

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

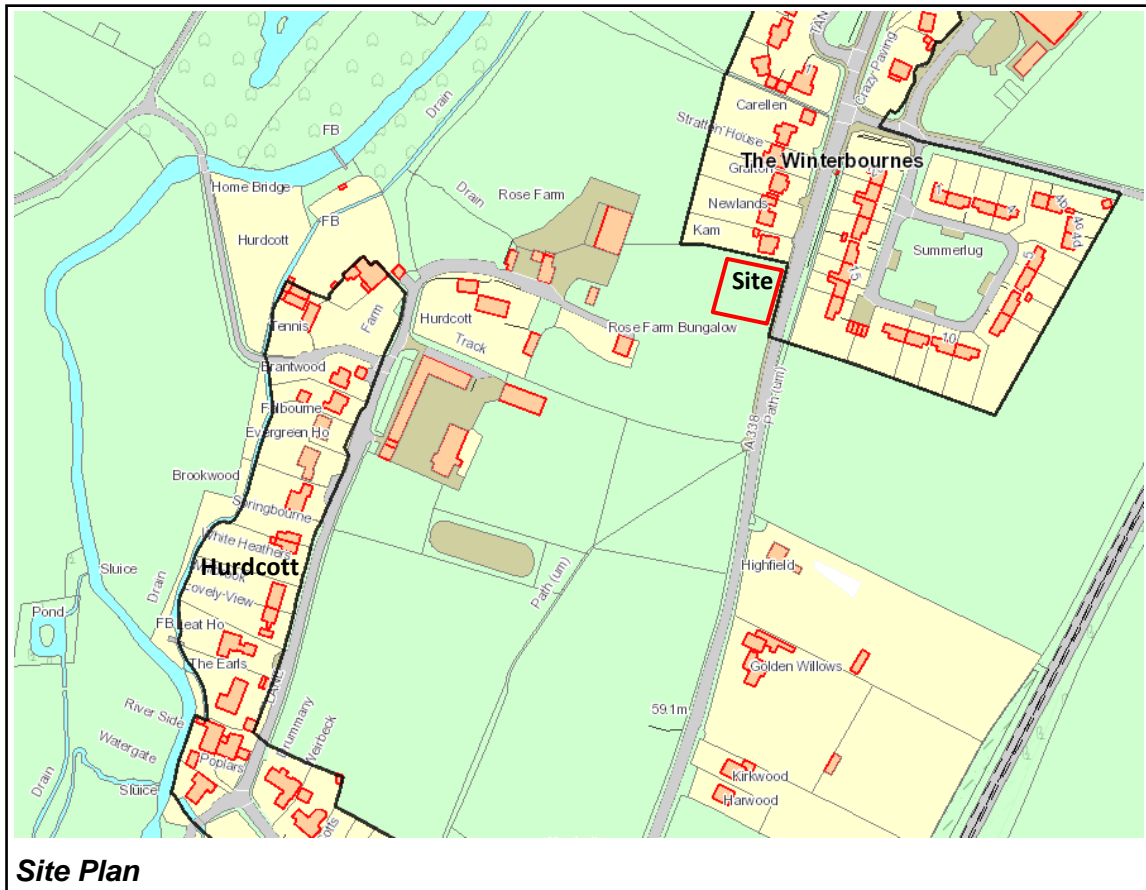
The main issues which are considered to be material in the determination of this application are listed below:

- 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**

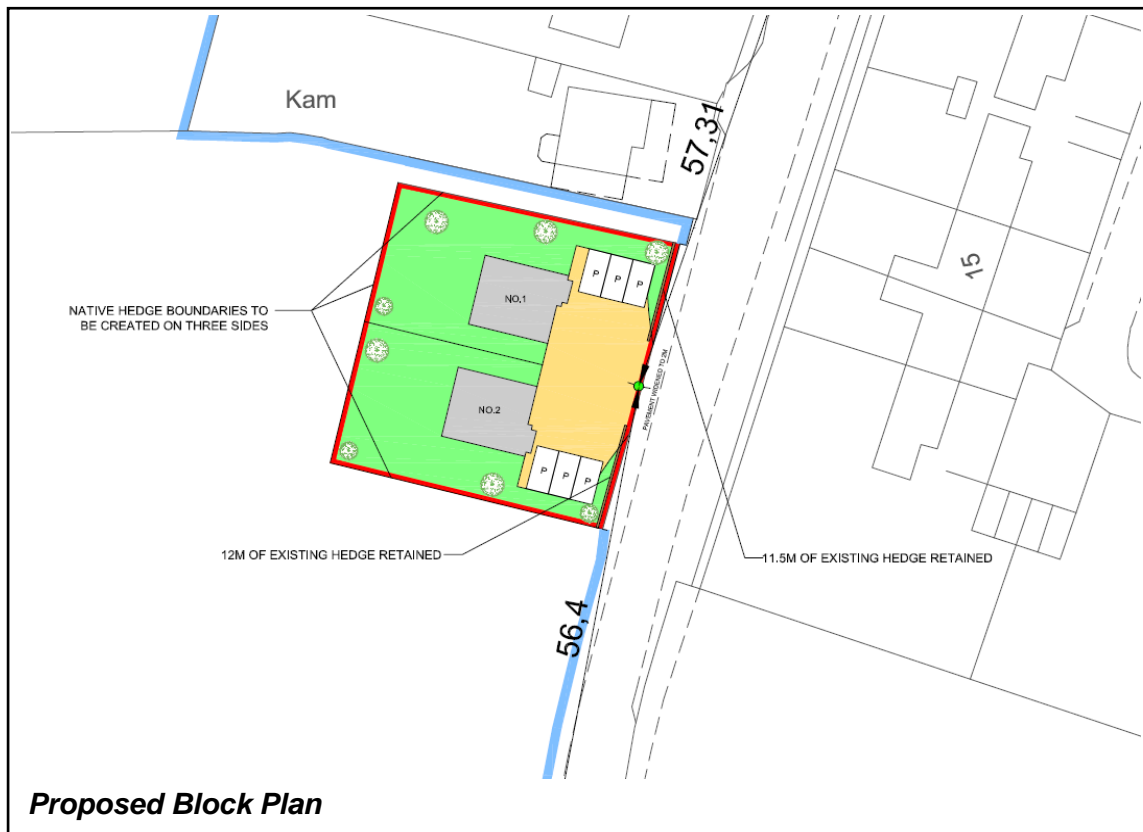
Application Ref	Proposal	Decision
15/07076/OUT	Erection of 2 x four bedroom detached dwellings.	Withdrawn
15/09990/OUT	Outline application for the erection of 2 x four bedroom detached houses with all matters reserved.	Refused – 21.12.2015

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

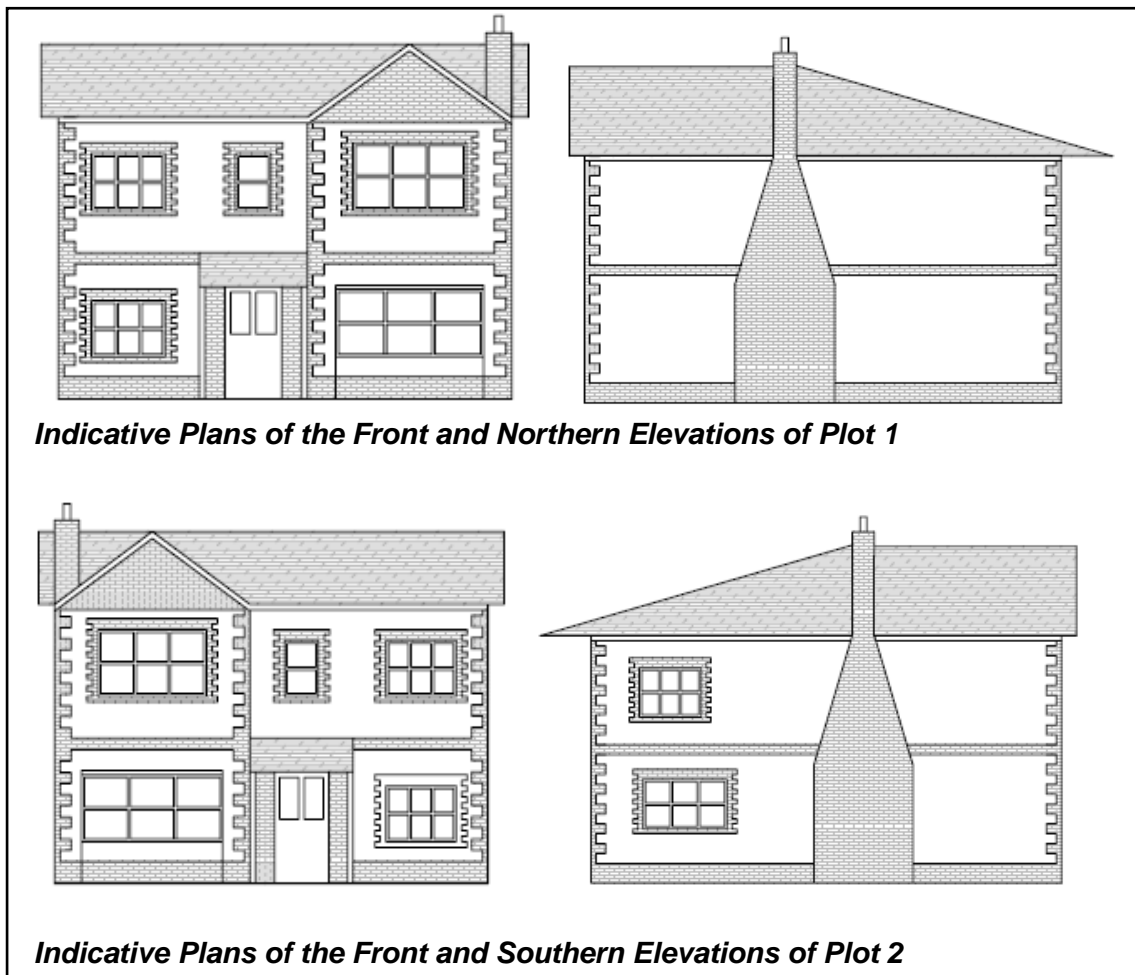
1. *The creation of new dwellings in this location outside of the defined settlement boundaries, without a proven agricultural or affordable housing need, would be contrary to the key sustainability aims of Local and National Planning Policy. The development would therefore be contrary to Wiltshire Core 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:

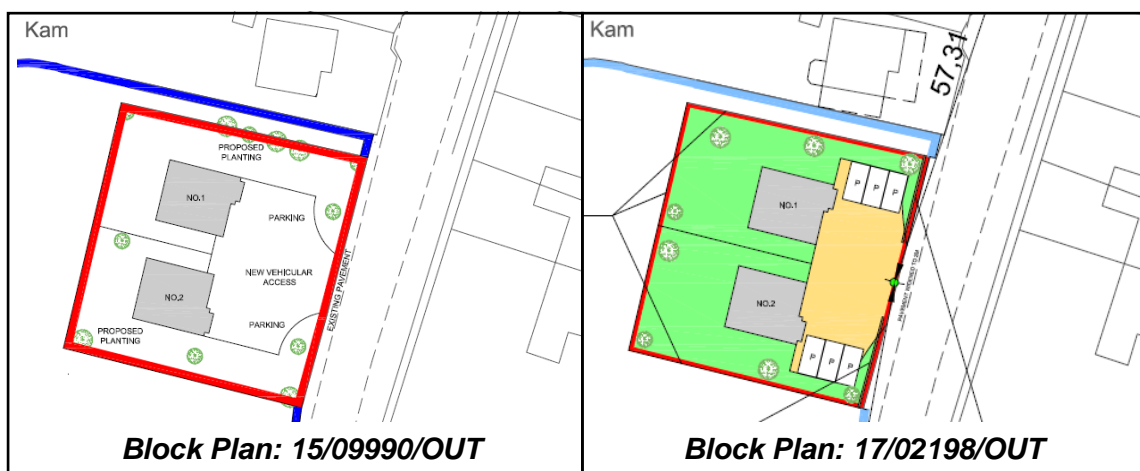
Furthermore, and as concluded by a number of recent appeal decisions, the Council is currently able to demonstrate 5.69 years of housing land supply in this part of Wiltshire, which thus satisfies the requirements of the NPPF. It is therefore considered that there is no demonstrable, pressing housing 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.**