoke properties each with their own character and carefully considered space for parking/turning vehicles. This pair of houses is not in keeping.
- Extending an existing run of dwellings is not "merging" - it is "extending".
- The proposals will not "square off" the village boundary as the two properties extend past the built development at 13 Summerlug
- They should reorientate the buildings to properly square off the village
- The Ordnance survey plans shown on this application are out of date, the property KAM has been modernised over the years and the footprint of the property now extends right up to the boundary
- The proposals are a lot closer to our dwelling than is suggested on the plans
- KAM's southern elevation has 5 windows (of which 3 are single aspect) overlooking the proposed development and therefore we will lose quite a lot of our amenities.
- We extended Kam safe in the knowledge it was overlooking the core strategy boundary. We would not have built windows facing the field if we believed it would be built on at a later date. The loss of amenity to our family home is considerable

Letters of Support - 4 letters of support received from the residents of Tennis Cottage, Watergate House & Brantwood, Hurdcott; and 3 Figsbury Road, Winterbourne Dauntsey. The following comments made:

- I commented favorably in support of this application when it was submitted last time
- The access to the site has been much improved since the previously application.
- The boundary hedge lowered significantly, pruned back and cleared so the pavement alongside the A338 is now almost twice as wide as it was previously.
- The plan is within the 30mph limit area and is complementary to the evolving local plan.
- In view of the requirement to locate a number of new homes in the village in the next few years, a development like this which can fit easily within its surroundings should, as a step in that direction, help the parish council to reach its required housing target.
- I regularly use the footpath alongside the A338 adjoining the area in question and can confirm that passing traffic is no more dangerous than many other footpaths in the parish.
- The applicant is a dependable neighbour.
- There is in my view no significant reason not to allow the application
- I no longer object as a result of the amended plan as the visibility is improved. A reorientation could however improve the impact for the character of the area and truly square off the village.

7. Planning Considerations

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

9.1 Principle of development

As is identified above, the site is situated in the countryside on the edge of, and between the villages of Winterbourne Earls and Hurdcott. Together with the villages of Winterbourne Dauntsey and Winterbourne Gunner, these villages are defined as a Large Village by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area), and are collectively known as The Winterbourne's. As a Large Village they have a defined village boundary, and as is shown on the plan above, the application site lies outside of this defined boundary. Outside of the existing limits of development as defined in the adopted plan, WCS policy CP2 (Delivery Strategy) confirms that '*new development will not be permitted*'. The policy continues to confirm that '*The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plan's*'.

Neighbourhood Plan:

In this instance The Winterbourne's have an identified Neighbourhood Plan Steering Group and are in the process of producing a Neighbourhood Plan. It is also clear that the application site forms one of the 11 sites that the steering group are currently considering for inclusion in any subsequent draft neighbourhood plan. However in the absence of any draft and given the very early stage in the process, it is considered that the Neighbourhood Plan and the sites that are being investigated in this village, currently have no weight. At this current time, the Winterbourne Neighbourhood Plan is not therefore considered to represent a material consideration that would justify the setting aside of the adopted policy and this site remains outside of the village and in an unsustainable location.

Local concern has also suggested that the proposed site would be contrary to the main aims of the emerging Neighbourhood Plan, which has affordability at its heart and also seeks to prevent the merging of the villages of Hurdcott and Winterbourne Earls, both of which would not be satisfied by this application. I have some sympathy with these comments and consider that it demonstrates that there is not currently a clear direction for the allocation of sites within the village. This application is therefore considered to be premature. It is seeking to pre-empt the democratic Neighbourhood Plan process which is not considered to be appropriate.

Housing Land Supply:

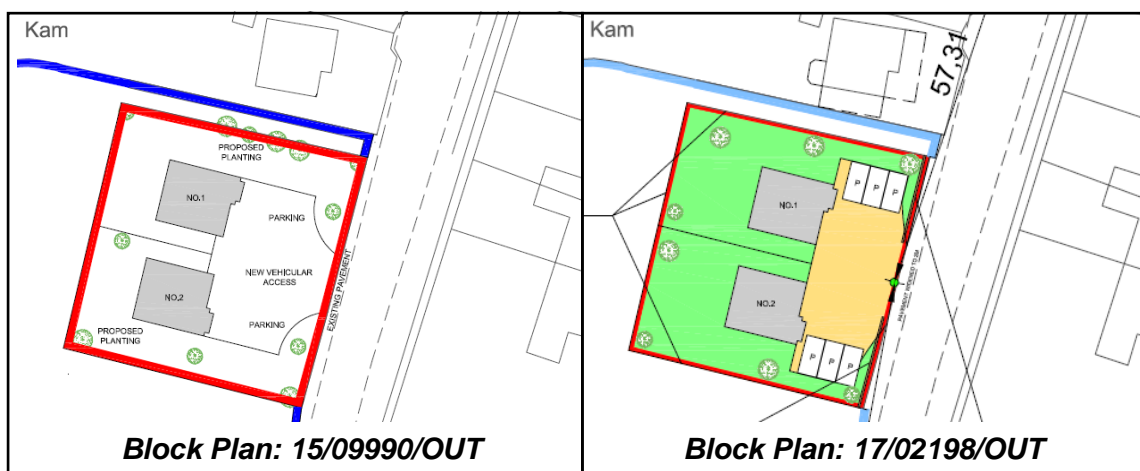
Furthermore, and as concluded by a number of recent appeal decisions, the Council is currently able to demonstrate 5.69 years of housing land supply in this part of Wiltshire, which thus satisfies the requirements of the NPPF. It is therefore considered that there is no demonstrable, pressing housing need that would represent a material consideration that would warrant setting aside the adopted Development Plan policies either.

It is therefore considered that the previous first reason for refusal, relating to principle, still stands. This proposal is considered to be situated in an unsustainable countryside location and there is no justification at this current time for allowing it contrary to the adopted development plan.

Notwithstanding this principle objection to the proposals identified in this section, it is also necessary to consider the implications of the proposals for the character of the area; neighbouring amenities; and highway safety. In addition, the previous scheme was also refused due to a highway safety concern raised about the access into the site from the A338. It is therefore necessary to consider this matter to assess whether it has been addressed by this resubmission. These matters will therefore be considered in more detail below.

9.2 Character & Design:

As is identified above, this application represents a resubmission of a scheme that was refused in 2015 (under ref: 15/09990/OUT). However the previous reasons for refusal only concerned the matters of principle and the access. The scheme was not refused on any issue relating to the character of the area or the design of the proposed dwellings. As is shown in the two plans below, the previous scheme refused under 15/09990/OUT was little different to the current scheme now for consideration.



In considering the previous scheme the case officer confirmed that *'In terms of siting, it is considered that there is sufficient space within the plot to avoid a cramped form of development, with the proposed layout making good use of the site. The dwellings in the surrounding area consist of a mixture of styles and sizes, including houses and bungalows, and in this regard, the scale of development (i.e a pair of two-storey dwellings) is considered acceptable for this plot'*. Therefore whilst there is a lot of local concern about the suitability of the site and its ability to integrate into the existing edge of settlement character, it is not considered to be reasonable now to reassess this matter or to introduce a new reason for refusal on this basis.

In addition, the detailed appearance and layout of the proposals is not up for agreement at this outline stage and could therefore be altered in any subsequent reserved matter application. As is identified above, there are a number of issues with the proposed elevation plans which would need to be rectified by any reserved matter application if the application were to be approved, but these are again identical to the previous scheme and again are not significant to justify an additional/new reason for refusal of the scheme.

9.3 Neighbouring Amenities:

Local concern has been raised about the potential impact of the development on the nearest neighbours to the north of the site. The neighbouring property (Kam) has been subject to significant alteration in recent years and has developed right up to the field boundary with a full two storey development with some primary/private aspect over the fields. However, as was previously assessed as part of the consideration of the previously refused scheme, *'the loss of private views do not constitute material planning considerations that would form a reason for refusal'*. It was further confirmed that *'The amount/location of neighbouring windows/the siting of the recently-extended property 'Kam' so close to the boundary have been fully considered as part of the assessment on residential amenity...It is considered that the new dwellings are sited a sufficient distance away from neighbouring boundaries to ensure that no significant overshadowing/ over dominance will occur to neighbouring properties'*.

The proposed application shows a similar relationship with this northern neighbour and it is again therefore not considered to be appropriate to readdress this matter or impose a further reason for refusal in this regard. The current scheme continues to suggest additional planting between the new and existing properties along this northern boundary. It also continues to involve a buffer between the site and this neighbour which would take the new dwellings off this boundary. Furthermore, no fenestration is identified on the northern elevation for plot 1 on the indicative plans, which if approved could also be conditioned. The scheme represents no additional implications for the neighbouring properties than those that were previously considered and found to be acceptable. The proposals therefore continue to be acceptable in this regard.

9.4 Highway Safety:

As well as the principle matter, the previous scheme was also refused due to a lack of information being submitted to demonstrate that the necessary visibility splay could be achieved for the new access. This current scheme originally tried to address this by moving the access immediately adjacent to the northern boundary, adjacent to the access to *Kam*. However this only resulted in further concern relating to amenity issues for the northern neighbours as well as resulting in a visibility splay over land that was outside of the applicant's control.

Therefore during the course of the application road survey work was undertaken and amended plans were submitted to demonstrate that an appropriate visibility splay could be achieved to meet the road speeds in front of the site. The matter of access became a detail to be agreed at this outline stage and the access was repositioned more centrally within the site boundary. Despite local doubt being raised about the evidence and proposed amended plans, the Highway Authority has confirmed that the proposals now satisfy their highway safety concerns and the previous reason for refusal has been overcome. No second reason for refusal is now therefore proposed.

Local concern has also been raised about the required loss of hedgerow that the new access involves. However the submitted plan shows that 12 metres of existing hedgerow to the south of the proposed access and 11.5 metres to the north is to be retained. A new hedgerow is also to be planted on the other three sides of the site which will mitigate for any potential loss of habitat. The remaining loss of hedgerow required at the access point is considered to be unfortunate but is not considered to be significant enough to warrant a reason for refusal, especially when this, again, was not previously used as a reason for refusal of the scheme.

9.5 Archaeology:

There are no historic environment records regarding archaeology within the site, although there are records in the nearby vicinity relating to earlier farms and farmsteads. Therefore, on the evidence available the Council's Archaeologist has confirmed that it is unlikely that significant archaeological remains would be disturbed by the proposed development and therefore no objection has been raised in this regard.

9.6 S106/CIL:

WCS policy CP43 (Providing Affordable Housing), requires contributions towards affordable housing provision from any net gain in the number of dwellings in the area. However following subsequent ministerial advice, this policy now only applies to sites of 10 dwellings or more and therefore there is no longer a requirement for such contributions from this application proposing only two dwellings. The same applies to saved SDLP policy R2 which requires off site contributions towards public open space. No Legal Agreement would therefore be required from this particular development were it to be recommended for permission.

The Council has however recently adopted the Community Infrastructure Levy (CIL), and therefore any development involving new residential development that is implemented after May 2015, may be subject to CIL. If the application were to be recommended for permission, an informative would be attached to the decision accordingly.

10. Conclusion

Whilst a Neighbourhood Plan Steering Group has formed since the consideration of the previous application in 2015; and the proposed site is being considered for possible inclusion in to any subsequent plan, the process is still at a very early stage and does not currently represent a material consideration for determining the application contrary to the adopted Core Strategy. To do so would be premature and would pre-empt the democratic processes involved in such an exercise.

The site is therefore situated outside of the defined built up parameters of the Large Village of the Winterbourne's. The creation of new dwellings in this location outside of the defined settlement boundaries, located remote from services and employment opportunities, without a proven agricultural or affordable housing need, would therefore

be contrary to the key sustainability aims of Local and National Planning Policy. The previous first reason for refusal of the scheme therefore still stands.

Therefore whilst it is considered that the highway concerns relating to the matter of access and visibility have now been addressed, the application is recommended for refusal accordingly.

RECOMMENDATION

REFUSAL

- 1. The Winterbourne's Neighbourhood Plan is still at a very early stage and does not currently represent a material consideration for determining the application contrary to the adopted Core Strategy. To do so would be premature and would pre-empt the democratic processes involved in such an exercise. Therefore, the creation of new dwellings in this location outside of the defined settlement boundaries, located remote from services and employment opportunities, without a proven agricultural or affordable housing need, would be contrary to the key sustainability aims of both Local and National Planning Policy. The development would therefore be contrary to Wiltshire Core Strategy Core Policy CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area), and the advice and guidance in regard to sustainable development contained within the National Planning Policy Framework.**

17/02198/OUT
Rose Farm
Hurdcott Lane
Winterbourne Earls
Salisbury
Wiltshire, SP4 6HR



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	14 th December 2017
Application Number	17/00842/OUT
Site Address	Land opposite Horefield, Idmiston Road, Porton, Wiltshire, SP4 0LD
Proposal	Outline Planning Application for residential development of 16 dwellings with all matters reserved. Provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 15 public car parking spaces for Horefield residents/school use.
Applicant	Mr S Ingram
Town/Parish Council	IDMISTON
Electoral Division	BOURNE AND WOODFORD VALLEY – (Cllr Hewitt)
Grid Ref	419325 136905
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

Councillor Hewitt called in the application for the following reasons:

- Environmental or Highway Impact

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 of the Head of Development Management that planning permission should be REFUSED.

2. Report Summary

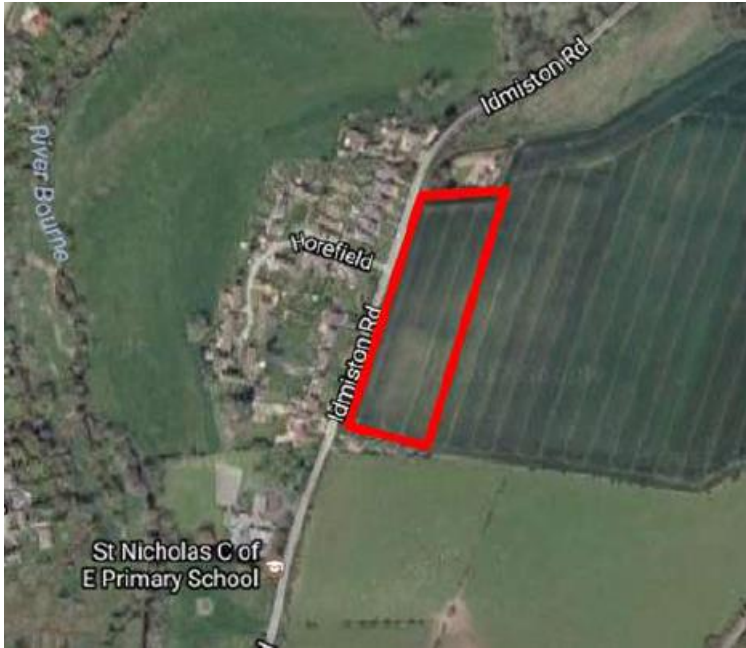
The main issues which are considered to be material in the determination of this application are listed below:

- Principle
- The impact on the character and appearance of the open countryside/special landscape area
- Highway considerations
- Archaeology
- The impact on the living conditions of proposed and nearby properties
- Nature conservation interests
- Sustainable Construction
- Water environment and drainage
- S106 Developer Contributions towards infrastructure/facilities/CIL
 - Affordable Housing
 - Public open space
 - Waste contributions

The application has generated 81 third party representations of objection, 30 third party representations of support and 8 third party representations commenting and No objections from Idmiston Parish Council

3. Site Description

The site is outside the settlement boundary for Idmiston and is currently an agricultural field opposite the Horefield Estate. The site is bounded by Idmiston Road to the west, arable field to the east and two residential properties to the north and south.



4. Planning History

None

5. The Proposal

This is an outline application with all matters reserved for a residential development of 16 dwellings.

Outline planning applications seek permission of a proposed development in principle and allows for specific details of the application to be reserved for subsequent approval by the local planning authority at a later stage (reserved matters).

'Matters' are defined in Part 1 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines these as:

“access”, in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network;

Where access is a reserved matter (as is the case in this application), the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.

“appearance” means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

“landscaping”, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;

- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

“scale” except in the term ‘identified scale’, means the height, width and length of each building proposed within the development in relation to its surroundings.

An indicative layout plan has been submitted:



The application has also been revised to now include the provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 15 public car parking spaces for Horefield resident/school use.

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20th January 2015:

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 3: Infrastructure Requirements
Core Policy 4: Spatial Strategy: Amesbury Community Area
Core Policy 41: Sustainable construction and low carbon energy
Core Policy 43: Providing affordable homes
Core Policy 45: Meeting Wiltshire's Housing Needs
Core Policy 50: Biodiversity & geodiversity
Core Policy 52: Green Infrastructure
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Ensuring 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: Sustainable drainage
Core Policy 68: Water resources
Housing Land Supply Statement (March 2017)

Saved policies of the Salisbury District Local Plan:

C6 – Development within the Special Landscape Area
-Ref 7.15: 'the release of additional development land will need to be weighed carefully against any resulting erosion of the landscape setting.'
-Ref 7.9: The location, scale and nature of such development will be carefully controlled in order to conserve the character of the special landscape area.
D8 – Public Art
R2 – Recreational Open Space
PS5 – Education facilities

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy
Cycling Strategy

Wiltshire and Swindon Waste Core Strategy:

Policy WCS6

Government Guidance:

National Planning Policy Framework (NPPF) March 2012
National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

- Idmiston Neighbourhood Development Plan (Made April 2017)
- Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006
- The Wiltshire Planning Obligations Supplementary Planning Document (SPD) (Adopted May 2015)
- Idmiston, Porton & Gomeldon Village Design Statement (March 2013)
- Habitat Regulations Assessment and Mitigation Strategy for Salisbury Plain Special Protection Area
- Local Flood Risk Management Strategy (April 2015)

Conservation of Habitats and Species Regulations 2010

7. Summary of consultation responses

Spatial Planning: No objection

The application site relates to two sites identified for residential development in the Idminston Neighbourhood Plan. The proposed scheme would deliver specific objectives of the Neighbourhood Plan by providing a mix of housing, including housing to meet the needs of the elderly and affordable housing.

Whilst it is considered that the proposal meets the objectives of the Neighbourhood Plan with regard to delivering a mix of housing. It is also considered that it is not so substantial and its cumulative effect is not so significant, that to grant permission would undermine the Wiltshire Core Strategy to any significant degree.

Therefore, as far as policy interpretation is concerned it is considered that the scheme would provide some significant benefits. It is considered that it would be difficult to justify a refusal because the adverse impacts of granting permission would not significantly or demonstrably outweigh the benefits, that is, unless you consider other material considerations suggest otherwise.

Wiltshire Council Highways: No objections subject to conditions

The layout shown on the Scheme Layout Plan 1p/pa/O1C is generally acceptable, subject to full details. Recommended conditions (details of the paved footway, accesses, drive gradients, car parking and other associated highways works to be approved; scheme for the discharge of surface water from the accesses/driveways) and informative that the applicant will need to enter into a Section 278 agreement with the council to secure the highway works including the adoption of the new paved footway across the frontage of the site.

Wiltshire Council Archaeology: No objections

Following receipt of the field evaluation report, on the evidence available it is considered unlikely that significant archaeological remains would be disturbed by the proposed development.

Wiltshire Council New Housing: No objections subject to S106 for on-site Affordable Housing provision (5 units)

Wiltshire Council Drainage: No objections subject to conditions (schemes for foul water discharge and surface water discharge to be agreed) following submission of revised flood risk assessment and drainage strategy.

Wessex Water:

New water supply and waste water connections will be required from Wessex Water to serve this proposed development.

Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul sewer system.

Wiltshire Council Public Protection: No objections subject to conditions:

(Limit the hours of construction to minimise noise/dust (Monday to Friday 08:00-18:00; Saturday 08:00 – 13:00, not at all on Sundays or Bank Holidays and a contaminated land investigation of the site)

Natural England: No comments

Natural England has no comments to make on this application (it is for the LPA to determine whether or not this application is consistent with national and local policies on the natural environment)

Natural England has not assessed this application for impacts on protected species.

Wiltshire Council Ecology: Object

Having reviewed the revised ecological reporting comprising the Ecological Constraints Survey Report (Daniel Ahern Ecology, November 2017), (hereafter referred to as 'the ecology report') that was submitted to the Council on Friday 17th November, unfortunately I am not able to withdraw my holding objection. This is on the basis that not all of the issues raised within my previous response to the application (dated 27th October 2017) have been suitably addressed. The outstanding issues which require clarification and/or the provision of further information by the applicant/ecological consultant are as follows:

- The Scheme Layout Plan has not been revised to demonstrate that the existing hedgerows, trees and vegetative features, particularly along the boundaries of the site, will be retained. Nonetheless, the revised ecology report is written on the basis that these features will be retained and not directly affected by the proposed works, yet this not been based on any solid evidence supplied by, or commitments made by, the applicant. Likewise, this was the case for the previous version of the report. As stipulated within my previous response: 'The Scheme Layout Plan includes an annotation denoting that the highways verge will be retained, but there are no such annotations for the existing hedgerows and trees.' The Council is yet to be provided with a plan that clearly shows the areas of the application site that will be retained and this should be provided for outline as well as full applications, if requested. In addition, an arboricultural statement stipulating root protection areas (RPAs) to be implemented around existing trees has not been submitted to the Council for review. Car parking proposed at the site would potentially result in the creation of hard standing areas immediately adjacent to existing trees and hedgerow, which in turn could compromise their root systems. Appropriate avoidance and mitigation measures should be formulated and provided to the Council to demonstrate that the structural integrity of the trees/hedgerows along the perimeters of the site will not be compromised.

- It is noted that the erroneous reference to the River Itchen has now been removed from section 3.1 of the report and that Table 3 now incorporates the information I provided with respect of statutory nature conservation sites including Porton Down SPA, and non-statutory nature conservation sites. However, my previous response stated: 'I would suggest that a desktop study and data search entailing the acquisition of data from the WSBRC would have served to be useful for a proposed residential development of this scale on agricultural land located within a relatively rural area.' The revised report does not include data acquired from WSBRC as recommended, nor does it include a rationale setting out why the consultant did not deem it necessary to undertake a data search for this site. Therefore, the Council requests clarification on this matter.

- In my previous response to the application and section 3.1 of the report I commented: 'This section of the report sets out the Annex I habitats that are a primary reason for selection of the Salisbury Plain SAC, and Section 3.1.2 is titled Annex II Species and details the Annex II species that are a primary reason for selection of this site. Although these sections of the report stipulate the qualifying habitats and species for the Salisbury Plain SAC designation, no information is provided with regards to the Salisbury Plain SPA and the bird species listed on Annex I of the Birds Directive (79/409/EEC) that qualify the site as an SPA under Article 4.1 of the aforementioned Directive. For clarity, these species comprise Stone curlew during the breeding season and Hen harrier over winter.' Although I provided the qualifying species, this has still not been included within the report.

Furthermore, this section of the report has not been amended to include details of Porton Down SPA and its associated qualifying species. Given the proximity of the Porton Down SPA to the application site and my previous request that reference to this Natura 2000 site be included within the report together with appropriate consideration of the potential pathway for effects, I would of liked reference to the associated Annex I species to be included within the report.

- Previous comments specifying that the Council has not been provided with adequate information to demonstrate whether the trees present along the boundaries of the site have been subject to a ground level preliminary bat roost assessment to identify any potential roost features (PRFs), or sufficient information baseline information about each of the trees assessed still stands. Section 3.2.1 of the first version of the ecology report stipulated that the hedgerow with trees had 'moderate bat roosting potential.' The revised version of the ecology report stipulates that the hedgerow with trees has 'low bat foraging and ad hoc roosting potential.' Has the previous assessment of the hedgerow and trees comprising moderate roosting potential been retracted? Has it now been assessed that all the trees along the boundaries of the site have 'ad hoc' roosting potential and none have moderate potential? It is very unclear how the assessment has changed within the revised version of the report if trees were assessed on site as having PRFs that qualify trees as having moderate potential. It could be said that many trees provide 'ad hoc' roosting opportunities and this categorisation does not in any case, accord with those set out in the good practice bat survey guidelines (Collins, J. (ed.), 2016). The Council requests full details regarding the bat roosting potential of the trees within the application site boundary and that the assessment and roost potential categorisations are in line with the good practice survey guidelines. This is required because there is potential for the proposed works to result in indirect effects on bats, should any use the trees along the boundaries of the site for roosting. Furthermore, the revised ecology report is still based on the assumption that all the vegetative boundary features will be retained and that no further survey work is needed, as specified in sections 3.3.1 and 3.6.2. However, no plans have been submitted to provide evidence that the boundary hedgerows and trees will definitely be retained and protected, and as aforementioned there is still the potential for indirect effects. In order to adequately assess the potential for effects and formulate appropriate mitigation, the ecological baseline must first be established, and at present not only is it not clear whether any of the trees have moderate roosting potential, none have been subject to further survey to establish whether bats are likely to use any of the trees for roosting. Therefore, the Council has not been provided with an appropriate level of information to inform a judgement regarding the potential for effects on bats. The Council requests further information regarding the scheme layout and the trees on site.

- Section 3.6.1 of the revised ecology report now includes a discussion regarding the Salisbury Plain SPA and SAC and Porton Down SPA, and section 3.3.2 and 3.6.2 have now been amended to include a discussion regarding the potential for ground nesting birds. However, none of these sections within the revised ecology report make direct reference to the qualifying species associated with either of the Natura 2000 sites or discuss the potential pathway for effects upon those species specifically. The Council requests this be undertaken to inform the HRA that will be required.

- The paragraph of section 3.6.2 of the revised ecology report pertaining to reptiles stipulates: 'No signs of any reptile species were recorded during the survey. The majority of the Site is sub-optimal habitat for this group and so the proposed development isn't considered to have the potential for any significant impact. It is recommended that any vegetation and top soil clearance should take place under the supervision of a suitably qualified ecologist to allow them to translocate and animals encountered to a pre-defined receptor site.' There are a couple of points I must mention with respect of this extract; firstly, it is very possible for reptiles to be present within an area without field signs being readily identifiable; secondly there is reference to the translocation of reptiles to a pre-defined receptor site but details of this site have not been provided. The Council would need to be advised of the location and baseline conditions of this receptor site in advance of the planning application being determined to assess whether it would be appropriate. Therefore, further information is request by the Council on this matter.

Wiltshire Council Waste:

Support subject to condition (details of bin collection points) and S106 contribution of £1456 towards waste and recycling containers.

Wiltshire Council Public Open Space:

16 x 3 bed dwellings would generate the following requirement (192 sq metres of Play, 320 sq metres of Casual and 1152 sq metres of Youth and Adult. As no on-site Public Open Space is proposed, an off-site contribution to upgrade nearby facilities would be sought via a S106 agreement.

Wiltshire Council Education: No developer contributions being sought.

Places for this development are currently available at either St Nicholas, Porton and/or Gomeldon Primary, within latest forecasts and capacity (no requirement for a developer contribution towards the expansion of primary school places from this application)

Whilst all spare capacity is already more than accounted for at Secondary level; mindful of the CIL pooling restrictions that apply now to S106s and the small size of this application, the Council has decided not to make a case for a developer contribution from it, towards the expansion of secondary age provision in Salisbury.

Wiltshire Council Public Arts:

The arts service will not be requesting a public art contribution for this development. I have no objection or further comment to make on this development.

Idmiston Parish Council: No objections

- The IPC Neighbourhood Plan (IPC NP) support the site for development and the IPC supports this development
- The IPC NP is on statute as formal planning policy for the Idmiston Parish - supported by the Wiltshire Council Core Plan and Central Government Planning Policy.
 - The Development over delivers on affordable housing vs. planning requirements for a development of this scale.
 - Site issues around Highways and Archaeology have been resolved; we understand that Environmental concerns are being closed out following an additional survey and review.
 - a potential increase in the target for housing in Wiltshire by 2026
 - increasing the target by another 20,000 above the current target of 44,000 houses
- The IPC NP has identified development sites to cover this as a proportional increase; the land opposite Horefield is recognised as an approved site for development within the Parish and a key option towards achieving the allocated housing development targets for the Parish.

8. Publicity

The application was advertised by site notice, in the local paper and neighbour consultation letters.

81 representations have been received **objecting** to the scheme, summarised as follows:

- Traffic is already unacceptable at Idmiston School during dropping off and collection times (parents park on the road or across resident driveways) and from workers accessing DSTL site
- Impact to existing residents through increased traffic volumes/congestion/parking management problems on Idmiston Road from widening the pavement/narrowing the road – increase in double parking
- Existing residents use the bank to park their cars
- Loss of on road parking along Idmiston Road from creation of new vehicular entrances (28 spaces proposed insufficient for future/existing residents, parents with in excess of 70-80 vehicles per day and village events/sports day – 147 cars parked along Idmiston Road). Site should be enlarged to provide more parking.
- Proposed parking spaces are in front of affordable/elderly housing
- Increased highway safety risk from proposed new driveways with blind spots onto Idmiston Road/near brow of hill and bend (contrary to Idmiston Neighbourhood Plan Policy 9)
- Highway and pedestrian safety risk from proposed footway and pedestrian crossing being obstructed by parked cars and close to proposed car park/vehicles manoeuvring
- Blocking of highway for emergency services access (who have not been consulted) and public transport
- Proposed paved footway in front of Nos 1-4 Horefield will restrict where residents can park, obstruct established vehicular accesses, space for parking and cause nuisance from pedestrians using the footway.
- Suggest footway should be on east side of road so need for only 1 crossing or on both sides of road. Who will manage crossings?
- Fibre Optic Infrastructure buried beneath eastern bank may restrict building of footpath
- Previous proposal for use of footpath from Horefield to access the school is an unsuitable non-maintained path which would lead to more parents parking in Horefield which itself has no pavements.
- School traffic is unresolved
- Concerns of obstruction of public highway, noise nuisance and water and air pollution during the build phase (*Officer note - Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working are covered by Control of Pollution Acts*)
- Noise, light pollution, air pollution
- Damage to existing residents fences/cars
- Flooding (drains run from the bungalows along Idmiston Road and down through Horefield)
- Increased burden on sewage and drainage infrastructure, which will not cope as already running at full capacity/has blocked/flooded previously and increased risk of failure in the drainage system to properties in Horefield at the bottom of the hill
- There has been localised surface water flooding (confirmed in INP pg 32). Development of sloping site will reduce the capacity for water to soakaway from non-permeable surfaces and removal of bank, increasing run-off and likelihood of flooding to existing dwellings (further exacerbated by climate change). Contrary to Idmiston Neighbourhood Plan Policy 2 (avoiding flooding) and NPPF (development must not increase the risk of flooding to others)
- The FRA is ambiguous and fails to clarify how surface water runoff will be achieved (query depth of infiltration testing given site will be excavated) soakaway nor how the ageing and dilapidated drainage/sewage system will cope (drainage and sewage pipes have not been updated since Horefield Estate was built [pumping stations designed to run for 3/4 hours per day now run 24 hours a day] pipework is brittle and susceptible to tree root invasion)

- No reference to old abandoned well in garden of No 11 Horefield
- Flooding/mudslides from field into proposed dwellings and gardens (FRA does not refer to these previous incidents where land owner placed straw bales along the side of field)
- Sloping site has significant buildability problems (surplus soil/drainage)
- Numbers of dwellings exceeds 10 dwelling limit (contrary to Neighbourhood Plan) and inappropriate in scale to Horefield
- Neighbourhood Plan is very misleading
- Overshadowing, overlooking, overbearing, loss of light and outlook to existing Horefield dwellings at lower level with development dominating the skyline (contrary to human rights act article 8 of a right to a private and family life and home)
- Horefield is a Hamlet and should not be included as part of the Idmiston Neighbourhood Plan
- Site should be discounted for development - there are more suitable sites for development of new houses without highway safety risks associated with busy road and large school (with likely future expansion of school/pre-school increasing risk)
- Set precedent for further development
- Assurances that S106/conditions will be complied with
- Massive upheaval for small increase in housing stock
- Landscape impact and loss of countryside by infilling open vista visible from A338 in an elevated position which will breach the horizon (contrary to INP policies 3, 4, 5, 17 and 18, NPPF and Core Policy 57 of WCS)
- Loss of trees
- Impact on wildlife – buzzards, red kites, owls, bats, hobbys, woodpeckers and butterflies regularly seen (ecology report only records winter months whilst field borders places of special interest)
- Area is situated within conservation sites (Porton Down and RSPB Winterbourne Downs) both of which have evidence of Stone Curlews. Long term effects could lead to habitat fragmentation
- No open space provision
- Impact to power infrastructure, buses and council services (refuse collection) and existing village/community facilities already struggling to cope
- Archaeological interest
- Loss of valuable farmland used for producing food
- Bungalow to south of the site (Tresillian) was refused planning permission for an extension (S/2004/2592) (*Officer note – planning permission was granted for a rear extension and loft conversion at Tresillian under application reference no. S/2005/532*)
- Permission was refused for a new dwelling at Swanson
- Reference to amended plans increasing number of units (*Officer note –the revised layout plan [although it is only indicative as this is an outline application with all matters reserved] has been corrected such that the number of units annotated/shown complies with the number of dwellings applied for [16 units, of which 5 would be affordable] – a previous version showed 21 dwellings on the site*)
- Blocking of views and devaluing of properties (*Officer note - this is not a material planning consideration*)
- Copy of petition dated 1st December 2014 with 94 signatories *'we the undersigned would object to a development of housing on the Idmiston Road, Porton because of parking facilities for the school which is already presenting numerous problems especially if emergency vehicles had to use the road. Also extra residential parking would be lost for those living on the Idmiston Road. There is also the problem of sewage and infrastructure. Those persons who live on the Idmiston Road would also be overlooked; several residents have lived here for over 50 years.'*

30 representations have been received **supporting** the application, summarised as follows:

- Good opportunity for the village and for people to be able to afford to live in a village location
- Mix of starter homes, affordable housing, retirement properties and larger homes
- Much needed mix of affordable housing
- Improvements to application will benefit local community and designed with full regard to the community
- Application is in areas supported and identified for development in the Neighbourhood Plan, which given Idmiston Parish Council more power in decision making
- Application has been supported by majority of Idmiston Parish Council
- Development meets every condition of neighbourhood plan (which has clarity as opposed to ambiguity) consideration should now be given to the areas outlined in Figure 1 of the Neighbourhood Plan
- Development of both sites at the same time is justified to provide much needed affordable housing (*Officer note – the threshold for provision of affordable housing is 11 units*)
- Development is of moderate size (is not proposing the maximum capacity of 20 units) which will not destroy the rural feel of the area and maintain the character and charm of village life (not aimed at high density housing but a spacious scheme with parking, landscaping and pleasant living)
- Meets CP43 affordable housing requirements
- Will sit well within and be sensitive to its surroundings
- Will give the shop in Porton and other businesses trade
- All properties will have off-road parking
- Proposed development will not impact or worsen the existing problem of the volume of traffic during school starting/finishing times
- Additional proposed off-road parking will be a major benefit (will lower the amount of cars parked outside the school)
- Support pedestrian crossing to alleviate earlier concerns and provide safer footpaths and traffic calming for existing residents and children on busy stretch of road
- Suggest relocation of bus stop shelter
- Paved footway does not need to be 2m wide (*officer note – a 1.5m footway is now proposed details of which can be conditioned*)
- Surface water drainage will be fully compliant with sustainable drainage system to not impose any extra surface water load on existing drains and surface water runoff from field will be buffered by development
- Capacity of foul water drains is of concern but Wessex Water have raised no objections to previous applications in the village.

8 representations have been received **commenting** on the application, summarised as follows:

- Have raised a parliamentary question with MP regarding the development
- Footpath referred to from Horefield is not part of the Porton Jubilee Walk
- Not all neighbours have been consulted (*Officer note – all properties adjoining the site have now been notified*)
- Delays in publishing third party comments online

9. Planning Considerations

9.1 Principle of development

The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and makes it clear that planning law (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF confirms that the 'NPPF does not change the statutory status of the development plan as the starting point for decision making' and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) which sets out Central Government's planning policies, and the adopted Wiltshire Core Strategy (WCS) which also includes some saved policies of the Salisbury District Local Plan (SDLP).

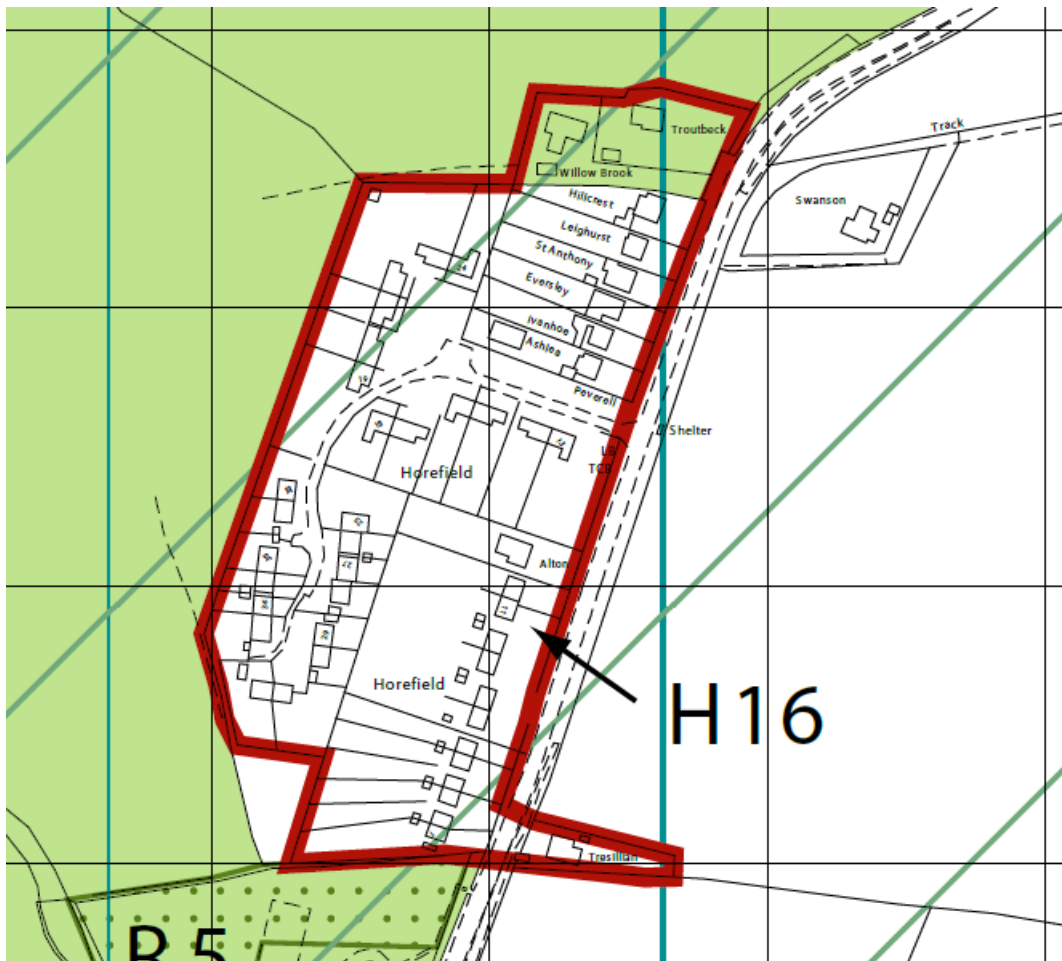
At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

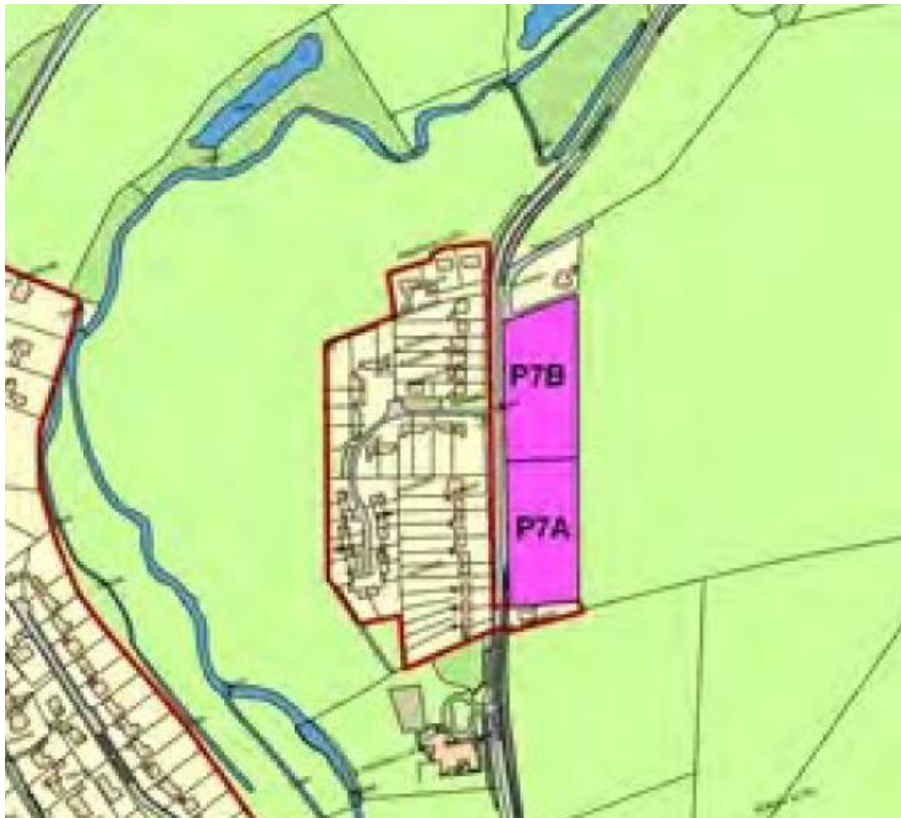
Porton is defined as a Large Village under Core Policy 4 and the settlement boundary/limits of development has been retained under Appendix E of the WCS.



The proposed site is outside the limits of development as defined on the policies map (extract attached above). The Core Strategy explains that relaxation of the settlement boundaries will only be supported where it has been formally reviewed through a subsequent Site Allocations Development Plan Document (DPD) or community led planning documents (including Neighbourhood Plans).

Following an independent examination and a positive referendum result (84% of the votes in favour of the Neighbourhood Plan with a requirement for over 50% votes in favour for the NP to succeed), Wiltshire Council decided to formally 'make' the Idmiston Neighbourhood Development Plan in April 2017. The Idmiston Neighbourhood Plan now forms part of the Development Plan for Wiltshire and the policies in the plan will be given full weight when assessing planning applications that affect land covered by the plan.

The site is identified in 'Figure 1 – Table of Preferred Sites' on page 42 of the Neighbourhood Plan and comprises site P7A and P7B:



Policy 19 of the Neighbourhood Plan is relevant to new development sites:

Policy 19 - New Development Sites

The Neighbourhood Plan will facilitate the delivery of approximately 32 homes across the Plan period. The delivery of new homes will be monitored, in the event that the development of new homes through existing commitments or proposals will not achieve the figure of approximately 32 dwellings, consideration will then be given for the development of the sites shown in Figure 1 of the plan. Subject to other policies in this Plan new residential development proposals will be supported to achieve the housing requirement where they deliver infill development or at the large village of Porton small scale development of no more than 11 homes within and immediately adjacent to the settlement boundary of Porton, as established in the Core Strategy. Residential development elsewhere in the Plan area will be resisted.

Policy 17 of the Neighbourhood Plan is also relevant to new developments:

Policy 17 - Development Criteria

Any developments in villages will need to meet all of the following criteria:

- Be well related to the existing village envelope
- Be of modest scale and not generally exceed ten dwellings, in order to protect the rural nature of the village
- Reflect the character and variety of the existing pattern of development in the village
- Follow the lines of the contours on sloping sites to ensure a better fit with the existing land form

'Figure 1 – Table of Preferred Sites', states the indicative capacity for site P7A is '10 dwellings' and for site P7B it is also '10 dwellings'. The proposed number of dwellings (16) is below the combined indicative capacity of 20 and it is therefore considered that the proposal accords with policies 17 and 19 in this regard.

The NP encourages/facilitates the provision of '*no more than*' '*approximately 32 dwellings*' through the plan period (2015-2016). There is an outstanding commitment of 20 dwellings (14/02043/FUL at Chalk House, Porton), leaving a gap of '*approximately 12*'. It is considered that as this proposal (for 16 dwellings) would then meet that gap, officers are of the view that it is acceptable in principle against policy 19 of the neighbourhood plan.

In addition to the consideration of principle, it is also necessary to consider the other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts considered below.

The site also lies within a Special Landscape Area, and an Area of Special Archaeological significance.

9.2 The impact on the character and appearance of the open countryside/special landscape area

The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The site is located within a special landscape area and Core Policy 51 seeks to protect, conserve and enhance Wiltshire's distinctive landscape character and development '*must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.*'

Core Policy 57 of the WCS requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses (including in terms of ensuring residential amenity is safeguarded).

The site itself is currently in agricultural use and the proposed development will alter the character and appearance of the site both within the immediate vicinity of the site and with the wider landscape setting as the site is visible from the A338 across the valley.

Whilst the proposals will result in an intrusion of built development into the open countryside, the site has been included in the neighbourhood plan and inevitably any built development is going to be seen within the relatively open landscape with trees/hedging predominantly to the north and south boundaries, although landscaping of the site and design/scale of the proposed dwellings will be considered at the reserved matters stage to ensure the development assimilates as much as possible into the landscape setting.

9.3 Highway considerations

9.3.1 Parking for the proposed dwellings

The supporting text to Core Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas. The resulting LTP3 Car Parking Strategy was adopted by the council in February 2011 and includes policy PS6 – Residential parking standards and policy PS4 - Private non-residential standards. The parking standards for new dwellings are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

The minimum cycle parking standards will also apply and are included at appendix 4 of the Cycling Strategy and are as follows:

- 1 covered space per bedroom for up to 3 bedroom dwellings.
- 3 covered spaces per unit for 4 bedroom dwellings.
- 4 covered spaces per unit for 5 + bedroom dwellings

As this is an outline application, the sizes of the dwellings are not under consideration, although it is considered that there would be sufficient space (based on the indicative layout plan) within the site to accommodate the required parking standards.

9.3.2 Paved footway

Following an initial objection from the highways authority to the proposal on the grounds that the development was likely to generate an increase in pedestrian traffic on a highway lacking an adequate footway link with the existing paved footway to the south of the site opposite the Primary School, with consequent additional hazards to all users of the Class III Idmiston Road; amended plans have been submitted which include the provision of a 1.5m wide paved footway to form a link with the existing footway to the south of the site. This will be created on highways owned land.

Third party objections include that the paved footway will block access to driveways of some of the properties in Horefield (there are three properties which have created driveways off the road, although there is no record of planning permission being granted for these accesses, they appear to be well established). The highways authority has confirmed where

any cars on these drives currently stick out onto the public highway, they are obstructing the public highway, which could be enforced and that the proposed footway in this location could have a dropped kerb to still allow access to the driveways (details of which could be agreed by condition).

Where cars currently informally park on the highway verges outside the school and along Idmiston Road (this is not allocated parking and as such there is no right to park here), although where the development/provision of a paved footway would restrict this current parking arrangement, if cars either park on the paved footway or park further out in the road causing a highway obstruction, this could be enforced as a matter of highway obstruction, although the highways authority has suggested that bollards could be used to prevent parking on the footway (details of which could be agreed by condition).

9.3.3 Public car parking

The neighbourhood plan identified that a major problem for St Nicholas C of E Primary School is the lack of parking on the school site necessitates teachers having to park in Idmiston Road, limiting parking for parents when dropping off and picking up children before and after school times:

Policy 12 - School Parking

Proposals for the provision of off-road parking to be made at both the Primary Schools; St Nicholas C of E Primary School in Porton and Gomeldon Primary School along with the provision of a new footway from Idmiston village towards St Nicholas C of E Primary School will be strongly supported. The introduction of a 20mph speed limited in the vicinity of the two primary schools will also be strongly supported.

The application has been amended to include 15 “public” spaces for Horefield resident/school use. These are not necessitated by the proposed development although are being offered taking into account Policy 12 of the Idmiston Neighbourhood plan and would need to be transferred to the Parish Council via S106 agreement.

Subject to conditions (details of the paved footway, accesses, drive gradients, car parking and other associated highways works to be approved; scheme for the discharge of surface water from the accesses/driveways) and informative that the applicant will need to enter into a Section 278 agreement with the council to secure the highway works including the adoption of the new paved footway across the frontage of the site it is considered that the application is acceptable in terms of accessibility and parking provision.

9.4 Archaeology:

Paragraph 128 of the NPPF includes the following:

‘Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.’

The council’s archaeologist considered that the site was of archaeological interest as it lies close to known remains which are likely to contain prehistoric settlement and a number of undated features run into the site. It was therefore considered that the site had the potential to contain heritage assets of archaeological interest and field evaluation was necessary to reveal the impact of the proposed development on any buried archaeology.

An archaeological trial trench evaluation was carried out by AC archaeology Ltd. in September 2017 and the results submitted to the council. The evaluation aimed to establish the significance, presence or absence, extent, depth, character and date of any archaeological features, deposits or finds within the site and comprised the machine excavation of five trenches. Although several natural features and anomalies were noted, none of the trenches excavated contained archaeological features and no finds or artefacts were recovered from the site investigation.

Following the submission of the report, the council's archaeologist considers it unlikely that significant archaeological remains would be disturbed by the proposed development and has changed the previous objection (as the field evaluation had not been undertaken) to no objections.

9.5 The impact on the living conditions of proposed and nearby properties

Core Policy 57 also requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself:

vii. Having 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 (such as light intrusion, noise, smoke, fumes, effluent, waste or litter).

The NPPF's Core Planning Principles (paragraph 17) also include that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'*

Objective 16 of the Councils Design Guide states (page 67) also refers to the need for new development proposals to exhibit *'How the new dwelling(s) will relate to the context and to each other to create a particular place'*.

Residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions. A right to a view is not a material planning consideration, although consideration of impact to outlook is.

Whilst this application has been submitted with all matters reserved; an indicative layout plan has been included, it is considered that the indicative site layout demonstrates that dwellings could be accommodated on the site without adverse impact to residential amenity (for occupiers of both existing and proposed dwellings).

9.6 Nature Conservation Interests:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development.

The council's ecologist's comments have been attached in full above, raised a holding objection to the application.

The site is within 2km of the Porton Down Special Protection Area (SPA). This European site is protected for its population of breeding stone curlew. The site is also within 2km of the River Avon Special Area of Conservation (SAC) and the Porton Meadows SSSI and the Salisbury Plain SPA/SAC/SSSI.

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are protected under The Conservation of Habitats and Species Regulations 2010. These are a network of sites designated for supporting habitats or species of high nature conservation importance in the European context. Any activity that has a detrimental effect on these European sites is made an offence under the Regulations.

When a European site is affected by a land use authorisation, it is necessary to consider whether the activity being authorised would impact on any of the designated features.

This assessment work is governed by the Habitats Regulations 2010 and is undertaken by the “competent authority”, which for planning applications is “the planning authority”.

Regulation 61 of the Habitats Regulations 2010 states the responsibilities for competent authorities thus:

- (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—*
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*
- (b) is not directly connected with or necessary to the management of that site,*
- must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.*
- (2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required.*

Where a development is likely to have a significant impact on a European site, the Regulations require a rigorous assessment of the impacts, known as an Appropriate Assessment in order to demonstrate that any likely impacts are avoided or reduced to levels as to avoid adverse impacts upon the SPA.

This needs to be provided prior to the determination of the planning application because in carrying out their statutory duty in line with the National Planning Policy Framework, Natural Environment and Rural Communities (NERC) Act 2006, Regulation 61 of the Habitats Regulations 2010 and the Wiltshire Core Strategy, the local planning authority’s ecologist must be provided with sufficient information to facilitate a robust and suitably informed assessment with regards to the potential for the proposed development to impact upon ecological receptors. A review of the submitted information has revealed that further information from the applicant is required before this can be undertaken by the Council

The council’s ecologist has advised that the ecological survey report is also insufficient on a number of grounds including that the applicant does not confirm through the provision of appropriate plans, that the vegetative boundary features will be retained and yet the ecological survey recommendations and conclusions put forward to the Council for consideration have been based on an assumption it will all be retained, and the ecological reporting indicates ecological receptors may be present (bat roosts and reptiles). It is therefore also considered that insufficient information has been submitted to demonstrate that there will not be an adverse impact upon other ecological receptors (including existing hedgerows, trees, vegetative features, bat roosts and reptiles).

All ecological surveys required must be undertaken prior to the determination of the planning decision and cannot be conducted to discharge a planning condition. This is the case for outline applications as well as full applications.

In the absence of sufficient information, the application is recommended for refusal.

9.7 Water environment & Drainage:

One of the main concerns of local residents is that the proposals could cause dwellings in Horefield to flood (both surface water and foul water).

The development site is located in Flood Zone 1, the zone of least flood risk (described in the NPPF as land having a less than 1 in 1,000 annual probability of river or sea flooding).

The Planning Practice Guidance for the National Planning Policy Framework (NPPF) requires a site-specific Flood Risk Assessment (FRA) to be carried out for developments located in Flood Zones 2 and 3 and for those which are 1 hectare (ha) or greater in size. A site-specific FRA is required to ensure that the development is safe from flooding and will not increase the risk of flooding elsewhere (addressing any drainage problems that may arise as a result of the development).

The site is over 1 hectare in size and a site specific FRA and drainage strategy has been submitted (revised during the course of the application).

This confirms that there is currently no active management of surface water on the greenfield site, with the site topography suggesting that surface water runoff currently runs to the road from the south east towards the north west; that there is no formal surface water drainage in Idmiston Road (confirmed by Wessex Water) and therefore an alternative solution is required to ensure that the development does not increase the risk of flooding to others.

The existing greenfield surface water runoff discharge (rate and volume) has been calculated and infiltration tests have been undertaken which demonstrate that the proposed drainage strategy (the use of varying infiltration systems such as soakaways, infiltration trenches and pervious paving) is a feasible solution.

Wessex Water has also confirmed that there is capacity in the foul network located at Idmiston Road.

The council's drainage officer has raised no objections to the proposed scheme subject to conditions (detailed schemes for foul water discharge and surface water discharge to be agreed).

9.8 Sustainable Construction

The WCS' key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction which specifies sustainable construction standards required for new development.

For new build residential development the local planning authority is now seeking energy performance at "or equivalent to" Level 4 of the Code for Sustainable Homes via planning condition.

9.9 S106 obligations and CIL

The introduction of the Community Infrastructure Levy (CIL) has significant implications for the use of S106 Planning Obligations. The legal tests for when you can use a S106 are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) and have three important repercussions for S106 obligations; making the tests for the use of S106 obligations statutory (the tests are that any obligations will need to be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development), ensuring that there is no overlap in the use of CIL and S106 obligations and restricting the use of 'pooled' S106 obligations.

As well as the legal tests, the policy tests are contained in the NPPF:

"203. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

204. Planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms directly related to the development; and fairly and reasonably related in scale and kind to the development."

9.9.1 Affordable Housing:

Core Policy 43 of the Wiltshire Core Strategy sets out a requirement for 30% on-site affordable housing provision within the 30% Affordable Housing Zone. In line with recent government guidance, this only applies on applications of over 10 dwellings (the threshold is therefore 11 units).

This application for 16 dwellings therefore requires 5 affordable units to be provided. This would meet the policy requirement and would assist in addressing the need for affordable housing in Idmiston parish.

Core Policy 45 of the Wiltshire Core Strategy states that housing size and type will be expected to reflect that of the demonstrable need for the community within which a site is located.

In order to meet need the New Housing team have advised affordable housing units should be provided with a tenure mix of 60% of the units (3 units) being for Affordable Rented housing, and 40% of the units (2 units) being provided for shared ownership.

The new housing team have advised that there is currently a need for:

Affordable Rented: 1 x 1 bedroom / 2 person house, flat or bungalow)
1 x 2 bedroom / 4 person house or bungalow
1 x 3 bedroom / min 5 person house or bungalow;

Shared Ownership: 1 x 2 bedroom / 4 person house;
1 x 3 bedroom / min 5 person house.

The planning statement submitted with the application confirms that '*Affordable housing in terms of quantum and tenure/size type will be delivered in accordance with the requirements of Core Strategy Policy 43.*'

The affordable dwellings will be required to be transferred to a Registered Provider, approved by the Council, on a nil subsidy basis. The Local Authority would have nomination rights to the affordable dwellings, secured through a S106 Agreement.

9.9.2 Public Open Space

16 dwellings would generate the following requirement (192 sq metres of Play, 320 sq metres of Casual and 1152 sq metres of Youth and Adult. As no on-site Public Open Space is proposed, an off-site contribution to upgrade nearby facilities would be sought via a S106 agreement.

The Neighbourhood Plan identifies *'play areas, one of which, in Porton, has a "toddler" play park and a field marked for football. Unfortunately, the play area is situated on the flood plain and is frequently unusable as it is waterlogged. There is a second play area at the far extent of East Gomeldon Road. There are no youth facilities and this is an important deficiency.'*

The Neighbourhood Plan supports the community interest for existing sites (identified in the plan) should be protected and enhanced for public enjoyment wherever and however possible and Community Aspiration 7 *'Improve the Porton Recreation Ground'* looks to *'revisit the feasibility of improving the drainage and quality of the Porton recreation ground to provide a better long term sport and recreational facility.'*

9.9.3 Waste Contributions

The on-site infrastructure required by the proposal is the provision of waste and recycling containers for each residential unit. Waste and recycling contributions are outlined in the *'Waste Storage and Collection Guidance for New Development'*. The following s106 contribution is required for the provision of this essential infrastructure to make the application acceptable in terms of Core Policy 3:

Property type category	Contribution per house/per category	Quantity	Total
Individual house	£91	16	£1,456
		Total	£1,456

This contribution is directly related to the development and is specifically related to the scale of the development, as it is based upon the number of residential units on site and would also need to be contained within a S106 Agreement.

CIL

The Community Infrastructure Levy (CIL) came into effect on the 18th May 2015; CIL will be charged on all liable development granted planning permission on or after this date and would therefore apply to this application. However, CIL is separate from the planning decision process, and is administered by a separate department. If the application were to be approved, an informative would be added advising that the development would be subject to CIL.

10. Conclusion

The site is located within open countryside being located outside of any designated settlement boundary, although the outline application with all matters reserved for 16 dwellings (5 affordable houses are proposed in accordance with the CP43 requirements) follows the Idmiston Neighbourhood Plan being 'made' and as such is acceptable in principle.

Following revised details being submitted in respect of highways and drainage, the proposal is considered acceptable in terms of access and parking provision, and would not be

prejudicial in terms of highway safety or surface water or foul water drainage (subject to conditions).

However, the proposed scheme provides insufficient information in relation to ecology and is recommended for refusal.

In addition to on-site affordable housing, developer contributions are triggered towards infrastructure/facilities, including recreational open space, and waste and recycling facilities. It will be necessary to include reasons for refusal relating to these contributions/infrastructure requirements in the event of an appeal against a decision to refuse the scheme but to include an informative that this can be overcome by the submission of a S106 agreement contributing to waste and recycling containers, off-site open space contributions and on site affordable housing provision.

RECOMMENDATION: REFUSE

(1) The site is within 2km of the Porton Down Special Protection Area (SPA). This European site is protected for its population of breeding stone curlew. The site is also within 2km of the River Avon Special Area of Conservation (SAC) and the Porton Meadows SSSI and the Salisbury Plain SPA/SAC/SSSI.

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are protected under The Conservation of Habitats and Species Regulations 2010. These are a network of sites designated for supporting habitats or species of high nature conservation importance in the European context. Any activity that has a detrimental effect on these European sites is made an offence under the Regulations.

Any development on greenfield land within the 2km zone around the Porton Down SPA may lead to indirect impacts when considered in combination with other activities occurring in the area. An application needs to be considered for Appropriate Assessment under the Habitat Regulations 2010 as to whether it is likely to have a significant impact on a European site. Insufficient information has been submitted for the competent authority to undertake this assessment and conclude that there will not be a likely significant effect on the qualifying species or potential pathway for effects on the Salisbury Plain SPA and SAC and Porton Down SPA.

In carrying out their statutory duty in line with the National Planning Policy Framework, Natural Environment and Rural Communities (NERC) Act 2006 and the Wiltshire Core Strategy, the local planning authority's ecologist must be provided with sufficient information to facilitate a robust and suitably informed assessment with regards to the potential for the proposed development to impact upon European sites and other ecological receptors (including existing hedgerows, trees, vegetative features, bat roosts and reptiles). A review of the submitted information has revealed that further information from the applicant is required before this can be undertaken by the Council.

It is therefore considered that insufficient information has been submitted to demonstrate that the development will not have a likely significant impact on a European site and will not have an adverse impact upon other ecological receptors, contrary to Core Policy 50 of the Wiltshire Core Strategy, the Natural Environment and Rural Communities (NERC) Act 2006, The Conservation of Habitats and Species Regulations 2010 and guidance within the National Planning Policy Framework.

(2) The proposal does not make provision for on-site affordable housing, contrary to Core Policy 43 of the Wiltshire Core Strategy.

(3) The proposal does not make provision for off-site recreational open space provision, contrary to Core Policy 3 of the Wiltshire Core Strategy and Saved Policy R2 of the Salisbury District Local Plan.

(4) The proposal does not provide for contributions towards waste and recycling containers (on-site infrastructure required by the proposal), contrary to Core Policy 3 of the Wiltshire Core Strategy and policy WCS6 of the Wiltshire and Swindon Waste Core Strategy.

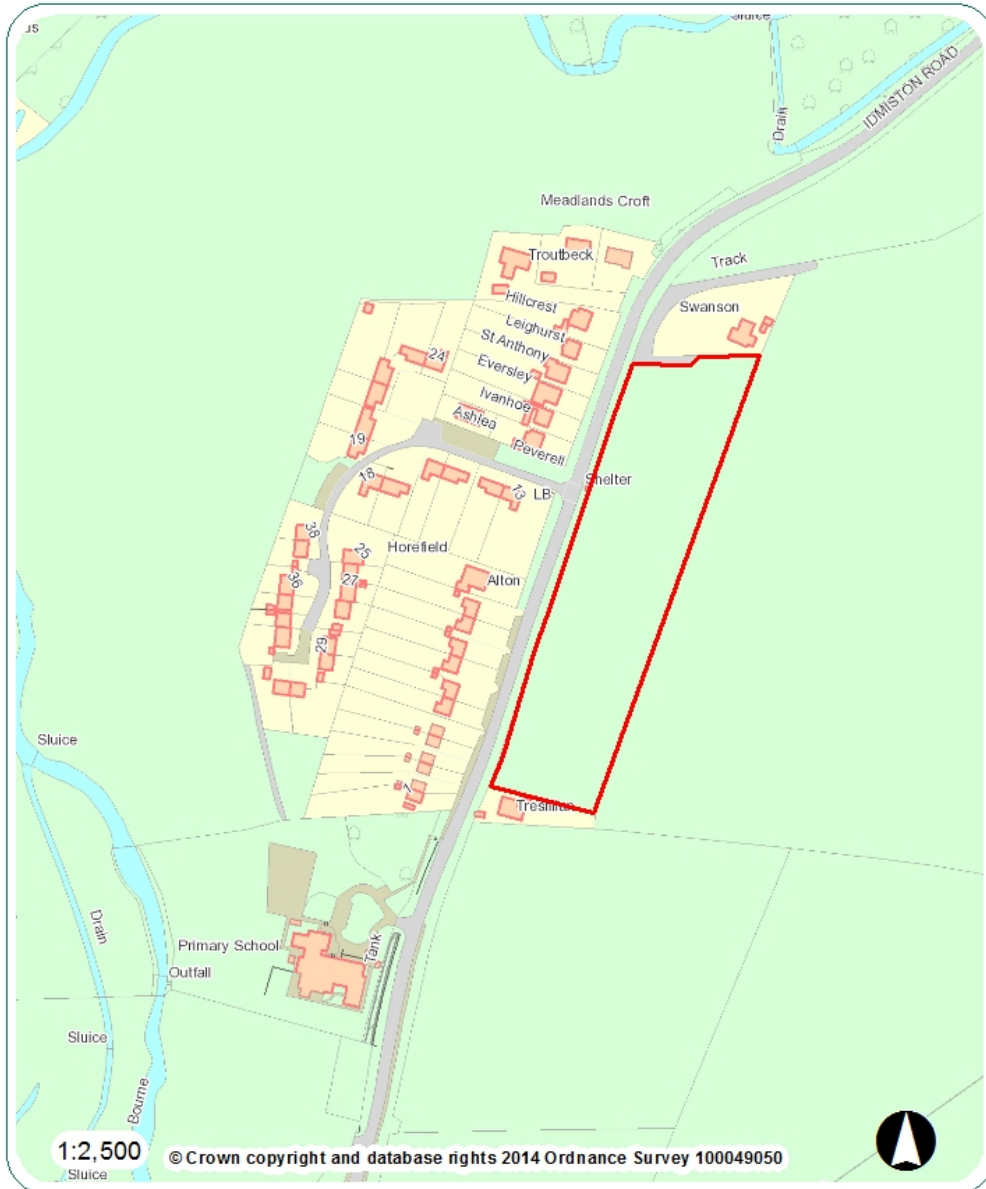
INFORMATIVES: It should be noted that reasons 2-4 for refusal, could be overcome if all the appropriate parties agree to enter into a Section 106 Agreement contributing to waste and recycling containers, off-site open space contributions and on site affordable housing provision.

17/00842/OUT
Land opposite Horefield
Idmiston Road
Porton
Wiltshire
SP4 0LD



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	14 th December 2017
Application Number	Planning application 17/05578/FUL and listed building consent application 17/06125/LBC
Site Address	3 Silver Street Wilton Wiltshire SP2 0HX
Proposal	Proposed alterations, replacement ground floor & new 1st floor rear extensions (Resubmission of 17/00328/FUL and 17/00693/LBC)
Applicant	Mr & Mrs T Paterson
Town/Parish Council	WILTON
Electoral Division	WILTON AND LOWER WYLYE VALLEY – (Cllr Church)
Grid Ref	409652 131149
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the applications being considered by Committee

Councillor Church has called in the applications for the following reasons:

- Design - bulk, height, general appearance

My reason for supporting the application is community based; being that this landmark building on probably the most narrow stretch of the A30 was up until now derelict for 20 years. Due to the building's location in an increasingly busy town, it is important the accommodation provided at the rear of the building provides space to the scale one might expect of a building of this proportion. I consider the extension proposed to be historically sensitive and of a build and design quality not usually seen in Wilton and welcome the owners commitment to return the space to a family home.

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 of the Head of Development Management that planning permission and listed building consent should be REFUSED.

2. Report Summary

The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Impact to the setting and significance of the listed building and character and appearance of the conservation area
- Impact on neighbour amenity
- Impact to protected species

The application has generated no third party representations and Support from Wilton Town Council.

3. Site Description

3 Silver Street is a grade II listed building in the Wilton Conservation Area.

The building has two main blocks of construction, the double-roofed building (which also faces Silver Street), and the annexe to the east.



Rear garden elevation



Elevation facing Silver Street

4. Planning History

Application ref	Proposal	Decision
17/00328/FUL	Proposed alterations, replacement ground floor & new first floor rear extensions	Withdrawn
17/00693/LBC	Proposed alterations, replacement ground floor & new first floor rear extensions	Withdrawn
16/10350/TCA	Notification of intention to carry out works to tree(s) within a Conservation Area - Apple tree - fell	No objections 28/11/2016
16/03163/LBC	Works to windows including - Installation of slimlite double glazing into existing sash windows - Replacement of rotten windows - Increase in window size - Creation of new windows	Approved with conditions 15/07/2016
16/00556/LBC	Internal alterations 1. 1st floor toilet - block existing doorway and removal of wall adjoining bathroom 2. Bedroom 2/bathroom - creation of doorway between rooms 3. Bedroom 3/bedroom 1 - construction of partition wall to create ensuite and creation of doorway between bedroom 1 and NetSuite. 4. Playroom - reinstate blocked up doorway 5. Playroom - build partition wall and doorway create media room 6. Reception Room - Removal of partition wall to reinstate room to original size.7. Kitchen - removal of partition wall	Approved with conditions 06/05/2016
15/11897/TCA	Notification of intention to carry out works to tree(s) within a Conservation Area: Tree A: Beech - carry out canopy reduction of 40% in order to reduce likelihood of limb loss. Regular pollarding required to make tree safe Tree B: Beech - Thin and reduce regrowth from earlier pollarding Tree C: Thuja Fir - Removal of tree. Tree has overgrown and is now both a hazard and an eyesore, growth has the potential to damage surrounding buildings with water uptake and foliage fall. The trunk is also not straight which could lead to splitting in the future due to excessive weight. Area will be replanted with a number of specimen trees	No objections 04/01/2016
15/11005/LBC	Relocation of boiler to loft space, installation of boiler flue through roof at rear of property, and associated works.	Approved with conditions 21 January 2016
S/2011/1922	Notification of intention to carry out works to tree(s) within a Conservation Area : T1 Beech, canopy reduction of 30% and reshape, T2 Beech, thin and reduce the re-growth by up to 50%, T3 Holly, reduce by 30% in height	No objections 02/02/12

S/2003/0398	Notification of intention to carry out works to tree(s) within a Conservation Area: Reduce holly tree to 4 metres pollard 4 no lime trees and remove 1 no rotted lime	No objections 19/03/2003
S/2002/1759	Remove Goat Willow Tree	No objections 07/10/2002
S/2002/1758	Notification of intention to carry out works to tree(s) within a Conservation Area: Remove thuja tree	No objections 07/10/2002
S/2002/1578	Notification of intention to carry out works to tree(s) within a Conservation Area: Crown thin by no more than 30% and crown lift two beech trees	No objections 24/09/2002
S/1984/0051	Conversion of existing part of dwelling to form 3bedroom self - contained unit to be used in conjunction	Approved 15/02/1984
S/1983/1446	L/b application - repairs and improvements to form habitable dwelling including demolition of part of	Approved 15/02/1984

5. The Proposal

The application seeks to demolish all of the red brick range, its replacement with a flat-roofed structure with a larger footprint, demolition of the roof structure over the garden room and the extension of the principal roof to form a first floor extension with a first floor verandah above the existing.





6. Local Planning Policy

Planning (Listed Building and Conservation Areas) Act 1990:

- Section 16: Listed Building Decisions
- Section 66: Special considerations affecting planning functions
- Section 72: General duty as respects conservation areas in exercise of planning functions

Wiltshire Core Strategy (WCS):

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 33: Spatial Strategy: Wilton Community Area
- Core Policy 50: Biodiversity & Geodiversity
- Core Policy 57: Ensuring high quality design and place shaping
- Core Policy 58: Ensuring the conservation of the historic environment

Supplementary Planning Documents:

Councils Adopted Supplementary Planning Document 'Creating Places'.

Government Guidance:

Planning Practice Guidance

National Planning Policy Framework (NPPF) March 2012

- In particular, chapter 7: Requiring good design (paragraphs 58 and 61), chapter 10: Meeting the challenge of climate change, flooding and coastal change (paragraphs 100 and 101), chapter 11: Conserving and enhancing the natural environment (paragraphs 109 & 115) and chapter 12: Conserving and enhancing the historic environment (paragraphs 128, 129, 131, 132, 133 & 134) of the framework are considered particularly relevant.

7. Summary of consultation responses

Wiltshire Council Conservation: Object

3 Silver St is a grade II listed building in the Wilton Conservation Area. It has two main blocks of construction, the double-roofed building that links the garden to the street, and the annexe to the east (right in the picture above). The most interesting parts of the building, the

parts considered to have historic interest at a national level that warrant statutory listing, lie in the western part of the site – the slated double-roof, the brick and flint walling, the unique verandah, and the red brick service range.

The application seeks to demolish all of the red brick range, its replacement with a flat-roofed structure with a larger footprint, demolition of the roof structure over the garden room and the addition of a first floor extension with a first floor verandah above the existing. The new room above the garden room would be accessed through the existing rear bedroom that currently has a pair of sash windows facing the garden, that room would then become a bathroom. The proposals would therefore either demolish or obscure from view nearly all of the existing historic structures, such that the only elements remaining visible would be the ground floor garden room and a tiny corner of the brick and flint. It surely cannot be argued that this preserves the character or significance of the building and its setting.

The Act requires that '*special regard*' be paid to the desirability of preserving character and setting, while the NPPF provides guidance in the form of para 134. Para 134 states that 'less than substantial harm' might only be considered acceptable if sufficient public benefits have been identified that might outweigh that harm; in this case, there is no basis to believe there would be any public benefits – the house has a large number of rooms and great potential flexibility of their uses, so there is no issue of viability, habitability or quality of life.

I would urge the applicants to reconsider this and the other current application, to date we have spent significant time providing on-site advice and input to the repairs and other alterations in order to enhance the character of the listed building and its contribution to the character of the CA.

Historic England: Concerns on heritage grounds

This application is a resubmission of a proposal Historic England provided comments on in February 2017. The works themselves remain largely unchanged aside from the replacement of a curved roof to the kitchen extension with a flat roof. The submission is accompanied by a substantiated Design and Access Statement providing justification for the unaltered scheme.

3 Silver Street is a Grade II listed, mid-19th century house constructed in brick and stone situated within the Wilton Conservation Area. Much of the building is red brick; however the façade is much grander and is faced in grey bricks with dominating stone quoins and voussoirs, window and door architraves, and a heavy panelled parapet. The roof, which appears to be original, retains a double-hipped arrangement. To the rear, incremental additions have been undertaken in a more vernacular, piecemeal fashion, in the form of the brick service-range to west and the ground floor brick and flint drawing room. Whilst these are later additions, they are clearly historic and identified within the Heritage Statement as mid-to-late 19th century phasing.

The core of the justification is the desire for 'modern living'. Whilst this is understandable - and achievable in many cases to a large degree - it must be borne in mind that the building involved is historic and consequently listed for its heritage values, interest and protection.

The National Planning Policy Framework 2012 requires that great weight be afforded to the conservation of heritage assets when determining potential harm and states that significance can be harmed or lost through alteration of the heritage asset. Paragraph 134 highlights 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.

We remain unconvinced that the existing kitchen/scullery outbuilding cannot be incorporated into an enlarged kitchen scheme, perhaps by means of a glazed connection. Whilst we do not argue the range's limited architectural value, it nevertheless contributes to the historic evolution of the dwelling and is a typical, congenial, example of a brick-constructed service addition. However, following review of the aforementioned Statement, and in consideration of your Conservation Officer's comments with respect to the previous application, we concede that the existing kitchen/scullery range is of less significance and its removal would facilitate some enlargement of kitchen space. However, we consider that the corner bay, adjacent to the verandah, impedes too heavily on the verandah's prominence and alters the way it is perceived within the rear elevation. We note the removal of the curved roof as a response to your Conservation Officer's comments previously, which we believe is an improvement, but remain concerned about the impact of this projecting range/bay on the elevation.

The 'needs' for the first floor alterations do not change our original judgement. We do not currently consider that an en-suite cannot be contained within the principal house without pushing a master bedroom into a new addition. The driver for the annexe to become more subservient by increasing the scale of the principal heritage asset is counter-productive. It serves to increase the dominance of the addition towards the main house. Whilst it may provide an 'elegant addition' and 'enhance the prominence of this important [verandah] feature', there remains harm to the host building by way of the alteration to the historic arrangement of the double-hipped roof, removal of the drawing room's hipped roof, and distortion to the legibility of the rear elevation; the connection between principal historic core of the house and garden will become almost entirely detached.

Your authority should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to preserving listed buildings or their setting or any features of special architectural or historic interest and take these representations into account and seek amendments.

Wiltshire Council Highways: No objections

The proposal will not affect parking provision or the vehicle access

Wiltshire Council Ecology: Support subject to condition

(The development to be undertaken in accordance with the Bat Survey Report and that a detailed method statement and work schedule shall be agreed prior to commencement of works on site in order to ensure appropriate and adequate protection and mitigation for bats)

Wilton Town Council: Support

It is felt this is a sympathetic design which does much to improve and enhance a long neglected building

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation letters.

No third party representations have been received.

9. Planning Considerations

9.1 Principle of development

The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and makes it clear that planning law (Section 70(2) of the Town and Country Planning Act 1990

and section 38(6) of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF confirms that the 'NPPF does not change the statutory status of the development plan as the starting point for decision making' and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) which sets out Central Government's planning policies, and the adopted Wiltshire Core Strategy (WCS) which also includes some saved policies of the Salisbury District Local Plan (SDLP).

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles and the Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

The site is within the Wilton Community Area and Core Policy 33 confirms that *'Development in the Wilton Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.'*

Core Policy 1 of the Wiltshire Core Strategy sets out the *'Settlement Strategy'* for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries, and there is a general presumption against development outside of these.

Core Policy 2 of the Wiltshire Core Strategy sets out the *'Delivery Strategy'*. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

It is also necessary to consider the other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts considered below.

9.2 Impact to the setting and significance of the listed building and character and appearance of the conservation area

Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 place a duty on the local planning authority to have special regard to the desirability of preserving listed buildings and their settings:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of

State shall 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 Buildings and Conservation Areas) Act 1990 also places a duty on the local planning authority that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Core Policy 58 *'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.'*

Core Policy 57 of the WCS requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses (including in terms of ensuring residential amenity is safeguarded).

Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The conservation officer has advised that the most interesting parts of the building (the parts considered to have historic interest at a national level that warrant statutory listing), lie in the western part of the site – the slated double hipped-roof, the brick and flint walling to the drawing room, the unique verandah, and the red brick service range:



Side elevation of Drawing Room

Historic England have explained that whilst the rear incremental additions (in the form of the red brick service range and the ground floor brick and flint drawing room) have been undertaken in a more vernacular and piecemeal fashion compared to the much grander façade facing Silver Street (which is faced in grey bricks with classical detailing in render made to look like stone and a heavy panelled parapet with original double hipped roof); these are clearly historic elements of the historic building which contribute to the historic evolution and function of the dwelling which is consequently listed for its heritage values, interest and protection. There must therefore be a strong justification for the loss of this fabric and legibility of the listed asset.

The National Planning Policy Framework (NPPF) outlines government policy, including its policy in respect of the historic environment (Section 12). The policy requires that great weight be given to the conservation of heritage assets (para 132).

In paying 'special attention/regard' to the Conservation Area and listed buildings and their settings, the NPPF requires an assessment as to whether the proposal causes 'substantial harm', 'less than substantial harm' or no harm to the heritage asset and advises a balanced approach with the public benefits which may result from proposals being weighed against any harm caused (paragraph 134).

In terms of impact to the conservation area, whilst the roof extension would be visible from Kingsbury Square (where currently the southern hip may be seen and gives a clear sense of the scale of the building); it is not considered that this will harm the character and appearance of the conservation area:



VIEW OF HOUSE FROM KINGSBURY SQUARE AS EXISTING



PHOTOMONTAGE VIEW OF PROPOSED ROOF EXTENSION AND NEW WINDOW

However, in terms of impact to the listed building and its setting; the proposed new bedroom above the garden room would be accessed through the existing rear bedroom that currently has a pair of sash windows facing the garden, that room would then become a bathroom. The proposals would either demolish or obscure from view nearly all of the existing historic structures of interest, such that the only elements remaining visible would be the ground floor garden room and a tiny corner of the brick and flint.

Historic England explains that the driver for the annexe to become more subservient by increasing the dominance of the addition towards the main house is counterproductive as it serves to increase the dominance of the addition towards the main house and whilst the proposals may be elegant in their own right, there remains harm to the host building by way of the alteration to the historic arrangement of the double-hipped roof (the historic arrangement of the double hipped roof as viewed from the rear garden will be distorted by the elongated form of the eastern pitch), removal of the drawing room's hipped roof and distortion to the legibility of the rear elevation (the connection between the principal historic core of the house and garden).

Historic England have advised that the rear service wing is of less significance and its removal would facilitate some enlargement of the kitchen but consider that the proposed single storey extension with corner bay impedes too heavily on the verandahs prominence on the rear elevation:



VIEWS AS EXISTING



VIEWS AS PROPOSED

The culmination of the proposals will manifestly alter the simpler historic ‘service’ character to the rear of the house and it is not considered that the proposals preserve the character or significance of the building and its setting.

Para 134 of the NPPF states that ‘*less than substantial harm*’ might only be considered acceptable if sufficient public benefits have been identified that might outweigh that harm.

Historic England refers to the core of the justification for the alterations being the desire for ‘*modern living*’. The house has a large number of rooms and great potential flexibility of their uses and it is not considered that it has been demonstrated that there is an issue of viability, habitability or quality of life to outweigh the harm to the character and significance of the building and its setting.

9.3 Impact on neighbour amenity:

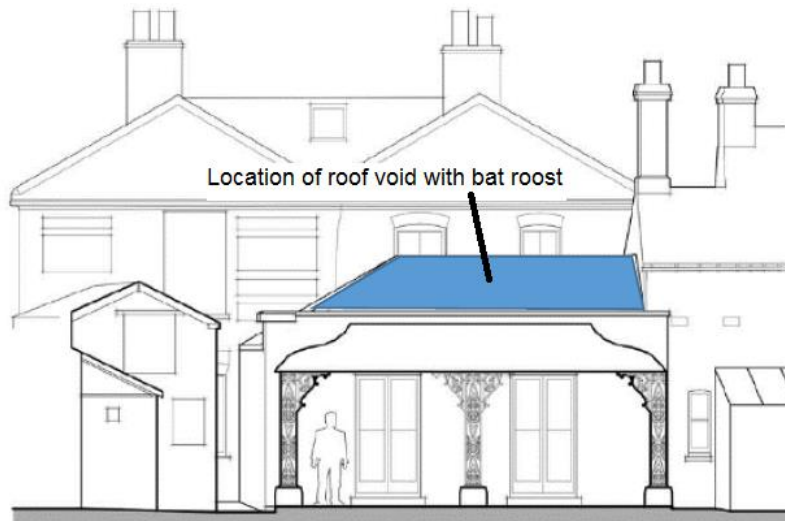
Core Policy 57 also requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF’s Core Planning Principles (paragraph 17) includes that planning should ‘always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.’

Whilst the rear extensions include a covered balcony at first floor levels; given the position of the development in relation to neighbouring dwellings/gardens, the proposals are not considered to result in any adverse neighbour amenity impacts.

No third party objections to the scheme have been received.

9.4 Impact to protected species:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development.



A Bat Survey report has been submitted with the application which explains that a small roof space in the building which will be destroyed by the proposed works supports an ad hoc/opportunistic night or day roost of lesser horseshoe bat and without mitigation the loss of the roost would be significant to lesser horseshoe bats at the local level; although subject to appropriate timing, mitigation and compensation the aim is to provide 'more or less like for like replacement' with a detailed method statement and work schedule to be provided.

The council's ecologist has raised no objections to the proposals subject to a condition requiring the detailed method statement and work schedule to be agreed by the local planning authority prior to commencement of works on site in order to ensure appropriate and adequate protection and mitigation for bats.

10. Conclusion

It is considered that the proposals will not harm residential amenity or highway safety and subject to condition appropriate and adequate protection and mitigation for bats can be achieved.

However, it is considered that the proposals will not preserve the character or significance of the listed building and its setting and it is not considered that there are public benefits to outweigh this harm.

RECOMMENDATION: That the applications for planning permission and listed building consent be REFUSED:

In respect of planning application 17/05578/FUL and listed building consent application 17/06125/LBC:

(1) 3 Silver Street is a Grade II listed, mid-19th century house constructed in brick and stone situated within the Wilton Conservation Area. Much of the building is red brick; however the façade is much grander and is faced in grey bricks with classical detailing in render made to look like stone. The roof, which appears to be original, retains a double-hipped tile arrangement. To the rear, incremental additions have been undertaken in a more vernacular, piecemeal fashion, in the form of the brick service-range to west and the ground floor brick and flint drawing room. Whilst these are later additions, they are clearly historic and identified within the Heritage Statement as mid-to-late 19th century phasing.

This proposal involves the demolition of the c.1844 service-range, a new kitchen and lobby replacement, and the extension of the principal roof to form a second storey bedroom over the existing c.1867 drawing room.

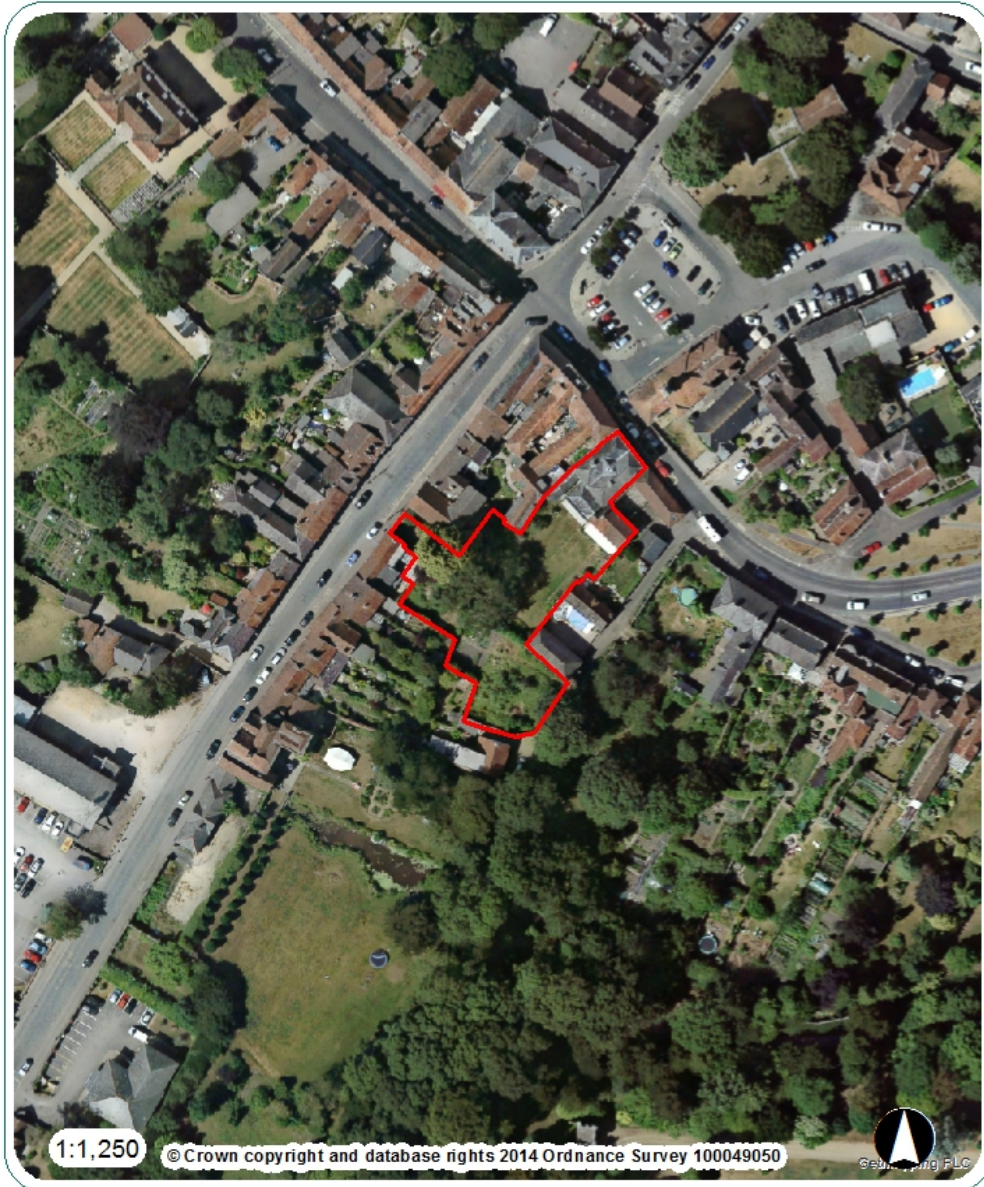
It is considered that the first floor extension would both cover and obscure too much of the historic rear elevation, affecting the whole perception of the building from the gardens by bringing the rear elevation of one of the two matching ranges of the main house southward and in line with the annexe; it would also incorporate an open terrace at first floor level, creating the appearance of a two-storeyed verandah of differing styles. The sense of the rear elevation of the main house would be lost, blurring the currently clear distinction between elements of the building; obscuring historic structures of interest; the historic arrangement of the double hipped roof, and resulting in a near complete severance of visual connection between the existing rear bedrooms and the garden and also affecting the first floor circulation as these historic principal rooms off the stairwell would become spaces of only secondary use. The proposals would also involve the loss of principal historic roof fabric where the new hipped form will enter the existing, as well as the pitched roof of the drawing room below.

The rear of the service-range part of the building as it stands is a combination of designs and materials, however the existing ogee-roofed verandah is the most prominent and eye-catching feature. It is considered that the elevational treatment of the proposed replacement extension in such close proximity to this historic feature will have an adverse devaluing impact upon the significance of the historic verandah.

Overall, the proposals would fail to preserve the character and significance of the listed building, its setting and features of special interest. Whilst this harm is considered to amount to less than substantial harm in the context of the NPPF (requiring 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 asset (NPPF paragraph 134). The proposals are therefore considered to be contrary to policies 57 (which requires proposals to be sympathetic to and conserve historic buildings) and 58 of the Wiltshire Core Strategy (which also requires proposals to conserve designated heritage assets); guidance within the PPG and NPPF (especially paragraph 134); contrary to advice within the Creating Places Supplementary Planning Guidance (Part 11), and the duty placed on the Council under sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the desirability of preserving listed buildings, their settings and any features of special interest.

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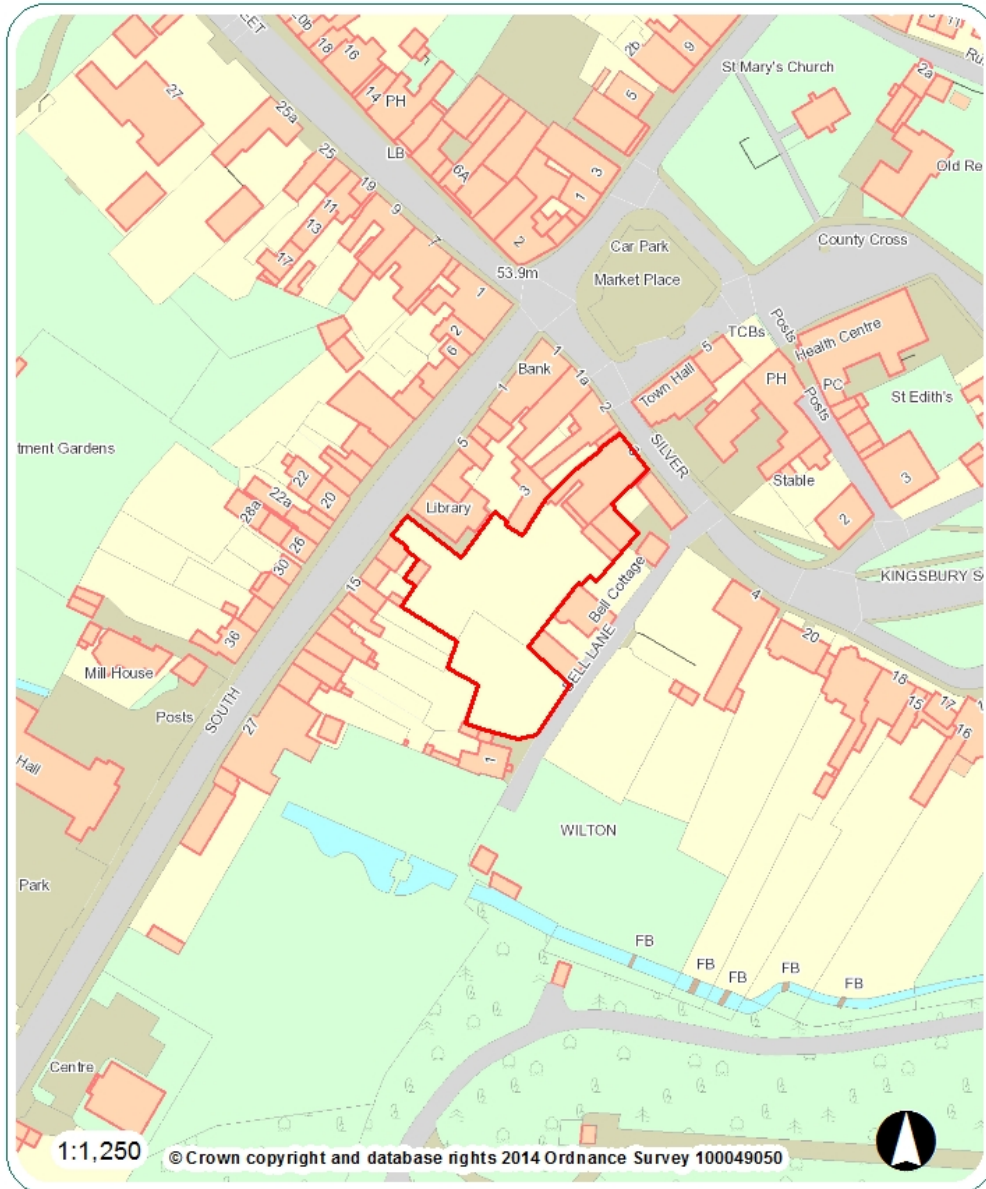
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17/05578/FUL & 17/06125/LBC

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Date of Meeting	14/12/2017
Application Number	17/05736/FUL
Site Address	Longacre Farm Figsbury Salisbury SP4 6DT
Proposal	Proposed portal frame building for hen house, service link, rearing shed and feedstore. Landscaping work. Work in connection with access. Stationing of mobile home all in connection with free range egg production flock.
Applicant	Pitton Poultry
Town/Parish Council	FIRSDOWN
Electoral Division	WINTERSLOW – (Councillor Devine)
Grid Ref	419406 133596
Type of application	Full Planning
Case Officer	Richard Nash

Reason for the application being considered by Committee:

The application has been called in by Councillor Devine for the following reasons:

At the request of Firsdown Parish Council (the recommendation is for refusal whereas the Parish Council submitted a formal 'No Comment' on the proposal).

1. Purpose of Report

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

2. Report Summary

This application is for the construction of a portal frame building for use as a hen house, with a service link, rearing shed and feedstore. Landscaping work and works in connection with improvements of the access to the site are also proposed. A mobile home would be stationed on the site. These works are all in connection with a free range egg production flock.

3. Site Description

The site comprises an agricultural field of approximately 1.1 hectares with an existing bridleway leading towards the A30 to the north. A further slightly larger plot to the north, directly adjacent to the A30, is within the same ownership. The site slopes upwards from north to south, with a relatively steep gradient up to an existing mature belt of trees forming a 0.5 hectare copse running south west across the rear of the site. This copse is also within the same ownership as the application site.

The site comprises Grade 3 agricultural land and is currently uncultivated with some areas of scrub. In the south west corner is a collection of run-down buildings and debris left by a previous owner and in the north-west corner there is a large soakaway constructed by the Local Highway Authority to improve drainage off the A30. There is existing vehicular access

from the A30 in the north east corner of the site, via the bridleway. Whilst the agricultural grade of the land would be appropriate to cultivation, its sloping nature could give rise to slippage and erosion, leading to road drainage issues.

To the west of the site is Warren Down Farm and further west is New Barn Farm. Both of these concerns appear to be smallholdings with a collection of agricultural buildings and land. Opposite the site are more smallholdings/farms including Longacre and Highfield Farm, all with various relatively large buildings. These properties, together with some dwellings, are intersected by the access lane to Figsbury Ring, from where the application site is visible in the wider landscape. The site lies within an Area of Special Archaeological Significance, a Special Landscape Area and a Water Source Protection Zone.

4. Planning History

S/2005/0730

Proposed Builders Yard

S/2007/1507

Use of Land and Buildings for the Storage of Building Materials and Equipment

S/2008/0583

Use of Land and Buildings for the Storage of Building Materials and Equipment

15/07758/FUL

Retrospective Application for Creation of Car Parking and Turning Area

15/07763/ADV

Retrospective Application for the Erection of Three Freestanding Signs

15/00220/ENF

Car Park for 'Eggs for Sale' business

16/04956/FUL

Construction of Agricultural Trackway, Pole Barn for Hen House, Service Link Building, Pole Barn for Rearing Shed and Feed Bins, Temporary Stationing of Mobile Home, All In Connection With Free Range Egg Production Flock, with Associated Works.

The current application seeks to overcome the two reasons for refusal of 16/04956/FUL, which were concerned with visual impact and highway safety and are set out in full in the Planning Considerations section below.

5. The Proposal

The application proposes a portal frame building to provide a hen house, service link, rearing shed and feed store, landscaping, work in connection with the access to the site and the stationing of a mobile home, all in connection with a free range egg production business.

The main building would be of a portal frame style, with single skin board cladding and a steel sheet roof. Within the building would be a hen house, rearing shed, packing shed, two feed stores and a WC/service area.

6. Local Planning Policy

The following Core Policies of the Wiltshire Core Strategy are relevant to the determination of this application and are considered to align with the principles, aims, objectives and

intentions of the NPPF. The following policies (amongst others) are therefore considered to carry significant weight.

Wiltshire Core Strategy

Core Policy 1 (Settlement Strategy)

Core Policy 2 (Delivery Strategy)

Core Policy 3 (Infrastructure Requirements)

Core Policy 23 (Spatial Strategy for the Southern Wiltshire Community Area)

Core Policy 48 (Supporting Rural Life)

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 62 (Development Impacts on the Transport Network)

Core Policy 68 (Water Resources)

Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy)

C6 (Special Landscape Area)

H28 (Temporary Housing for Rural Workers)

H32 (Mobile Homes)

7. Summary of consultation responses

Firsdon Parish Council: No Comment.

Public Protection: Comments remain the same as detailed in the previous planning application for this site 16/04956/FUL: Initially further information was requested due to concerns being raised regarding how manure and fly control was to be dealt with. Having reviewed further information submitted by Applicant it is apparent they only propose to keep 1000 birds on site, although they could accommodate approximately 3000. If the flock of birds is kept at 1000 then there would be a low intensification of the site, which is unlikely to have an adverse impact on nearby residents. A manure disposal and fly management plan should be submitted by condition to agree best practice in this behalf.

Rights of Way: Comments the same as previous planning application: Site is accessed via a bridleway (FIRS3). There are no recorded public vehicular rights over the footpath although note that applicant states they have a private vehicular right of access. No objection to proposal subject to following conditions:

(1) No construction/demolition vehicle access may be taken along FIRS3 without prior consultation with the Wiltshire Council Rights of Way Warden. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Wiltshire Council Rights of Way Warden.

Reason: To ensure the public right of way remains available and convenient for public use.

(2) No materials, plant, temporary structures or excavations of any kind should be deposited/undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place.

Reason: To ensure the public right of way remains available and convenient for public use.

Drainage: Response to original application was support with conditions as there were points regarding drainage disposal that needed addressing. This application has the same foul/storm drainage disposal methods as previous and still does not address issues raised thus repeat the recommended conditions from the original application:

1: No development shall commence on site until a scheme for the discharge of foul water from the site, including details/testing/calculations of effluent disposal system, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be adequately drained

2: The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained

3: No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be adequately drained

4: The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained

Archaeologist: There are archaeological records for finds in the vicinity of the site, but there are no historic environment records within it. Possible the lack of archaeological finds might be due to lack of previous archaeological work in this area. However, on the evidence available at present, consider it unlikely that significant archaeological remains would be disturbed by proposed development and have no further comments to make.

Historic England (Summary): No objection. Proposals would not result in change in setting to either of the Scheduled Monuments [Figsbury Ring and Roman Road] that would impact on their significance. Consider application meets requirements of NPPF.

Landscape: Note Applicant has made some alterations to scheme to better accommodate development, Maintain position that development does not cause any significant harm to wider landscape, visual character or Special Landscape Area. Have noted comments from Historic England - viewpoints from Scheduled Monuments are considered sensitive therefore take some comfort from notes that there is no significant change in the setting of Figsbury Ring or Roman Road. Whilst there might be glimpsed views of the site from the road do not consider these to be significant in terms of wider agricultural landscape and visual effects would be fleeting and localised.

Highways England: No Objection.

Highways:

Initial Comments:

Have previously considered proposal under reference 16/04956/FUL and raised objection due to nature of A30 passing the site, achievable sight lines and additional vehicle movements associated with proposal.

Latest submission includes drawing entitled 'Alterations to Access' showing cross sections through adjacent highway verge. Have carefully studied drawing however regret has not been convinced to alter position, for the following reasons:

1. As the visibility splay approaches and extends beyond the Warren Down Farm access it is setback around 10 metres from the carriageway edge. This will be difficult to achieve given the significant width of the splay and the affect upon the landscape due to the loss of vegetation. To achieve this splay involves land not within the control of the applicant and therefore the splay cannot be guaranteed to be available in perpetuity.

2. The road-verge cross sections indicate a lowering of the verge within the splay to 900mm. This does not allow for vegetation growth and should be 600mm. This relates to everything within the splay and, as mentioned above, the splay is exceptionally wide in places. To achieve this height along the entire length of the verge would require significant works.

Proposal would result in intensification in use of access. Presence of a residential unit would result in additional vehicle movements that do not already exist, such as trips associated with shopping, leisure, schools, doctors and friends/relatives visiting the site.

Principle of additional point of conflict on this fast section of road where overtaking occurs on a regular basis would be detrimental to highway safety. Wish to maintain recommendation of refusal on highway safety grounds.

Concluding comments following site meeting and discussions with Agent:

Necessary sight lines would only be achievable with significant encroachment onto neighbouring land and with extensive engineering work to verge. Splay therefore cannot be secured. Access is located on a fast stretch of the A30 where overtaking occurs on a regular basis. Use of the access for residential use will introduce vehicle movements, which do not already exist. It is considered that the access is not suitable to accommodate this vehicle activity. I have not been persuaded to change my view and I wish to maintain my recommendation for refusal on highway safety grounds.

Environment Agency: None received.

8. Publicity

The application was advertised by site notice and neighbour consultations were carried out.

In summary, 4 objections have been received from the community on the following grounds:

- The site comprises green land;
- Access is via a bridleway and sufficient visibility splays cannot be provided;
- Buildings will be highly intrusive in the landscape;
- Potential smell nuisance;
- If natural ventilation doesn't work may have to fit noisy extractor fans;
- Potential introduction of external lighting.

27 letters of support have also been received from the wider community, mainly concerned with supporting the business rather than the merits of the proposal per se.

9. Planning Considerations

Principle

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

The site does not lie within any settlement as defined under CP1 and CP23 and is therefore in the open countryside where there is normally a presumption against new development. However, in this case it is proposed to carry out agricultural development on agricultural land. As such the proposal is considered to constitute development which is acceptable in principle subject to its not conflicting with more detailed and site specific policy. The following parts of this report assess the proposal against relevant policy.

Need

The Applicant seeks to expand a flock of egg producing hens managed under a free range operation. The present small flock has been brought onto the holding from his previous enterprise. The flock is contained on part of the site and at night is accommodated in a mobile 'hut'. Legislation requires that the flock is attended on a daily basis for management and inspection, but also for egg collecting and generally ensuring that the welfare of the flock meets the required standards.

An independent agricultural consultant assessed the functional need for the proposed mobile home in relation to application 16/04956/FUL, when it was agreed that there was such a need albeit on the basis of an initial temporary consent (recommended for three years). Less than six months passed between the date of the previous decision and the submission of the current application, and the proposed scale and nature of the agricultural operation has not changed. It is therefore considered that the previous advice can reasonably be applied to the current proposal.

Character and Visual impact, Neighbouring Amenity and Heritage Assets

Reason 2 for the refusal of application 16/04956/FUL was;

The proposed pole barn, rearing shed and feed bins will be substantial structures in this sensitive rural location, measuring as they do, 5.4M in height to the top of the feed bins and 5.2M to the ridge of the barns. Such substantial structures will be prominently visible in the landscape in views along the A30 and from Figsbury Rings Hill Fort scheduled ancient monument. There is a roman road that runs to the South of the site along footpath Firs 2. It is considered that the effect of these structures in combination with that of the new track and mobile home would not be completely mitigated by the bunding proposed. The application site is located in a special landscape area and it is considered that such large and prominent structure's will have a negative and intrusive effect on the special landscape area and views of it, and would therefore be contrary to Saved policy C6 of the Salisbury District council local plan and core policy 51 (vi) of the Wiltshire Core strategy.

Compared to the previously refused pole barn, the building would be of similar length (45 metres), with an increased width (from 9.5m to 12.5m) with a relatively small rectangular area protruding to the rear. The overall area covered by the building would be increased from 508.5 to 590.5 square metres (approximately 16%). The ridge height of the building would however be reduced from 5.2m to 4.5m (approximately 13%). Furthermore, the previous proposal also included external feed silos to a height of 5.4m. No such structures are now proposed as feed stores would be integral to the building.

The reasons for refusal of the previous application did not make reference to the siting, scale or design of the then proposed mobile home. Notwithstanding this, the proposal is now for a single unit, rather than the previously proposed linked pairing. This would be located to the rear of the portal frame building, set against the woodland area and with visible control of the access. The mobile home would be finished with log cladding and a pitched shingle roof, compared to the previously proposed linked pair of flat roof mobile homes.

Compared to the previous proposal, the mobile home would be reduced in width (from 6.1m to 5.9m) but increased in length (from 12.2/15m to 18.1m) and height (from 2.5m to 3.4m). The overall areas covered by the mobile home(s) (including the link) would be reduced from 169.5 to 106.8 square metres (approximately 37%).

Moving through the site, the top of the bund (pre-planting) would be at 127.00 (metres) Above Ordnance Survey Datum (AOD) at Newlyn in Cornwall. The ridge of the portal frame

building would be at 130.42 AOD and the ridge of the mobile home at 131.55 AOD, with trees in the copse providing a backdrop to a highest point of 145.50 AOD.

In terms of the wider landscape, as noted above, the context of the site includes a number of buildings, some of which are of a relatively large scale, and this is not unusual where there are small settlements or groups of developed land in a broadly agricultural landscape. Views of the site from Figsbury Ring would include these features, predominantly in the foreground to the site. Once it has passed the site, views from bridleway FIRS 3, as well as from footpath FIRS 2 and the Roman Road (byway FIRS 5) further to the south, are limited due to the trees at the southern edge of the site.

The application proposes some cut and fill to allow the main building to be set at as low a ground level as possible. The pasture land at the south east corner of the site would be planted with apple trees. The bund to the north of the main building would be informally planted with species such as hawthorn, blackthorn, holly and field maple to further screen the proposals and produce a natural 'scrubland' effect.

The Applicant has also submitted a Schedule for clearing the site of building materials and other items, which would resolve a longstanding issue and improve the general appearance of the site. This could be reasonably controlled by way of a planning condition.

On balance, and taking particular account of the comments of the Landscape Officer, the Public Protection Officer and Historic England, it is considered that the proposals would not have a detrimental impact on the character and visual amenity of the site and wider locality, the amenities of nearby residential properties or the nearby heritage assets.

Highways and Access

Reason 1 for refusal of application 16/04956/FUL was;

The site is served by bridleway FIRS3 directly off the A30. Vehicles resulting from the proposed development entering and leaving the busy fast section of the A30 Class 1 road at a point where visibility from and of such vehicles is substandard, would endanger, impede and inconvenience other road users to the detriment of highway safety. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 'Development impacts on the transport network' of the Wiltshire Core Strategy as the development does not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

Access to the site would remain via the bridleway leading off the A30. In support of the proposal the Applicant intends to realign their boundary fence and carry out works to reduce foliage on the verge. The resultant splay would cross the access to Warren Down Farm to the west, whose owners are said to be content with these works, which would also provide a coincidental improvement to their own access. The Applicant considers that these improvements would also offer better visibility to users of the A30, of vehicles emerging from the access to Figsbury Ring. A Travel Plan has also been submitted with the application, with a view to further addressing highway safety concerns.

In order to further reduce the visual impact of the overall scheme, the previous proposal to provide a surfaced track along the bridleway from the A30 access point to the site has been omitted. Instead, the existing bridleway would be retained. This stretch of the bridleway comprises a hardened double track with a central grass strip. The application does however propose a new non-granular surface to the first 5 metres, in order to prevent debris from

entering the highway. An existing parking area at the access point would be realigned to allow waste collection from the site.

The Highways Officer has made detailed comments on why the proposals are unsuitable in terms of highway safety. These comments are set out above and have been maintained despite a site meeting and further representations from the Applicant. The proposal is therefore considered to conflict with Core Policy 62, as the development would not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

RECOMMENDATION

Refuse for the following reasons:

1. The proposed visibility splay would approach and extend beyond the Warren Down Farm access to the west and be set back around 10 metres from the carriageway edge. This would be difficult to achieve given the significant width of the splay. To achieve this splay involves land not within the control of the applicant and therefore the splay cannot be guaranteed to be available in perpetuity. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 of the Wiltshire Core Strategy (Development Impacts on the Transport Network) as the development does not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.
2. The proposed road-verge cross sections indicate a lowering of the verge within the proposed splay to 900mm. This does not allow for vegetation growth and should be 600mm. This relates to everything within the splay and, as referred to in Reason 1, the splay is exceptionally wide in places and cannot be guaranteed to be available in perpetuity. To achieve the required height along the entire length of the verge would require significant works. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 of the Wiltshire Core Strategy (Development Impacts on the Transport Network) as the development does not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.
3. The proposal would result in intensification in use of the access to the site. The presence of a residential unit would result in additional vehicle movements that do not already exist, such as trips associated with shopping, leisure, schools, doctors and friends/relatives visiting the site. The principle of an additional point of conflict on this fast section of road where overtaking occurs on a regular basis would be detrimental to highway safety and proposed measures to overcome this, as referred to in Reasons 1 and 2, would not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 of the Wiltshire Core Strategy (Development Impacts on the Transport Network).



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	14/12/2017
Application Number	17/06734/FUL
Site Address	Former Piggery Buildings at Cotswold Farm, West Dean Road West Tytherley, Wiltshire, SP5 1QA
Proposal	Conversion of former agricultural buildings to 9 residential dwellings
Applicant	Mr & Mrs Simmonds
Town/Parish Council	WINTERSLOW
Electoral Division	WINTERSLOW – Cllr Christopher Devine
Grid Ref	425644 131969
Type of application	Full Planning
Case Officer	Matthew Legge

Reason for the application being considered by Committee

1. Purpose of Report

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

2. Report Summary

The application site consists of a number of disused agricultural buildings whose last use was that of a piggery. The buildings and the wider site are in a poor state of repair. A number of the agricultural buildings are being proposed to be demolished as part of this scheme. Officers consider that the 3 remaining buildings are capable of conversion in line with both local and national policy. The proposed conversion will retain the appearance and scale of the agricultural buildings and Officers consider that the residential use will in this instance have little detrimental impact on the character of the wider area. The residential conversions are considered by Officers to be the only practical proposition in this instance thus facilitating the demolition of a larger number of other redundant buildings and the general tidying up of the site that has laid redundant for an increasing number of years and is likely only to further deteriorate if planning consent is not granted. The scheme has no site specific objections from the consultees that could not be appropriately dealt with via planning conditions.

3. Site Description

The site is located on the western side of West Dean Road between the settlements of Winterslow and West Tytherley and is therefore located within the open countryside. The site comprises the central complex of buildings within Cotswold Farm that comprise a number of former piggery buildings that are vacant and which it is stated have been redundant for a number of years. There are other agricultural buildings that are located immediately to the north of the site, but which fall outside of the proposed development site.

There are a select number of residential properties in the vicinity of the site that were associated with Cotswold Farm, that may still be the subject to agricultural occupancy conditions. The existing agricultural buildings, together with the existing adjacent residential properties, form a small cluster of development to the western side of West Dean Road.

Further to the north, south and west are agricultural fields, beyond which to the west is a dense wooded area. On the opposite side of West Dean Road is a dense wooded area and beyond which is further agricultural land.

The site is separated from West Dean Road by a dense belt of trees, hedges and undergrowth that is located to the front of the site and that is the subject of a Tree Preservation Order (Area Order – TPO No1 West Dean).

The site is located within the open countryside and within the designated Special Landscape Area.

4. Planning History

The application site has a long planning history...the following are highlighted as being most relevant to this application:

17/01111/PNCOU: Prior notification under Class Q - Change of use of existing agricultural building to 3 dwelling houses (use Class C3) in the former piggery building, and for Associated Operational Development together with the removal of part of the building in order to form gardens. AC

15/07152/PNCOU: Prior notification under Class Q - Change of use of existing agricultural building to form 3 dwelling houses (use Class C3) in the former piggery building, and associated operational development together with the removal of part of the building in order to form gardens for the dwellings. AC

15/00031/PNCOU: Prior notification under class MB - for change of use of existing agricultural building to form 3 dwellings and associated works. REF

13/00523/FUL: Formation of new agricultural access. AC

S/2004/0843/FUL: New vehicular access and change of use of existing buildings and land from agricultural to B1, B2 and B8 uses. REF

5. The Proposal

This scheme proposes to undertake the demolition of 4 redundant agricultural buildings, part demolition of a further 3 redundant agricultural buildings and to convert a remaining 3 buildings into 9 residential dwellings with associated garages, garden areas and access.

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20th January 2015:

Core Policy 1: Settlement Strategy

Core Policy 2: Settlement Strategy

Core Policy 3: Infrastructure Requirements

Core Policy 23: Southern Wiltshire Community Area

Core Policy 41: Sustainable Construction and Low-Carbon Energy

Core Policy 43: Providing Affordable Homes

Core Policy 44: Rural Exceptions Sites

Core Policy 45: Meeting Wiltshire's Housing Needs

Core Policy 48: Supporting Rural Life
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 52: Green Infrastructure
Core Policy 56: Contaminated Land
Core Policy 57: Ensuring High Quality Design and Place-Shaping
Core Policy 61: Transport and New Development

Saved policies of the Salisbury District Local Plan:

R2 (Open Space Provision)
C6 (Special Landscape area)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Wiltshire and Swindon Waste Core Strategy

Policy WCS6 of the Wiltshire and Swindon Waste Core Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012
National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006

7. Summary of consultation responses

Winterslow Parish Council – Object
WC Spatial Planning – Policy comments expressed
WC Highways – Objection on sustainability grounds
WC Ecology – No objection subject to conditions
WC Conservation – No heritage value
WC Public Protection – No objection subject to conditions
WC Affordable Housing – None required
WC Waste – Support subject to conditions
WC Drainage – Objection (holding due to lack of details)
WC Public Open Space – None required
WC Landscape – None received
WC Trees – No objection subject to condition
Wessex Water – None received

8. Publicity

1 letters of comment: - If planning is granted then the road speed limit should be reduced

1 letter of support:

- There does not appear to be any likelihood of any agricultural use in the foreseeable future
- The macroscopic appearance will be that of a residential development reflecting the history of the site and showing a respect for the buildings that will remain

9. Planning Considerations

Principle of development

The site lies outside the settlement boundary for Winterslow, as defined by the former Salisbury District Local Plan (adopted 2003) and carried forward and retained into the Wiltshire Core Strategy, which was adopted in January 2015.

Core Policy 2 (Delivery Strategy) states that

“Outside the defined limits of development

Other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25 (of the adopted Wiltshire Core Strategy), development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans”.

The exceptions policies referred to in paragraph 4.25 are as follows:

- Additional employment land (Core Policy 34)
- Military establishments (Core Policy 37)
- Development related to tourism (Core Policies 39 and 40)
- Rural exception sites (Core Policy 44)
- Specialist accommodation provision (Core Policies 46 and 47)
- Supporting rural life (Core Policy 48)

The settlement boundaries are currently being reviewed as part of the Wiltshire Housing Site Allocations DPD, as set out in the council’s Local Development Scheme, to ensure that they are up to date and can adequately reflect changes which have happened since they were first established. The DPD will also identify additional sites to ensure the delivery of housing land across the plan period in order to maintain a five year land supply in each Housing Market Area. A draft Plan was published for consultation between July and September 2017. The current published timetable for the Wiltshire Housing Site Allocations DPD will see the Plan submitted to the Secretary of State for an independent public examination in spring 2018. This application site has not been put forward as an allocation site or for inclusion in the extended settlement boundary for Winterslow.

Officers note the objection comments submitted from the Parish Council who also comment on the site’s non-compliance to the draft neighbourhood plan (NP). The Winterslow NP is at an early stage in its advancement but has undergone local comments and local review. However the NP has not yet been formally screened by the LPA and no date has yet been set for any referendum on the plan. NPs gain material weight as they progress through the process to being Made. The current NP is progressing, but at this stage officers must afford it limited weight.

Notwithstanding, even if this site is not highlighted in a future Neighbourhood Plan, Core Policy 48 is the primary exemptions policy for which the principle of this application will be considered. Proposals for the conversion and re-use of the piggery buildings for employment, tourism, cultural and community uses will be supported where they satisfy the criteria in Core Policy 48. Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the same criteria.

Supporting rural life (Core Policy 48)

Core Policy 48 supports the conversion and re-use of rural buildings for employment, tourism, cultural and community uses where they satisfy the following criteria:

- i. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.*
- ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.*
- iii. The building can be served by adequate access and infrastructure.*
- iv. The site has reasonable access to local services.*
- v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.*

Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.

The following paragraphs address the above matters.

Reuse for residential purposes

CP48 requires the LPA to consider the *re-use* (officer emphasis) of rural buildings for employment, tourism, cultural and community uses. Prior to the submission of this application a pre application enquiry was considered for the B1, B2 and B8 uses. These proposed industrial uses received negative comments from both Public Protection and Wiltshire Council Highways due to the proximity of neighbouring dwellings and the rural road network being unsuitable for larger vehicles.

Officers also note that application S/2004/0843/FUL was refused for the use of the buildings for B1, B2 and B8. As such Officers consider that the primary considerations for uses such as employment are not practical propositions. The alternative uses such as those for community uses, tourism and cultural are also considered being undesirable due to the rural location of the site outside of the settlement boundary and the closest neighbouring settlement of Winterslow is understood to accommodate community facilities, and it is not clear whether there is any need for further community facilities in this location.

Consequently, the use of the buildings for residential would seem to be the only practical use of this site, particularly given that recent prior notification approvals have been granted for the residential use of some of the buildings on the site.

Structural integrity

One of the primary considerations of CP48 is the ability to convert the buildings without major rebuilding. This application proposes to convert a number of the buildings and to demolish a number. Officers are also aware that the Council have allowed the conversion of one of the largest buildings into three residential planning units in line with the Governments prior approval route under Part Q of the GPDO. Under this assessment of Part Q the Council have considered that the agricultural building was structurally sound and capable of conversion. This current application has submitted a Stability Reports for buildings 4, 6 and 7.

<u>Building</u>	<u>Convert or demolish</u>	<u>Proposed use</u>
1	Demolished	
2	Demolished	
3	Part Demolished	Remaining part retained by owner.
4	Converted	5 x 2 bed
5	Demolished	
6	Converted	2 x 2 bed
7	Converted	2 x 3 bed
8	Part Demolished	Remaining part retained by owner.
9	Demolished	
10	Demolished	



The buildings to be converted are considered by officers to be material similar to the buildings related to the PNCOU approval. The stability reports for the buildings provide an opinion that the buildings are capable of conversion without major rebuilding. Officers consider that in light of the approval of the PNCOU buildings that any refusal of the conversion of buildings 4, 6 and 7 (in terms of structural stability) would be difficult to fully justify come any appeal.

Impact on landscape character

Criteria ii of CP48 in part requires the LPA to consider if the use would detract from the character or appearance of the landscape or settlement. Further to the north, south and west are agricultural fields, beyond which to the west is a dense wooded area. On the opposite side of West Dean Road is a dense wooded area and beyond which is further agricultural land. The immediate site is known to be disused for a number of years and the buildings associated with the former piggery have been left dormant with no active agricultural issue. There is a tree belt along the highway which is protected by a TPO.

The site is located within the open countryside and within the designated Special Landscape Area, a local designation for the conservation of the natural beauty of the landscape, where the impact of development upon this should be considered very carefully. Whilst this is not a restrictive designation, in accordance with 'saved' Policy C6 of the SDLP where development is acceptable the siting, design and scale of proposals should be sympathetic with the landscape.

Officers consider that the site cannot be characterised as being previously developed due to the definition excluding agricultural buildings.

Given the remote location of the site in the open countryside, the proposed conversion development may be visible across the adjacent open agricultural land and in views from the wider landscape. As such, it will be necessary for officers to determine whether the application can demonstrate that the proposal will maintain and where possible enhance the quality of views of the site within the Special Landscape Area. With this in mind, it is advised that the soft landscaping and boundary treatment of the development site, both in terms of the retention and protection of existing planting and additional planting as reinforcement, will need careful consideration to minimise any impacts on the site surroundings as a result of the scheme, as will any lighting scheme, to ensure this is not an intrusive feature within the wider landscape.

This application proposes the conversion of the buildings and as such the external appearance of the dwellings will resemble the form of the agricultural buildings. The application has argued that the conversions will not be detrimental to the landscape character due to the design and massing of the buildings being largely maintained albeit a number of the buildings are also proposed to be

removed. The removal of the redundant agricultural buildings is considered to be improvement to the landscape setting but Officers do note that the removal of the buildings could be undertaken without the creation of residential development.

The impact of the residential use of the site is a more crucial judgement. As mentioned, Officers are aware of the prior approval for the creation of three dwelling units to the south of the site. Thus a residential use of a part of the site has already been permitted by virtue of Government direction. The grant of the prior approval application is conditioned upon the demolition of buildings 1 and 2 and this demolition is continued to be proposed within this current scheme. Residential development has thus already crept into the site and the officers are aware that there are neighbouring dwellings both to the north and south of the site. In order to refuse the application the development will have to evidence that the residential use is harmful to the landscape setting. Officers in having to weighing up the balance are minded to consider that the residential use over the remaining site through the conversion and reuse of the agricultural buildings (retaining their form and scale) is not demonstrably harmful to the landscape setting to such a degree where a refusal could be imposed on this element alone.

Officers are also aware that CP48 directs the reader to the NPPF paragraph 55 which sets out the special circumstances where isolated residential development in the countryside is permitted subject to a number of criteria which in part includes where development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting.

It is clear that Government wishes to support residential development and these buildings would fall under this category of being disused and the proposed conversions being a reuse and not a rebuild. The immediate setting is not fully set out within the definitions of the Framework but Officers considered that the exception is in line with criteria ii of CP48. Given the Governments permitted allowances over the conversion of disused buildings together with the aim of the Framework to limit the assessment criteria to the enhancement of an immediate setting, Officers are minded to consider that on balance the scheme has some benefits to the immediate setting through the loss of 7 of the disused rural buildings. The conversions are undertaken in a manner to maintain the external form and character of the buildings and the development will result in the clearing and generally tidying up of the site.

Neighbouring amenity

Criteria ii of CP48 in part requires the LPA to consider if the use would be detrimental to the amenities of residential areas.

With regards to residential amenity it is considered that the proposed development will be separated by the existing buildings immediately to the north and south of the site and sufficiently distanced from the nearby residential properties that it will not have an adverse impact in terms of overlooking, loss of light or overshadowing.

Access to Infrastructure & local services

The site is indeed outside of the settlement boundary and is as such in the countryside. The settlement of Winterslow is a large village as designated by core policy 2 of the Wiltshire Core Strategy (WCS). CP2 comments that outside of defined development limits of development, development will only be permitted unless it complies with other policies of the WCS as set out in paragraph 4.25. One of these exceptions policies referred to is CP48. As such CP2 does allow development as long as it complies with the criteria contained within CP48.

One such criteria is the reasonable access to local services and that the site can be served by adequate access and infrastructure. Large villages are considered by CP1 to have a limited range of employment, services and facilities. Winterslow is defined as a large village and as such there is a WCS recognition of services and facilities. CP48 references reasonable access and it is officers balanced view that the large village is accessible by a short car drive. Wiltshire Council Highways have raised a sustainable objection due to the lack of a pedestrian link and the likely dominant use of the private car. However Officers consider that when having to weighing up the planning balance that the sustainability argument is likely to be difficult to support come any appeal due to the close proximity of the village of Winterslow with its recognised (albeit limited) services and facilities. Also the draft Winterslow NP is promoting 2 sites of up to 15 dwellings within locations which officers consider to be equally separated from the village settlement boundary as is this proposal site.

The site is understood by Officers to have connections to local services such as electricity and water. Wiltshire Council Waste has supported the application subject to conditions to ensure that site will be adequately drained and that foul waste appropriately disposed. Wiltshire Council Drainage has objected to the application due to lack of information over the ability of the site to be drained. However such objections can be met by the imposing of conditions to require full details of the chosen drainage scheme.

Wiltshire Council Waste has commented that *"The council requires an indemnity in order to operate on any roads that are not adopted, including during any period where the council needs to deliver waste collection services prior to adoption."*

Impact on Highway safety

Wiltshire Council Highways have not raised any objection to the current access to the site which was approved under application 13/00523/FUL. The site has onsite parking and officers do not considered that there will be pressure to park on the highway. It is considered that a modest residential reuse of the site may well be preferable to an industrial or commercial reuse.

Wiltshire Council Highways have continued to comment *"I understand that the access has been approved under application 13/00523/FUL therefore the conditions below relate to the internal layout only. The internal layout would not meet the necessary requirements to be acceptable for future adoption and therefore should remain private. However, a regime for future maintenance should be put in place..."*

Impact on Ecology

Wiltshire Council Ecology has raised a holding objection to this application given the concerns over the submitted ecology report. As a result the report has been altered to address the concerns and the scheme has been altered to reduce the number of units to be converted and to ensure that the vegetation along the highway will not be impacted by the proposed development. The updated ecology report has been reviewed by Wiltshire Council Ecology who has suggested that a number of conditions are placed upon any approval. The conditions are considered to be related to the development and relevant and as such the conditions can be imposed upon any planning approval to mitigate against any ecology concerns.

Impact on Trees (TPO)

There is a line of trees along the road which is subject to a TPO. The application scheme has been amended to remove the conversion of one of the units along the road site due to the proximity of these protected trees. Subsequently officers concerns over the harm to the trees have been

mitigated and the Council's Tree Officer has raised no objection subject to the imposing of a condition to control the method of demolition of buildings and hard surfacing materials.

Drainage

Officers note the concerns raised by WC Drainage in terms of lack of details or conflicting information in terms of foul waste disposal. However it is common in such circumstances to secure additional information and details by condition. A refusal on drainage grounds is not considered to be robust given the wide availability of onsite drainage solutions for foul/surface water and the ability to secure appropriate drainage solutions post any approval. Such drainage details will be considered by the WC Drainage team and the condition only granted once the drainage strategy is deemed to be acceptable.

CIL

This development is subject to the Community Infrastructure Levy. Wiltshire Council has adopted a Community Infrastructure Levy (CIL) charging schedule on 18th May 2015. CIL is a charge that local authorities can place on new development in their area. The money generated through CIL will contribute to the funding of infrastructure to support growth. Whoever has assumed liability for the development would be liable to make payment to Wiltshire Council for this type of development subject to the compliance with the exemption criteria.

10. Conclusion (The Planning Balance)

The application site consists of a number of disused agricultural buildings whose last use was that of a piggery. The buildings and the wider site are in a poor state of repair and the Council in the recent past has granted consent for the creation of a new agricultural vehicular access and granted prior notification consent to convert one of the largest of the agricultural buildings into 3 residential dwellings. Also the Council has in the recent past refused an application for the conversion of the units for commercial activities.

This application now seeks to fully demolish 4 of the agricultural building with part demolition of a further 3 and to convert 3 retained buildings into 9 residential market residential units. The conversion will retain the appearance and scale of the agricultural buildings and Officers consider that the residential use will in this instance have little detrimental impact on the character of the wider area.

In considering the application Officers consider that the 3 remaining buildings are capable of conversion and that the only practical proposition in this instance is to allow the 3 retained buildings to be converted thus facilitating the demolition of a larger number of other redundant building and the general tidying up of the site that has laid redundant for an increasing number of years and is likely to remain as such if planning consent is not granted as recommended by officers.

RECOMMENDATION: Approval subject to conditions

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

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

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

DRG No. Site Location Plan	29/08/2017
DRG No. SL01C (Site Layout Plan)	24/10/2017
DRG No. SL02A (Drainage Layout)	24/10/2017

DRG No. P.1-5.pe (Proposed units 1-5)	03/08/2017
DRG No. P.6-7.pe (Proposed units 6-7)	03/08/2017
DRG No. P.8-9.pe (Proposed plots 8-9)	03/08/2017
DRG No. GAR.pe (Garage – plots 5&6)	24/10/2017

Demolition Plan in Page 9, Section 3.0 of the Planning Statement (Southern Planning Practice Ltd) received on 17 November 2017

Ecology Report by Kingfisher Ecology. Ref CFS-021117 and dated 29/11/2017

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

3. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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

4. No part of the development shall be occupied/first brought into use until all the existing buildings on site (as identified for demolition within page.9/section 3.0 of the updated Planning Statement (Southern Planning Practice Ltd) received on 17 November 2017) have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

5. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

7. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

8. 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.

9. No development shall take place on site, including site clearance, storage of materials or other preparatory work, until an Arboricultural Method Statement, has been submitted to the Local Planning Authority and approved in writing, Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area. Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in

Relation to Construction (BS.5837: 2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how demolition (of buildings and hard surfacing) will be carried out without causing root damage to adjacent trees.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

10. No part of the development hereby permitted shall be brought into use until the access, turning area and parking spaces 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.

11. The development hereby approved shall not be first occupied until a scheme for the future maintenance of the roads and other communal areas has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory arrangements for the future maintenance of those areas are in place.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwellinghouses hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

13. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

14. No development shall commence on site until details of the works for the disposal of sewerage including the point of any connection to existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

15. The development hereby approved shall be carried out in strict accordance with the recommendations made in sections 4.4, 5, 7.3 and Appendix A of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017), and with liaison with a suitably qualified and competent ecological consultant. This must include precautionary working methods during site clearance as well as during the construction and operation of the development.

REASON: To ensure adequate protection and mitigation for wildlife including protected species, and to ensure compliance with wildlife legislation and Core Policy 50 of the Wiltshire Core Strategy.

16. There shall be no removal of trees or vegetation along the eastern margin of the application site as this habitat has been stipulated as being retained within the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017). In the event that removal of trees or vegetation within this area is required, this cannot be undertaken without prior written approval from the local planning authority who will require the submission of plans accompanied by details of ecological mitigation measures.

REASON: To ensure retention of habitats likely to be used by wildlife, potentially including protected species.

17. No development shall commence on site until a detailed Ecological Mitigation and Enhancement Strategy has been submitted to, and approved in writing by the local planning authority. The strategy must include:

- i) Details of habitat retention and protection and illustrated on a plan.
- ii) Pre-construction and construction method statements including full details of avoidance and mitigation measures and any pre-commencement checks and surveys required to provide adequate mitigation for wildlife, including protected species. This must include details of the 'destructive search' recommended with respect of B7 in section 7.3 of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017).
- iii) Comprehensive details of ecological enhancement measures recommended in section 5 of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017), including planting to encourage wildlife and bat roosting provision, with specifications and proposed numbers and positions to be shown on accompanying plan(s).

Development shall be carried out in strict accordance with the approved strategy.

REASON: To ensure appropriate protection and mitigation for ecological receptors, including species and habitats, and to provide biodiversity gain in line with NPPF and Core Policy 50 of the Wiltshire Core Strategy.

18. No new external lighting shall be installed at the application site without prior written approval from the Council. Any plans for new lighting must be submitted to the Council for consideration and approval and must include details of mitigation measures to minimise the potential for impacts on roosting bats at the site. Thereafter, new lighting must be installed and operated in strict accordance with the approved lighting plan.

REASON: To ensure appropriate mitigation for roosting bats, and to ensure compliance with wildlife legislation and Core Policy 50 of the Wiltshire Core Strategy.

19. Before development takes place, a lighting plan and design strategy for biodiversity shall be submitted and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for wildlife, especially bats, and that are likely to be sensitive to disturbance as a result of light spill, including commuting/foraging/dispersal routes and;
- b) Illustrate on associated plan(s), the position of proposed luminaires together with lux plot/lighting contour plans so that it can be clearly demonstrated that areas identified as likely used by protected species, notably bats, will not be subject to disturbance as a result of light spill.
- c) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To minimise light spillage and to ensure no illumination of sensitive areas for protected species.

20. Before development takes place, a Landscape and Ecology Management Plan shall be prepared and submitted to the local planning authority for approval. The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the appropriate management of priority habitats and mitigation for protected species.

INFORMATIVE

1. Wiltshire Council Waste Management will require an indemnity signed in order to operate on any roads that are not adopted and Wiltshire Council would need vehicle tracking to prove that Wiltshire Council's Refuse Collection Vehicles can move through the development and turn at the ends of roads.

2. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any [protected species](#), or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's [website](#) for further information on protected species.

3. The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. Should only be removed by a licenced contractor Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

4. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting

place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please visit the following websites for more information:

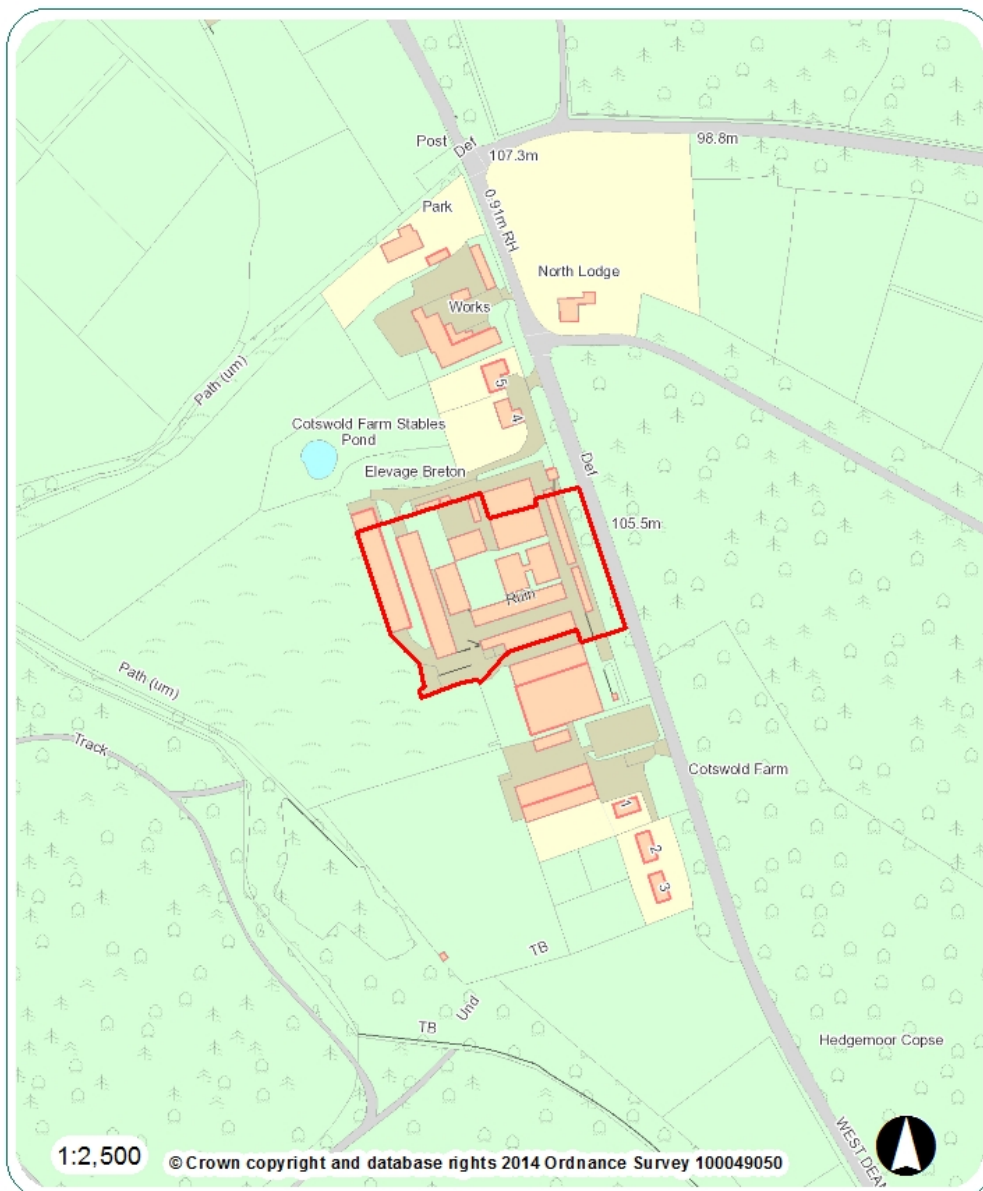
- <http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>
<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

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17/06734/FUL
Former Piggery Buildings at Cotswold Farm
West Dean Road
West Tytherley
Wiltshire
SP5 1QA



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	14 December 2017
Application Number	17/04001/OUT
Site Address	Land off Firs Road Alderbury Wiltshire
Proposal	Outline application for residential development of up to 50 dwellings, associated parking and access (off of Firs Road) , open space and infrastructure; relocated guide hut, new pre-school building and land to extend existing primary school playing fields
Applicant	Longford Estates (Mr A Jones-Perrott)
Town/Parish Council	ALDERBURY
Electoral Division	ALDERBURY AND WHITEPARISH – Cllr R Britton
Grid Ref	419366 127210
Type of application	Full Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

The application has been called to the Southern Area Planning Committee by Cllr Britton due to the scale of development, environmental and Highway impacts and the location of the application site being outside of the defined limits of development for the settlement.

1. Purpose of Report

The purpose of the report is to consider whether the benefits of the proposed development can be considered to constitute *material considerations* which outweigh the normal planning policy context (as set out in detail within the Committee report), sufficient that the application should be approved, subject to Conditions and to the landowner entering into a S.106 legal agreement, as set out at the conclusion of this report.

2. Report Summary

The main issues in the consideration of this application are as follows:

1. Principle of the proposed development;
2. Suitability of the proposed access and other highways considerations;
3. Impact upon residential amenity and the character and appearance of the area;
4. Ecological and environmental impacts;
5. Impact on infrastructure made necessary by the development - recreational open space, education, and waste & recycling facilities.

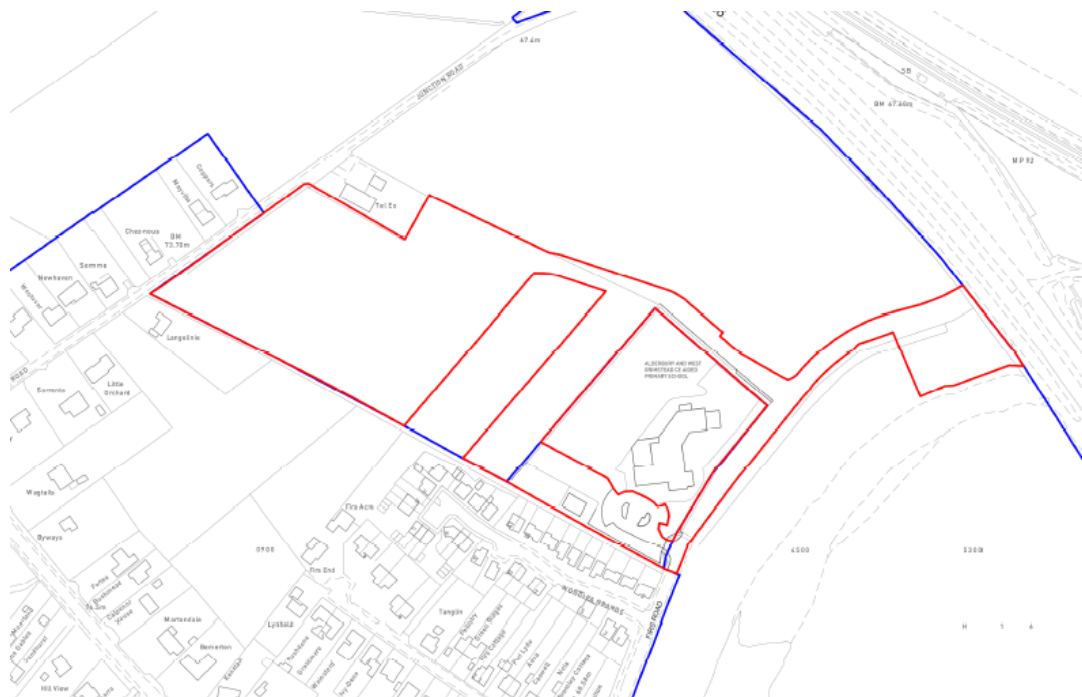
The application has generated a total of 19 representations from the interested parties, as follows:

- 8 representations in support of the proposed development
- 2 representations offering comments but were neither for nor against the proposal
- 9 representations objecting on grounds including -
 - I. Highway safety and traffic generation
 - II. Impact on school capacity
 - III. Loss of outdoor amenity space
 - IV. Poor drainage within the site
 - V. Development outside of housing policy boundary

Alderbury Parish Council does not support the proposal on grounds that the site of the proposed development is outside of the defined limits of development, and concerns in respect of the generation of additional levels of traffic along Firs Road and the A36.

3. Site Description

The principal application site consists of approximately 2 hectares land that is located to the east of the village of Alderbury, at the far end of Firs Road and Junction Road. Junction Road borders the site to the north, with residential dwellings and fields beyond. The northeast corner of the site abuts a telephone exchange building and is separated by a chain-link fence. To the east an open field borders the site which is understood to be subject to a lease to Alderbury Football Club to facilitate their relocation from the application site. To the southeast the site is bordered by Alderbury & West Grimstead CE VA Primary School, separated by a tree-lined hedge. To the southwest the site is bordered by residential gardens associated with a housing development, and woodland. Along this edge there is a public footpath linking Junction Road to Firs Road.



Application site outlined in red



Access to the proposed site is via Firs Road.

4. Planning History

S/1990/0274	ERECTION OF NEW PRIMARY SCHOOL TO REPLACE EXISTING ALDERBURY AND WEST GRIMSTEAD SCHOOLS. CONSTRUCTION AND ALTERATION OF ACCESS INCLUDING IMPROVEMENT TO FIRS ROAD
S/2009/0583	NEW CANOPIES TO CLASSROOMS 1 AND 2 ON THE WEST ELEVATION OF THE SCHOOL
S/2007/0585	PROPOSED PRE-SCHOOL BUILDING
S/1999/0735	SINGLE STOREY EXTENSION (NEW CLASSROOM)
S/2002/0760	SINGLE STOREY EXTENSION TO OFFICE AND STAFF ROOM
S/2009/0759	AGRICULTURAL FIELD TO BE CONVERTED INTO TARMAC PLAYGROUND WITH CHAINLINK FENCING AT PERIMETER
S/1994/1056	ERECTION OF SECTIONAL BUILDING (TIMBER) FOR USE AS GIRL GUIDE HUT
S/1993/1312	CHANGE OF USE OF LAND FROM AGRICULTURAL TO ADDITIONAL PLAYING FIELD AREA AND ERECTION OF GIRL GUIDE HUT/SPORTS PAVILION
S/1997/1493	Extension to form a CDT teaching area
S/2008/1659	CHANGE OF USE. AGRICULTURAL LAND BEING CHANGED TO FOOTBALL PLAYING FIELDS, FOR ALDERBURY FOOTBALL CLUB
S/2007/2420	EXTENSION TO FORM CLASSROOM

S/2006/2662	PROPOSED PRE SCHOOL BUILDING
S/2013/0264	Vary Condition 2 of approved application S/2011/0029 (proposed change of use of land for recreational purposes, erection of a new sports club pavilion, proposed access, parking and associated drainage works) to amend the design of the sports pavilion
13/06309/FUL	Erection of 11 x 10 metre high floodlights to existing training pitch
2013/0028	Semi-permanent floodlights

5. The Proposal

The application proposes a residential development of up to 50 dwellings, associated parking, open space and infrastructure; relocated guide hut, new preschool building and land to extend existing primary school playing fields.



Indicative Master Plan

The application is for outline planning consent with all matters (save for access) reserved.

6. Local Planning Policy

Wiltshire Core Strategy Core Policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) CP24 (Spatial Strategy – Southern Wiltshire Community Area), CP34 (Additional Employment Land), CP43 (Providing Affordable Homes), CP45 (Meeting Wiltshire’s Housing Needs), CP50 (Biodiversity and Geodiversity), CP57 (Ensuring high Quality Design and

Place Shaping), CP58 (Ensuring the Conservation of the Historic Environment) & CP64 (Demand Management)

Saved SDLP Policy R5 (Protection of Existing Outdoor Facilities)

NPPF & NPPG

7. Summary of consultation responses

Alderbury Parish Council – Object on grounds of site outside of settlement boundary and additional levels of traffic likely to be generated

WC Housing officer – Requirement for agreed level of on-site affordable housing provision

Public Art officer – Comments and advice provided

Crime Prevention – Concerns re surveillance of certain parking area(s)

WC Rights of Way officer – No response received

Highways England – No objection

WC Public protection – No objection, subject to Conditions

WC Highways – No Highway objection in principle, access is acceptable

WC Ecologist – No response received

WC Drainage – Comments and concerns received

WC Urban Designer – No response received

WC Education – A financial contribution of £233,160.00 for secondary education places will be required by way of S.106 legal agreement

WC Archaeology – No objection, subject to Condition(s)

WC Open space/adoptions – No response received

Wessex Water – No objection, standard letter of advice

WC Landscape officer – No response received

WC Tree officer – No response received

WC Spatial planning team – Policy advice provided

WC Conservation officer – No objection

WC Waste Management – Support, subject to Conditions and subject to the landowner entering into a S.106 legal agreement to make a one-off financial contribution of £4,550.00 in respect of the provision of containers for waste and recycling.

Environment Agency – No comments (the application falls outside of the Environment Agency's consultation criteria)

8. Publicity

The application was advertised by site/press notices and neighbour consultation letters.

The application has generated a total of 19 representations from the interested parties, as follows:

- 8 representations in support of the proposed development
- 2 representations offering comments but were neither for nor against the proposal
- 9 representations objecting on grounds including -
 - I. Highway safety and traffic generation
 - II. Impact on school capacity
 - III. Loss of outdoor amenity space
 - IV. Poor drainage within the site
 - V. Development outside of housing policy boundary

Alderbury Parish Council does not support the proposal on grounds that the site of the proposed development is outside of the defined limits of development, and concerns in respect of the generation of additional levels of traffic along Firs Road and the A36.

9. Planning Considerations

9.1 Principle of the proposed development

Policy principles -

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. According to the NPPF proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

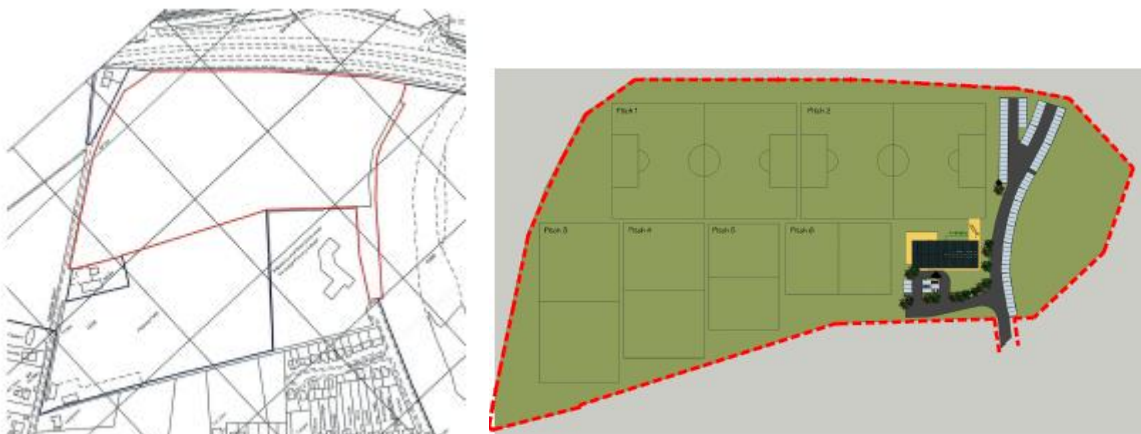
South Wiltshire benefits from an up-to-date development plan through the adopted Wiltshire Core Strategy (WCS). The WCS provides a hierarchy of settlements in Policy CP1 covering the entire county. At the top are the Principal Settlements (the primary focus for development), then the Market Towns (with potential for significant development to help sustain and enhance services and facilities and promote better levels of self-containment), the Local Service Centres (modest levels of development to safeguard their role), Large Villages (growth proportionate to their size, character and environment), and Small Villages (infill and exceptions development only). Below the Small Villages are 'other' settlements and the countryside which are unsustainable locations where new development is unlikely. In line with the hierarchy of settlements, Policy CP2 of the WCS sets out a Delivery Strategy. This defines the quantity of new development 'needed' in the county during the life of the

core strategy, and how it will be distributed in terms of the Settlement Strategy. The Delivery Strategy states that 42,000 homes will be delivered across the county during the life of the WCS, with 10,420 of these in the South Wiltshire Housing Management Area (HMA). The specific distribution is set out in the Community Area Strategies elsewhere within the core strategy. Policy CP2 states that "... sites for development in line with the Area Strategies will be identified through subsequent Site Allocations DPDs and by supporting communities to identify sites through neighbourhood planning". More particularly it states that within the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages there is a presumption in favour of sustainable development, but outside the defined limits of development, new development will not be permitted, and that the limits of development will only be altered through the identification of sites through subsequent site allocations and neighbourhood plans.

Wiltshire Council currently has 5.69 years of housing land supply (as of November 2017).

Previously approved application S/2013/0264

Planning permission was previously granted (initially under planning reference S/2008/1659) for the change of use of agricultural land to the north of the school and playing fields, to recreational purposes, the erection of a new sports club pavilion, proposed access, parking and associated drainage works.



Development as approved under planning reference S/2013/0264

In granting planning consent for the change of use of the larger area of land to the north of the existing playing fields, it is considered that the subsequent change of use (loss) of the existing playing fields as an existing outdoor facility can be considered acceptable and accordant with criterion (ii) of saved local plan policy R5 (as follows), subject to a suitable mechanism to ensure the timely delivery of the new playing fields and facilities:

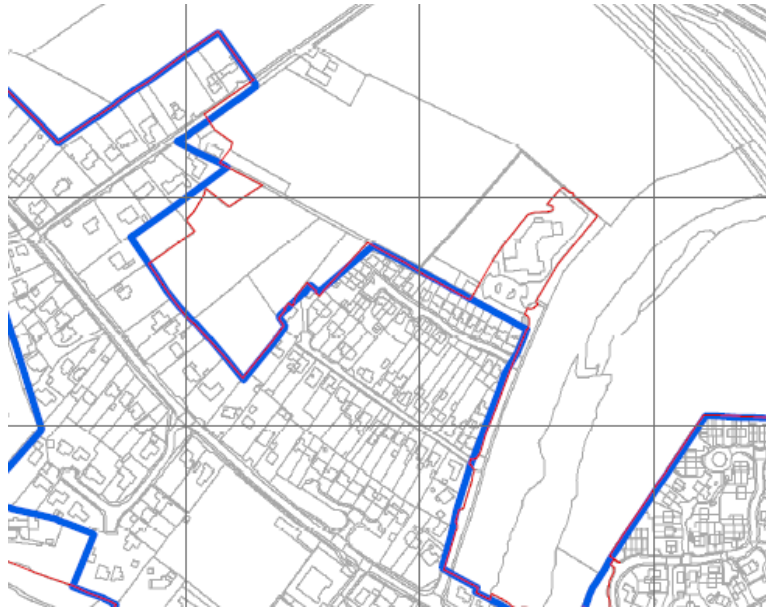
R5 Development which would lead to the loss of public or private sports fields, other recreational open space, or school playing fields, will not be permitted unless:

- (i) sports and recreation facilities can be best retained and enhanced through the redevelopment of a small part of the site; or**
- (ii) alternative equivalent provision is made available in the locality; or**
- (iii) there is an excess of sports pitch provision and public open space in the area, taking account of the recreation and amenity value of such provision.**

The planning consent granted under planning reference S/2013/0264 has been commenced on site by the creation of the new access to the site.

The current application

The application relates to a site located adjacent to but outside the 'Large Village' boundary for Alderbury:



Defined limits of development defined by blue line (WCS CP24 refers)

The Delivery Strategy set out in Policy CP2 of the WCS specifically states that outside the defined limits of development new development will not be permitted. So, in pure policy terms, and as a matter of principle, the proposal is unacceptable. By being outside of the defined limits, the proposal conflicts with the sustainable development principles of the Settlement and Delivery Strategies of the WCS. At face value it therefore comprises unsustainable development and, as such, is unacceptable in terms of the Core Strategy and the NPPF.

The explanatory notes accompanying Policy CP1 of the WCS state that at Large Villages development will predominantly take the form of small housing and employment sites within the settlement boundaries. Small housing sites are defined as sites involving less than 10 dwellings. Notwithstanding that this site lies outside of the defined boundary for Alderbury, its scale (being up to 50 dwellings) is significantly above what the Strategy envisages. Development at a scale significantly above that envisaged would not be sustainable having regard to the limited range of employment, services and facilities these villages offer and the scale of change anticipated by the Area Strategy.

However, the NPPF states that planning applications should be determined in accordance with the development plan unless *material considerations* indicate otherwise. In this case there are material considerations which officers consider *may* act to counterbalance the normal policy presumption against unacceptable unsustainable development – these are considered further below.

The core strategy includes exception policies under which development may be acceptable outside of the settlement strategy – for example, sites which would deliver a high percentage of affordable units. However, none of the exceptions policies apply in this case.

Financial Viability for Affordable Housing Provision

The financial viability of the proposal has been independently assessed and the development would not be financially viable if the full 40% affordable housing provision (in accordance with the requirements of CP45) were to be made. The assessment has found that 18% affordable housing provision (equating to 9 units) is the maximum achievable level of affordable housing provision for the proposed development. The reduced figure of 18% has been agreed and accepted by Wiltshire Council for this development.

Other material considerations

As set out earlier in the report, planning legislation states that planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case the proposal includes the following elements which can be considered to constitute 'material considerations' to be considered in the balance.

- (i) The provision of 18% affordable housing – equating to 9 affordable units
- (ii) The provision of a replacement guide hut with dedicated parking
- (iii) The provision of a new, larger pre-school building
- (iv) The transfer (gifting) of approximately 3000 square metres of land to provide an extension to the primary school playing field and/or future expansion of the primary school
- (v) Providing a source of new pupils for the primary school, which is currently under-subscribed
- (vi) Providing a new/improved drop-off arrangement/facility for the primary school
- (vii) Removing AFC and guide hut related traffic from Junction Road
- (viii) Facilitating the new AFC development through the delivery of funds released from the sale of the application site

It is recognised the above are benefits which would bring significant improvements to the settlement in terms of the provision of additional affordable housing, bringing forward/facilitating the new sports pitches and pavilion to the north, providing a new guide hut with dedicated parking in an improved, central location (removing the need to access the existing hut via Junction Road), providing a new, larger pre-school building (the existing pre-school being over-subscribed) and providing a source of new pupils for the primary school which is currently under-subscribed. A new/improved drop off facility for pupils of the primary school, and the gifting of a significant area of land adjoining the western boundary of the school for additional playing fields and/or for future school expansion.

Of note is the position of Mr P Beveridge, (former) headteacher of Alderbury and West Grimstead CE VA Primary, who has provided the following written comments:

“As headteacher (and representative of the governors) we would like to state that it is unlikely that the proposals will create further traffic given the proximity of the development to the school. In fact, this development has potential to alleviate long standing issues with parking and congestion in Firs Rd and Woodlea Grange as alternative parking and access to the school could be developed within these plans around the football club/guide hut provision. Also, the school does have ample capacity to accommodate further children, currently 30+ places. We welcome discussion between the Longford Estate and ourselves with regards to their support to enable the expansion of our school playing fields and provision/installation of security fencing on the perimeter of the school site. On this basis AWG Primary School has no objection to the development submitted in this application”. It is clear the benefits brought by the proposed development, as set out above, should be carefully considered and assessed to determine whether they act to outweigh the normal planning policy presumption against development outside of the settlement strategy.

It is the opinion of officers that the benefits brought by the proposed development, taken together with the effectively central location of the application site within the settlement (albeit not within the defined settlement boundary, but adjoining), in this case act significantly to counterbalance the normal planning policy position and, on balance, can be considered a material planning consideration sufficient for officers to invite Members of the Southern Area Planning Committee to consider whether the proposed development should be approved, subject to Conditions and to the landowner entering into a S.106 legal agreement, as set out at the conclusion of this report.

Highways/access considerations

The application is for outline planning consent will all matters reserved, save for access. The Highways Agency raises no objection to the proposal. The Wiltshire Council Highways officer raises no objection to the proposed access to the site, subject to further details to be provided at Reserved Matters stage, and comments:

“Firs Road currently serves a number of residential properties and a primary school at its northern end. It is acknowledged that there are parking issues at both ends of the school day with parking occurring on the public highway. These issues should be alleviated to a certain extent by the proposed parking adjacent to the sports pitches.”

In Highways terms, the proposed development at outline stage is considered to be acceptable in terms of Highway safety and general highways and access considerations.

Impact upon residential amenities and the character and appearance of the area

The application is outline, with all matters reserved save for access. The final design and layout of the development would be considered in detail and on its merits at a later (reserved matters) stage in the event of planning permission being granted.

However, by reason of the location of the site, the existence of a degree of existing screening and the proximity and general relationship of the application site to the closest neighbouring dwellings and uses, it is considered the proposal should not necessarily result

in undue impacts on local amenity or adversely affect the existing character of the surrounding or wider landscape.

Ecological and environmental impacts

Whilst the application is outline, with all matters reserved save for access, the District Ecologist has raised no objection to the proposed development.

Archaeological and other Heritage considerations

The Assistant County Archaeologist has assessed the proposal and raises no objection subject to Conditions.

The conservation officer has assessed the proposal and does not raise any objection. It is therefore considered the proposed development would not be detrimental in terms of heritage or archaeological interests.

10. S106 contributions

The applicants have indicated they will be content to enter into a legal agreement with the Council to make relevant financial contributions in respect of education contribution and a contribution towards waste and recycling facilities in accordance with the requirements of local plan policies. Additionally required as part of a S.106 legal agreement between the landowner and the Council will be:

- I. Arrangements for the transfer of the land for the primary school playing field extension
- II. Arrangements for the completion/release of affordable housing units
- III. Arrangements for the completion/transfer of the replacement guide hut and providing the associated car parking
- IV. Arrangements for the completion/transfer of the proposed pre school building
- V. Arrangements in respect of the provision and ongoing management of Public Open Space/play areas

11. Conclusion

It is the opinion of officers that the benefits brought by the proposed development, taken together with the effectively central location of the application site within the settlement (albeit not within the defined settlement boundary, but adjoining), in this case act significantly to counterbalance the normal planning policy position and, on balance, can be considered a material planning consideration sufficient for officers to invite Members of the Southern Area Planning Committee to consider whether the proposed development should be approved, subject to Conditions and to the landowner entering into a S.106 legal agreement, as set out at the conclusion of this report.

RECOMMENDATION

APPROVE, Subject to the landowner entering into a S.106 legal agreement with the Council addressing the following heads of terms:

- VI. A financial contribution of £233,160.00 towards Secondary Education places
- VII. A financial contribution of £4,550.00 towards waste and recycling equipment
- VIII. Arrangements for the transfer of the land for the primary school playing field extension
- IX. Arrangements for the completion/release of affordable housing units
- X. Arrangements for the completion/transfer of the replacement guide hut and providing the associated car parking
- XI. Arrangements for the completion/transfer of the proposed pre school building
- XII. Arrangements in respect of the provision and ongoing management of Public Open Space/play areas

And subject to the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 4 No more than 25 market dwellings comprised in the proposed development hereby permitted shall be occupied before construction works to provide the new pre school building and the new guide hut building and associated parking are completed and made available for their intended uses.

REASON: To secure the programming and phasing of, and an orderly pattern to the development.

- 5 No building on any part of the development hereby permitted shall exceed 2.5 storeys in height.

REASON: In the interests of amenity having regard to the characteristics of the site and surrounding development.

- 6 No development shall commence on site until details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 7 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).

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

- 8 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.

- 9 No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; 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.

REASON: To ensure a satisfactory landscaped setting for the development.

- 10 No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work). If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority. No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 11 No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

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

- 12 No development shall commence on site until provision has been for open space, amenity areas and play areas in accordance with details to be approved in writing by the local planning authority (prior to the commencement of development).

REASON: To ensure a satisfactory provision of recreational and other open space throughout the development in the interests of the amenity of future residents.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no vehicular access shall be made direct from the site to or from Junction Road.

REASON: In the interests of highway safety.

- 14 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the area of the site and the proposed building referred to as the Guide Hut shall be used solely for purposes within Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: To prevent a change of use of the proposed Guide Hut to an alternative use that would not provide a service to the local community

- 16 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from access/driveways), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

- 17 No development shall commence within the area indicated (proposed development site) until:

* A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

* The approved programme of archaeological work has been carried out in accordance with the approved details.

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

- 18 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In the interests of neighbouring amenities

- 19 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

(a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

(b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

(c) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

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

- 20 The development hereby approved be implemented in accordance with section 7 of the submitted Ecological Assessment (Ecology Solutions Ltd, April 2015). All documents submitted for reserved matters applications should demonstrate how the recommendations of the above report will be implemented in so far as it is relevant to the document in question.

Reason: To ensure adequate mitigation in respect of protected species and nature conservation interests.

- 21 No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

Reason: In the interests of amenity

- 22 No development shall commence on site until a construction management plan has been submitted to, and approved in writing by, the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

The movement of construction vehicles;
The cutting or other processing of building materials on site;
Wheel washing and vehicle wash down facilities;
The transportation and storage of waste and building materials;
The recycling of waste materials (if any)
The loading and unloading of equipment and materials

The location and use of generators and temporary site accommodation
Pile driving (If it is to be within 200m of residential properties)

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

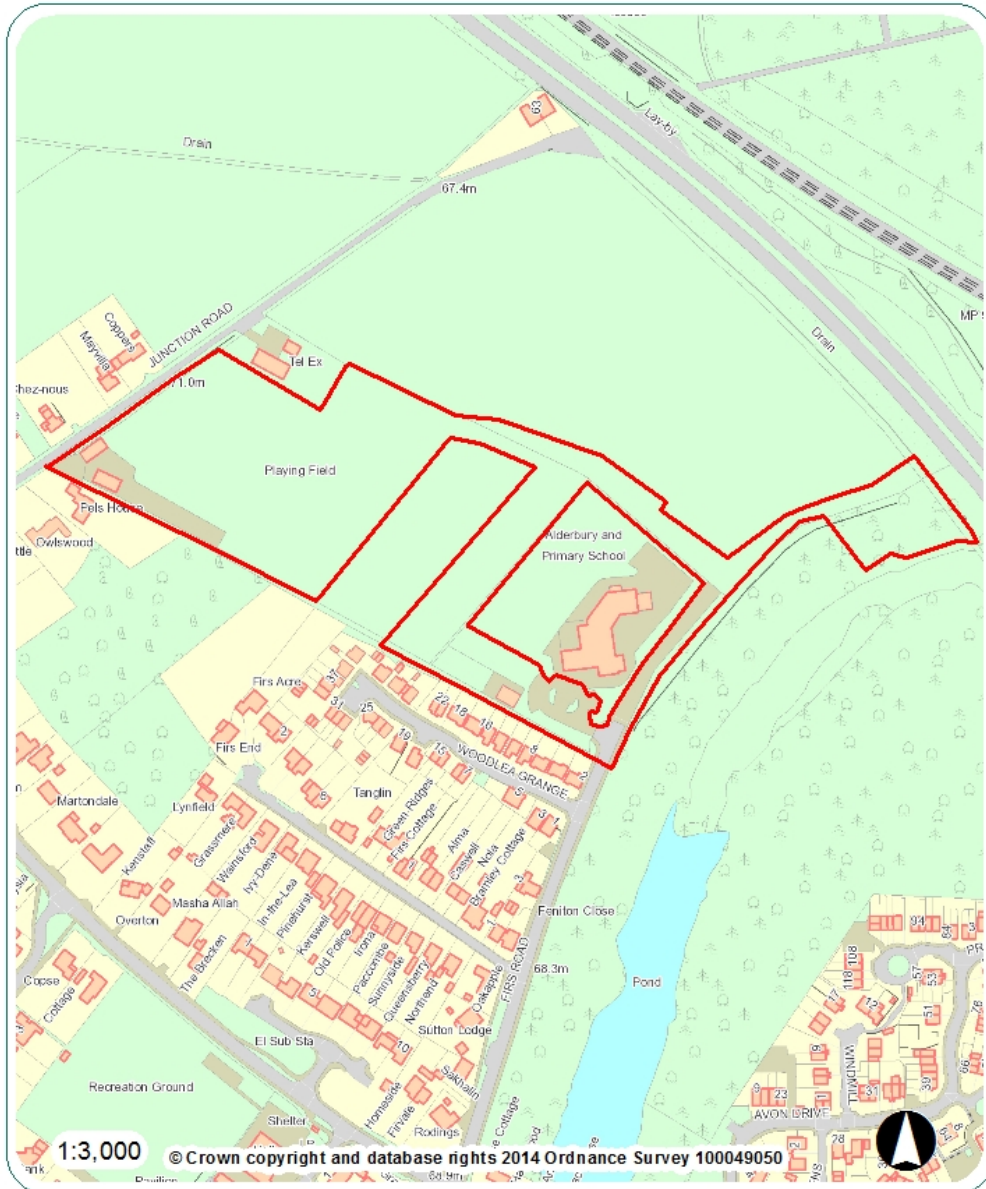
Reason: In the interests of amenity

23. No development shall commence on site until a scheme for protecting the future occupants against noise from road traffic noise has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full before the use commences and maintained at all times thereafter.

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 (or subsequent version) and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.

Reason: In the interests of amenity

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