

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 19 October 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.

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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 - 24*)

To approve and sign as a correct record the minutes of the meeting held on 24 August 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 12 October**, 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 16 October**. 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 25 - 26*)

To receive details of completed and pending appeals and other updates as appropriate for the period of 11/08/2017 to 06/10/2017.

7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

7a **17/06469/FUL - Land adjacent to allotments, Down Barn Road, Winterbourne Gunner, SP4 6JN** (*Pages 27 - 46*)

Construction of one detached dwelling with disabled annexe, including work space for lifelong living and outside space for supported horticultural activities

7b **17/06148/VAR & 17/06159/LBC - The Crown Inn, Church Street, Tisbury, SP3 6NH** (*Pages 47 - 56*)

Variation of Condition 2 of 15/04530/FUL and 15/04698/LBC relating to approved plans

7c **17/07765/VAR - Shaftesbury Drove, Harnham, SP2 8QH** (*Pages 57 - 64*)

Variation of Condition 2 of 13/05402/FUL relating to approved plans.

7d **17/05583/DP3 - The Stonehenge School, Antrobus Road, Amesbury, SP4 7ND** (*Pages 65 - 88*)

Two phase expansion of Stonehenge School: Phase 1 - new building, additional parking spaces, covered canopy link between existing Upper School and new

building, fencing and resurfacing to provide all-weather training facility, separate small fenced games court, and associated landscaping. Phase 2 - new building, demolition of Lower School building and creation of new playing field and car park, improvements to Lower School car park, and associated landscaping

7e **17/04897/FUL - 92a Queen Alexandra Road, Salisbury, SP2 9LB**
(Pages 89 - 110)

Demolish existing & erect two No.3 bed houses & two No.2 bed bungalows with parking

7f **17/07475/FUL - Caddens, Lower Road, Homington, SP5 4NG**
(Pages 111 - 120)

Extensions, alterations and construction of replacement garage

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 24 AUGUST 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 Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale and Cllr Trevor Carbin (Substitute)

Also Present:

Cllr Atiqul Hoque

193 **Apologies**

Apologies for absence were received from:

- Cllr Bran Dalton, who was substituted by Cllr Trevor Carbin

194 **Minutes of the Previous Meeting**

The minutes of the last meeting held on 29 June 2017, were presented.

Resolved:

To approve as a correct record and sign the minutes.

195 **Declarations of Interest**

In relation to application 17/03957/FUL - Cllr Richard Britton noted for openness, that he had a historic connection to the current building, as he had been the Assistant General Manager of UK Provident when the building had been built over 30 years ago. As this did not constitute an Interest, he took part in the discussion and vote on the application.

196 **Chairman's Announcements**

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

197 **Public Participation**

The committee noted the rules on public participation.

198 **Planning Appeals and Updates**

The Committee received details of the appeal decisions for the period 16/06/17 to 11/08/17 as detailed in the agenda.

Resolved

That the appeals update for 16/06/17 – 11/08/17 be noted.

Questions

Cllr Green asked for clarity on what steps would now be taken following the outcome of the retrospective application 16/03437/FUL in Fonthill Gifford.

Answer: The Enforcement Officer would write to the offender advising of the need to comply with the original planning consent and give them a period of time to do so within. If they did not comply with it enforcement action would then be taken.

199 **Planning Applications**

200 **17/01402/FUL: 79 Southampton Road, Clarendon**

Public Speakers

Louise Cooper spoke in support of the application

Joanna Rees-Bains spoke in support of the application

The Senior Planning Officer, Warren Simmons introduced the report, which recommended that the application for the replacement of existing structures be approved subject to conditions as listed in the report.

Attention was drawn to the confidential correspondence circulated to Members prior to the meeting and the site visit that had taken place earlier that day.

The site was recognised as a Gypsy and Traveller (G&T) site of 2.6 hectares which was extensively screened by mature trees. Material considerations to be considered were supported by the confidential medical documents.

Members of the Committee then had the opportunity to ask technical questions of the Officer. It was clarified that the Enforcement Team had confirmed there were no outstanding on this site.

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

The Unitary Division Member, Cllr Chris Devine then spoke in support of the application, noting that he had originally called in the application, prior to the last Committee meeting, where it had been for consideration as the Officers recommendation then had been for refusal. Further information was needed which is why it was deferred. The application had now come back with an

Officer's recommendation of approval. He added that all the surrounding neighbours were in support of the application.

Cllr Devine then moved Officer's recommendation of Approval subject to the conditions as detailed in the report. This was seconded by Cllr McLennan.

A debate followed where key issues raised included, that this site was well kept and maintained by the applicants.

A detailed explanation of medical concerns had been provided, along with two letters of support from doctors which addressed the relevant medical issues, including specific references to the intended occupier of the bungalow.

The site had been occupied for over 60 years. One of the conditions applied to the recommendation included the restriction of occupancy of the bungalow to those with G&T origin. This would restrict who could live in the bungalow in the future.

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

Resolved

That planning permission be approved in line with Officer's recommendation, with the following 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:**

**Drawing number DJB/SW/01 (undated), as deposited with the local planning authority on 21.04.17, and
Drawing number 70383297-69608 (dated Jan 2017), as deposited with the local planning authority on 14.03.17, and
Drawing reference 'Proposed bungalow' (floorplans and elevations) (undated), as deposited with the local planning authority on 21.04.17.**

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

- 3. 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-E**

(inclusive) shall take place on the dwellinghouse hereby permitted or within the 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.

- 4. The development for which planning consent is hereby granted shall not be permanently occupied by persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites (DCLG, 2012).**

REASON: Planning permission has only been granted on the basis of the intended occupiers' specific and demonstrated personal medical and family circumstances. It is considered thereby that the normal planning policy requirements (which would otherwise lead to a refusal of the proposed development) should not apply in this case. Should the approved development (at a future time) be no longer needed for the intended occupier(s), the accommodation should remain available to provide accommodation to meet the need for accommodation for gypsies and travellers to avoid a net loss of such accommodation in the local area.

201 **17/03957/FUL: UK House Complex including 79 and 89 Endless Street, Salisbury**

Public Speakers

Mr Venner spoke in objection of the application
Mr Mike Lennard spoke to raise some points
Mrs Barbara Barbour spoke in support of the application
Mr Gian Bendinelli spoke in support of the application
Cllr Jeremy Nettle of Salisbury City Council spoke in support of the application

The Head of Development Management, Mike Wilmott introduced the report, which recommended that the application for the retention & conversion of Belle Vue House to dwelling with self-contained flat. Demolition of all other buildings and erection of: 3 houses & 2 apartments with associated car parking; 24 retirement apartments with communal facilities & car parking; assisted living/extra care accommodation for older people with communal facilities & car parking. Vehicular access to all parts of proposed development via Endless St be approved subject to conditions as detailed in the report.

Attention was drawn to the late correspondence circulated at the meeting.

The development would see the existing structure built 30 years ago, returned to a residential use of the listed building Bellevue house.

The development would be 3.5m lower overall than the previous building, and included 56 off street parking spaces.

The Clubhouse would be demolished. There had been no objections from Highways, as a substantial amount of parking would be provided.

Approval of the development would be subject to the prior completion of a 106 agreement. All accommodation provided within the development would have a restricted age criteria.

Members of the Committee then had the opportunity to ask technical questions of the Officer. It was clarified that SCC request for a second temporary pedestrian crossing during construction would be addressed by Rights of Way during the construction works at the time.

In relation to the existing clubhouse, condition 3 allows for further consideration of a revised more suitable contemporary design to be submitted to the local planning authority for approval in writing.

The 56 parking spaces would be in addition to those allocated for Belle Vue house, which would accommodate the staff parking.

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

Salisbury City Councillor, Cllr Nettle spoke in support of the development. Some of the key points he raised included concern surrounding access on the path during development stages. They had suggested a second crossing further down towards the post office during the works.

There had been no reference to any light pollution from the bus depot, that some of the houses may be affected by. Construction works should be limited between the hours of 8.00am – 6.00pm.

The Unitary Division Member, Cllr Atiqul Hoque then spoke in objection to the application, in view of its scale and significance within the context of Salisbury. He added that McCarthy and Stone had agreed in principle to financially contribute towards a local community needs project. Local residents had put forward their wish that a series of murals be incorporated within the St Edmund and Milford Ward. Andrew Guest was aware of this request, which would require approximately a £11k contribution towards the funds the community had arranged.

Cllr Hewitt then moved the motion of approval, in line with Officer's recommendation. This was seconded by Cllr Smale.

A debate followed where key issues raised included, that there was a need for this type of accommodation scheme in the city, however the design of the front of the properties along Castle Street was felt to be dull, with an excessive use of red brick, with no architectural significance to the city. Several Members felt that

the aesthetics could be improved, however the application could not be refused on design grounds alone.

It was noted that there were no access points to the properties from Castle Street, as access would be via Endless Street, which was thought to prevent additional congestion which could have been due to vehicles dropping off on an already congested street.

There has been a huge amount of dialogue between Salisbury City Council, the Civic Society and the developers.

On a drawing of the scale presented on the slides at the meeting, it was difficult to show the level of detail that has been included in the plans. There was articulation on the individual drawings which showed more detail.

The Committee voted on the motion of approval.

Resolved

That planning permission for 17/03957/FUL be Approved subject to the applicant first completing a 'S106' planning obligation – to require financial contributions to be made towards off-site affordable housing provision and refuse collection containers, and that the Associate Director, Economic Development & Planning be authorised to grant planning permission using delegated powers subject to the following 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 Prior to commencement of the development hereby approved a phasing plan for the delivery of the entire development shall be submitted to the local planning authority for approval in writing. The phasing plan shall divide the site into areas and for each area the planned timing, or phasing, of (where relevant) demolition, conversion and new build works shall be specified. In particular the phasing plan shall specify that the works for the change of use of Belle Vue House will be commenced prior to first occupation of any of the residential units (nos. 2 to 5) forming part of this area of the development. The development shall be carried out strictly in accordance with the approved phasing plan.**

REASON: To ensure the timely delivery of all elements of the development, and in particular the change of use of Belle Vue House which is a listed building, this in the interests of its safeguarding the conservation area and Belle Vue House which are designated heritage assets.

- 3 Notwithstanding the drawings submitted with the application for dwelling no. 1, further drawings for its siting and detailed design (including elevations which should be no less than 1:50 and details for windows,**

doors and eaves (to include sections) at a scale of no less than 1:10) shall be submitted to the local planning authority for approval in writing. Dwelling no. 1 shall then be erected in accordance with the approved further drawings.

REASON: The principle of a low, contemporary-style dwelling to be sited in the area indicated for dwelling no. 1 is accepted. However, the detailed drawings presented thus far for this dwelling are unacceptable in terms of the impact on the conservation area and the setting of the listed building, Belle Vue House. This condition, therefore, effectively 'reserves' the design of dwelling no. 1 for later approval to allow a more sympathetic siting and design to be presented.

- 4 Prior to commencement of the garage/car port building indicated on the site plan to serve Belle Vue House, details of its design/external appearance shall be submitted to the local planning authority for approval in writing. Thereafter the garage/car port building shall be erected in accordance with the approved details.

REASON: The application contains insufficient detail to enable this matter to be agreed at this time, and in the interests of ensuring a satisfactory design adjacent to Belle Vue House.

- 5 With due regard to the Preliminary Site Investigation and Contamination Appraisal Report by ACS Testing Ltd dated 14 March 2017, no development hereby approved (other than demolition and related site clearance works) shall be commenced until a more detailed site investigation and risk assessment is 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 further report detailing the more detailed site investigation and risk assessment shall then be submitted to and approved in writing by the Local Planning Authority.

If the report submitted pursuant to the above indicates that remedial works are required, full details of these works shall be submitted to the Local Planning Authority and approved in writing and thereafter implemented as approved prior to the commencement of the development (other than demolition and related clearance works) or in accordance with a timetable that has also 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 new development taking place.

- 6 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

the parking of vehicles of site operatives and visitors;

loading and unloading of plant and materials;

storage of plant and materials used in constructing the development;

the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

wheel washing facilities;

measures to control the emission of dust and dirt during construction; and

hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

Regarding demolition, these works shall be carried out strictly in accordance with the Method Statement for the Demolition and Strip Out Works by Wessex Demolition & Salvage Ltd dated 11 April 2017.

REASON: A CEMP is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, and dangers to highway safety, during the construction phase.

- 7 Notwithstanding the details set out in the application particulars, no building works shall commence in any particular phase of the development above ground floor slab level until the exact details of the materials to be used for the external walls and roofs in that phase 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 matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the conservation area.

- 8 No walls shall be constructed in any particular phase of the development hereby approved until a sample wall panels, not less than 1 metre square, for that phase have been constructed on site, inspected and approved in writing by the Local Planning Authority. The panels 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: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the conservation area.

- 9 No building works shall commence on site in a particular phase of the development above ground floor slab level until large scale details of all eaves, verges, windows, (including elevations and sections of the windows, head, sill and window reveal details), external doors, porch columns/capitals/pediments, dormers, projecting bays, parapet capping, chimneys and rainwater goods for that phase 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 matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the conservation area.

- 10 No railings, fences, gates, walls, bollards and other means of enclosure within a particular phase of the development hereby approved shall be erected 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 first occupied.

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

- 11 All soft landscaping for a particular phase 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) in that phase or the completion of the development in that phase 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 for the particular phase prior to the occupation of any part of the development within the phase 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.

- 12 Each of the retirement apartments hereby approved shall be occupied only by persons over 60 years of age; or in the case of a couple, only by persons to include one that is over 60 years of age and the other that is over 55 years of age.

The assisted living accommodation hereby approved shall be occupied only by persons over 55 years of age who require care.

REASON: The retirement accommodation and assisted living accommodation and their associated infrastructure, including parking, have been designed for occupation by persons who are in need of such accommodation only and so they are unsuitable for other forms of occupation.

- 13 No demolition, site clearance or development shall commence on site, and no equipment, machinery or materials shall be brought on to site for the purpose of development, until the tree protection measures set out on drawing no. 9160/02 Rev B dated 28/6/17 have been erected and/or put into place in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; and, the measures shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at

such time, that must be agreed in writing with the Local Planning Authority. No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years]

14 No part of the development hereby approved shall be first occupied until details of the stopping up of all existing accesses to be stopped up, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures for the removal of any dropped kerbs and the re-levelling of the pavements. The stopping up shall take place in accordance with the approved details within three month of the first occupation of any part of the development. Thereafter the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission, and in the interests of highway safety.

15 No part of any phase of the development hereby permitted shall be first occupied until the access, turning area and parking spaces for that phase 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.

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage and car ports for dwelling units 2, 3, 4 and 5 hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

17 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with Environmental Zone 3 (or lower) standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

18 The development shall be carried out in accordance with the acoustic specification for glazing set out in the Noise Impact Assessment by Peter Brett Associated dated March 2016.

REASON: To ensure a satisfactory living environment for the occupiers of the development.

- 19 The development hereby permitted shall be carried out strictly in accordance with the recommendations set out in the Bat Activity Survey by Abbas Ecology dated August 2016.
REASON: To safeguard wildlife interests.
- 20 Foul and surface water from the site shall be drained in accordance with the 'Conclusions and Recommendations' set out in the Drainage Strategy by Such Salinger Peters Consulting Engineers dated August 2017.
REASON: To ensure satisfactory drainage in accordance with the agreed scheme and in the interests of protecting the wider environment.
- 21 The development hereby permitted shall be carried out in accordance with the following approved plans:
SO_2335_03_AC_003 E dated 14/06/17 (Location Plan)
SO_2335_03_AC_010 U dated 14/06/17 (Site Plan)
SO_2335_03_AC_110 K dated 14/06/17 (Site Plan)
SO_2335_03_LA_001 J dated 14/06/17 (Landscape Plan)
SO_2335_03_DE_002 / 64004-02 A dated 03/08/17 (Drainage)
- SO_2335_03_AC_011 X dated 14/06/17 (Ground)
SO_2335_03_AC_012 T dated 14/06/17 (First)
SO_2335_03_AC_013 S dated 14/06/17 (Second)
SO_2335_03_AC_014 R dated 14/06/17 (Third)
SO_2335_03_AC_015 S dated 14/06/17 (Roof)
SO_2335_03_AC_040 N dated 14/06/17 (Elevations)
SO_2335_03_AC_040_DK02 C dated 14/06/17 (Elevations)
SO_2335_03_AC_041 N dated 14/06/17 (Elevations)
SO_2335_03_AC_042 N dated 14/06/17 (Elevations)
SO_2335_03_AC_043 dated 14/06/17 (Sections)
- SO_2335_03_AC_123 D dated 14/06/17 (Dwelling 2)
SO_2335_03_AC_124 D dated 14/06/17 (Dwellings 3 & 4)
SO_2335_03_AC_125 D dated 14/06/17 (Dwelling 5)
- SO_2335_03_AC_142 F dated 14/06/17 (Street Scenes)
SO_2335_03_AC_143 E dated 14/06/17 (Street Scenes)
- SO_2335_03_AC_120 F dated 18/04/17 (BV House)
SO_2335_03_AC_121 C dated 18/04/17 (BV House)
- 9160/01 dated 03/16 (Tree Constraints)
9160/02 B dated 28/06/17 (Tree Protection)
- 'Design Intent' drawings -
SO_2335_03_AC_201 to 211 (Rev Bs) dated 12/06/17
- REASON: For the avoidance of doubt and in the interests of proper planning.
- 22 **INFORMATIVE TO APPLICANT:**
The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging

Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

23 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

202 17/01880/FUL: Land adjacent 1 Longhedge Cottages, Longhedge

Public Participation

Robin Reay (agent) spoke in support of the application

The Senior Planning Officer, Warren Simmons introduced the application for Construction of 10 semi-detached houses with associated parking, which was recommended for approval.

This was a Full application following on from a previous Outline application for 4 detached dwellings with detached garages, which had been approved last year. The application was now for five pairs of semidetached dwellings.

One of the conditions listed in the report was to extend the footway, linking up to longhedge.

Attention was drawn to the late correspondence circulated at the meeting, relating to drainage and archaeology. It was noted that the conditions as listed in the report would need to be amended to support that new data, should the application be approved.

Members of the Committee then had the opportunity to ask technical questions of the Officer. It was clarified that the houses would be approximately 9-10m from the rear elevation of the house and the gardens at the rear would have a varying width of around 8m.

The grassed area shown on the bottom of the plan, next to plot 10, was not a communal area, the Officer thought it to be associated with plot 10.

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

The Unitary Division Member, Cllr Ian McLennan then spoke in objection to the application, due to concerns in respect of the scale of development, visual impact upon the surrounding area relationship to adjoining properties, design (bulk, height, general appearance), environmental/highway impact and car parking. He also noted that the bin lorry seemed to be an issue with Highways as to whether it could access and turn on site.

Cllr McLennan then moved for Refusal, against Officer's recommendation. This was seconded by Cllr Devine.

A debate followed where key issues raised included the scale of the development for the size of the plot. It was suggested that the proposal for 10 dwellings was cramped in comparison to the outline application. It was also noted that compared to the scale of development of the dwellings on the Longhedge site, the proposed dwellings on this development were similar.

The report detailed that there were no issues from Highways and that loss of amenity was not supported.

There had been much debate on the outline application, relating to the possibility of a cycle link going south from the site. Subsequently through discussions with Highways, it had been established that the land concerned was in the ownership of Wiltshire Council, and was therefore not in the applicants control. Any further links on that land would be for the Council to consider in the future, and did not form part of this application.

The Committee voted on the motion of Refusal, against Officer's recommendation. The motion was not carried.

The Chairman then moved the motion of Approval, in line with Officer's recommendation, this was seconded by Cllr Hewitt.

Resolved

That planning permission for 17/01880/FUL be approved, subject to all parties entering into a S106 legal agreement which secures the following:

A financial contribution towards Primary education places of £50,937.00

To then delegate to the Head of Development Management to APPROVE subject to the relevant conditions in line with Officer's 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 M293-200 Revision P5 dated Feb'17, as deposited with the local planning authority on 22.06.17, and

Drawing reference 'Proposed site plan, revision F' dated Feb'17, as deposited with the local planning authority on 26.05.17, and

Drawing reference 'Plots 1 & 2 proposed floor plans and elevations, revision B' dated Feb'17, as deposited with the local planning authority on 26.05.17, and

Drawing reference 'Plots 3 & 4 proposed floor plans and elevations, revision B' dated Feb'17, as deposited with the local planning authority on 26.05.17, and

Drawing reference 'Plots 5 & 6 proposed floor plans and elevations, revision B' dated Feb'17, as deposited with the local planning authority on 26.05.17, and

Drawing reference 'Plots 7 & 8 proposed floor plans and elevations, revision B' dated Feb'17, as deposited with the local planning authority on 26.05.17, and

Drawing reference 'Plots 9 & 10 proposed floor plans and elevations, revision B' dated Feb'17, as deposited with the local planning authority on 26.05.17, and

Drawing reference 'Proposed site sections, revision C' dated Feb'17, as deposited with the local planning authority on 26.05.17, and

Drawing reference 'Site location plan, revision C' dated Feb'17, as deposited with the local planning authority on 26.05.17.

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

03. No part of the development hereby permitted shall be first occupied until the turning areas 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.

04. No part of the development shall be first brought into use until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 0.9m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

05. No development shall commence on site until details of the access including improved junction radii, kerbs, surfacing (not loose stone or gravel), drainage and an extension to the existing footway have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the access improvements detailed above have been provided in accordance with the approved details.

Reason: To ensure that the development is served by an adequate means of access.

06. No development shall commence on site until a scheme of acoustic insulation for the purposes of preventing the ingress of road traffic noise and noise from the proposed business park has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of acoustic glazing and ventilation systems. Any works which form part of the approved scheme shall be completed prior to the premises being occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of the amenities of future occupiers of the proposed dwellings.

07. No construction 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 order to limit the impact of works on residential amenity

08. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In order to limit the impact of works on residential amenity

09. The programme of archaeological watching brief detailed in the submitted Written Scheme of Investigation (Thames Valley Archaeological Services, 17e17wb, January 2016) will be undertaken in line with that document. The approved programme(s) of archaeological work will be carried out in accordance with the approved details and all post-excavation and reporting completed within six months of the archaeological field work being completed.

REASON: To safeguard the identification and recording of features of archaeological interest.

10. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing

by the Local Planning Authority which secures protection of habitats and species during the construction period, including pollution prevention measures. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to prevent pollution of the water environment and to protect habitats and species during the construction period so as to limit the impacts of the development.

11. 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/occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

12. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for the creation of an appropriately kerbed, surfaced and finished new section of footway to link the entrance of the application site to the existing surfaced footway along the A345. The occupation of any part of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.

Reason: To ensure the construction of a new section of footway linking the application site to the existing footway along the A345, in the interests of Highway/pedestrian safety and sustainability.

13. No development shall commence on site until details of the external materials to be used for the walls and roofs of the development 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.

14. No occupation of the development shall take place until the foul drainage serving the dwellings has been successfully connected to the mains foul sewer.

REASON: To prevent pollution of controlled waters. The site is within a source protection zone 1 and very close to a public drinking water borehole. This condition is necessary to ensure that no pollution of the local groundwater, and thus the borehole, occurs.

203 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 5.00 pm)

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
19th October 2017

Planning Appeals Received between 11/08/2017 and 06/10/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
16/12217/OUT	Land at Castle Street Mere, Wiltshire	MERE	Outline planning application for residential development (including affordable housing) and GP surgery, in addition to associated open space, infrastructure and attenuation features with all matters reserved, except access	DEL	Inquiry	Refuse	04/10/2017	No
17/01575/ADV	Land between the junction of A36 (Southampton Road) and New Petersfinger Road Salisbury, Wiltshire SP1 2NY	SALISBURY CITY	Installation of Freestanding 8M Totem Sign (Internally Illuminated)	DEL	House Holder Appeal	Refuse	23/08/2017	No
17/02461/FUL	25 Churchfields Road Salisbury, Wiltshire SP2 7NH	SALISBURY CITY	Retrospective application for cladding to gable end, lean to roof to front elevation and cladding to side of lean to.	DEL	House Holder Appeal	Refuse	15/08/2017	No
17/02116/FUL	Windrush Farm Dean Road West Dean, SP5 1HR	WEST DEAN	Proposed first floor extension, insertion of dormer windows on west elevation, new porch and internal alterations to first and ground floors	DEL	House Holder Appeal	Refuse	21/08/2017	No

Planning Appeals Decided between 11/08/2017 and 06/10/2017

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
15/10837/CLE	Long Meadow Nurseries Breamore Road Downton, Salisbury SP5 3HW	DOWNTON	The use of land for a mixed use comprising of a residential dwelling, retail, the stationing of caravans for residential purposes and the use of land for horticulture/agriculture.	DEL	Inquiry	Split Decision	Allowed	16/08/2017	None
16/04126/OUT	Land North of Hilltop Way, Salisbury Wiltshire, SP1 3QX	SALISBURY CITY	Outline application for the proposed erection of 10 semi-detached bungalows, new footpath link and creation of public open space, incorporating 20 off-street parking spaces and 5x laybys to Hilltop Way (Resubmission of application 15/11350/OUT)	SAPC	Hearing	Refuse	Allowed with Conditions	24/08/2017	Appellant's Application for Costs REFUSED
16/04984/FUL	The Greyhound Market Place Wilton, SP2 0HT	WILTON	Replacement of ground floor courtyard facing windows and doors (retrospective)	SAPC	Written Reps	Refuse	Split Decision	16/08/2017	None
16/05011/LBC	The Greyhound Market Place Wilton, SP2 0HT	WILTON	Replacement of ground floor courtyard facing windows and doors (retrospective)	SAPC	Written Reps	Refuse	Split Decision	16/08/2017	None
16/05231/FUL	Land north of Broken Cross Bridge road Winterbourne Earls Salisbury, Wiltshire SP4 6DS	LAVERSTOCK	Change of use of land to use as a residential caravan site for one gypsy family	DEL	Written Reps	Refuse	Allowed with Conditions	15/08/2017	None
16/09610/FUL	4A/B The Crescent Hillview Road Salisbury Wiltshire SP1 1HY	SALISBURY CITY	Extension to enlarge existing ground floor flat and create additional flat.	DEL	Written Reps	Refuse	Dismissed	30/08/2017	None
16/11241/OUT	142 Netherhampton Road, Salisbury Wiltshire, SP2 8LZ	SALISBURY CITY	Demolish and erect pair of semi detached 3 bed houses and 2no. detached houses (Resubmission of 16/07471/OUT)	SAPC	Written Reps	Refuse	Allowed with Conditions	05/09/2017	Appellant's Application for Costs ALLOWED
16/11803/FUL	Forest View Clay Street Whiteparish Wiltshire, SP5 2ST	WHITEPARISH	Demolition of existing bungalow and erection of two new chalet bungalows. Improved access for units will be created off Clay Street. Hard and soft landscaping and associated works (Resubmission of 16/07647/FUL).	SAPC	Written Reps	Approved with Conditions	Dismissed	15/09/2017	None

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 7

Date of Meeting	19 October 2017
Application Number	17/06469/FUL
Site Address	Land Adjacent to allotments at Down Barn Road Down Barn Road Winterbourne Gunner Salisbury Wiltshire SP4 6JN
Proposal	Construction of one detached dwelling with disabled annexe, including work space for lifelong living and outside space for supported horticultural activities
Applicant	Mr Dan Steedman
Town/Parish Council	WINTERBOURNE
Electoral Division	BOURNE AND WOODFORD VALLEY Councillor M Hewitt
Grid Ref	417733 135623
Type of application	Full Planning
Case Officer	Richard Nash

Reason for the application being considered by Committee

The application has been called to committee at the request of the division member, Councillor Hewitt in view of the degree of local support in principle for a specialised dwelling to meet the Applicant's needs.

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 to be considered are the principle of development, as the site lies within open countryside, outside of any recognised limits of development, highway safety issues and the impact on the setting of a Grade II listed building. The needs of the Applicant's child are also a primary consideration.

3. Site Description

The site comprises agricultural land located on the north east side of Down Barn Road, to the north west of the roundabout linking the road with The Portway and the A338. To the east of the site there are allotments with dwellings in Mill Close and Down Barn Close beyond. Adjoining the north east corner is a Grade II listed windmill tower surrounded by a small area of trees. Otherwise the site is bounded by agricultural land.

4. Planning History

16/06517/FUL

Erection of a detached dwelling with disabled facilities included with outside space for horticultural activities - Refused for the following reasons:

- 1 The proposed development would harm the setting of the designated heritage asset, the Windmill Tower, to the North of the site, by reason of the close proximity of the development to this asset, the impact on the setting when viewed from Down Barn Road and the change in historical character through the loss of the current agricultural setting. This would amount to less than substantial harm, as defined in the NPPF, and would conflict with Core Policy 58 of the Wiltshire Core Strategy, which seeks to conserve and enhance the setting of listed buildings.
- 2 The proposal conflicts with the settlement strategy of the Wiltshire Core Strategy, as set out in Core Policies 1, 2 and 18 as the settlement at Winterbourne is not identified as a location for sustainable growth and lies outside of the existing limits of development for settlements in the county and outside the built up limits of the identified small villages in the Amesbury Community Area. The development does not accord with any of the exceptions policies listed at paragraph 4.25 of the Wiltshire Core Strategy 2015 and the site has not been brought forward for development through a neighbourhood plan.
- 3 The proposal by reason of its positioning on a road where the national speed limit applies and without a pavement in the direction of the village of Winterbourne is likely to lead to an increase in pedestrians using the road particularly at night and at periods of inclement weather when the proposed informal footpath is less likely to be used. This in turn is likely to lead to potential increased conflict between pedestrian and vehicle borne traffic to the detriment of highway safety and contrary to policy CP60 of the Wiltshire Core Strategy.

An informative was added to the decision confirming that although the personal circumstances set out by the Applicant were considered to amount to a primary material consideration, it was considered that they did not outweigh the cumulative harm identified in the reasons for refusal.

5. The Proposal

The application proposes the erection of a single storey Z shaped chalet style dwelling with integral garage. A ground floor disabled annexe would comprise a bedroom, bathroom, relaxation and therapy facilities as well as carer's accommodation. This would be contained within one wing of the dwelling but would not be physically internally separate from the remainder of the dwelling, which would contain 4 bedrooms at first floor level with other rooms spread over both floors. The dwelling would be finished with timber cladding on a brick plinth with slate effect roof tiles.

The garden area would include raised beds. A new access is proposed off Down Barn Road with a lengthy drive leading to the dwelling. Extensive landscaping is proposed to assist in screening the development.

The proposal is aimed at meeting the specific needs of the Applicant's son. This is explained in detail in documents submitted by the Applicant, which are available on the Council's web site. Particular points of note around the design of the proposal include the scale and somewhat simplistic layout of the dwelling, required not only for chair and hoist manoeuvrability but also to allow space for carers to work around the child, who is approaching adulthood, and the raised planting beds allowing him to carry out a rewarding and meaningful activity at the only physical plane at which he could work.

6. Planning Policy

National Planning Policy Framework

National Planning Practice Guidance

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA)

The Windmill Tower to the North of the site is a Grade II listed building. Section 66 (1) of the LBCA sets out the duty of the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Wiltshire Core Strategy

Core Policy 1: Settlement Strategy

This identifies settlements where sustainable development should take place, with a settlement hierarchy running from Principal Settlements through Market Towns and Local Service Centres to Large and Small Villages. The Winterbournes are collectively identified as a Large Village. The site is however outside of the area of the settlement identified as a sustainable location.

Core Policy 2: Delivery Strategy

In order to deliver the sustainable development envisaged in CP1, CP2 sets out the delivery strategy for the plan area. This again states that dwellings should be delivered in sustainable locations, with a presumption in favour of such development within the areas defined on the policy maps.

Core Policy 4: Spatial Strategy for the Amesbury Community Area

This reinforces the settlement hierarchy and delivery strategy contained within CP1 and CP2.

Outside of the limits imposed by CP1, CP2 and CP4, development should only be permitted in the circumstances outlined in paragraph 4.25 of the Core Strategy. Paragraph 4.25 identifies 'exception' policies, which seek to respond to local circumstances and national policy, to provide additional sources of employment and housing sites. Of these exception policies, CP34 (Employment Land), CP37 (Military Establishments), CP39 and CP40 (Tourism Development), CP44 (Rural Exception Sites (for Affordable Housing)) and CP48 (Supporting Rural Life) are not relevant to the current proposal. The remaining exception policy is Core Policy 46 (Meeting the Needs of Vulnerable and Older People).

The supporting text in paragraphs 6.53, 6.54 and 6.55 refers to addressing the needs of an aging population. However, CP46 itself refers to the provision in suitable locations of new housing to meet the specific needs of vulnerable **and** older people. The policy therefore has a wider applicability than simply being restricted to older people. The policy states that such accommodation should be provided in sustainable locations, within settlements identified in CP1 (and normally in the Principal Settlements and Market Towns), and in exceptional circumstances outside but adjacent to this category of settlement.

The criteria for these exceptional circumstances are that:

- a genuine, and evidenced, need is justified
- environmental and landscape considerations will not be compromised
- facilities and services are accessible from the site
- its scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement

Core Policy 41: Sustainable Construction and Low Carbon Energy

This policy requires that new homes should achieve at least Level 4 (in full) of the Code for Sustainable Homes.

Core Policy 50: Biodiversity and Geodiversity

This policy requires that development proposals must demonstrate how they protect features of nature conservation and geological value.

Core Policy 51: Landscape

Paragraph 6.85 of the supporting text to this policy identifies the need to protect the distinct character and identity of villages and settlements in Wiltshire. Development should protect, conserve and where possible enhance landscape character, and any negative impacts must be mitigated subject to specific criteria.

Core Policy 57: Ensuring High Quality Design and Place Shaping

This design based policy requires a high standard of design in all new developments. Development is expected to create a strong sense of place through drawing on local context and being complementary to the locality.

Core Policy 58: Ensuring the Conservation of the Historic Environment

This policy requires development to protect, conserve and where possible, enhance the historic environment. Designated heritage assets and their settings should be conserved.

Core Policy 60: Sustainable Transport

This policy states that the Council will use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire

Core Policy 62: Development Impacts on the Transport network

This policy is concerned with highway safety and requires that development should provide appropriate mitigating measures to offset any adverse impact on the transport network at both the construction and operational stages.

7. Summary of consultation responses

Winterbourne Parish Council

Objection: Parish Council is sympathetic towards the needs of the Applicant (a Winterbourne parishioner) and his family. Recognises that services and facilities available to people in this situation post school are very limited and in principle would have no objection to a development of this type within the parish (either through new development or modification to an existing building). In particular, fully support recognition by Wiltshire Council in their decision on 16/06517/FUL that Applicant's personal circumstances amount to a primary material consideration.

Objections to the proposed development relate to the proposed location for dwelling. These were set out in responses to the previous application and are:

- Although reduced in scale from 16/06517/FUL, this is a large development on land outside the settlement boundary
- The land is not one of 11 land areas currently being assessed as part of development of the Winterbournes' Neighbourhood Development Plan. Therefore unlikely that it will be included within the Neighbourhood Plan, and there has been no opportunity for local consultation on this land, adjacent to allotments, as has been carried out for

the 11 land areas being assessed. There are other areas of land within the parish that are more suitable for housing development.

- The land is adjacent to a listed building and the proposed development will impact on this heritage asset. Land also may be of archaeological interest as noted by Wiltshire Council Archaeology on application 16/06517/FUL
- Development on this site would limit opportunities for expansion of the allotments (subject to landowner's agreement). The allotments are used by residents of both Winterbourne and Idmiston parishes and with the forecast housing development for the next 10 years in these two parishes, there is likely to be increased demand for allotments
- Egress onto Down Barn Road without speed restriction or pedestrian path (pavement) is likely to increase risk to road users and pedestrians.
- Consider the reasons for the decision to reject 16/06517/FUL, including that it did not accord with policy CP46, apply also to this application.

Idmiston Parish Council

Objection in support of Winterbourne Parish Council.

Conservation Officer

I note that one of the reasons for refusal of 16/06517/FUL was on heritage grounds. Whilst there are some modifications to the design, it remains an exceptionally large structure visibly detached from the settlement, and in the immediate setting of the listed windmill. There remain no public benefits offered to outweigh the 'less than substantial' harm (NPPF 134), and consequently my conclusions are the same as with the previous application:

The proposal site lies in open countryside to the north of the Portway/A338 roundabout, to the north of a mid-C20 development of bungalows and allotments that are rather peripheral to the village, the centre of which lies some distance away on the south eastern side of the river. A grade II listed windmill, one of only two in south Wiltshire, lies very close to the North East boundary of the proposal site, in a rural setting very little changed since its construction; visible above the trees from Down Barn Road and to a lesser extent from the A338 in West Gomeldon. The windmill is a building at risk, and without a roof, although it appears to be reasonably sound structurally and not in imminent danger. The topography of the area means that the existing housing to the south of the site is not visible from the surrounding roads or countryside, whereas the proposal site is on much higher ground and is clearly visible from Down Barn Road; this would mean that the house would then be visible in very close proximity to the windmill, which stands visually separated from all modern domestic development.

The future of the windmill is of course unknown, but it appears to me to be capable of conversion to an alternative use, such as residential, with little significant alteration. The trees around it appear to be self-sown and of unremarkable quality, and would be likely to be thinned, thereby increasing the visibility of the windmill. The proximity of the proposed structure would be likely to have an intrusive effect on the enjoyment of space around the windmill, and views from it, including from its rooftop, and is likely to create a significant degree of enclosure and possibly overshadowing: we typically say that 20 metres is a tolerable distance in dense urban locations between residential windows – here it would be about 30 metres but in a rural setting this would feel extremely close.

The proposed dwelling is of a truly vast scale, being measurable in multiples of its nearest neighbours, and would have a significant impact on the setting of the listed windmill; it would also fail to relate to the village and its streetscenes. Section 66 of the LBCA places a

statutory duty on decision makers to pay special regard to the desirability of preserving the setting of listed buildings. This special regard has been consistently interpreted by the High Court to mean, 'above all else', not least because harm to heritage assets cannot be undone, and their identification as being of 'national interest' is for the benefit of the wider community, both within and outside of the parish.

Development of new housing and the creation of domestic garden on the proposed site would cause harm to the setting of the listed building, contrary to the LBCA, and there are no public benefits provided by the scheme that might outweigh that harm (NPPF 134). The harm is public, so the benefits must also be; personal benefits have no role in consideration of impacts to designated heritage assets, however sympathetic one might feel.

It is now some months since I became aware that this site was being considered, and I have strongly urged that alternative sites should be explored before consideration of such a level of harm (and exception to other planning policies) be proposed. There appears to be a high number of alternative sites in the vicinity that could be more acceptable in heritage terms, not least those being put forward through the Neighbourhood Planning Process, and other sites put forward to the council through the sites identification work.

I note that there is a brief statement about providing an unspecified donation towards works to the windmill, but this could not be legal within this application process. There is no information provided regarding the extent of necessary works nor has there been any contact from its owners, and the proposal is not made in the guise of 'enabling development'. In heritage terms, I can only say that the application would fail to preserve the setting of a listed building, without any demonstration that the development could not be reasonably achieved elsewhere, that the tests of the NPPF (134) are not met, and that it would not comply with CP57 & CP58 of the Wiltshire Core Strategy.

Highways

I have considered the extent to which the proposed footway might provide some benefit. Given that it will:

- be unlit
- not be properly consolidated or surfaced
- have substandard junctions with Down Barn Road and
- be unlikely to be maintained even to its proposed rudimentary standard

I do not consider the benefits to be significant.

Whilst I acknowledge that the Applicant's personal circumstances might be viewed as a material consideration, the proposals the subject of this application will remain in perpetuity. In the circumstances, I object to this application for the following reasons:

The proposed development is likely to generate an increase in pedestrian traffic across and on a road lacking adequate footways with consequent additional hazards to all users of the road. Whilst the development includes a new pedestrian link along the inside of the field on the southern side of Down Barn Road, it is considered that it is unlikely to be used particularly at night or in inclement weather.

The proposed development is outside any defined policy boundary and is contrary to local and national sustainable transport policy guidance.

However, if you are minded to approve the proposal, I recommend the following conditions be imposed to any permission granted:

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

Reason: In the interests of highway safety.

(2) The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 4.5m from its junction with the public highway.

Reason: In the interests of highway safety.

(3) Any gates to close the access shall be set back a minimum distance of 4.5m from the edge of the carriageway and made to open inwards (away from the highway) only.

Reason: In the interests of highway safety.

(4) The development shall not be first occupied until the visibility splays have been formed in accordance with the approved details shown on drawing numbered LDS/13673-TP1. Such visibility splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1.0m above the level of the adjacent carriageway.

Reason: In the interests of highway safety.

(5) The development shall not be first occupied until the proposed pedestrian facilities in the field on the opposite side of the C286 to the application site have been cleared of obstructions, fenced, gated and surfaced as proposed for pedestrian traffic. The footpath shall be maintained as such thereafter.

Reason: To ensure that the development is served by an adequate means of pedestrian access and in the interests of highway safety.

(6) 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 occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

Informative

The development hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be 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.

Archaeologist

Site is of archaeological interest as work associated with pipeline that crossed the site identified artefactual remains. Refers to NPPF 128: Desk based assessment which accompanies the application fulfils the first part of this paragraph. Previous advice was that a field evaluation should be undertaken. Refers to NPPF 141: In previous advice had recommended that a trenched evaluation should be undertaken. However, changed advice to condition for archaeological watching brief at time of previous planning application.

Therefore recommended that programme of archaeological works in the form of an archaeological watching brief is carried out as part of any development.

Recommendation:

Full condition (WL26): 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.

Informative: The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

Public Protection

Support Subject to Conditions:

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.

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

Landscape

No Comment.

Ecology

It appears that no ecology survey work has been submitted in support of this application. I have screened the proposal in light of GIS and protected species information and there is a possibility of protected species (reptiles and breeding birds) being impacted by the development.

The applicant should be advised to commission a suitably qualified and competent ecological consultant to undertake a Phase 1 habitat survey, and any phase 2 surveys deemed necessary by the consultant. The associated survey report(s), which should also include recommendations for avoidance, mitigation, compensation and enhancement measures where necessary, should be submitted for consideration by the council ecologist prior to determination of the application. In conjunction with this, the consultant should also assess the site for presence of reptiles and nesting birds.

This should be carried out prior to the determination of the planning application because in carrying out their statutory duty in line with the National Planning Policy Framework, 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 ecological receptors.

NB: No further ecology information has been submitted – the Applicants view is that as the site comprises working agricultural land it could be ploughed over without permission at any point. This issue did not form part of the reasons for refusal and it would therefore be unreasonable to now introduce such a reason.

8. Publicity

The application has been advertised by way of a site notice and press notice (setting of a listed building and departure from the development plan) and by letter to nearby properties.

The proposal is also supported by the medical staff involved in the care of the Applicant's son. The full comments of all those responding to the application are set out in the letters on the Council's web site. In summary:

3 responses have been received expressing no objection to, and/or support for, the proposal.

3 responses have been received objecting to the proposal on the grounds that:

Although smaller in size than previous proposal, it is close enough to the listed building to affect it adversely;

Development is outside existing limits of development and not included in Neighbourhood Plan sites;

Detrimental impact on allotments, a valuable village amenity;

Development is extremely large and not in keeping with surrounding houses;

Development will be accessed from main road where national speed limit applies thus presenting a safety hazard;

Both Winterbourne and Idmiston Parish Councils have stated that the application should be refused;

Planning permission was refused in 2016 for same site for the same reasons stated above. Nothing has changed and the same reasons for objection apply.

9. Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act states that: "*determination must be made in accordance with the development plan unless material considerations indicate otherwise*". Paragraphs 2 and 11 of the NPPF reiterate and confirm this requirement. The Wiltshire Core Strategy, adopted in January 2015, is the relevant development plan for the purposes of this proposal.

9.1 Principle of Development

The Winterbournes are collectively identified as a Large Village within the settlement hierarchy set out in the Core Strategy. However, the proposal is situated outside the local plan settlement boundary. As a result, new residential development is not considered to be sustainable in principle and would only be supported where the proposal meets the criteria of one of the 'exception' policies or if the site has been brought forward through a Neighbourhood Plan. There is no Neighbourhood Plan for the Winterbournes yet (although one is in preparation) and thus it is only the exceptions policies that can be considered, although these must be taken in conjunction with the other relevant policies relating to development.

As discussed above, CP46 is the exceptions policy relating to meeting the needs of vulnerable people. Whilst the supporting text and much of the policy is specifically directed at the needs of older people, the Applicant's son would clearly meet any reasonable definition of a vulnerable person, and thus the policy must be considered. However, the policy states that accommodation should only be provided in the sustainable locations identified in CP1, or in exceptional circumstances outside, but adjacent to them.

The criteria for these exceptional circumstances are that:

- a genuine, and evidenced, need is justified
- environmental and landscape considerations will not be compromised

- facilities and services are accessible from the site
- its scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement

There is no dispute that there is a genuine and evidenced need for specialised accommodation in this case. However, the exclusion of the site from the area of The Winterbournes where development would be considered sustainable would suggest that a range of facilities and services are not readily accessible. Furthermore, the proposal would compromise environmental and landscape considerations in respect of the listed building, would be of a scale and type not appropriate to the nature of the nearby settlement and would not respect the character and setting of that settlement.

The Applicant has submitted a detailed analysis of other sites considered in The Winterbournes and this will be made available to Members prior to the meeting, although it is not for general publication due to commercial sensitivity in some cases. This analysis provides a number of reasons for discounting the sites (which are included in the SHLAA and/or Neighbourhood Plan). In the main sites are either not physically suited to the particular needs of the development and/or are not affordable to the Applicant as landowners are hoping for a higher number of units to achieve the desired land value. This process was preceded by a search over a wider area and over a ten year period, evidence of which will also be forwarded to Members.

The Applicant has also submitted an appeal decision for consideration, wherein the Planning Inspector allowed a similar proposal in Yorkshire. Material differences in that case were that the site was already developed with buildings in residential use, was in an Area of Outstanding Natural Beauty rather than adjacent to a listed building, and the Core Strategy did not contain an exception policy for new dwellings in the countryside specifically for health reasons, but did allow for exceptions in general to meet 'an identified local need'.

Members should be aware that in his decision the Inspector concluded that: *It would not be appropriate to impose a personal occupancy condition on the new bungalow. When the appellant ceases occupation it would end up as open market housing in a location poorly related to services. However...the personal circumstances before me are a material consideration and one which will not be repeated on many occasions. Allowing this appeal would not set a general precedent for more dwellings in the open countryside.*

However, this conclusion is drawn in relation to a principle only and not to specific criteria as would be required by CP46. The Inspector's view was also that: *Personal health needs are not specifically mentioned in Policy...but it seems to me that this is a real and properly evidenced local housing need supported by the Parish Council and those local residents who have responded to the proposal.*

This differs from the current proposal in that health needs can specifically be considered under CP46, but subject to criteria beyond the accepted need and local support (the latter of which does not apply to the specific site now under consideration). In other words CP46 is more specific and therefore more restrictive in its scope.

To this end it is significant that the Inspector has stated that: *In meeting a site specific personal need for a new dwelling I do not find any conflict with Policy...No other harm has been put forward. In particular the new bungalow would be seen as part of the existing building group and there is agreement that as designed and located it would not cause significant harm to the character or appearance of the...AONB.*

In this case other policy concerns exist in relation to the design, scale and siting of the proposal, particularly in terms of its relationship with the adjacent listed building and the character of the locality, and the impact of the proposal on highway safety.

The personal needs of the Applicant are not disputed and are a material planning consideration. Furthermore, the desire to remain in the community is understood. However, Policy CP46 does not make allowances for a 'sequential' approach to site selection and the proposed site must therefore be judged on its own policy merits.

Officers' views are that the proposal is not in accordance with any of the housing distribution or exception policies of the WCS and is therefore contrary to the provisions of the development plan. Notwithstanding this, other policies must also be considered in relation to the wider aims of sustainability.

9.2 Highways Impact

The full comments of the Highways Officer are noted above. In summary, the proposed development is considered likely to generate an increase in pedestrian traffic across and on a road lacking adequate footways with consequent additional hazards to all users of the road. Whilst the development includes a new pedestrian link along the inside of the field on the southern side of Down Barn Road, it is considered that it is unlikely to be used particularly at night or in inclement weather. The proposed development is outside any defined policy boundary and is therefore contrary to local and national sustainable transport policy guidance.

The proposal does not accord with the policies of the development plan. It is not in a sustainable location, and would be detrimental to highway safety.

9.3 Impact on Heritage Assets

The designated heritage asset affected by the proposal is the Grade II listed windmill tower to the north of the site. The Conservation Officer's comments are set out in full above and in summary are that the proposal would fail to preserve the setting of a listed building, that the tests of the NPPF (paragraph 134) are not met, and that the proposal would not comply with Policies CP57 and CP58 and would cause less than substantial harm to the setting of a listed building.

9.4 Other material considerations

9.4.1 Housing land supply

The site is located within the Southern Housing Market Area where the latest housing land supply figures showed a land supply in excess the 5.25 years required by paragraph 14 of the NPPF. The policies of the development plan can therefore be considered to be up-to-date in terms of paragraph 14 and can be given full weight.

9.4.2 Personal Circumstances

The personal circumstances of the Applicant's son are set out in detail in the planning application, in terms of his needs and the healthcare that he requires. This is a material consideration. The advantages of being close to relatives are set out in the supporting information and the application is supported by the medical team that provides care at present. The proposal has been designed to provide for his needs. The Applicant states that they have been unsuccessful in locating any other plots for a specially adapted home, and

that a self-build custom home will meet their requirements in a manner that would not be readily achieved through the purchase and adaptation and/or extension of an existing dwelling. The Applicant has supplied a great deal of material, all of which has been considered in making the recommendation below.

9.4.3 – Equality Act/Human Rights

In determining planning applications the Local Planning Authority has to have regard to the requirements of the Equality Act (2010). This requires public bodies to have *due regard* to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

Having *due regard* means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making, this the Council has clearly done. The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. Core Policy 46 does address the housing needs of vulnerable people.

In relation to Human Rights, the Courts have held that 'the best interests of a child shall be a primary consideration'. However, they have made it clear that this does not make the best interests of a child determinative, paramount, or *the* primary consideration. The approach to be taken is to seek to identify the child's best interests and to keep these at the forefront of the decision makers mind as all material considerations are examined and the exercise of planning judgement made.

In this case, the best interests of the child lie in providing suitable accommodation. This proposal would provide suitable accommodation, built for the child's needs and close to family support. However, it does not follow that this is the only site or property where his needs can be physically met, and that those needs override all other material considerations. The adverse impacts of not approving the application would mean that the search for a suitable site or property would continue whilst the family remain in other accommodation. It must be decided whether this adverse impact is proportionate.

10. Conclusion (The Planning Balance)

The Council has a difficult judgement to make. It has to determine applications in accordance with the development plan, except where material considerations indicate otherwise. A primary consideration in this case is the needs of the Applicant's son, but the law makes it clear that this by itself is not determinative.

It is recognised that these needs include a requirement for relatively large spaces for manoeuvrability and caring, leading to a necessarily large scale of proposal. It is also acknowledged that the Applicant has nevertheless reduced the height, bulk and shape of the proposal from that previously refused. However, the revised proposal is in conflict with the development plan, in that it would result in the construction of a dwelling in a location where new dwellings would not normally be permitted. Furthermore, the proposal would cause

harm (albeit less than substantial in NPPF terms), to the setting of the listed building to the north of the site and would be detrimental to highway safety.

In the final analysis, it is considered that whilst the personal circumstances of the Applicant and their son amount to a primary and significant material consideration, it does not outweigh the harm, in planning terms, that would be caused by allowing a development that in this particular location would have an irreversible adverse impact on the area, cause harm to the setting of a heritage asset, and be detrimental to highway safety, on a site that has not been brought forward for development by the local community.

RECOMMENDATION

It is recommended that the application be refused for the following reasons:

- 1 The proposal conflicts with the settlement strategy of the Wiltshire Core Strategy, as set out in Core Policies 1, 2 and 4, as the site lies outside of the existing limits of development for settlements in the county and outside the built up limits of the identified small villages in the Amesbury Community Area. The development does not accord with any of the exceptions policies listed at paragraph 4.25 of the Wiltshire Core Strategy and the site has not been brought forward for development through a neighbourhood plan.
- 2 The proposed development would harm the setting of the designated heritage asset, the Grade II listed windmill tower to the North of the site, by reason of the close proximity of the development to this asset, the impact on the setting when viewed from Down Barn Road and the change in historical character through the loss of the current agricultural setting. This would amount to less than substantial harm, as defined in the NPPF, and would conflict with Core Policy 58 of the Wiltshire Core Strategy, which seeks to conserve and enhance the setting of listed buildings.
- 3 The proposed development is considered likely to generate an increase in pedestrian traffic across and on a road lacking adequate footways with consequent additional hazards to all users of the road. Whilst the development includes a new pedestrian link along the inside of the field on the southern side of Down Barn Road, it is considered that it is unlikely to be used particularly at night or in inclement weather. The proposed development is outside any defined policy boundary and is therefore contrary to local and national sustainable transport policy guidance. The proposal would therefore conflict with Core Policies 60 and 62 of the Wiltshire Core Strategy.

Informative: Although the personal circumstances set out by the Applicant are considered to amount to a primary material consideration, it is not considered that they outweigh the cumulative harm identified in reasons 1-3 above.

APPENDIX: PLANNING INSPECTORATE APPEAL DECISION

Site visit made on 4 November 2015

by B.Hellier BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 November 2015

Appeal Ref: APP/T2350/W/15/3129411

Skirden Hall Farm, Tosside, Skipton, North Yorkshire, BD23 4SX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - . The appeal is made by Mr James Waddington against the decision of Ribble Valley Borough Council.
 - . The application Ref 3/2014/0961, dated 6 October 2014, was refused by notice dated 16 January 2015.
 - . The development proposed is a new bungalow with garage to provide suitable accommodation for a disabled child.
-

Decision

1. The appeal is allowed and planning permission is granted for a new bungalow with garage to provide suitable accommodation for a disabled child at Skirden Hall Farm, Tosside, Skipton, North Yorkshire, BD23 4SX in accordance with the terms of the application, Ref 3/2014/0961, dated 6 October 2014, subject to the conditions set out in the accompanying Schedule.

Main issue

2. I consider the main issue is whether this would be a sustainable form of development having regard to the policy presumption against new housing in the open countryside and to the accommodation needs of the appellant and his family, particularly those of his son George.

Planning policy

3. The development plan includes the Core Strategy¹. Its development strategy envisages most new development taking place in the towns and larger villages and for development outside these settlements to be strictly limited. In the open countryside Policy DMH3 allows

development in only a limited number of circumstances. One of these circumstances is for housing which meets an identified local need. The glossary to the Core Strategy explains that local housing need refers to need that is evidenced by a local housing needs survey, the housing waiting list or a strategic housing market assessment.

4. The Core Strategy reflects national policy set out in the National Planning Policy Framework (NPPF). This states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

5. There is an emerging Neighbourhood Plan¹. This has not yet been adopted and its approach to local housing need in the consultation draft has resulted in a number of interpretations coming forward. I give it little weight at this stage.

Reasons

6. Skirden Hall Farm lies at the end of a track some 200m from the road and a further 300m from the hamlet of Tosside where there is a pub and village institute. There is also a daily bus service to Long Preston and Settle. The appellant lives in the farmhouse. The adjoining barn has been converted to a dwelling and is in a different ownership. To the rear a detached barn has also been converted to a dwelling and is occupied by his brother. Nearby is a modern barn.

7. There is no dispute that, whilst some social facilities and a bus service are within walking distance, for policy purposes the location is in open countryside where, as set out in Policy DMH3, new housing development would not normally be permitted.

8. The appellant has an 18 year old son George who has severe epilepsy and a learning disability. The new bungalow would provide purpose built, wheelchair accessible accommodation for him, including a wet room with a hoist. His consultant paediatrician supports the proposal and provides an up to date assessment of his needs. I think it helpful to use her words.

9. George is inattentive and falls easily. He has periods of prolonged non-convulsive status which results in him having reduced consciousness and awareness for a period of days and during these periods he requires nursing care and is at risk of falling..... he requires assistance and prompting with personal care..... George continues to have daily seizures (often during the night) despite medication with 4 different drugs and a vagal nerve stimulator, therefore provision will be required in the long term and it is probable that his mobility and dependence will increase as he becomes older.

10. The existing accommodation is limited. George sleeps upstairs with his parents above steep stairs. There is a small bathroom and two other small rooms and downstairs a kitchen/living room and a sitting room. There is an unquestioned need for significantly improved ground floor accommodation for George. The Council considers this could be provided by an extension to the existing farm house. The obvious location for an extension would be to the side of the house. However there is a step up here so that floor levels could not be aligned without substantial excavation. It would also mean that the stairs would continue to be a falling hazard and would be likely to separate George from his parents.

11. A new bungalow is the solution favoured by his consultant paediatrician and by his paediatric occupational therapist. In considering a disabled facilities grant the relevant Council housing and building control staff found that adapting the current property would be significantly complicated and costly and agreed that the grant could be put towards a bungalow. I too find that a new specially adapted bungalow built at the same level as the access track would be the most appropriate housing provision for George and his family. Personal health needs are not specifically mentioned in Policy DMH3 but it seems to me that this is a real and properly evidenced local housing need supported by the Parish Council and those local residents who have responded to the proposal.

12. The Council rightly notes that it would not be appropriate to impose a personal occupancy condition on the new bungalow. When the appellant ceases occupation it would end up as open market housing in a location poorly related to services. However any planning decision must have regard to the development plan in the first instance and also then to other material considerations. The personal circumstances before me are a material consideration and one which will not be repeated on many occasions. Allowing this appeal would not set a general precedent for more dwellings in the open countryside.

Planning balance

13. The policy presumption against new housing in the open countryside and location of the appeal site away from a service centre must count against it. I give significant weight to the environmental and social harm associated with this. However in meeting a site specific personal need for a new dwelling I do not find any conflict with Policy DMH3 as set out above. No other harm has been put forward. In particular the new bungalow would be seen as part of the existing building group and there is agreement that as designed and located it would not cause significant harm to the character or appearance of the Forest of Bowland AONB.

14. On the other hand there is a pressing need for a bungalow in this particular location to satisfy the accommodation needs of the appellant and his family to which I give substantial weight. In sustainability terms the social benefits of meeting this need clearly outweigh the environmental and social harm and I therefore conclude that this would be a sustainable form of development.

Conditions

15. The Council has suggested conditions and I have also taken into account the tests for conditions in paragraph 206 of the NPPF. Standard conditions are needed on commencement, development in accordance with the approved plans and details of materials. I also agree that parking spaces should be provided before occupation of the bungalow and details of any subsequent boundary treatment reserved for subsequent approval.

16. The new bungalow will be constructed partly on an existing hard surfaced access/parking area and partly on the field to the north east. It is integral to the need case that it is constructed all on one level, that level being set by the existing hard surface. I

consider the development should be informed by a site survey and supported by a layout incorporating existing retained features and identifying levels. I have imposed a further condition to this effect.

Conclusion

17. For the reasons given above I conclude that the appeal should be allowed.

Bern Hellier
INSPECTOR
Schedule of Conditions overleaf

Schedule of Conditions (6)

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: No.1 (floor plan); No.2 (SE and NE elevations); No.3 (SW and NW elevations); No.5 (site layout at 1:100); and No.5 (location at 1:1250).
- 3) No development shall take place until precise specifications or samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Prior to the first occupation of the bungalow three parking spaces shall have been formed within the curtilage of the dwelling as shown on the approved 1:100 site layout. Thereafter, these spaces shall be kept permanently clear of any obstruction to their designated use.
- 5) The curtilage of the bungalow shall be restricted to the area outlined in red on the approved 1:1250 location plan. No boundary walls or fences shall be erected on the boundaries of the curtilage, or elsewhere within the curtilage, unless details of their location, height, materials of construction and external appearance/colour have first been submitted to and approved in writing by the local planning authority.
- 6) No development shall take place until a site survey has been carried out and a plan showing existing and proposed levels and the relationship of the bungalow to existing features has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

17/06469/FUL
Land Adjacent to allotments at Down Barn Road
Down Barn Road
Winterbourne Gunner
Salisbury
Wiltshire
SP4 6JN



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 4 & 5

Date of Meeting	19 October 2017
Application Number	Planning application 17/06148/VAR and listed building application 17/06159/LBC
Site Address	The Crown Inn Church Street Tisbury Wiltshire SP3 6NH
Proposal	Variation of Condition 2 of 15/04530/FUL and 15/04698/LBC relating to approved plans.
Applicant	Mr G Hunter
Town/Parish Council	TISBURY
Electoral Division	TISBURY – Cllr Tony Deane
Grid Ref	394354 129166
Type of application	Full Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

The applications have been called to Committee by Cllr Deane due to concerns the proposed amendments are discordant with the character and setting of the listed building.

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, subject to the Conditions set out at the end of the report.

2. Report Summary

1. Impact on the character and setting of listed building(s)
2. Impact on the existing character of the surrounding conservation area
3. Amenity

Tisbury parish council object to the proposed variations on grounds that the proposed variations would be less in keeping with the original building than the existing permission.

One third party representation was received objecting to the previously approved change of use of the public house to dwellings.

A second third party response was received asking for clarification on proposed materials and detailing.

A further third party response was received from a representative of the CPRE South Wiltshire Group in which concerns were expressed in respect of the level of detail provided with the application, the external materials proposed and potential consequent impact on the existing character of the surrounding conservation area.

3. Site Description

The application relates to the former Crown Inn, a GII listed public house located within the settlement of Tisbury. The property is within the designated conservation area and is opposite the Saint John the Baptist parish church.

Previous planning consent granted under planning reference 15/04530/FUL and listed building consent reference 15/04698/LBC gave consent for *'Change of use from public house to residential accommodation. Conversion of existing buildings to create 4 residential dwellings. Alterations to existing managers apartment'*.

The current applications seek to vary the previous planning permission and listed building consent as follows:

- (i) To alter the approved window material from stone mullion and surround with metal casement to timber flush casement with Slimlite double glazing and timber cill and lintel (south-west and south-east elevations).
- (ii) To alter the approved door material from timber frame double glazed, panel doors to hardwood timber, partially glazed stable doors (south-west elevation).
- (iii) To alter the approval to show a reduced height garden wall with stone pillars and metal gate.
- (iv) To alter the approval to enable rendering of the south-west elevation of the main building once the existing single storey wc extension has been removed (elevation currently part pebble dashed).

4. Planning History

S/1992/1176	L/B APPLICATION - ALTERATION TO TOILETS, STAIRCASE TO FUNCTION ROOM, FAMILY DINING ROOM AND NEW ACCESS TO CAR PARK
S/1992/1175	IMPROVEMENTS TO TOILETS, STAIRCASE TO FUNCTION ROOM AND FAMILY DINING ROOM
S/2007/1183	RETROSPECTIVE APPLICATION FOR RETENTION OF AN ILLUMINATED HANGING SIGN
S/2006/1560	MINOR ALTERATIONS TO THE INTERNAL LAYOUT AND ELEVATIONS OF DWELLINGS PREVIOUSLY APPROVED UNDER S/2004/2143
S/1998/1851	CONSTRUCTION OF BAR AND ALTERATION TO LOBBIES
S/2003/2133	ERECTION OF 9 DWELLING HOUSES AND FORMATION OF ASSOCIATED ACCESS ROAD AND PARKING
S/2004/2143	ERECTION OF 12 DWELLING HOUSES AND FORMATION OF ASSOCIATED ACCESS ROAD AND PARKING BAYS
15/04333/LBC	Removal of internal masonry wall between living room and kitchen. Removal and lowering of kitchen floor. Installation of steel supporting structure. New painted softwood skirting boards.
15/04530/FUL	Change of use from public house to residential accommodation.

15/04698/LBC	Conversion of existing buildings to create 4 residential dwellings. Alterations to existing managers apartment Internal and external alterations to facilitate the conversion of public house and outbuildings into residential dwellings. Alterations to existing managers flat
17/06159/LBC	Variation to the previously approved scheme (previous reference 15/04698/LBC) in respect of the following alterations to window and door details, rendering an elevation and vary the landscaping details

5. The Proposal

The current applications seek to vary the previous planning permission and listed building consent as follows:

- (i) To alter the approved window material from stone mullion and surround with metal casement to timber flush casement with Slimlite double glazing and timber cill and lintel (south-west and south-east elevations).
- (ii) To alter the approved door material from timber frame double glazed, panel doors to hardwood timber, partially glazed stable doors (south-west elevation).
- (iii) To alter the approval to show a reduced height garden wall with stone pillars and metal gate.
- (iv) To alter the approval to enable rendering of the south-west elevation of the main building once the existing single storey wc extension has been removed (elevation currently part pebble dashed).

6. Local Planning Policy

Wiltshire Core Strategy Core Policies CP1, CP2, CP27, CP49, CP50, CP57, CP58, CP61, CP64

Tisbury Local Village Design Statement

NPPF & NPPG

7. Summary of consultation responses

Conservation officer – No objection to revised drawings, subject to Conditions

Tisbury parish council – Object to the proposed variations on grounds that the proposed variations would be less in keeping with the original building than the existing permission

8. Third party/neighbourhood responses

One third party representation was received objecting to the previously approved change of use of the public house to dwellings. A second third party response was received asking for clarification on proposed materials and detailing.

A further third party response was received from a representative of the CPRE South Wiltshire Group in which concerns were expressed in respect of the level of detail provided with the application, the external materials proposed and potential consequent impact on the existing character of the surrounding conservation area.

9. Planning Considerations

Following initial comments from the conservation officer in response to the originally submitted drawings, revised drawings were submitted by the applicant which included more detail in terms of the proposed detailing and materials, including the amendment of stone capping to the new wall from stone coping to 'Cock and Hen' natural stonework.

The conservation officer has no objection to the proposed revised window design, materials and detailing.

The conservation officer recommends a Condition requiring the specification for the lime render and also the approval of a sample panel of render to be agreed prior to commencement of works on site.

On the basis of the revised proposed plans and subject to the Conditions recommended at the conclusion of this report it is considered the proposed variations would not adversely affect the character and setting of the listed building (or adjacent listed buildings and structures). The proposals would not adversely affect the existing character of the surrounding conservation area and would not result in undue impacts on the amenity of neighbouring residents or uses.

10. Conclusion

The proposed variations to planning and listed building consent are considered acceptable in terms of their design, materials and detailing. Consequently, the proposed variations would not adversely affect the character, setting or historic fabric of the host building (or adjacent listed buildings) and would not adversely affect the existing character of the surrounding designated conservation area. The proposed variations would not have undue effects on amenity.

11. Recommendation

That the applications for variations to the existing planning permission and listed building consent be granted, subject to the following Conditions:

In respect of Planning application 17/06148/VAR:

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:

Drawing number 1314160-17-Revision B dated 08.08.17, as deposited with the local planning authority on 11.08.17, and
Drawing number 1314160-08-Revision E dated 26.03.15, as deposited with the local planning authority on 13.11.15, and

Drawing number 1314160-10-Revision C dated 26.03.15, as deposited with the local planning authority on 13.11.15, and
Drawing number 1314160-16 dated 09.11.15, as deposited with the local planning authority on 13.11.15, and
Drawing number 1314160-07-Revision E dated 26.03.15, as deposited with the local planning authority on 13.11.15, and
Drawing number 1314160-11-Revision C dated 26.03.15, as deposited with the local planning authority on 03.08.15.

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

3. No development shall commence on site until a construction methodology (i.e. details of coursing, capping etc) and exact details of the materials to be used for the external stone wall 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 and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity, the character and setting of listed building(s) and the existing character of the surrounding conservation area

4. No development shall commence on site until details consisting of large scale drawings to include horizontal and vertical sections of all new and any replacement windows (including head, sill and window reveal details), doors and rooflight windows, together with appropriate details of any new or replacement rainwater goods 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 and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity, the character and setting of listed building(s) and the existing character of the surrounding conservation area

5. 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

6. The development shall be constructed in strict accordance with the mitigation plan detailed in Appendices E and F of the submitted Phase II Bat Survey, The Crown Inn, Tisbury document produced by David Leach Ecology Ltd., dated September 2015. No external lighting will spill onto the roof of the building or onto adjacent flight corridors such as hedgerows or tree lines.

Reason: In the interests of nature conservation and to prevent undue impacts on protected species.

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

8. No development shall commence on site until a sample panel of render, 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.

CIL INFORMATIVE:

The proposed development could be subject to the Community Infrastructure Levy. Wiltshire Council has now adopted a Community Infrastructure Levy (CIL) charging schedule. 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. Wiltshire Council is on course to adopt CIL in early summer of 2015.

If the proposed development is liable for CIL, you (or whoever has assumed liability for the development) would be liable to make payment to Wiltshire Council for this type of development. More information and the charging schedule for CIL can be found using the following link:

<http://www.wiltshire.gov.uk/planninganddevelopment/dmcommunityinfrastructurelevy.htm>

In respect of listed building consent application 17/06159/LBC:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

Drawing number 1314160-17-Revision B dated 08.08.17, as deposited with the local planning authority on 11.08.17, and

Drawing number 1314160-08-Revision E dated 26.03.15, as deposited with the local planning authority on 13.11.15, and

Drawing number 1314160-10-Revision C dated 26.03.15, as deposited with the local planning authority on 13.11.15, and

Drawing number 1314160-16 dated 09.11.15, as deposited with the local planning authority on 13.11.15, and

Drawing number 1314160-07-Revision E dated 26.03.15, as deposited with the local planning authority on 13.11.15, and

Drawing number 1314160-11-Revision C dated 26.03.15, as deposited with the local planning authority on 03.08.15.

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

3. No development shall commence on site until details consisting of large scale drawings to include horizontal and vertical sections of all new and any replacement windows (including head, sill and window reveal details), doors and rooflight windows, together with appropriate details of any new or replacement rainwater goods 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 and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity, the character and setting of listed building(s) and the existing character of the surrounding conservation area

4. No development shall commence on site until a sample panel of render, 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.

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 6

Date of Meeting	19 October 2017
Application Number	17/07765/VAR
Site Address	Shaftesbury Drove Harnham Salisbury Wiltshire SP2 8QH
Proposal	Variation of Condition 2 of 13/05402/FUL relating to approved plans.
Applicant	Mr Neil Lickiss
Town/Parish Council	SALISBURY CITY
Electoral Division	SALISBURY HARNHAM – Cllr Brian Dalton
Grid Ref	413340 128359
Type of application	Full Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

The application has been called-in to Committee by Cllr Brian Dalton due to concerns in respect of car parking and access and amenity considerations.

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, subject to the Conditions set out at the conclusion of this report.

2. Report Summary

1. Principles and policies
2. Design and impact on wider area
3. Impact on Neighbour amenity
4. Highways and parking issues

Salisbury City Council raise concerns in respect of parking provision and Highways, neighbour amenity and scale and design.

Eight representations were received from third parties, each in objection to the proposed variation on grounds including:

- Access and parking provision concerns (garages used for storage not parking)
- Revised design of buildings out of keeping with the character of the surrounding area
- Concerns with respect to privacy and overlooking from rooflight windows

3. Site Description

The application site consists of approximately 0.17ha site on which the former Telephone Repeater Station building (TRS) was situated. The site is currently a construction site for the development of six dwellings (planning approval 13/05402/FUL) where the southernmost two detached dwellings have been substantially constructed (roofs under construction at the time of writing this report) and the 2 x pairs of semi detached dwellings within the site are also under construction (approaching ground floor ceiling height at the time of writing this report).

The site is accessed from Shaftesbury Drove at the southern end.

The application site is surrounded on all sides by existing residential development (consisting of properties on Harnwood Road to the east and north, properties accessed via Shaftesbury Drove to the west and south).

A byway runs east/west along Shaftesbury Drove to the south of the application site.

4. Relevant Planning History

13/05402/FUL	The demolition of existing telephone repeater station and development of two 4 bedroom and four 3 bedroom houses, with associated access, car parking and landscaping	APPEAL ALLOWED
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5. The Proposal

The application seeks to vary Condition 2 (approved plans) of planning approval 13/05402/FUL to allow the following amendments:

- (i) Introduction of garages between plots 4 & 5 where parking spaces were previously shown
- (ii) Construction of a garage and car port for plot 6 (where previously a car port was shown)
- (iii) The addition of single storey rear extensions to plots 3, 4 & 5
- (iv) Minor amendments to window sizes and the inclusion of 4 x rooflight windows within the rear (East) facing roof slopes of plots 3 to 6
- (v) Amendments to roof forms and detailing

6. Local Planning Policy

Wiltshire Core Strategy Core Policies CP1, CP2, CP20, CP57 & CP64
NPPF & NPPG

7. Summary of consultation responses

WC Highways – No Highway objection, subject to Condition
Public Protection – No response received

Salisbury City Council - raise concerns in respect of parking provision and Highways, neighbour amenity and scale and design.

8. Neighbourhood Responses

Eight representations were received from third parties, each in objection to the proposed variation on grounds including:

- Access and parking provision concerns (garages used for storage not parking)
 - Revised design of buildings out of keeping with the character of the surrounding area
- Concerns with respect to privacy and overlooking from rooflight windows

9. Planning Considerations

The application seeks to vary Condition 2 (approved plans) of planning approval 13/05402/FUL to allow amendments as follows:

9.1 Introduction of garages between plots 4 & 5 where parking spaces were previously shown and the construction of a garage and car port for plot 6 (where previously a car port was shown)

The application proposes the construction of adjoining single storey garages between plots 4 and 5, and the construction of a detached single garage with adjoining car port (serving plot 6) at the NW end of the site. Concerns have been raised that the proposed garages will displace parking provision, leading to insufficient parking provision within the site.

The Highways officer has assessed the proposal and raises no Highway objection.

The Highways officer has clarified the reason that current parking standards require a garage to meet the minimum internal size requirement of 6m x 3m is to ensure that there is sufficient room for an average sized family car, a cycle and some storage provision. He would not therefore in this case require a Condition that the garages are used/kept available solely for the purposes of parking vehicles.

With regard to the passing bay, the Highways officer notes that no highway concerns were raised in respect of its provision on the earlier approved application and does not now wish to object to its proposed similar use on the current proposal.

9.2 The addition of single storey rear extensions to plots 3, 4 & 5

Rear single storey extensions are proposed to the rear of plots 3, 4 & 5. The proposed extensions are of modest single storey scale and appropriate design & materials. Being located at the rear of the dwellings, in a area of land set down in level relative to adjoining houses and gardens to the north and east, it is considered the proposed extensions would not have an undue impact on the amenity of neighbours.

It is considered the scale of the proposed extension, taken together with the scale of the new dwellings to which they would attach, would leave sufficient outdoor amenity space remaining for the subject dwellings.

9.3 Minor amendments to window sizes and the inclusion of 4 x rooflight windows within the rear (East) facing roof slopes of plots 3 to 6

The application proposes the insertion of a single rooflight window within the rear (east) facing roof slope of plots 3, 4, 5 & 6 (therefore 4 x rooflights in total) to serve en-suite shower rooms at second floor level.

Permitted development rights for the insertion of additional rooflight windows were restricted by the consent granted by the Planning Inspector in order that that express planning permission should be sought for any windows in the east facing roof slopes so that they may be considered on their merits through the submission of a planning application.

The proposed rooflight windows are of modest scale and would serve en-suite shower rooms only (i.e. not habitable rooms). Additionally, the applicant has stated his acceptance that the proposed rooflights should be obscure glazed to protect the privacy and amenity of existing dwellings to the east.

Taking into consideration the above, and taking into consideration the distance, relationship and significant difference in ground levels between the application site and the closest adjoining dwellings to the east, it is considered the proposed rooflight windows (obscure glazed) would not have undue impacts on the privacy and amenity of existing neighbours.

9.4 Amendments to roof forms and detailing

Also proposed are minor changes in the design of fenestration of plots 3 to 6 and the previously proposed partially cropped gables are omitted in the current proposal:



Plots 3 to 6 as previously approved



Plots 3 to 6 as currently proposed

Plots 3 to 6 are situated within the application site, at a lower ground level than existing properties to the east and partially screened in views from The Drove to the south by plots 1 and 2. There are a belt of mature trees along the western boundary of the site which also provide screening within the immediate and wider surrounding area. The proposed amendments to fenestration and roof design would not have adverse impacts on the character of the surrounding area or the wider landscape.

10. Conclusion

The proposed amendments do not raise issues in terms of Highway safety or parking and access provision. The proposed amendments are considered compatible in terms of their scale, design and materials and would not result in undue impacts on the amenity of neighbours, the existing character of the surrounding area or the wider landscape.

RECOMMENDATION

Officer's recommend the approval of the application, subject to the following Conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 3071-P-12A, 3071-P-11, 3071-P-06A, 3071-P-10A, 3071-P-09A, 3071-P-08A and 3071-P-07A.

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

2. The garages provided for plots 3, 4, 5 and 6 shall have minimum internal dimensions of 3m wide by 6m long.

Reason: To ensure that there is sufficient room for an average sized family car, a cycle and some storage provision.

3. Demolition or construction works shall not take place outside 0730 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays and Bank or Public Holidays. No burning of waste shall take place on the site during the demolition or construction phase of the development.

Reason: In the interests of amenity

4. No part of the development hereby permitted shall be first occupied until the access, turning area, parking spaces, garages and passing place alongside Shaftesbury Drove have been completed in accordance with the details shown on the approved plans. The turning area, parking spaces and passing place shall be retained for those purposes at all times thereafter.

Reason: In the interests of Highway safety.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no windows, dormer windows or roof lights other than those shown on the plans hereby approved shall be inserted on the east facing roof-slope of units 3, 4, 5 or 6 or on the north facing roof-slope of units 1 or 2 or above ground floor level in the north facing elevation of unit 6. The unit numbers are those shown on drawing no. 3071-P-12A.

Reason: In the interests of amenity, to ensure that any future proposals for windows in these areas can be assessed on their merits through the consideration of an application for planning consent in that respect.

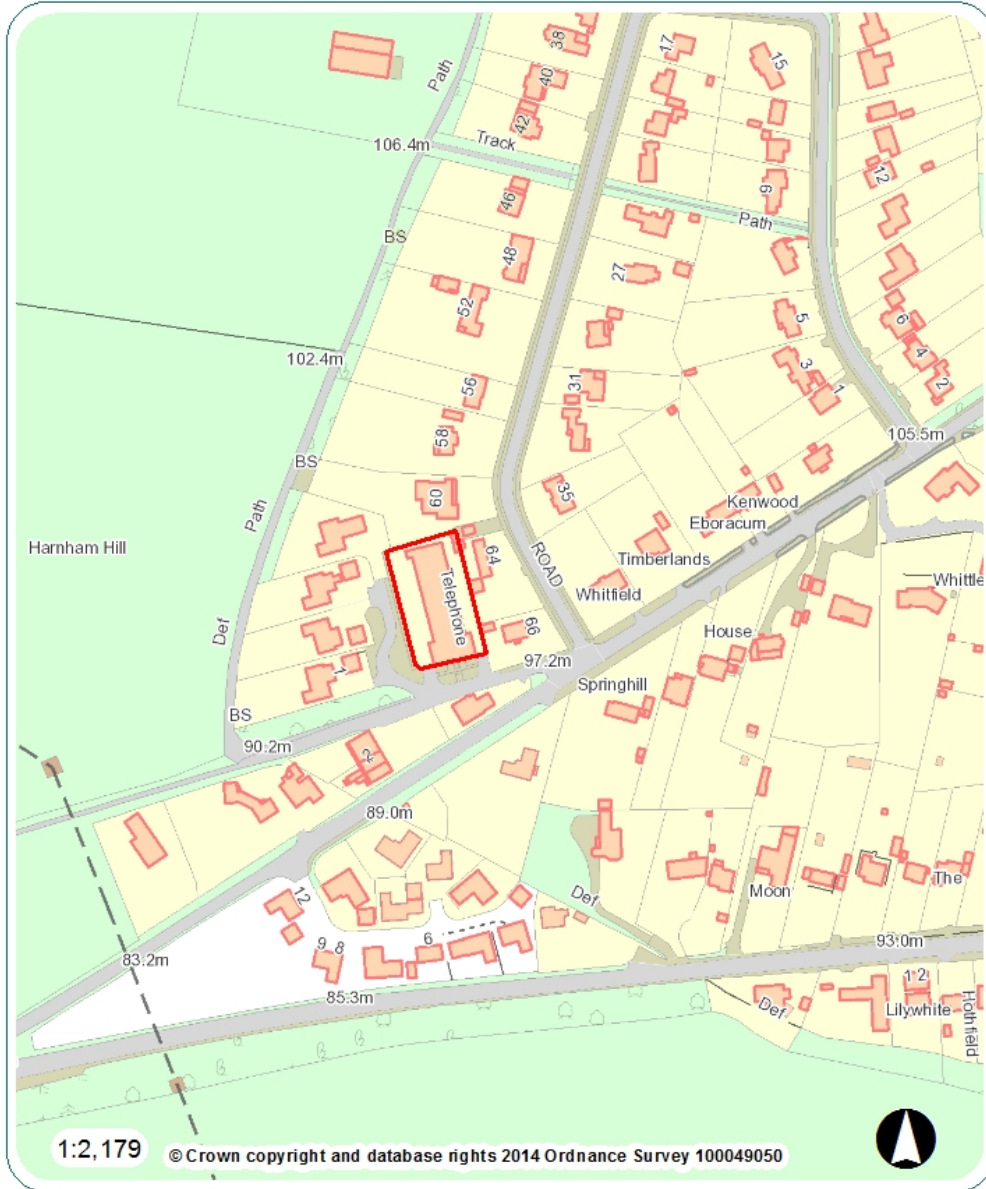
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the garages hereby permitted shall not be converted to habitable accommodation.

Reason: To ensure that garages are preserved and remain available for the parking of motor vehicles and ancillary cycle storage.

7. Before the development hereby permitted is first occupied the rooflight windows in the rear (east facing) elevation/roof plane of plots 3, 4, 5 and 6 shall be glazed with obscure glass only and these windows shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

17/07765/VAR
Shaftesbury Drove
Harnham
Salisbury
Wiltshire
SP2 8QH



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 1

Date of Meeting	19 th October 2017
Application Number	17/05583/DP3
Site Address	The Stonehenge School Antrobus Road Amesbury Wiltshire SP4 7ND
Proposal	Two phase expansion of Stonehenge School: Phase 1 - new building, additional parking spaces, covered canopy link between existing Upper School and new building, fencing and resurfacing to provide all-weather training facility, separate small fenced games court, and associated landscaping. Phase 2 - new building, demolition of Lower School building and creation of new playing field and car park, improvements to Lower School car park, and associated landscaping
Applicant	Wiltshire Council
Town/Parish Council	AMESBURY
Electoral Division	AMESBURY WEST – Councillor Westmoreland
Grid Ref	415946 141624
Type of application	Full Planning
Case Officer	Georgina Wright

Reason for the application being considered by Committee

Councillor Westmoreland has called the application to committee for the following reasons:

- This development is critical to the delivery of secondary education in the Amesbury Community Area. As such it needs to be considered in public.

The application is also being referred to committee in line with the Council's scheme of delegation because it is a Wiltshire Council application and third parties have raised material planning objections.

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

- Principle of development
- Loss of Playing Field
- Character of the area
- Design
- Residential amenity/living conditions
- Highway safety/parking
- Ecology
- Flooding & Drainage
- Archaeology

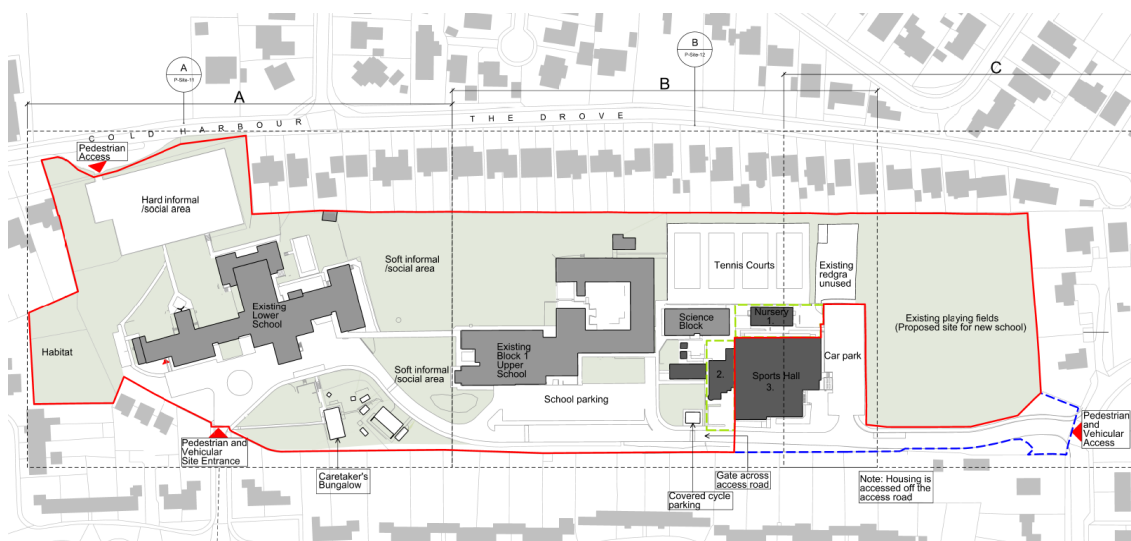
- Trees

The application has generated support from Amesbury Town Council; 1 letter of support; and 7 letters of objection.

3. Site Description

This 4+ hectare site is situated within the main built up area of the settlement of Amesbury, which is defined as a Market Town by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area). It is surrounded on all sides by residential properties and their associated amenity/parking provision. These properties front onto the local estate roads of Holders Road (to the north east), Antrobus Road (to the south east) and Cold Harbour (to the north west). The main vehicular access currently serving the site, is off Antrobus Road in the southern corner of the site. A further vehicular access is also gained via the north eastern boundary, off Holders Road. A pedestrian access to the site, and a link to the adjacent Amesbury C of E Primary School, is also afforded off Cold Harbour in the western corner of the site.

The fairly narrow and linear site has a fall across it from the northern part to the southern part of the site of approximately 7 metres. It currently forms Stonehenge School, which is Amesbury's main secondary school. The school consists of a Lower School (which is a 1950s, 2 storey brick building in the south western part of the site); an Upper School (which is a 1970s, 2 storey glazed building that is located centrally within the site); and a Science Block (which is a single storey building that was built behind the Upper School in 2009). The northern half of the site currently performs more of a recreational function providing the main on site playing field and tennis courts. A community sports/leisure centre (owned by Wiltshire Council but run independently of the school) is also located in this part of the site along with a children's nursery. Additional playing fields serving the school also exist on a separate site further along Holders Road to the east of the application site.



Existing School Site

4. Planning History

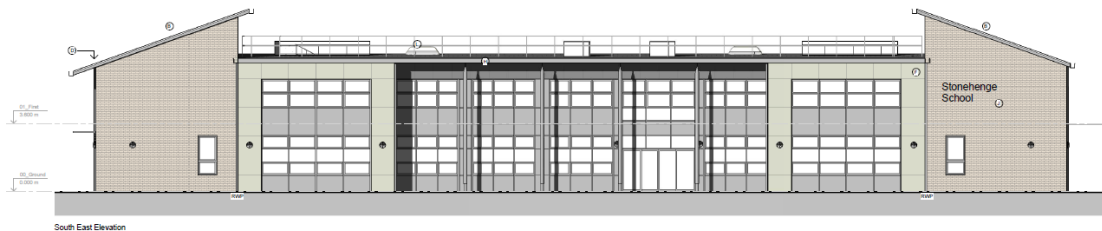
Amesbury and the surrounding villages have been subject to significant levels of housing growth in recent years with the continued development of the Archer's Gate/King's Gate site and the many army rebasing projects in the area. This has led to an immediate need for the existing secondary school on this site to expand in order to accommodate the associated increase in secondary school pupil numbers. The

supporting documentation to this application confirms that there is an identified need for an additional 300 school places to be accommodated at the school (taking Stonehenge School to a total of 1150 pupils). A number of different options have been considered to provide for this additional need. However, based on the sites and funding that are available at this time, the most viable and deliverable option for providing this need, is a redevelopment of the existing Stonehenge School site to provide not only the additional student places that have been identified, but to also ultimately modernise the existing buildings on the site and bring them up to modern teaching standards. The supporting documentation confirms that there is a 4 phase aspiration for the redevelopment of this site. This application however, solely deals with the first 2 phases of the scheme.

Application Ref	Proposal	Decision
15/03607/REM	Reserved matters application for appearance, landscaping and layout for the erection of four dwellings (following approval of outline application 14/05346/OUT) (Rear of 17 Holders Road)	Permission – 22.06.2015
14/05346/OUT	Outline application for the proposed erection of four dwellings with all matters reserved save for scale and means of access (Rear of 17 Holders Road)	Permission – 08.01.2015
13/00194/OUT	Demolish existing garage and erect 2 new dwellings (Rear of 17 Holders Road).	Permission – 12.07.2013
S/2011/1657	Re-location of double mobile to form pre-school facility including outdoor play area	Permission – 16.12.2011
S/2011/0631	Extension to the upper block to house new boiler	Permission – 16.06.2011
S/2009/1592	Extend the existing dining hall by enclosing part of the undercroft to the teaching block	Permission – 08.01.2010
S/2007/2522	Installation of solar photovoltaic system (Panels and framing) on the roof of the school building	Permission – 12.02.2008
S/2007/2218	New standalone staircase to upper school.	Permission – 28.12.2007
S/2007/0054	New science building	Permission – 22.02.2007
S/2005/8008	Extension to woodwork shop and conversion of former garage to classroom	Permission – 13.07.2005
S/2005/1515	Conversion of existing redundant swimming pool to an amphitheatre.	Permission – 20.09.2005
S/1998/0068	Extension of temporary consent to locate and use a skate board ramp (Withdrawn
S/1997/1222	Temporary permission (4 months) to locate and use a skateboard ramp	Permission – 03.10.1997
S/1989/0894	Deemed Application – Extension of Amesbury sports centre to form combined activity, social and leisure centre annexe	Permission – 08.06.1989
S/1987/0573	Extension to existing lounge area. (Amesbury Sports & Community Centre)	Permission – 20.05.1987

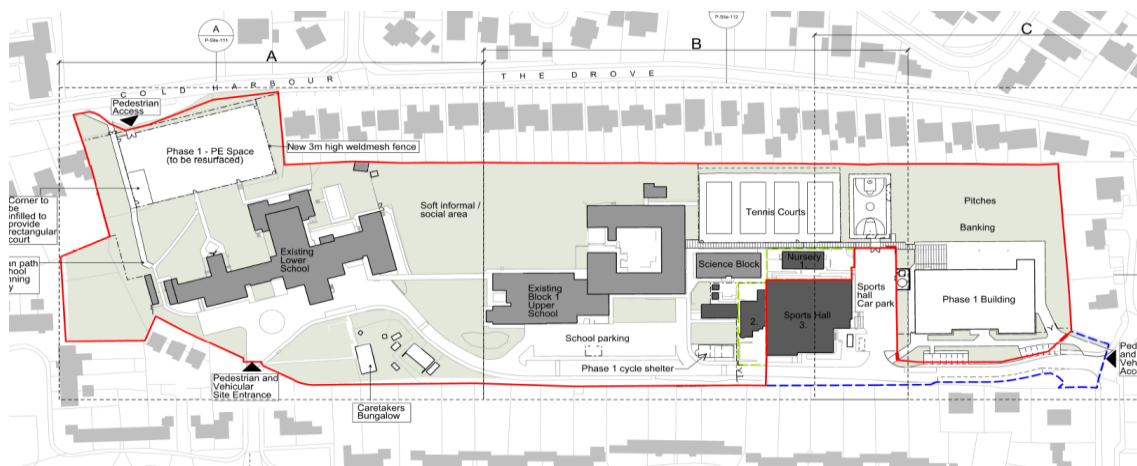
5. The Proposal

This is a full application proposing the first two phases of the planned redevelopment of the Stonehenge School site with a modernised and expanded secondary school. Phase 1 consists of a large rectangular building that is to be erected on the northern half of the site on the existing playing field. It is confirmed that the new building will contain additional classrooms and a new main entrance/reception area for the school. The building is to be of two storey massing with a central core framed by two mono pitched wings and is to be of smooth panelling; brick; glazing construction with a standing seam aluminium roof. This building will provide enough accommodation to enable the physical expansion of the school to enable it to accommodate the additional 300 pupils.



Phase 1 Building (Front)

As part of Phase 1 the main access for the school will be moved to the Holders Road access rather than the Antrobus Road access. The existing access and car parking area, which is currently gained via Antrobus Road, will instead be utilised by staff only. A total of 14 additional car parking spaces have been identified to serve the new Phase 1 Building in the immediate vicinity of the building. Additional parking for the 4 dwellings and the sports hall that are also served off the Holder's Road access has also been identified. An emergency access is also to be provided to the north eastern side of the new building.



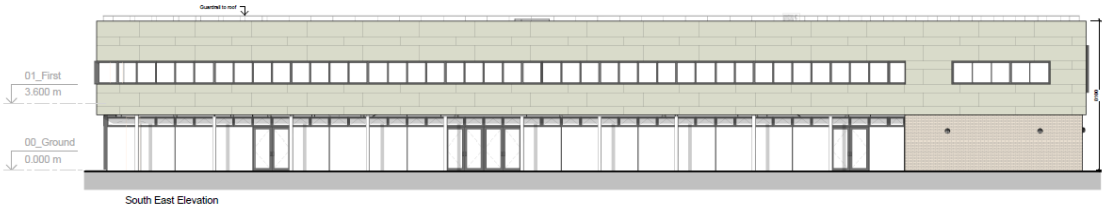
Phase 1 Development Site

As part of Phase 1, a new covered link to the Upper School/Science Block from the new Phase 1 classrooms is to be provided and the existing hard surfaced play area on the Cold Harbour boundary (behind the Lower School) will be resurfaced and improved to provide a new training pitch for the school. An existing area adjacent to the playing field will also be tarmacked to provide a Multi-Use Games Area (MUGA) in this location. Minor alterations to the Upper School will also be undertaken as part of this Phase. No works to the Lower School building are however identified. The supporting documentation confirms that funding is currently in place for Phase 1 and therefore this

Phase of the scheme will be commenced as soon as the relevant permissions are in place.

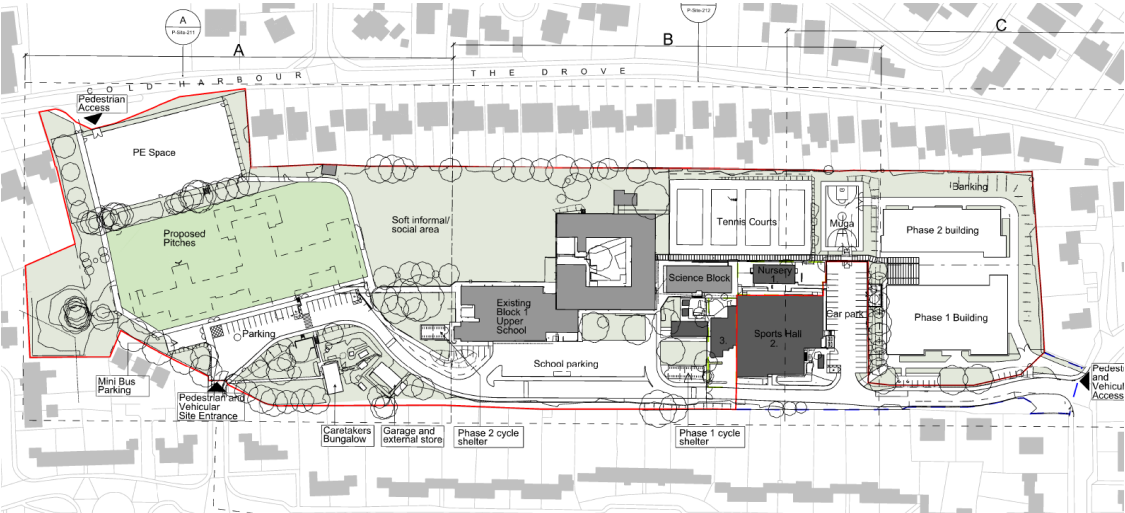
This application also identifies the proposed Phase 2 of the scheme. This is added to this application for completeness to show the proposed mid to long term and comprehensive plan for the redevelopment of the site. Whilst not a material planning consideration, the supporting documentation does however confirm that the funding for this Phase is not currently in place as yet. There is therefore currently no timetable currently set out for this element of the proposals to come forward.

Phase 2 involves the erection of a further rectangular building that is to sit parallel to and behind the Phase 1 Building. The two buildings together will create an internal courtyard/circulation space between the two. The Phase 2 Building is also to be of two storey form but is to be more modest in size and height and is broken down into a series of blocks (particularly on the rear elevation) rather than one continuous form. This building is to provide a double height school hall, drama and activity studio and music rooms. The facilities within this building will primarily serve the school but it is also envisaged that they will also be provided for the local community outside of school hours. The building is to be of similar materials to Building 1.



Phase 2 Building (Facing Phase 1 Building)

Phase 2 also involves the demolition of the existing 1950s Lower School buildings and the creation of a new playing field in its place; and the creation of an ecological/educational area in the south western corner of the site. Once Phase 2 is completed it is intended for the access to the site to be provided in an 'in/out' arrangement so that all vehicular traffic will access the site from the Holder's Road access and exit via the Antrobus Road access. These proposals will also allow bus access and better pedestrian segregation throughout the site from vehicular traffic.



Phase 2 Development

It is confirmed that Phase 3 and 4 will involve the comprehensive redevelopment of the remaining buildings on the site including the Upper School and the sports hall. However no details have been provided for these elements and no funding is currently in place for this final part of the masterplan. Phases 3 and 4 do not therefore form part of this application and are not to be considered at this stage, accordingly.

The application is accompanied by a Design & Access Statement; A Foul & Surface Water Drainage Strategy; an Ecological Appraisal & BREEAM Ecology Assessment; An Archaeology Desk Based Assessment; an Energy Statement; a BREEAM Pre Assessment; and an External Lighting Design Statement. During the course of the application a set of amended plans were provided making small changes to the proposed parking, access and landscaping arrangements. An Arboricultural Survey, Impact Assessment & Protection Plan; a Preliminary Bat Roost Assessment; a Travel Plan; a Flood Risk Assessment; and updated archaeology report were also submitted during the application for consideration.

6. Local Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy):
R5 - Loss of Recreational Open Space
R7 - Dual Use of Educational Establishments for Recreational Purposes
PS5 - New Educational Facilities

Wiltshire Core Strategy:
CP1 (Settlement Strategy)
CP2 (Delivery Strategy)
CP4 (Amesbury Community Area)
CP35 (Existing Employment Sites)
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)
CP67 (Flood Risk)

Supplementary Planning Documents:
Creating Places Design Guide SPG (April 2006)
Achieving Sustainable Development SPG (April 2005)
Wiltshire Local Transport Plan – Car Parking Strategy:

7. Summary of consultation responses

Amesbury Town Council – Support

Urban Designer – No Comments Received

Highways – No Objection subject to conditions

- The revised plans are now acceptable.
- Accept the Phase 1 path to Cold Harbour Road as indicated, as this seems to be preferred by the applicants.
- The Phase 1 and Phase 2 cycle provision is adequate and much better located.

- Steps have been taken to improve event parent parking by agreeing that the MUGA adjacent to the tennis courts can be used and the entrance is now indicated as being revised to accommodate occasional car use if the school wishes to use the area for that purpose.

School Travel Plan Co-Ordinator – No Objection subject to changes

- I am happy with the travel plan as submitted, except that in Section 7, review cycle, we need to be a little more specific. I would suggest a “light-touch” review of the action plan within six months of occupation of the new build, with a full data collection within 12 months.
- The light touch review would involve observational evidence, as well as feedback which could be invited from parents, staff and pupils. Essentially this is “Is the travel plan effective? If not, what could we do differently?”.
- The target date for walking routes should also change to December 2017 given that it will take input from the school re the routes used (and particularly cut-throughs) and time taken.

Ecology – No Objection subject to conditions

- I have reviewed the bat survey report attached in relation to the proposal for Stonehenge School at Amesbury.
- I am satisfied that sufficient survey has now been carried out to assess the ecological risk as a result of the proposals.

Trees – Comments

- Initially, I was surprised to see there is only one category A tree out of so many in total (91 individual trees), but I am pleased to see it is being retained.
- The report goes on to say there are 59 category B trees (55 to be retained and 9 to be removed) and 31 category C trees (27 to be retained and 5 to be removed); neither of which add up.
- In addition a further 32 trees which form part of groups are also earmarked for removal. This takes the overall loss across the site to somewhere in the region of 45 trees. Less than half that amount is proposed for replacement and there is limited space for further planting.
- I do not think that the level of tree loss without replacement is acceptable.
- Should the proposal be approved, I would suggest an Arb Method Statement and revised Tree Protection Plan should be required, by condition, pre-commencement.

Public Protection – No Objections subject to conditions

Archaeology – No Objection

- Thank you for the revised report.
- My previous advice was an objection, as the field evaluation had not been undertaken.
- I am happy to change my advice to No Objections now that I have received the report.
- This is because, on the evidence available to me at present, I consider it unlikely that significant archaeological remains would be disturbed by the proposed development

Drainage – Support subject to conditions

- Site is in FZ 1 according to EA mapping
- Site is within surface water flood risk area for 1 in 30/100 events according to EA mapping

- Site is in an area affected by high ground water levels
- Application form says foul drainage to go to main sewer – drainage report says a public sewer crosses area of development thus will need diverting – if sewerage undertaker does not allow the moving of this sewer then the proposals will not be achievable – report says WW have agreed in principle to the diversion
- Application form says storm water drainage to go to soakaways via sustainable drainage system – based on comment above the use of soakaways may not be appropriate as there MUST be at least 1m of unsaturated soil between the base of soakaway and the agreed top level of ground water taking into account seasonal variations

Public Open Space – No Comments Received

Sport England – No Objection subject to conditions

- It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).
- The consultation with Sport England is therefore a statutory requirement.
- Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England’s policy to protect playing fields, ‘A Sporting Future for the Playing Fields of England’ (see link below): www.sportengland.org/playingfieldspolicy
- Sport England’s policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.
- The proposal is the two phase expansion of Stonehenge School, which will result in the loss of approximately 0.31 hectares of natural turf playing field.
- This application relates to the loss of existing playing fields and/or the provision of replacement playing fields. It therefore needs to be considered against exception E4 of the above policy, which states: *E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development*
- Also there is an Artificial Grass Pitch (AGP) being provided which needs to be considered against our exception E5 policy which states: *E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.*
- Referring to the adopted playing pitch strategy there is limited need for some mini and junior football, therefore the proposals do not meet our planning policy exception E1 as the applicants agents contend. The new pitch, coupled with the new small side AGP, will help address this shortfall.
- We would require a Community Use Condition in order to meet our planning policy exceptions E4 and E5.
- There is lack of detail on the new playing pitch’s construction. This will need to be conditioned in order to ensure it is fit for purpose.
- There is lack of details on the 3G AGP; in order to ensure it is fit for purpose and maintained, this will have to be conditioned.

- Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet exceptions E4 and E5 of the above policy.
- Should the recommended conditions not be imposed on any planning consent, Sport England would consider the proposal to not meet exception E4 or E5 of our playing fields policy, and we would therefore object to this application.
- Any amendments to the conditions should be agreed with Sport England
- Should the local planning authority be minded to approve this application against the recommendation of Sport England; in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application should be referred to the Secretary of State via the National Planning Casework Unit.

8. Publicity

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

Letters – 1 letter of support received from the residents of 11 Cold Harbour. The following comments made:

- This application should be supported.
- Amesbury is an ever growing community which is in desperate need of an increase in the secondary school education facilities.
- This proposal keeps the school in a central location maximising the use of public transport links.
- Over the next few years the population is due to expand further with the relocation of military personnel to the surrounding area and Amesbury needs to be prepared for this increase.
- This proposal will mean that Amesbury would be able to provide the secondary education, in an environment and with the facilities that all 11-16 year olds should receive.

Letters – 7 letters of objections/comments made from the residents of 8 The Drove; 13, 13A Holders Road; Marlen & Virginia House, Cold Harbour; and 15 & 60 Antrobus Road. The following comments made:

- The disruption to the pupils whilst the work is being carried out is going to be detrimental to their education.
- The area is residential it is not conducive to try and squeeze a new school into the site, move its location to a larger plot with better access worthy of the splendid building proposed. The building works can then be carried out with no effect on the pupil's lessons.
- The old buildings should be raised to the ground, and the land sold for houses.
- If the plans are to go ahead there will be an increase Noise. Traffic and road safety issues.
- Please restrict construction traffic/deliveries etc to 0800 and no weekend working.
- Endorse the proposed hedge and wildflower grassland on slope between Phase 1 and the northern boundary
- The new tree belt should continue around the base of the northern slope to improve privacy; noise abatement and encourage wildlife/biodiversity on this boundary too
- Very concerned that the existing sewage and grey water pipe that collects waste from the properties in Holders Road and runs underneath the sports field is to be rerouted. This is likely to have a major effect on neighbouring services/facilities
- The trees along the rear gardens of the properties fronting onto The Drove should be retained for ecology and privacy reasons

- Concerned that the "all weather facility" will block the morning sun light to my property
- Will the access onto Cold Harbour disrupt traffic and residents accessing their own properties
- The recently added Foul & Surface Water Drainage Strategy shows the construction of a new sewer along the NW and NE boundaries of the site. This new sewer is shown to be sited along the top of the proposed banking where your ecology assessment shows a new native hedge being planted. This is at odds with the requirement in the Foul & Surface Water Drainage Strategy to remove trees at the eastern edge of the NE boundary to avoid root intrusion.
- How are the toilets at the NE end of the Phase 1 & 2 buildings going to drain into the new sewer when it appears to be sited up a bank from the level of the building.
- Surely this sewer needs to be sited nearer to the buildings than currently shown;
- Move the sewer position to enable the trees currently at the top of the bank to remain and the planned native hedge to be planted without fear of root intrusion into a sewer several meters below them down the bank.
- Please ensure that the authorised plans do not include the removal of any mature trees on the NW and NE boundaries and that the intent to include the native hedge and wild flower meadow is retained.
- Support the redevelopment of the school site rather than moving it out of town
- The existing school is very small and nice new buildings with lots of glass will help improve standards
- However the number of pupils and therefore staff will increase by a third but the available outside space will decrease because of the need for more classrooms
- Dismayed to see that a large piece of land adjacent to the lower school is to remain fenced off and inaccessible to the pupils.
- All of the land within the school boundaries should be available for playing which is a crucial and integral role of daily life at the school
- The parcel of land had a pond and allotments and provided children, many of whom who live in flats or houses with no gardens, access to ecology and green open space

9. Planning Considerations

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

9.1 Principle of development

The site is situated within the main built up area of Amesbury and in line with WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area) is considered to be a sustainable location in which to concentrate new development. In addition, the site is already in use as a secondary school and as a result of the recent housing development that has occurred in Amesbury and its surrounding villages there is an identified need for further secondary school places to be provided in the area. The redevelopment of this site is therefore proposed in order to accommodate this increased demand.

Furthermore, Saved SDLP policy PS5 supports new educational facilities which are required by the Local Education Authority provided that they are '*either within or adjoining the settlements*' and are of '*permanent construction*'. The site's redevelopment with the identified Phase 1 and 2 works therefore accords with this policy context and is therefore considered to be acceptable in principle.

Local concern has however been raised about the redevelopment of this site as proposed as it is a tight site and the proposed construction is likely to create disruption for neighbours and pupils alike. It has therefore been suggested that this site should be redeveloped for housing instead while the Holder's Road playing field site be the focus for an entirely new school. However, the supporting documentation has confirmed that all other options for development have been considered and that *this* proposal represents the most cost effective way of providing for the additional need with the limited amount of disruption to the daily life of the school and its pupils. There simply is not the funding available to provide an entirely new school on an entirely new site; the running costs of having a split school site with part of the need being provided on the Holders Road site would also be inefficient from a cost and operation point of view. It is therefore confirmed that redeveloping the existing site enables the new facilities to be provided in the most cost effective and least disruptive way.

The Phase 1 Building is to be constructed on the northern part of the site, away from the current day to day activities that occur on the remainder of the site. This will enable the construction traffic to be kept completely separate from the school activities and the ultimate building will provide all of the additional classrooms and facilities needed to accommodate the additional 300 pupils required. Phase 2 serves to consolidate and replace some of the existing facilities that are currently provided in the poor quality Lower School buildings. Whilst it is adjacent to the Phase 1 Building and its construction will therefore undoubtedly create some disruption, the circulation space around the Phase 1 Building and the rest of the site mean that there is scope for this to be adequately managed. There is currently no timetable in place for this element of the proposals, but it can also be managed to make good use of the school holidays for the construction process. It is not therefore considered that any associated impact during the construction process would be a sufficient reason to warrant a refusal of the scheme or the redevelopment of this site in principle. The Local Planning Authority therefore has to consider the application as submitted.

The general acceptability of the proposals is however subject to the detail in terms of the implications for the associated loss of playing field; character and design; neighbouring amenities; highway safety; ecology; trees; drainage; and archaeology. These matters will therefore be considered in more detail below.

9.2 Loss of Playing Fields

As has been identified above, the application proposes the redevelopment of the existing playing field serving the site in order to accommodate both the Phase 1 and Phase 2 Buildings. Saved SDLP policy R5 confirms that any development that would lead to the loss of 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'*.

In addition, in line with the NPPF and Sport England's policy to protect playing fields, planning permission will not normally be granted for development that involves the loss of school playing fields, unless one or more of the five exceptions stated in Sport England's policy apply. Sport England has therefore been consulted on the application accordingly.

In this instance the development will result in the loss of approximately 0.31 hectares of natural turf playing field. The supporting documentation however argues that this is acceptable because of a number of reasons. Firstly, the school is already served by

the Holders Road site which provides 80,992 square metres of playing field. This represents an oversupply of playing field that is available for the school, which would normally only require (for an increased number of 1150 pupils) approximately 46,250 square metres of playing field. Therefore whilst some loss is proposed on the application site, the school and community are still considered to be well catered for.

In addition, both phases of the development propose additional or improved on site supply. Phase 1 seeks to improve the existing, irregular shaped and tarmacked play area on the Cold Harbour boundary, with a larger, improved artificial grassed pitch. It is also intended, as part of this Phase, to resurface an unused area adjacent to the existing playing field therefore providing a new 5 aside/basketball/ball area to serve the site. During the Phase 2 works, a new indoor assembly hall, which is to have a sprung floor thereby allowing it to be using for sporting activities, is to be provided; as well as a new indoor activity studio and changing facilities that will be available for the community. Finally Phase 2 will also see the demolition of the existing Lower School buildings which will enable a large area of new playing field to be created in its place. It is suggested that these additional provisions and improvements to the existing facilities will serve to mitigate for the loss of the playing field that is required in the northern part of the site.

Sport England has assessed these provisions against the exception criteria outlined in their policies (which are transposed in to Saved SDLP policy R5). It has confirmed that, whilst there is some additional detail that needs to be secured by way of condition (in terms of ensuring that the new playing pitch and improved facilities are constructed appropriately and are available to the community), the proposals broadly meet their exception policies and are therefore acceptable. Sport England has raised no objection accordingly and the loss of playing field to facilitate the proposed development is deemed to be acceptable in this instance.

9.3 Character & Design

Whilst the site is surrounded by residential development, the site is already in use as a school and has an inherently educational character. Whilst the buildings are currently generally retained to the southern part of the site at the moment, the northern part does benefit from a number of temporary and permanent buildings that are in use for the community and therefore this part of the site also has a functional/institutional character rather than a domestic form. It is therefore considered that the redevelopment of this part of the site with additional/replaced school buildings will be acceptable and will not be out of keeping with the character of this site.

There is no disputing that the two buildings that are proposed as part of the two phases are of significant size and scale. However the design and form of the two buildings has been carefully managed and the buildings are to be dug into the site so as to minimise their impact. The Phase 1 Building is to have a full two storey core but this is to be framed by two mono pitch wings which will serve to soften and reduce this massing as it extends closer to the shared boundaries. The Phase 2 Building also continues the two storey massing on the elevation that faces the Phase 1 Building but at the rear, where it backs onto single storey bungalow development, this massing is broken up into a series of boxes and is dug into the site thereby reducing its impact to (the appearance of) a more domestic scale.

Overall the two buildings are considered to complement each other and will create a well-designed and attractive form of development that is functional and fit for purpose. Whilst it is a tight site with a strong relationship with the neighbouring uses, it is considered that the proposals will not be overly dominant in the wider area and will not introduce inappropriate development to the site.

9.4 Residential amenity/living conditions

As has been identified above, the part of the site where the proposed buildings are to be developed is relatively tight and has a strong relationship with and close proximity to the neighbouring properties and their boundaries. The neighbouring properties are a mix of two storey and single storey development and in the main, benefit from limited gardens that back onto the application site. A further four dwellings have recently been erected almost within the school grounds to the rear of 17 Holders Road and these front onto the existing playing field and share the access driveway. There is therefore a lot of scope for impact in terms of dominance, disturbance and overlooking for neighbouring residents.

These concerns were raised about the scheme at the preapplication stage and the scheme has been amended to try to reduce this potential impact. The buildings, wherever possible, have been pulled off the neighbouring boundaries; the buildings have been dug into the site; banking and landscaping/trees have been incorporated into the scheme; and windows have been kept to a minimum on the sensitive elevations. Additional tree planting, particularly along the northern and north western elevations of the buildings is also being considered (see the tree section below). Whilst, the separation distances between the new buildings and the neighbouring boundaries are not ideal, at only 12 metres in some instances; the distance between facing elevations is consistently over 20 metres. This relationship is not ideal but is considered to be sufficient to mitigate any significant implications for neighbouring amenities in terms of loss of light, overlooking or dominance. The level changes identified; and proposed planting will further serve to soften this impact. On balance it is considered that the many benefits that the proposals will bring to the community will therefore outweigh the potential harm that may be caused to neighbouring amenities in this regard.

Local concern has however been raised about the use and proposed fencing off of a large area of land in the southern part of the site, adjacent to the Lower School. This area is a relatively large area that is completely contained by neighbouring gardens. The proposals for Phase 2 show this to be fenced off with only gated access but the local representation is concerned that this should be provided as additional outdoor space for the increased pupil numbers. The applicant has however confirmed that this area is to be used as an educational area for pupils to learn about habitat, geography and science, in line with the Department of Education guidelines and the curriculum. It is fenced off because it contains a pond and other habitat that needs to be carefully managed which would not therefore be safe for students to wander around unsupervised. It is however to be managed and will provide an invaluable resource for the school and pupils. It is considered that the identified use and management of this area will create limited disruption for the neighbouring residents and is therefore considered to be acceptable.

Local concern has also been made about the development proposed along the Cold Harbour boundary as it is considered that the works will involve extra traffic on this road and the new pitch will cause loss of light. However the scheme has been accompanied by a revised Travel Plan which seeks to address the sustainability and traffic generation from the site which is found to be acceptable by the Council's Highway Team. The new artificial pitch along this boundary is effectively a resurfaced version of what is there already, with an additional fencing containing the facility. Whilst it will improve the existing facility and make it more useable, it is not considered that any of these proposed works would result in any additional impact for neighbouring residents compared with the existing facilities and existing use of the site as a school.

9.5 Highway Safety/Parking

A number of alterations have been made to the proposals in order to satisfy some initial concerns raised by the Highway Authority. Namely, some cycle parking has now been identified at Phase 1 (72 spaces are to be provided in a gated cycle area and a further 12 wall mounted cycle brackets are provided at the Lower School); additional cycle parking has been provided in the Phase 2 proposals (taking the total number of cycle spaces up to 120 spaces); and overspill/parental parking for events has been identified in the new tarmacked basketball court adjacent to the Phase 2 Building. The Highway Authority has confirmed that the proposals for both phases now satisfy the parking and cycle requirements for such a site. The proposed short and long term access arrangements are also considered to be acceptable. The Highway Authority has raised no objection to the proposals accordingly.

The application is also accompanied by a Travel Plan that has been compiled by the school in discussion with the Council's Travel Plan Coordinator. Generally the Council's Travel Plan Officer is happy with the content of the document which will seek to encourage pupils to walk/cycle to the school. A few changes are required to this document but these can be secured by way of a condition on the decision. No objection has therefore been raised to the application in this regard.

9.6 Ecology

The original application contained insufficient survey work as the submitted ecological reports only concerned the Phase 1 works. However as Phase 2 is included in this application and this latter Phase involves the demolition of the 1950s Lower School it was considered necessary for further ecological survey work to be undertaken. Further survey work was thus undertaken and an updated bat survey was submitted during the course of the application. The Council's Ecologist has reviewed the submitted documents and has confirmed that they are now satisfied that sufficient survey work has been undertaken and that limited implications for protected species will result from the proposed development. Subject to a condition being added to ensure that the reports/survey work is updated as necessary before any demolition takes place (depending on when the Phase 2 works are undertaken), the Council's Ecologist has raised no objection to the proposals accordingly.

9.7 Trees

The submitted Arboricultural Report has a number of errors in it which therefore make it difficult to ascertain exactly how many trees are to be affected by the two phased development. The Council's Tree Officer is concerned that approximately 45 trees may be lost as part of the development and as there is limited scope for replacement planting to mitigate for this loss the level of loss is not appropriate.

However it should be noted that none of the trees on the site are currently protected by Tree Preservation Order (TPO) and therefore there is nothing to stop many of the identified trees being removed at any point, in any event. In the main the trees that are to be removed are either within a group or within the site grounds and therefore the overall impact of their loss to the public amenities of the wider area will be minimal. Where replacement planting is identified, it is to be planted so as to soften the impact of the development for the neighbouring residents and will thus be of public benefit.

The applicant has also been notified of these concerns and has, during the course of the application, submitted an updated Arboricultural Report which clearly identifies what is to happen on the site. Additional replacement tree planting has also been identified. On balance it is not therefore considered that this concern would warrant a

reason for refusal of the scheme and the Arboricultural Officer's suggested condition is attached to the recommendation.

9.8 Flooding & Drainage

Whilst the site is not situated within Flood Zones 2 and 3, it is over 1 hectare in size and is within Flood Zone 1. The Lead Flood Authority (Wiltshire Council) therefore needs to be consulted about the application and any possible implication for flooding needs to be assessed.

In this instance the application is accompanied by a Foul & Surface Water Drainage Strategy and a Flood Risk Assessment. In summary, this confirms that the rainwater from buildings and hard surfaces will be disposed of through infiltration to ground water and therefore does not increase the risk of flooding elsewhere. On assessment of the information that has been submitted the Council's Drainage Officer has raised no objection to the proposals. Conditions have been suggested (and imposed on the recommendation) to ensure that adequate surface water and foul drainage provision can be accommodated on the site. Overall the proposals are considered to be acceptable in this regard.

Local concern has been raised about a proposed diversion of the existing public sewer that currently crosses the playing field. The plans have indicated that this is to be diverted around the outer perimeter of the site. The main concerns that have been raised involve the suitability of the relocated sewer for its purpose; the potential disruption that will be caused during its diversion/construction; and the potential impact this will have on the ability for the identified new planting to be successful. Wessex Water has, in principle, agreed the proposed diversion. The detailed mechanisms, route and management of the diversion will however be controlled by other legislation and is outside of the control of planning.

The supporting documentation confirms that the indicative route of the new sewer has been designed to satisfy various requirements from Wessex Water, such as a 3 metre wide easement either side of the line of the new sewer. No trees have been identified within this zone and where new planting/trees are identified along these boundaries, such as the 'new native hedge' along the north eastern and north western boundaries, these are shown to be outside of the easement and are contained by a root protection barrier to protect the new sewer from damage due to root spread. This information is useful to understand how and why various elements of the proposals have come about but as the detail is governed by other legislation it is not considered that the third party concerns raised can be upheld or would justify a refusal of the scheme in planning terms. Any planning permission does not however override any legal requirement or other legislation requirements that might concern the land. An informative will be attached to the decision to confirm this to the applicant accordingly.

9.9 Archaeology

The application is accompanied by an Archaeological Desk Based Assessment (July 2017). During the course of the application further field evaluation work has also been undertaken at the site. The Council's Archaeologist is now satisfied that on the evidence available, it is unlikely that significant archaeological remains would be disturbed by the proposed development. No objections have been raised about the proposals in this regard accordingly.

10. Conclusion

It is considered that the proposed development will enable a much needed expansion, redevelopment and modernisation of the existing secondary school to serve the local needs of the Amesbury Community Area. It will also introduce additional and valuable community facilities to the local area. The proposals will result in an attractive and comprehensive redevelopment of the site that will not result in any significant implications for neighbouring amenities, highway safety, drainage, ecology or archaeology. The application is recommended for permission accordingly.

RECOMMENDATION

Permission 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:

Application Form & Certificate

Ref: E-100 P07 – Elevations – Planning Phase 1. Received – 03.07.2017

Ref: E-200 P06 – Elevations – Planning Phase 2. Received – 03.07.2017

Ref: P-0-20 P03 – Block 2 – Lower School – Ground Floor Plan. Received – 03.07.2017

Ref: P-0-21 P04 – Block 1 – Upper School – Ground Floor Plan. Received – 03.07.2017

Ref: P-0-30 P03 – Lower School – Ground Floor Plan Phase 1 Works. Received – 03.07.2017

Ref: P-0-33 P03 – Upper School – Ground Floor Plan Phase 1 Works. Received – 03.07.2017

Ref: P-0-100 P04 – Ground Floor Plan – Planning Phase 1. Received – 03.07.2017

Ref: P-0-200 P06 – Ground Floor Plan – Planning Phase 2. Received – 03.07.2017

Ref: P-1-20 P03 – Block 2 – Lower School – First Floor Plan. Received – 03.07.2017

Ref: P-1-33 P05 – Upper School – First Floor Plan Alterations. Received – 03.07.2017

Ref: P-1-100 P04 – First Floor Plan – Planning Phase 1. Received – 03.07.2017

Ref: P-1-200 P04 – First Floor Plan Planning – Phase 2. Received – 03.07.2017

Ref: P-1-21 P04 – Block 1 – Upper School – First Floor Plan. Received – 03.07.2017

Ref: P-R-100 P03 – Roof Plan – Planning Phase 1. Received – 03.07.2017

Ref: P-R-200 P04 – Roof Plan – Planning Phase 2. Received – 03.07.2017

Ref: P-Site-01 P04 – Location Plan. Received – 03.07.2017

Ref: P-Site-110 T03 – Proposed Site Plan Phase 1. Received – 21.09.2017

Ref: P-Site-111 T02 – Proposed Site Plan A Phase 1. Received – 21.09.2017

Ref: P-Site-112 T02 – Proposed Site Plan_B Phase 1. Received – 21.09.2017

Ref: P-Site-113 T04 – Proposed Site Plan_C Phase 1. Received – 21.09.2017

Ref: P-Site-114 T02 – Proposed Site Plan_Fence Types_A Phase 1. Received – 21.09.2017

Ref: P-Site-115 T04 – Proposed Site Plan_Fence Types/Levels Phase 1 drg B. Received – 21.09.2017

Ref: P-Site-116 P05 – Proposed Site Plan_Fence Types/Levels Phase 1_drg C. Received – 03.07.2017

Ref: P-Site-123 P03 – Phase 1 Construction Access & Facilities Plan C. Received – 03.07.2017

Ref: P-Site-210 P09 – Proposed Site Plan Phase 2. Received – 21.09.2017

Ref: P-Site-211 P09 – Proposed Site Plan – A Phase 2. Received – 21.09.2017
 Ref: P-Site-212 P09 – Proposed Site Plan – B Phase 2. Received – 21.09.2017
 Ref: P-Site-213 P10 – Proposed Site Plan – C Phase 2. Received – 21.09.2017
 Ref: P-Site-215 P03 – Proposed Site Plan A – Phase 2 Fencing. Received – 21.09.2017
 Ref: P-Site-216 P03 – Proposed Site Plan B – Fencing & Levels Phase 2 drg B. Received – 21.09.2017
 Ref: P-Site-221 P02 – Phase 2 Construction Access & Facilities Plan A. Received – 03.07.2017
 Ref: P-Site-223 P03 – Phase 2 Construction Access & Facilities Plan C. Received – 03.07.2017
 Ref: P-Site-222 P03 – Phase 2 Construction Access & Facilities Plan B. Received – 03.07.2017
 Ref: P-Site-223 P03 – Phase 2 Construction Access & Facilities Plan C. Received – 03.07.2017
 Ref: S-Site-100 P05 – Site Sectional Elevations. Received – 03.07.2017
 Ref: S-Site-101 P03 – Site Sectional Elevations. Received – 03.07.2017
 Ref: S-Site-105 P02 – Site Sections – Surrounding Properties. Received – 03.07.2017
 Ref: SK-10 P03 – 3D View – Ground Floor – Phase 1. Received – 03.07.2017
 Ref: SK-11 P03 – 3D View – First Floor – Phase 1. Received – 03.07.2017
 Ref: SK-12 P02 – 3D View – Ground Floor – Phase 2. Received – 03.07.2017
 Ref: SK-13 P02 – 3D View – First Floor – Phase 2. Received – 03.07.2017
 Ref: SK-100 P04 – Section Planning – Phase 1. Received – 03.07.2017
 Ref: SK-200 P03 – Sections Plans – Phase 2. Received – 03.07.2017
 Ref: 416.00210.00029 Rev A – Plant Schedule Phase 1 and 2. Received – 03.07.2017
 Ref: 416.00210.00029.29.002.2 – Landscape Strategy: Phase 1. Received – 28.09.2017
 Ref: 416.00210.00029.29.003.3 – Landscape Strategy: Phase 2. Received – 28.09.2017

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

3. 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 and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. 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 neighbouring amenities

5. 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 neighbouring amenities

6. The emergency vehicle access alongside the north-east side of the Phase 1 Building shall at all times be closed to motor vehicle use by fixed and removable bollards as indicated on drawing number P-Site/113/T04, except at those times when the access is in use by emergency or maintenance vehicles.

REASON: In the interests of highway safety.

7. Prior to the occupation of the Phase 2 Building, the 23 space car parking area and the mini bus parking area, identified adjacent to the proposed sports pitches (near the Antrobus Road entrance), shall have been laid out in accordance with the approved plans and shall thereafter be maintained and kept available for the parking of vehicles.

REASON: In the interests of providing safe and convenient car parking for the users of the development.

8. Prior to the occupation of the Phase 1 Building, the Phase 1 cycle shelter shown on plan number P-Site-112/T02, and the 3 cycle hoops wall brackets near to the main reception, shall be provided in accordance with the approved plans and shall thereafter be maintained and kept available for the parking of cycles.

REASON: In the interests of providing safe and convenient cycle parking for the users of the development.

9. Prior to the occupation of the Phase 2 Building, the Phase 2 cycle shelter shown on plan P-Site-210/P09 shall be provided in accordance with the approved plans and shall thereafter be maintained and kept available for the parking of cycles.

REASON: In the interests of providing safe and convenient cycle parking for the users of the development.

10. Prior to the occupation of the Phase 2 Building, details of the proposed one-way system through the site from Holders Road to Antrobus Road shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include improvements to the Antrobus Road spur leading into the school entrance from the main section of Antrobus Road; footway widening or the introduction of a "pedestrian friendly"; and a timetable for its implementation. The development shall be implemented in accordance with the approved details and retained/maintained as such in perpetuity.

REASON: In the interests of safe and convenient access to the site.

11. Notwithstanding the submitted Travel Plan, no development shall commence on site until a revised travel plan taking on board the comments made by the Council's Travel Plan Coordinator, has been submitted to and agreed in writing by the Local Planning Authority. The School Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from these results.

REASON: In the interests of road safety and reducing private car movements to and from the school.

12. No development shall commence on site until a scheme for the discharge of foul water from the site, including diversion of existing sewers and improvement works to public system, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The foul water drainage scheme shall be constructed in accordance with the agreed details prior to the occupation of the building hereby approved.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained

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 together with permeability test results to BRE365 and location of top ground water level, has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be constructed in accordance with the agreed details prior to the occupation of the building hereby approved.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained

14. No development of the Artificial Grass Pitch hereby approved shall commence until details of the design and layout of the pitch have been submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The Artificial Grass Pitch shall be constructed in strict accordance with the approved details and maintained as such in perpetuity.

REASON: To ensure the development is fit for purpose and sustainable

15. Before the Artificial Grass Pitch and Natural Turf Pitch hereby approved are first brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The management and maintenance scheme for the Artificial Grass Pitches should also include measures to ensure the replacement of the Artificial Grass Pitch within the manufacturer's specified period. The Artificial Grass Pitch and Natural Turf Pitch shall be used and maintained in full accordance with the agreed details at all times.

REASON: To ensure that a new facilities are capable of being managed and maintained to deliver facilities which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport

16. Within 12 months of the date of this permission, a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to all of the sports facilities identified in both Phase 1 and Phase 2 hereby approved, and shall include details of pricing policy, hours of use, access by non-educational establishment user's,

management responsibilities and a mechanism for review. The development shall be used in strict compliance with the approved agreement.

REASON: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport

17. The playing field and pitch shall be constructed and laid out in accordance with the approved drawings and in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011). The playing field and pitch shall be made available for use at the recommendation of the agronomist hereby permitted.

REASON: To ensure the quality of pitches is satisfactory

18. No demolition of any of the current buildings shall occur on the site, until the buildings have been re-assessed by a suitably qualified ecologist for the presence of bats. The findings and if necessary any necessary mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority before any demolition takes place on the site. The demolition works shall be undertaken in accordance with the agreed details.

REASON: Whilst the buildings are currently found to be acceptable for demolition, once empty and disused the buildings may deteriorate and opportunities may develop for bats to roost within the structure. It is therefore necessary to resurvey the buildings in the interests of ecology and protected species.

19. No demolition, site clearance or development shall commence on site until an updated/corrected Arboricultural Method Statement and revised Tree Protection Plan, prepared by an Arboricultural consultant, providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the North Eastern or North Western elevations of the Phase 1 and Phase 2 Buildings hereby permitted.

REASON: In the interests of residential amenity and privacy

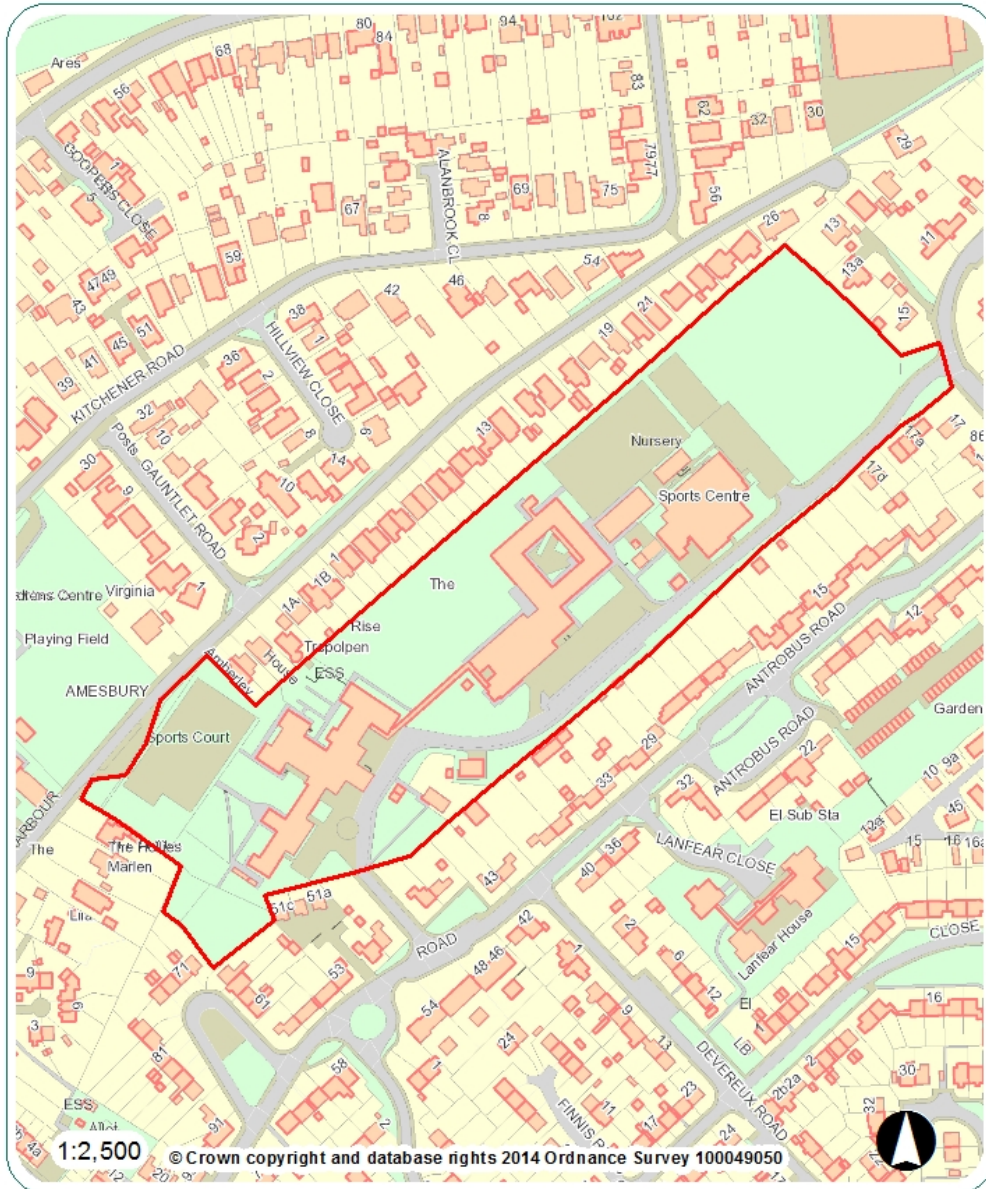
INFORMATIVES:

- 1) Please note that the spur road improvements that will be required in order to satisfy condition 10 will also require the completion of a Section 278 Agreement.

- 2) Please note that the granting of this permission does not override or give overriding permission for any works that are governed by other legislation or other legal requirements, for example in relation to the proposed diversion of the public sewer pipe.

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17/05583/DP3
The Stonehenge School
Antrobus Road
Amesbury
Wiltshire
SP4 7ND



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 2

Date of Meeting	19/10/2017
Application Number	17/04897/FUL
Site Address	92 A Queen Alexandra Road Salisbury Wiltshire SP2 9LB
Proposal	Demolish existing & erect two No.3 bed houses & two No.2 bed bungalows with parking.
Applicant	Landmark Estates Limited
Town/Parish Council	SALISBURY CITY
Electoral Division	FISHERTON AND BEMERTON VILLAGE – (Cllr Walsh)
Grid Ref	412707 131301
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

Councillor Walsh has called in the application for the following reasons:

- Scale of Development.
- Relationship to surrounding property
- Car parking

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 APPROVED subject to conditions.

2. Report Summary

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

- Principle of development – Previous application/appeal decision
- Scale and design, impact to character and appearance of area and the living conditions of proposed and nearby properties
- Highway considerations - parking
- Sustainable construction
- Drainage
- S106 contributions & CIL
- Other issues

The application has generated 7 third party representations, and an objection from Salisbury City Council

3. Site Description

The existing dwelling is two storey and sited centrally within the site with two gated vehicular accesses from Wellington Way. There is a low level brick wall with railings fronting Wellington Way, close boarded fencing to the other site boundaries and a number of trees.

4. Planning History

Application ref	Proposal	Decision
16/10685/FUL	Demolish existing & erect 2 No. 3 bed houses & 2 No 2 bed bungalows with parking.	Withdrawn
16/06703/FUL	Demolition of existing dwelling & erection of five dwellings with associated access, parking and landscaping	Refused 16/09/2016 Appeal dismissed (Planning Inspector's report is attached at appendix 1)
S/2010/0653	Construction of 4 no. Houses and 2 no. Bungalows with parking & alteration to access. Existing house to be demolished	Refused 21/07/2010
S/1987/1407	O/l application - erection of bungalow	Refused 28/10/1987

5. The Proposal

Background:

Full planning consent was refused and dismissed at appeal for demolition of the existing dwelling and erection of 5 dwellings and associated parking, with vehicular from Wellington Way under 16/06703/FUL.

The Inspector's report to 16/06703/FUL is attached at appendix 1 and is a material consideration to this application. Of particular note is that the Inspector *'found no harm in respect of the character and appearance of the area, regarding parking provision, or as to the living conditions of future occupants'*, although the appeal was dismissed on the grounds of *'harm found as regards the living conditions of neighbouring occupants.'*

Revised scheme:

The revised proposal now under consideration is to demolish the existing dwelling and erect 2 three bedroom detached two storey dwellings to the Wellington Way site frontage with driveway to the side accessing 2 two bedroom single storey bungalows to the rear of the site.

9 car parking spaces are proposed (2 for each of the dwellings plus 1 visitor parking space).

6. Local Planning Policy

Adopted Wiltshire Core Strategy (January 2015):

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 20 - Spatial Strategy Salisbury Community Area

Core Policy 41 – Sustainable Construction and Low Carbon Energy

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Core Policy 60 – Sustainable Transport

Core Policy 61 – Reducing the need to travel

Core Policy 64 – Demand Management

Housing Land Supply Statement (March 2017)

Adopted Salisbury District Local Plan saved policies listed in Appendix D, of the Wiltshire Core Strategy:

R2 (Open space provision)

H8 (Salisbury Housing Policy Boundary)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework, Planning Practice Guidance

Supplementary Planning Guidance:

Councils Adopted Supplementary Planning Document 'Creating Places'.

7. Summary of consultation responses

Wiltshire Council Highways: No objections

Given the appeal comments on the previous application (paragraphs 14 to 16), we cannot realistically object to this current application.

Recommend the following conditions are attached to any permission (development shall not be first occupied until the parking spaces to plots 1 and 2 and the first 5m of the access drive have been consolidated and surfaced; the gradient of the access/parking areas shall not be at any point steeper than 1 in 15 for a distance of 5m from their junctions with the public highway; scheme for discharge of surface water from the accesses/driveway agreed and implemented prior to first occupation) and an informative advising the applicant that a licence will be 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.

Wiltshire Council Public Protection: No objections

Recommend condition to protect the amenity of nearby residents (hours of construction/demolition, dust management and no burning of waste).

Wiltshire Council Archaeology: No objections

There are no historic environment records in or in the near vicinity of the site. 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.

Wiltshire Council Drainage: No objections

The site is in Flood Zone 1 and is not at risk of surface water flooding risk for 1 in 30/100 year events. The site is in an area known to be affected by high ground water levels.

Foul drainage disposal proposed to be to main sewer via an existing connection (note separate permission required from Wessex Water to divert any S105A public sewers crossing the site).

Storm water drainage disposal proposed to be via a soakaway (this could be an issue due to high ground water level – any soakaway MUST have at least 1m of unsaturated soil between the base of any soakaway and the agreed top water level of the ground water taking into account seasonal variations). Applicant may be able to make a connection to public storm sewer system in Roberts Road with separate permission from Wessex Water.

Recommend conditions (schemes for discharge of foul water and surface water to be approved).

Wiltshire Council New Housing: No affordable housing provision is sought

The thresholds for affordable housing have not been met and therefore we will not be seeking any affordable housing provision in this instance.

Salisbury City Council: Object

Overdevelopment of the site and parking is not fit for purpose.

8. Publicity

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

7 Third Party Representations were received, summarised as follows:

- Demolition of 1 and replacement with 4 dwellings is overdevelopment of the site
- Additional traffic generated and insufficient parking spaces which will add to existing parking issues/traffic congestion on Wellington Way (a busy cul-de-sac to some 90 dwellings)
- Concerns re obstruction of the public highway and private driveways during and post construction including obstructing access for emergency services vehicles
- Loss of fruit trees and magnolia tree although appn form states none
- Concern that old driveway between 90 and 94 Queen Alexandra Road will be used for access during/after construction works and it being unsuitable (insufficient width and access onto busy Queen Alexandra Road)
- Access to plots 3 and 4 could/should be via the driveway to Queen Alexandra Road once cleared of overgrown vegetation, easing traffic problems in Wellington Way
- Proposed dwellings in very close proximity of small garden, conservatory and rear windows to 21 Roberts Road (noise from vehicles, overbearing impact, loss of daylight/sunlight, loss of privacy and unsightly view) - Appeal decision supported these concerns
- Very little has changed with the current application from the previous dismissed appeal decision (due to harm to living conditions of neighbouring dwellings) other than the reduction of 1 unit
- Proposed dwellings closer to site boundaries (inc. No 9 Wellington Way) than existing dwelling
- Concerns relating to asbestos inspection/report/regulations if application is approved (this is a non-material planning consideration as covered under separate legislation)
- Concerns approved development may not be constructed in accordance with approved plans
- If approved, request condition controlling deliveries and hours of construction

9. Planning Considerations

9.1 Principle of development

Principle:

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. Within the Settlement Strategy, Salisbury is identified as being a Principal Settlement. 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. The site is within the Limits of Development for Salisbury (the Housing Policy Boundary of Salisbury under saved policy H8), and therefore the principle of the residential development is acceptable, subject to compliance with other relevant planning policies.

Since the previous decision, the Housing Land Supply Statement has been updated (March 2017), with South Wiltshire having 5.69 years deliverable supply:

Table 2: Housing Land Supply relative to the housing requirement of the adopted Wiltshire Core Strategy.

Area	Housing requirement 2006-2026	Housing completions 2006-2016	Five year housing requirement 2016-2021	Deliverable supply 2016-2021	Number of years of deliverable supply
East Wiltshire HMA	5,940	3,153	1,394	2,319	8.32
North and West Wiltshire HMA	24,740	11,756	6,492	7,446	5.73
South Wiltshire HMA	10,420	4,594	2,913	3,316	5.69
Wiltshire HMAs	41,100	19,503	N/A	13,081	N/A
Swindon (within Wiltshire)	900	466	N/A	354	N/A
Wiltshire Total	42,000	19,969	N/A	13,435	N/A

N.B. In accordance with the National Planning Policy Framework, the Council apply the appropriate buffer to its 5-year supply. As the Council considers it requires a 5% buffer in each of its three HMAs, this equates to needing to show a 5.25 year supply of land to meet 5 years worth of requirement.

In addition to considering the acceptability of the proposals in 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 impact on the character and appearance of the area and the living conditions of proposed and nearby properties:

The National Planning Policy Framework sets out Central Government’s planning policies. It states the purpose of the planning system is to contribute to the achievement of sustainable development. It defines core planning principles (paragraph 17) which include that planning should be genuinely plan-led, should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

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.

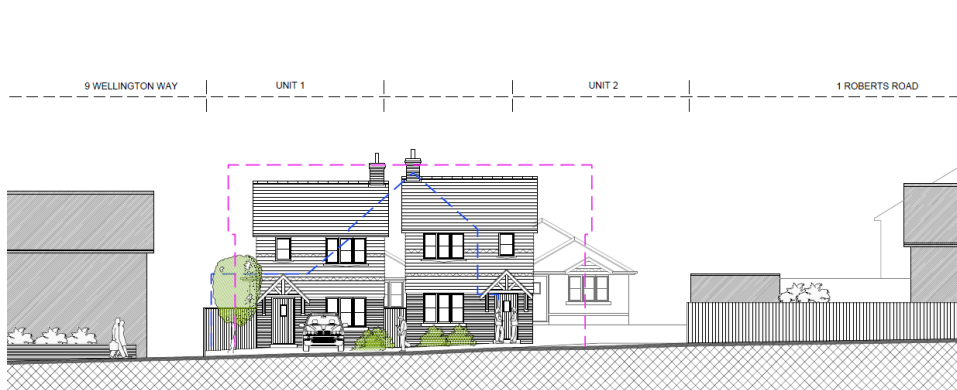
Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality and applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire. Development is expected to meet a number of related place shaping and design criteria in the policy and new development should enhance/bring a sense of character to the area as a whole.

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’.

The refused scheme proposed a terrace of 3 dwellings to Wellington Road, with a pair of detached chalet style dwellings (with accommodation within the roof space) to the rear. The extract from the street scene elevation plan below shows the terrace of 3 dwellings (previous scheme):



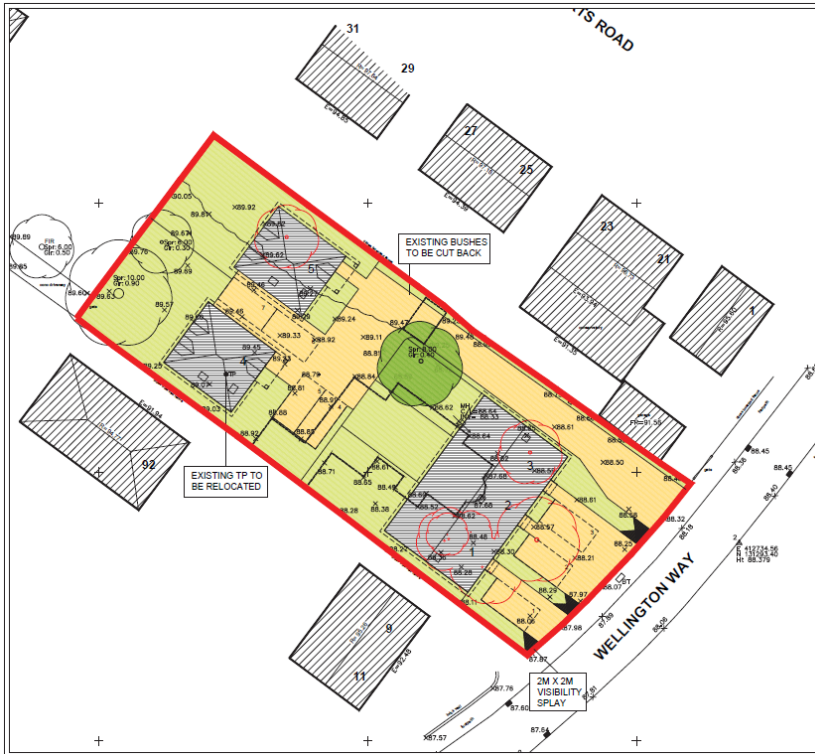
This revised scheme has reduced the number of dwellings to the site frontage to a pair of detached dwellings. The street scene elevation plan outlines the refused/dismissed at appeal scheme in dashed red lines and the existing dwelling in blue:



The Inspector considered that the difference in eaves/ridge height between No 9 Wellington Way and the terrace would not be visually jarring in the context of varying property styles and designs and the staggered building line of Wellington Way properties close to the appeal site; and that the layout retained room for soft landscaping to the site frontage, consistent with similar arrangements seen nearby, such that the inspector considered that the previous scheme would not harm the character and appearance of the area. It is considered that in light of this appeal decision, the revised scheme is also acceptable in terms of impact to the character and appearance of the area.

The Inspector considered that the built form of the previous scheme would be at the end of the relatively short gardens of Nos 21, 23, and 29 Roberts Way with a resultant enclosing effect, significantly impeding the outlook from the rear habitable rooms and the private gardens (particularly Nos 21 and 23 which have been extended at the rear and would have the full height gable end of unit 3 in very close proximity). The Inspector considered that this harm could not be overcome by the use of landscaping/high boundary treatments, or that the roof form of the rear units were not full 2 storey height.

Extracts from the site layout plans of the refused/dismissed at appeal scheme and the revised scheme are attached below:



Extract from layout plan of refused scheme



Extract from layout plan of revised scheme

These show that the revised scheme has moved the built development further from the site boundaries of the site (and neighbouring dwellings). The layout plan also shows the outline of the existing 2 storey dwelling in blue dashed lines.

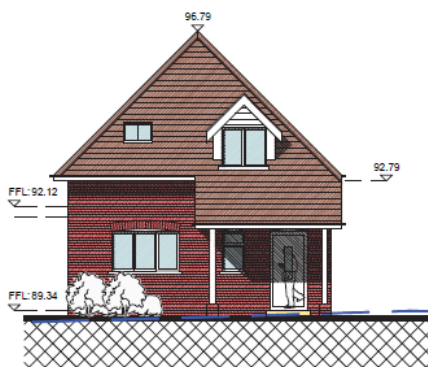
The Inspector did not consider any loss of outlook from the windows of No 9 Wellington Way would be materially harmful and although there would be some loss of outlook from and overshadowing to the side windows to No 92 Queen Alexandra Road, as these windows are non-habitable rooms, the effect would not be materially harmful.

The Inspector also considered that *'bearing in mind the limited numbers of cars which would use this access, any noise and disturbance which would result from use of this access would be at a reasonable level for a residential area.'*

Units 1 and 2 are set further forward than the existing dwelling to be demolished (as in the previous scheme, although as explained above the Inspector considered this was appropriate to the character and appearance of the area), and although units 1 and 2 are still closer to the side boundaries than the existing dwelling, this has been reduced in this revised scheme by removing 1 unit from the scheme.

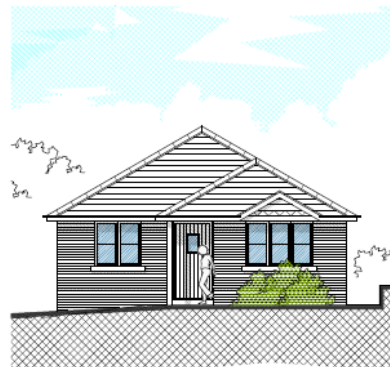
Subject to conditioning that the first floor windows in the side elevations of plots 1 and 2 being obscured glazed and top hung/restricted opening only; it is not considered that the revised scheme will have a significant impact now upon outlook from Nos 21 and 23 Roberts Road to substantiate a refusal of the scheme.

The revised scheme has also reduced the rear units to single storey bungalows only (with resultant lower eaves and ridge heights); such it is now considered that they will not have a materially harmful effect upon neighbouring amenity of the properties in Roberts Road or 92 Queen Alexandra Road:



SOUTH EAST ELEVATION

Rear units on refused scheme



SOUTH EAST ELEVATION

Rear units on revised scheme

Highway considerations – parking/access:

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. 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)

Based on the current parking standards, the proposed scheme generates a need for 9 parking spaces, made up as follows:

2 x 3 bedroom dwellings	4 spaces
2 x 2 bedroom dwellings	4 spaces
Unallocated visitor parking	1 space
Total	9 spaces

The previous application was refused on insufficient parking provision on the site, although the Planning Inspector did not dismiss the appeal on this ground. Although the previous scheme had a shortfall of four parking spaces against the parking standards, the Inspector considered that there would be adequate parking arrangements and no adverse highway safety effects.

The number of units has reduced with 8 parking spaces proposed for 2x3bed and 2x2bed dwellings and a revised plan has been submitted adding 1 visitor parking space to the side of the driveway. Given the Inspector previously raised no objections to a previous shortfall in parking spaces and as the parking provision for this revised scheme now accords with the Wiltshire Council parking standards, the highways authority has raised no objections to the proposal.

Third party comments include both concerns that the driveway between No 90 and 94 Queen Alexandra Road would be used by building material deliveries/tradesmen; or that this would be a preferable access to units 3 and 4 rather than via Wellington Way.

Planning applications need to edge the development site with a red line on the location plan, and include all land necessary to carry out the proposed development, including land required for access to the site from a public highway. The red line of the application does not include the land between No 90 and 94 Queen Alexandra Road, with vehicular access proposed from Wellington Way.

The application must be assessed on its own merits as it has been submitted. In this case the highways authority has raised no objections to the proposal as it has been submitted with access from Wellington Way.

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.

Drainage:

Although there is no statutory requirement to do so; the Lead Local Flood Authority (LLFA) were erroneously consulted on the application. Comments have been received and are attached above.

The site is in Flood Zone 1 (the zone of least flood risk) and is not at risk of surface water flooding, although the council’s drainage engineer has advised the area is known to be affected by high ground water levels and has recommended conditions for foul and surface water to be agreed.

It is proposed to connect to mains drainage (for which separate consent will be required from the relevant authority), and the issue of surface water drainage will be covered under building regulations for the dwellings themselves, although the highways authority have recommended surface water details be agreed in the interests of ensuring no outflow to the public highway from the accesses/driveways. It is considered reasonable that a condition for the surface water from the accesses/driveways can be added, although the other suggested conditions from LLFA are unnecessary as covered under separate legislation although informatives can be added including the comments from the council’s drainage engineer.

S106 obligations and CIL:

The proposal results in a net gain of 3 residential units. However, in line with recent government guidance, this number of dwellings would not generate the need for S106 contributions.

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.

Other issues:

Objections from third parties (summarised above) include loss of trees, although none of the trees within the site are subject to restrictions for their removal.

Third party concerns relating to obstruction to the public highway during/post construction are covered under other legislation.

The public protection team have recommended conditions (hours of construction/demolition, dust management and no burning of waste). Given the site is in a residential area with existing properties surrounding the site; it is considered reasonable to condition the hours of construction as recommended by the public protection team; although dust and burning of waste are issues covered under separate legislation and an informative can be added advising the applicant of this. Similarly, the third party concerns raised in relation to asbestos are a non-material planning consideration, as asbestos and its disposal is covered under separate legislation.

Conclusion:

The site is within the defined settlement boundary of Salisbury (where the principle of new housing development is acceptable) and subject to conditions it is considered that the proposed development of the site will not have adverse impacts to the character and appearance of the area, residential amenity or highway safety.

RECOMMENDATION: To grant planning permission subject to the following 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:

Plan Reference: 8745/200 Site, Block and Location Plans and Indicative Street Scene Rev D, dated 06/09/2017, received by this office 06/09/2017

Plan Reference: 8745/204 Unit 4 Plans and Elevations Rev A, dated 11/05/2017, received by this office 06/06/2017

Plan Reference: 8745/203 Unit 3 Plans and Elevations Rev A, dated 11/05/2017, received by this office 06/06/2017

Plan Reference: 8745/202 Unit 2 Plans and Elevations, dated October 2016, received by this office 06/06/2017

Plan Reference: 8745/201 Unit 1 Plans and Elevations, dated October 2016, received by this office 06/06/2017

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

(3) 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 and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

(4) 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;
- means of enclosure; and
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

(5) 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 dwelling 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.

(6) No development shall commence on site until a scheme for the discharge of surface water from the accesses/driveway, incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. 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.

(7) The development hereby permitted shall not be first occupied until the whole of the parking area serving Plots 1-2, measured from the back of the footway, together with the first five metres of the access drive to Plots 3 & 4, has been consolidated and surfaced (not loose stone or gravel). These areas shall be maintained as such thereafter.

REASON: In the interests of highway safety.

(8) The gradient of the access/parking areas serving Plots 1-2 and the access driveway serving Plots 3 & 4 shall not at any point be steeper than 1 in 15 for a distance of five metres from their junctions with the public highway.

REASON: In the interests of highway safety.

(9) 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: To protect the amenity of nearby residents.

(10) The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwellings shall not be first occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

(11) The first floor windows in the North East and South West Elevations of plots 1 and 2 shall be glazed with obscure glass only and fitted to be top hung only or fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

(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 that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order with or without modification), there shall be no windows or other forms of openings inserted above ground floor level in the side elevations of units 1 or 2 of the development hereby permitted.

REASON: To secure adequate standards of privacy for the occupants of neighbouring premises.

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

INFORMATIVE TO APPLICANT: Community Infrastructure Levy

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

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

INFORMATIVE TO APPLICANT: Surface Water and Foul Drainage

The application form states foul drainage disposal will be main sewer via an existing connection – the applicant will need to investigate the location of existing foul drainage system and pipework within the site as there may be S105A public sewers crossing the site which would prevent the layout shown thus requiring a layout change or permission from Wessex Water to divert.

The application form states storm water drainage disposal to be via a soakaway – this could be an issue due to the high ground water level – any soakaway MUST have at least 1m of unsaturated soil between the base of any soakaway and the agreed top water level of the ground water taking into account seasonal variations.

INFORMATIVE TO APPLICANT: Works on the highway

The consent hereby permitted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be 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.

INFORMATIVE TO APPLICANT: Environmental Protection Act 1990

The applicant should be aware that Councils must investigate complaints about issues that could be a 'statutory nuisance' (a nuisance covered by the Environmental Protection Act 1990). If a complaint of statutory nuisance is justified an Abatement Notice can be served upon the person responsible, occupier or owner of the premises requiring that the nuisance be abated.

In light of this legislation, the Public Protection team recommend the following:

- No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.
- Measures should be taken to reduce and manage the emission of dust during the demolition and/or construction phase of the development.

INFORMATIVE TO APPLICANT: Asbestos

Any asbestos 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'.

INFORMATIVE TO APPLICANT: Material Samples

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

Appeal Decision

Site visit made on 30 January 2017

by Veronica Bond LLB (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 February 2017

Appeal Ref: APP/Y3940/W/16/3163112

92A Queen Alexandra Road, Salisbury SP2 9LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Landmark Estates (GBR) Limited against the decision of Wiltshire Council.
 - The application Ref 16/06703/FUL, dated 8 July 2016, was refused by notice dated 16 September 2016.
 - The development proposed is demolition of existing dwelling and the erection of five dwellings with associated access, parking and landscaping.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect on the living conditions of neighbouring occupants, with particular regard to outlook and overshadowing;
 - whether adequate living conditions would be afforded to the occupants of Unit 3 in respect of noise and disturbance; and
 - whether the proposal would provide adequate parking arrangements.

Reasons

Character and appearance

3. The appeal site currently comprises the plot of a single detached property. This dwelling is taller than the adjacent properties at 9 and 11 Wellington Way. However, properties in the immediate area do not appear to rigidly adhere to the same eaves and ridge height, with the staggered building line of nearby dwellings giving a further impression of variation.
4. The proposed development would demolish the existing house and see five new dwellings constructed on the site. The three dwellings at the front of the site would be positioned slightly forward of Nos 9 and 11 and close to the boundary with No 9. The discrepancy in height between No 9 and the three front dwellings would not though be visually jarring in the context of varying property styles and designs and staggered building line of Wellington Way properties close to the appeal site.

-
5. Although there would be three parking spaces on the site frontage, there would remain some room for a degree of soft landscaping, consistent with similar arrangements seen nearby.
 6. I conclude then on the first main issue that the proposal would not harm the character and appearance of the area. It would not conflict in this regard with Core Policy 57 of the Wiltshire Core Strategy (adopted January 2015) (CS) which seeks high quality design and the enhancement of local distinctiveness. It would accord with Objective 16 of the Council's Design Guide – Creating Places (adopted 2006) which seeks to avoid poor designs which take little or no account of their local settings. There would be no conflict either the aims of the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the Guidance) relating to good design.

Living conditions – neighbours

7. Properties in the immediate area are generally positioned with their rear gardens end to end, ensuring a reasonably open outlook for occupants. The proposed dwellings would alter this pattern meaning that the built form of the proposed properties would be at the end of the relatively short rear gardens of 21, 23, and 29 Roberts Way. The result would be of an enclosing effect, significantly impeding the outlook from rear habitable rooms and the private garden areas of these properties. The effect would be magnified for the occupants of Nos 21 and 23 which have been extended to the rear and would have the full height gable end of Unit 3 in very close proximity.
8. Properties at 9 Wellington Way and 92 Queen Alexandra Road have side windows on the boundary with the appeal site which would be very close to Units 1 and 4 respectively. Although there would be some loss of outlook from the side windows to No 92, these would not though be directly opposite the side wall of Unit 4. Windows to No 9 would appear to be to non-habitable rooms and on this basis, any loss of outlook from these windows would not be materially harmful.
9. As to overshadowing though, although I note comments in relation to orientation, given the close proximity of the side windows to No 92 and scale of the built form proposed, there would be some overshadowing of the side windows to this property. This would result in a gloomy and unpleasant living environment. Whilst the effect would be similar in respect of the side windows to No 9, on the basis that these windows are to non-habitable rooms, the effect would not be materially harmful.
10. In view of the separation distances involved and scale of the built form proposed, the use of landscaping and high boundary treatments would not overcome the overbearing impact on the outlook for the occupants of the properties as outlined. For the same reasons, the roof form proposed for Units 4 and 5 also would not be enough to prevent the harm identified. Whilst the separation distances might not conflict with any locally adopted standards, this does not preclude the finding of harm.
11. As outlined, I find in respect of the second main issue that the proposal would have a harmful effect on the living conditions of neighbouring occupants, with particular regard to outlook and overshadowing. It would conflict in this respect with Core Policy 57 of the CS which includes in its aims ensuring that development has regard to the impact on the amenities of existing occupants.

There would be conflict also in this regard with the aims of the Framework and the Guidance in seeking to ensure a good standard of amenity for occupants of land and buildings.

Living conditions – future occupants

12. The dwelling labelled as Unit 3 would be positioned adjacent to the access for the two rear properties – Units 4 and 5. Bearing in mind the limited numbers of cars which would use this access, any noise and disturbance which would result from use of this access would be at a reasonable level for a residential area. It would not be any different to similar arrangements seen in other residential areas and would not result in poor living conditions for the occupants of Unit 3.
13. I therefore find in respect of the third main issue that the proposal would provide adequate living conditions for the occupants of Unit 3 in respect of noise and disturbance. It would accord in this way with Core Policy 57 of the CS which includes in its aims ensuring appropriate levels of amenity within the development itself. There would be accordance also with the related aims contained within the Framework and the Guidance.

Parking

14. Core Policy 64 of the CS, together with Policy PS6 of the Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy (March 2011) (CPS) provide for minimum residential parking standards. In respect of the appeal proposal, this would amount to a requirement for two spaces per dwelling, along with a visitor space shared between the five dwellings. As proposed, there would be a deficiency of some four parking spaces against this standard. Core Policy 64 indicates though circumstances in which reduced residential parking requirements will be considered – including where any parking overspill can be controlled.
15. The availability of on street parking spaces in the vicinity of the site is limited by the presence of vehicle crossovers. These do though mean that many houses have off street parking, thus reducing the demand for on street spaces. Further, there would appear to be a good deal of on street parking spaces available in that on street parking is generally otherwise unrestricted. As such, any parking overspill from the development would be appropriately controlled. Given that the surrounding immediate area appears to see relatively low levels of fairly slow moving traffic, any additional manoeuvring in the road from cars locating a parking space would be very unlikely to result in any highway safety harm.
16. I conclude then on the fourth main issue that the proposal would provide adequate parking arrangements. Whilst it would not meet with the required standards provided for by Core Policy 64 of the CS and Policy PS6 of the CPS, any overspill parking would be adequately controlled as required by Core Policy 64. There would also be no adverse highway safety effects and thus compliance with the underlying aims of these policies. There would be no conflict in this respect with either the Framework or the Planning Practice Guidance which include similar aims.

Other Matters

17. I acknowledge the planning history of the site including as regards a previous application and that there is no in principle objection to the proposed development. The proposal would provide additional units of residential accommodation in a relatively accessible location, and in line with a number of CS policies cited including as regards the housing requirement for the area. This would be in accordance also with the Framework's aims to significantly boost the supply of housing. This offers moderate weight in favour of the proposal.

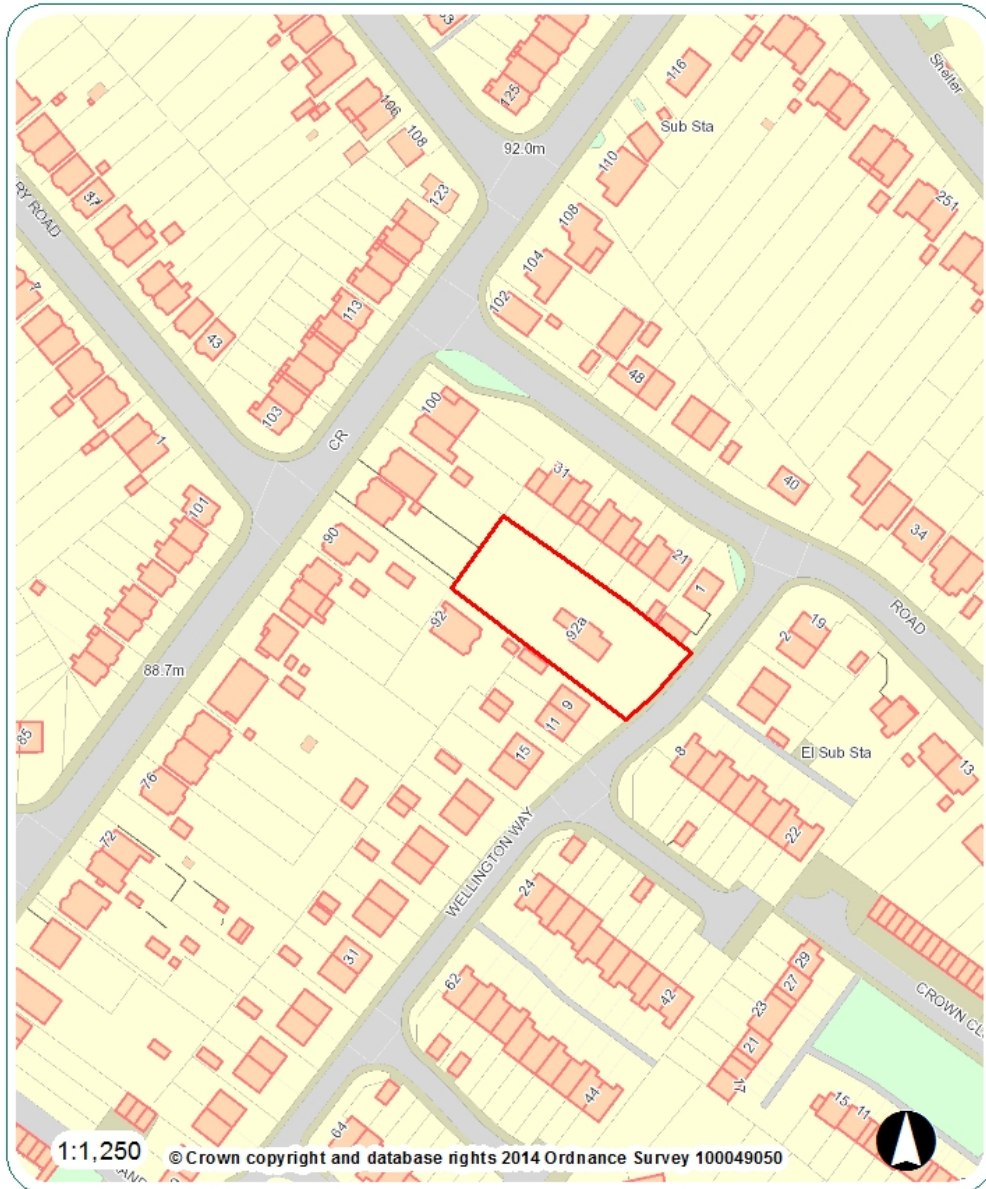
Conclusion

18. The proposal would offer some moderate benefits as outlined and I found no harm in respect of the character and appearance of the area, regarding parking provision, or as to the living conditions of future occupants. These aspects do not though outweigh the development plan conflict and harm found as regards the living conditions of neighbouring occupants. Given the tri-partite definition of sustainable development in this Framework, the proposal would not therefore represent the sustainable development in respect of which the Framework creates presumption in favour. For the above reasons, I find that the appeal should fail.

Veronica Bond

INSPECTOR

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 3

Date of Meeting	19 th October 2017
Application Number	17/07475/FUL
Site Address	Caddens, Lower Road, Homington, Wiltshire, SP5 4NG
Proposal	Extensions, alterations and construction of replacement garage
Applicant	Mr G Munday and Miss C Howard
Town/Parish Council	Homington
Electoral Division	Homington – (Richard Clewer)
Grid Ref	412057 126039
Type of application	Full Planning
Case Officer	Joe Richardson

Reason for the application being considered by Committee

The application has been called-in by Cllr Clewer if officers are minded to approve.

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 for the reason(s) set out below.

2. Report Summary

The issues in this case are:

- The principle of residential development in this location;
- Scale, design, materials and impact on neighbourhood amenity;
- Impact to the Homington Conservation Area and wider AONB
- Highway Impact

The publicity has generated five letters in objection of the application with an objection from the Homington Parish Council given to the proposed development.

3. Site Description

The application site is a detached dwelling house with a large residential curtilage located in the village of Homington. Core Policy 1 of the Wiltshire Core Strategy identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. The Wiltshire Core Strategy defines Homington as a settlement without a boundary. The dwelling house is located in the Homington Conservation Area and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).



4. Planning History

17/03126/FUL Extensions and alterations and construction of a replacement garage
REF 03.07.17

5. The Proposal

The application proposes to carry out various alterations and extensions to the main dwelling and erect a new double bay garage within the residential curtilage of the property.

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) was adopted in January 2015 and constitutes the primary planning document. Also of relevance are the NPPF & NPPG.

7. Summary of consultation responses

Homington Parish Council – Object

WC Conservation Officer – Object

WC Highways Officer – No objection subject to conditions

8. Publicity

The application has been advertised by way of site notice and letters to near neighbours.

The publicity has generated five letters of objection for the application with an objection from the Homington Parish Council given to the proposed development.

9. Planning Considerations

9.1 Principle of development and policy

The application site is a detached dwelling known as Caddens located in the settlement of Homington. Core Policy 1 of the Wiltshire Core Strategy identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Core Policy 1 of the Wiltshire Core Strategy (WCS) sets out the Settlement Strategy for Wiltshire, and identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. There are 4 categories: Principal Settlements, Market Towns, Local Service Centres and Large & Small Villages.

Core Policy 51 of the WCS states development should protect, conserve and where possible enhance landscape character and 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 there to be a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire.

Core Policy 58 of the WCS states development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:

- i. Nationally significant archaeological remains
 - ii. World Heritage Sites within and adjacent to Wiltshire
 - iii. Buildings and structures of special architectural or historic interest
 - iv. The special character or appearance of conservation areas
 - v. Historic parks and gardens
 - vi. Important landscapes, including registered battlefields and townscapes.
- Distinctive elements of Wiltshire's historic environment, including non-designated heritage

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

9.2 Design and Impact on area and amenity

The previous planning application (17/03126/FUL) was refused by Committee for the following reason:

The application site is located in the village of Homington within the Homington Conservation Area and Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. The settlement is characterised by traditional dwellings interspersed by modest infill development. The proposed works would produce a substantially larger property, with a large detached garage located close to the narrow main road. Combined with the planned boundary works, the resultant development would be unsympathetic to the modest traditional character of the settlement, and set an undesirable precedent for similar development within the surrounding Conservation Area and wider Area of Outstanding Natural Beauty. Therefore the proposal is considered to contrary to the terms of Core

Policies 51, 57 and 58 of Wiltshire Core Strategy, the NPPF and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

A revised proposal has been submitted that addresses the reason for refusal by:

- Reducing the extent of the front elevation/principal façade addressing Lower Road and consequently the visual mass and scale of the dwelling as proposed;
- Relocating the proposed replacement garage further back into the site/aligning the house footprint and maintaining a more open site frontage (responding to a notional building line extending across the site from May Cottage to Etrick House as shown on drawing 216083/01B).

It is proposed to alter and extend the existing dwelling through reconfiguration. The single storey element to the front (south) elevation as existing was an extension to the original built form of the property and so this element, together with the incongruous flat roof construction to the porch/utility room and existing garage will be demolished.

The roof will be entirely reconfigured to unify both the existing arrangement, remove the existing catslide pitch and encompassing new two storey extensions to the front and rear elevations. The site frontage will be defined by a wall and piers/railings (already constructed) with entrance gates and a hedge planted behind to reflect similar site frontages in the area. The eaves height of the dwelling will be raised slightly with the new plan adopting the existing 40 degree roof pitch and a coherent hipped roof form punctuated by chimney stacks to the reception rooms.

To the rear of the property, a single storey garden room in the form of a parapet/lantern roof arrangement is to be erected. The retention of the core of the existing house, extension and proposed siting of the garage building maintains the existing forecourt/frontage arrangement.

To the side (west) elevation, a porch structure set between the projections of the plan will provide sheltered access to the rear hall and provision will be made at this location for bins/recycling.

The house features rendered elevations and the latter will be retained. The proposed extensions to the dwelling house will redefine the appearance of the dwelling and will be constructed with facing brick elevations which is seen to be more in keeping with the context and overall street scene. The garage and garden room elements are proposed in facing brick and the former with a slate pitched roof referencing the main house.

The existing site is set back from the street boundary with the site frontage providing an access with a gravel driveway to the existing garage. The boundaries of the dwelling are a mixture of shrubs/planting and established hedgerow to the east adjacent to Etrick House and close boarded fences to the west adjacent to May Cottage. Views from the rear of the dwelling are of the open countryside.

Although it is noted that there may be a degree of overlooking with oblique views obtained from first floor windows on the rear elevation to that of the adjacent dwelling, Etrick House, it is considered by reason of the siting, orientation and general relationship between this

neighbouring dwelling and the proposed development, that it would not unduly disturb, interfere or conflict to the detriment of the existing occupiers.

9.3 Impact on the Homington Conservation Area and AONB

Consultation comments received from the Council's Conservation Officer state the following:

You will be aware that I commented on the pre-application proposals and the previous application (17/03126/FUL). In respect of my pre-application comments I said:

The existing building is of no historic interest and contributes little to the character of the CA. I would therefore have no objection to its demolition and replacement.

In terms of the design of the replacement, it should at least 'preserve' the existing character of the CA (section 72 of the Planning LB and CA Act 1990); meet the design requirements of CP57; the requirements of increasing significance of designated heritage assets (the CA) in CP58 and nurture local distinctiveness (para 131 of the chapter 12 of the NPPF).

The predominant character of Homington is a variety of styles of more modest vernacular buildings. The proposed design is classical in tone and high status (sash windows, portico etc). I would have preferred a design that was more vernacular in character and suggested a building that had incrementally grown. It seems odd to me (and at odds with the character of the proposed dwelling) to place an 'agricultural style' garage in a prominent position in front of a classically detailed building. I consider the design overly pretentious and suggest that an appraisal of the character of historic buildings in the locality should inform the design."

In respect of the previous (refused) application, my comments were as follows:

"In terms of the revised proposals, I think these are better in that the massing of the proposed new house is broken down more as evidenced by the more varied roof scape. However, I can see no appraisal of the character of the area and a justification for the design approach followed. I am also concerned that there seems to be a lack of commitment to quality materials as evidenced by the annotations on the plans i.e. render for the elevations and reconstituted stone sub cills, recon stone elevations on the rear. I also consider the siting of the large garage to the fore to result in the impression of a more cramped form of development, in contrast to the more spacious existing character.

For the above reasons, I am of the view that the proposed scheme would fail to enhance the significance of the Homington CA (a designated heritage asset)".

*In respect of the **current application** (called in to Committee), I note that the garage has been moved to the side of the house and this is welcomed although I would wish to see a clay tile used for the roof.*

The design of the house has evolved into something that is more reminiscent of suburban estate development i.e. windows that are too small and inelegant (particularly when they will house double glazed units with chunky glazing bars), the left hand side raised higher ridge, the central chimney (traditional chimneys tend to be to the side). The linking wall with 'timber' gate is understandable but at odds with the character of the conservation area where generally there are generous spaces around the building with views to countryside beyond. The introduction of a meaningful brick string course between the ground and first floor windows could add interest.

Finally the wall and with piers (either with railings or hedging) is particularly unappealing and at odds with the informal character of this rural conservation area. I would absolutely resist this element and recommend removing PD in respect of boundary treatments if this is possible.

*I recommend **refusal** of this application on the basis that the proposed scheme would fail to preserve the open character of the site; that it would introduce development of a suburban character and greater density such that it would erode the character of this rural CA. The proposals would fail to meet the aspirations of paragraph 131 of the NPPF which talks about the 'desirability of new development making a positive contribution to local character and distinctiveness. It also fails the text of core policy 57 which requires development 'to create a strong sense of place through drawing on the local context and being complimentary to the locality'. In respect of core policy 58, the proposals fail to enhance the significance of the Homington Conservation Area and thus fail to meet the requirements of this policy.*

Notwithstanding the comments received from the Council's Conservation Officer, the agent has provided a street scene drawing to show the proposed alterations to the dwelling against the surrounding dwellings. Further drawings have also been submitted showing the choice of material and render to be used on the proposed works this being, face brickwork to the front and eastern elevations and white render to the rear and western elevations.

Furthermore these comments received state the design of the proposed works to the dwelling are at odds with the surrounding vernacular and character of the area. In response to this, the design of the dwelling has evolved throughout this process taking consideration of the refusal reason of the previous scheme and should be seen as an improvement to the existing dwelling which does not hold any significant architectural merit. So it is considered the proposed works would improve the appearance of the dwelling within the street scene and surrounding area. Therefore, in the opinion of the case officer, the proposed works to the dwelling house will not cause any significant detrimental impact on the character of the Homington Conservation Area or to that of the AONB that would justify the refusal of planning permission.

9.4 Highways matters

Access to the proposed site is obtained via by the existing entrance to the site. A secondary access to the site has been removed. The proposed access to the site for this scheme would be via the existing opening to and from Lower Road with works already completed to enhance the visibility to and from the property. It is proposed to provide parking spaces for four vehicles with the erection of a double garage and garden room constructed with facing brick, sash windows with a slate pitched roof for the latter matching that of the works to the proposed dwelling. The Highways Team of Wiltshire Council have been consulted on this application and have raised no objection to the proposed works subject to conditions regarding the surface access and works being completed in accordance with the plans submitted.

10. Conclusion

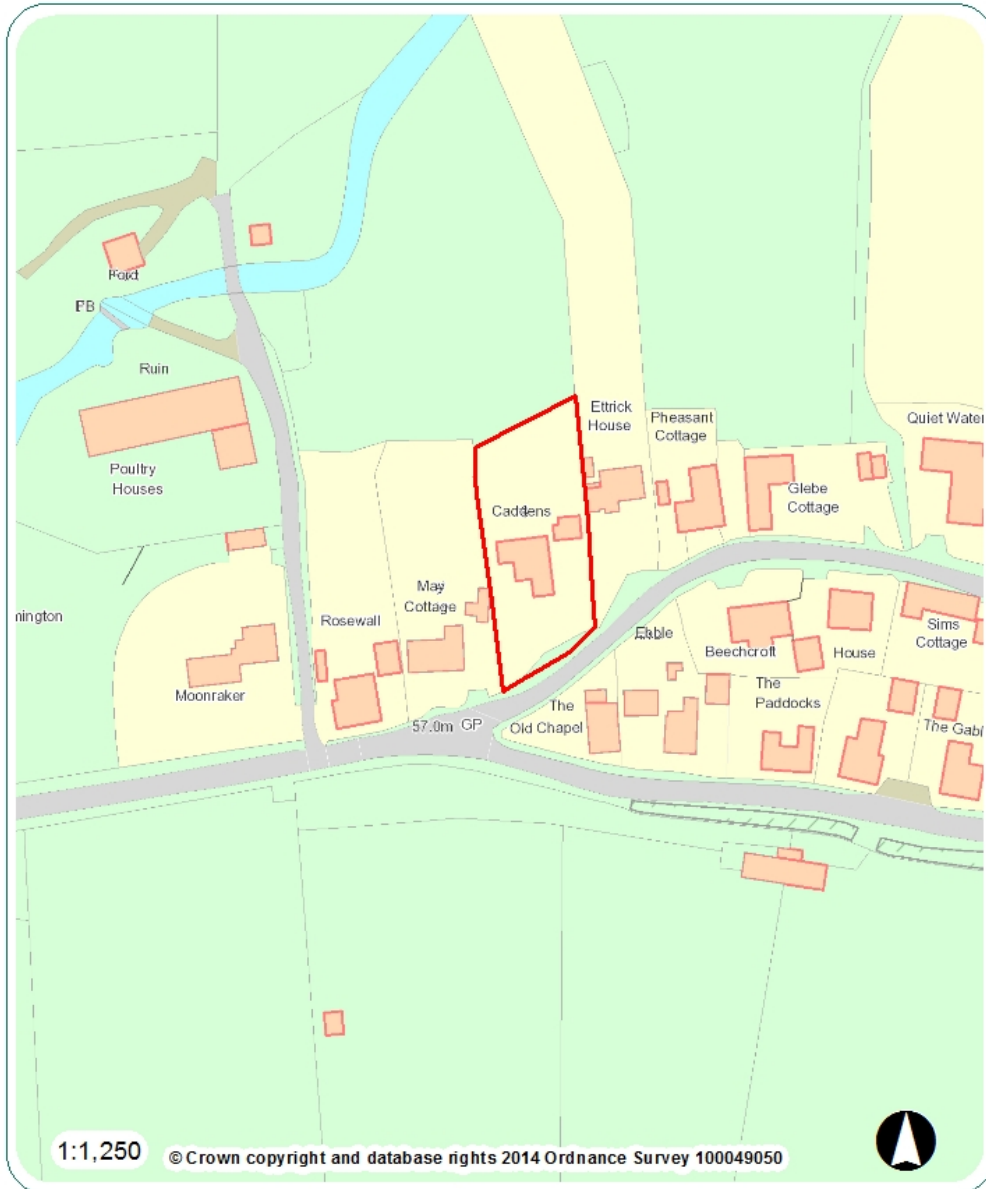
The proposed development conforms to the objectives of Core Policies 51, 57 and 58 of the Wiltshire Core Strategy and the aims of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission. Therefore, planning permission should be granted for the development.

11. RECOMMENDATION:

Approve with conditions

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17/07475/FUL
Caddens
Lower Road
Homington
Salisbury
SP5 4NG



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