

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite, City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 12 April 2018
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 - 32*)

To approve and sign as a correct record the minutes of the meeting held on 8th March 2018.

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 Wednesday 4th April 2018, 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 6th April 2018. 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 33 - 34*)

To receive details of completed and pending appeals and other updates as appropriate for the period of 23/02/2018 to 23/03/2018.

7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

7a **18/00898/FUL - Land at Ridge Farm, Woodfalls, Salisbury, SP5 2LW** (*Pages 35 - 46*)

Installation of a 17.5m slimline telecommunications column with 3 no. antennas within shroud, 2 no. 300mm dishes, with installation of 1 no. equipment cabinet and 1 no. meter cabinet and ancillary works within a secure fenced compound.

7b **17/10167/FUL - The Grey Fisher, Harnham, Salisbury, SP2 8DW** (*Pages 47 - 58*)

Erection of two storey, 20 bedroom hotel with associated car parking, cycle parking and landscaping following demolition of derelict garages.

7c **17/08832/FUL - 40 Blue Boar Row, Salisbury, SP1 1DA** (*Pages 59 - 72*)

Alterations to shopfront and change of use of ground floor from A3 use (Restaurant) to A4 use (Bar) and part first floor from B1 use (Office) to A4 use (Bar).

7d **17/12499/FUL & 18/00274/LBC - The Kings Head, The Street,
Whiteparish, SP5 2SG** (*Pages 73 - 82*)

Single Storey Rear Extension (Orangery) to Pub Building & Separate Barn
Conversion / Restoration with extension to provide Lodging

7e **18/00115/VAR - Mayfield, White Way, Pitton, SP5 1DT**
(*Pages 83 - 88*)

Variation of conditions 2 and 3 of planning permission 16/09446/FUL to allow for
alterations to the materials for the approved extension.

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 8 MARCH 2018 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 Sven Hocking, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale and Cllr Trevor Carbin (Substitute)

Also Present:

Cllr Tony Deane
Cllr Mary Douglas
Cllr Bridget Wayman

253 **Apologies**

Apologies were received from:

- Cllr Brian Dalton who was substituted by Cllr Trevor Carbin.

254 **Minutes of the Previous Meeting**

The minutes of the meeting held on 10 January 2018 were presented.

Cllr Britton noted that in relation to minute number 250 - Nightwood Farm – the accuracy of our resolution, is correct, but not consistent with the decision notice that had been published.

This matter would be addressed under Public Participation of the meeting, when responding to the Public Question that had been submitted in relation to this application.

Resolved:

To approve as a correct record and sign the minutes.

255 **Declarations of Interest**

There were none.

256 **Chairman's Announcements**

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

257 **Public Participation**

The committee noted the rules on public participation.

A question had been submitted in advance of the meeting by Dr Claydon.

Question

In relation to application 17/10079/FUL: Nightwood Farm, Lucewood Lane, West Grimstead, SP5 3RN, considered by Committee on 10 January 2018:

1. Why was the full resolution, which required the removal of the bunds, excluded from the Notification of Refusal letter?
2. What has the Enforcement Department done about the resolution since 10th January?

Response

Planners response to question 1

The removal of the bunds are purely an enforcement matter, thus they are not referred to by the decision notice. However, it is quite correct that the minutes of the meeting refer to the possibility of future action to remove the bunds as this is what members resolved to do.

Enforcement response to question 2

Following the refusal of the application at Committee officers have been requesting updates from the Environment Agency (EA) as to their intentions given that matters such as asbestos are usually dealt with directly from that organisation. The EA have come back to us in recent days that they intend to take no further action. We are aware of members views on this matter and therefore will be taking the matter forward with the owner seeking to remedy the breach.'

Dr Claydon was granted one supplementary question.

Since it was a retrospective application for the authorisation of unlawful bunds, and the bunds should not have been there in the first place, it was essential that they be removed.

I have been in correspondence with Environment Agency (EA) for many months, they informed me that the Local Planning Authority (LPA) chose to write to the wrong office.

They informed me that they had made a decision based on the fact that they were told the bunds were not on ancient woodland but adjacent to it. They had been misled from the start.

The LPA is perfectly entitled to remove the bunds in their own right. I would hope that within two months after the SAPC made their decision nothing has been done. I believe the EA are reviewing the matter.

The Chairman noted that the Committee would continue to monitor the situation through updates from the Officers.

258 **Path No. 83 Diversion Order and Definitive Map and Statement Modification Order 2017 - Tisbury**

Public Participation

Dr Myers spoke in support of the recommendation
Tim Martin spoke in support of the recommendation
Jeremy Hooper spoke in support of the recommendation
Janet Amos spoke on behalf of Tisbury Parish Council

The Acting Team Leader for Definitive Map and Highway Records, Sally Madgwick, introduced the report which recommended the diversion order be abandoned and revoked.

An Order had been made to divert the footpath to the dashed line, as indicated in the pack and on the screen at the meeting.

The route of the current path was explained by the Officer. The path travelled past St Anne's Cottage, then past the Priory, it was the owners of the Priory who had made the application for a diversion. The diversion route was then explained.

These Orders were a power that the Council has, it may choose to abandon the order or to support it.

The Officer noted that they had not realised that one of the land owners objected to the Order. They had also received objections from residents of St Anne's Cottage and the owners of Spring Cottage and School Cottage which lay beside the school and used the path to access the chapel and the wider network.

There had been 33 objections made to the Order.

The Officer drew attention to some irrelevant points as listed on page 18, paragraph 36.

Members had no technical questions to ask the Officer.

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

The Division Member Cllr Tony Deane then spoke in support of the abandonment of the order.

He noted that this was the first time he had heard a public debate on this footpath. He offered to Chair a meeting of interested parties, to be held at Wardour School to see if some of the concerns could be addressed, to enable those involved to agree a way forward.

Cllr Westmoreland moved Approval, in support of the Officers recommendation to revoke the order, this was seconded by Cllr Hewitt. He suggested that the parties get together and find a way forward.

Resolved

That the Wiltshire Council Parish of Tisbury Path No. 83 Diversion Order and Definitive Map and Statement Modification Order 2017 is revoked and the application abandoned.

259 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda.

Resolved

To note the update for the period 21/12/2017 to 23/02/2018

260 **Planning Applications**

261 **17/00842/OUT - Land opposite Horefield, Idmiston Road, Porton, SP4 0LD**

Public Participation

Kevin Hannah spoke in objection to the application

Hayley Hannah spoke in objection to the application

David Neal spoke in objection to the application

Valarie Creswell (Idmiston NP) spoke in support of the application

Tony Allen (Agent) spoke in support of the application

Andrew Oliver spoke on behalf of the Parish Council in support of the application

The Senior Planning Officer, Lucy Minting introduced the report for Outline Planning permission for a residential development of 16 dwellings with all matters reserved. Provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 18 public car parking spaces for Horefield residents/school use. This application was recommended for approval subject to a S106 agreement.

The Officer clarified a mistake in report – p205, refers to it as full planning application, where as it actually is an outline application with all matters reserved.

The site was outside the limits of development and had been identified as a site for development in the adopted NP.

There was an outstanding permission for 20 dwellings at Porton, thus leaving a gap for a remaining 12 dwellings to be developed. This proposal of 16 dwellings was considered as filling that gap.

The LPA required the results of the tree survey and bats roost survey, this had now been submitted and was contained in the report.

Policy 12 of the NP identifies a lack of parking outside of the school. The application included the provision of 18 public parking spaces for public use. That number had increased from 15 to 18 since the last meeting.

A list of conditions was included at page 209.

Members then had the opportunity to ask technical questions, where it was noted that the probable reason for the proposed path crossing the road and not running through the existing school path was due to the need for public use ~~whit~~ when the school was closed.

The report stated that there was no to negligible evidence of bats. The use of the parking spaces was recommended to be included as part of the S106 agreement as they were not managed by Wiltshire Council.

The legal agreement would be delegated back to Officers, however when the full application was submitted it would come back to committee for consideration.

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

The representative from Idmiston Parish Council (IPC) noted that it had met to consider the application in May 2017 and supported the aims and objectives, adding that the proposal would deliver smaller housing for people to downsize and stay in the village.

The Division Member Cllr Mike Hewitt then spoke. There were 3 large sites brought forward for development. Two sites were not accepted by the IPC planning team, one came to this committee (Chalke House) and was approved. The time to develop that site was running out. This was the only other larger site to be built on. It was not easy to restrict development to just one or two. The village want smaller properties for elderly people to downsize into, and affordable housing. The developer has done a lot to try and alleviate the parking issues. The committee deferred the application last time pending further info on the ecology report for bats, this has now come back.

Cllr Hewitt moved the motion of Approval this was seconded by Cllr Westmoreland.

A debate followed where the key issues raised included, that during the school drop off times the road was congested.

Concerns about loss of on street parking to existing houses in Horefield.

A development of this scale may change the nature of the area. It was for the Parish Council to now engage with the developer and the existing residents to discuss the parking arrangements.

There had been a 47% turn out for the referendum on the NP.

This was an outline application. This proposal was for 2 sites which could each take 10, however the proposals were proposing 16 between the two.

Condition 4 may need adjusting, this could be delegated to Officers.

The Committee then voted on the motion of Approval in line with Officer's recommendation, with conditions.

Resolved

That application 17/00842/OUT be APPROVED with conditions:

To delegate to officers to grant planning permission:-

- (a) Subject to the prior completion of a Section 106 legal agreement (for the provision of 5 affordable dwellings; financial contribution for waste and recycling containers; financial contribution towards off site recreational open space and the provision and transfer of 18 "public" spaces for Horefield resident/school use to the Parish Council.**

And subject to the following conditions:

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

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

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

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**
- (e) The means of access to the site.**

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

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

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

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

(4) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Reference: 1:500 and 1:1000 Site Location Plans received by this office 19/12/2017, in so far as identifying the site location and red line of the application site only.

Bat Potential Roost Feature Inspection Survey & Bird Potential Report January 2018, received by this office 20/02/2018

REASON: For the avoidance of doubt and in the interests of proper planning. This is an outline application to establish the principle of the residential development of the site with 16 dwellings, the provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 18 public car parking spaces for Horefield resident/school use only. All matters are reserved (Scale, layout, external appearance, landscaping and means of access) so all submitted drawings are indicative only.

(5) No development shall commence on site until the exact details and samples of the materials including any finishes 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.

(6) No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until foul water drainage for that dwelling has been constructed in accordance with the approved scheme and the last dwelling to be occupied on the site shall not be so occupied until the foul water drainage scheme for the whole of the site has been completed in accordance with the approved scheme.

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 proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

(7) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the accesses/driveways), incorporating sustainable drainage details together with permeability test results to BRE365 has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until surface water drainage for that dwelling has been constructed in accordance with the approved scheme and the last dwelling to be occupied on the site shall not be so occupied until the surface water drainage scheme for the whole of the site has been completed in accordance with the approved scheme.

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.

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

- * a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
- * finished levels and contours;**
- * means of enclosure;**
- * car park layouts;**
- * other vehicle and pedestrian access and circulation areas;**
- * all hard and soft surfacing materials;**

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

(9) 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.

(10) No development shall commence on site until details of the proposed paved footway, accesses, drive gradients, car parking and any other associated highway works, have been submitted to and approved by the local planning authority. The development shall not be first occupied until the works referred to above have been constructed and laid out in accordance with the approved details.

REASON: To ensure that the paved footways and associated highway works are constructed in a satisfactory manner.

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

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

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

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

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

(12) No development shall commence until details for the provision of a water supply and fire hydrants necessary to meet the fire-fighting needs of the housing development (including the installation arrangements and the timing of such an installation) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full accordance with the agreed details.

REASON: To ensure that adequate measures for fire-fighting can be incorporated into the development, including the construction phase.

(13) No construction shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: To minimise disturbance to nearby residents during the construction.

(14) The proposed development shall be undertaken in accordance with the recommendations and timings stipulated in section 4.0 of the Bat Potential Roost Feature Inspection Survey & Bird Potential Report (Daniel Ahern Ecology, January 2018).

REASON: To ensure implementation of appropriate mitigation measures for protected species and to ensure compliance with wildlife legislation and the NPPF.

(15) The proposed development shall retain vegetative boundary features and shall not include the felling of any trees along the boundary of the site. Trees and hedgerow along the boundaries of the site shall be suitably protected during the pre-construction and construction phase.

REASON: To ensure appropriate protection for habitats and protected species and to ensure compliance with wildlife legislation and the NPPF.

(16) No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to the local planning authority for written approval. The LEMP shall include but not be limited to including the following: details of ecological mitigation measures to be implemented during construction including the protection of hedgerows and trees; details of the ecological enhancement measures to be implemented in accordance with section 4.0 of the Bat Potential Roost Feature Inspection Survey & Bird Potential Report (Daniel Ahern Ecology, January 2018) and these shall be shown on a site plan; and shall provide details/plans and schedules of proposed planting and soft landscaping.

REASON: To ensure appropriate avoidance, mitigation and enhancement measures for biodiversity and landscape.

(17) No new external lighting shall be installed until a Sensitive Lighting Strategy has been submitted to the local planning authority for approval in writing. The lighting strategy shall specify the number, type and

location of luminaires and lighting columns to be installed and will be accompanied by a lighting contour plan/lux plot. In addition, details of mitigation measures setting out how light spill onto retained habitats will be minimised and how the boundaries will be retained as dark corridors shall be submitted for approval.

REASON: To ensure appropriate mitigation for protected species and the retention of dark corridors along the site boundaries.

INFORMATIVE TO APPLICANT: S278 Agreement

The applicant should be advised that he will be required to enter into a S278 Legal Agreement with the Council to secure the highway works including the adoption of the new paved footway across the frontage of the application site.

INFORMATIVE TO APPLICANT: Reserved Matters Outstanding

The indicative layout submitted with the application is not considered acceptable, particularly with respect of the access and parking arrangements. The applicant is advised to discuss the detailed proposals further with the parish council and the LPA (using the pre-application advice service) prior to submission of any reserved matters application/s.

**INFORMATIVE TO APPLICANT: Wessex Water
Water Supply and Waste Connections**

New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system. An extract plan from Wessex Water records showing the approximate location of our apparatus within the vicinity of the site can be found on the application file which can be viewed on the council's website against the relevant application record.

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/communityinrastructurelevy.

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.

262 **17/06709/FUL - Corrindale, The Street, Teffont Magna, SP3 5QP**

Public Participation

Rowena Taylor spoke in objection to the application

Chris Edwick spoke in support to the application

David Gregory spoke in support to the application

Cllr Tony Deane spoke on behalf of the Parish Council.

The Senior Planning Officer Lucy Minting introduced the report detailing the proposed construction of a new house and vehicular access, which was recommended for Approval.

The proposals included the removal of five trees, with the dwelling set in to the existing landscaping. Level one was an under croft area, Level 2 included the entrance, and Level 3 had 3 bedrooms and a study.

The site was part of a previously proposed development which had been refused.

The recommendation included the removal of permitted development rights.

Members then had the opportunity to ask technical questions, where it was clarified that the proposed access to the site would be a new access.

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

Cllr Tony Deane spoke on behalf of Teffont PC, as Cllr Wood had sent his apologies. He noted that the PC's objections were included in the agenda, adding that it recognised there would be a house at this site at some time, however the present design was considered as over development of the plot. Cllr Dean thanked the Officers for the balanced report and conclusion.

The Division Member Cllr Bridget Wayman then spoke in Objection to the application, noting that there had been around 15 new properties in Teffont over the last 10 years, which she felt was quite a high number.

Teffont was a small village, the site lay within the designated conservation area. The Teffont VDS had a section on the settlement layout of the village. If this site was granted permission there would be a further decline in gaps between dwellings within Teffont. She urged the Committee to refuse this application.

Cllr Devine moved the motion of approval this was seconded by Cllr John Smale.

He noted that this would be a perfect place for infill in this village. He felt that if someone was proposing to bring a family with young children to settle, this was a good thing.

A debate followed where the key issues raised included, that a house on this site would fill an obvious space, however to minimise the excavation to the rear of the property had been brought forward, in comparison to the neighbouring dwellings.

The proposals had been changed to reflect the comments of the Conservation Officer, to move the dwelling back and down in height, through further excavation.

The design was imaginative, and there was already a good mix of historic and contemporary design properties in the village.

Resolved

That application 17/06709/FUL be APPROVED with 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 Ref: 1689.P-01 Rev A, received by this office 02/11/2017

Plan Ref: 1689.P.02 Rev A, received by this office 02/11/2017

Plan Ref: 1:1250 Location Plan Position of Cottage Revised Oct 2017, received by this office 03/11/2017

Biodiversity survey/assessment, received by this office 12/07/2017

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

(3) 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.

(4) No development shall commence on site until a scheme for the discharge of surface water from the site access/driveway, incorporating sustainable drainage details, together with permeability test results to BRE365, to prevent discharge onto the highway 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, in the interests of highway safety.

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- 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, in the interests of visual amenity and the character and appearance of the area.

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

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

(7) 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 a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing 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 practise.

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 from the first occupation or the completion of the development, whichever is the later].

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

(8) Notwithstanding the approved drawings, no walls of the development hereby permitted shall be constructed until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;

- (ii) Full details of proposed rooflights and solar panels, which shall be set in plane with the roof covering;**
- (iii) Full details of external flues including finish, background and mechanical ventilation, soil/vent pipes and their exits to the open air;**
- (iv) Full details of rainwater goods;**
- (v) Large scale details of proposed eaves and verges (1:5 section)**

The works 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, to ensure that the development is appropriately detailed due to its location within the conservation area and setting of listed building.

(9) All windows shall be of timber. No paint or stain finish shall be applied to external timber until details of the paint or stain to be applied 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, to ensure that the development is appropriately detailed due to its location within the conservation area.

(10) No walls of the development hereby permitted shall be constructed until details and samples of the materials and finishes to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

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

(12) No external lighting shall be installed on site until details of external lighting 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, to prevent light pollution and harm to the AONB.

(13) 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.

(14) No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces (including the undercroft car and cycle 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.

(15) The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2.4m metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

(16) The development shall be undertaken and completed in accordance with recommendations and precautionary mitigation measures outline on section 5 of the Biodiversity survey/assessment Version 2 dated 11 May 2017.

REASON: To ensure adequate protection, mitigation and compensation for protected species.

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

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

REASON: To safeguard the character and appearance of the area and in the interests of residential amenity.

(19) 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: 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.

INFORMATIVE: External lighting

The application site is located within the countryside of the AONB which is currently bidding for 'Dark Sky Reserve Status' (further information can be found via - <http://www.ccwwdaonb.org.uk/our-work/dark-night-skies/>).

It is therefore recommended the applicant consider a scheme of screening/louvres to be attached to and used on all approved rooflight windows in the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

In considering any proposed external lighting, the applicant should comply with the Cranborne Chase and West Wiltshire Downs AONB position statement on Light Pollution available from: http://www.ccwwdaonb.org.uk/projects/pub_other.htm

INFORMATIVE: CIL

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: Works on the highway

The application involves an extension to the existing dropped kerb. The consent 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 Wiltshire's Highway Authority before any works are carried out on any footway, footpath,

carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

INFORMATIVE TO APPLICANT: Archaeological work

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.

If archaeological remains are encountered, this may have an effect on the programme of works.

INFORMATIVE TO APPLICANT: Exhumation of Human Remains

Nothing in this permission shall authorise the exhumation, removal, or interference with human remains which may exist on the site. Separate legislation exists for such matters.

**INFORMATIVE TO APPLICANT: Wessex Water
*Water Supply and Waste Connections***

New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems

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

No surface water connections will be permitted to the foul sewer system. Please find attached an extract from our records showing the approximate location of our apparatus within the vicinity of the site (this letter can be found on the application file which can be viewed on the council's website against the relevant application record)

INFORMATIVE TO APPLICANT: Surface Water and Foul Drainage

The application form states foul drainage disposal will be main sewer – 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 require permission from Wessex Water.

The application form states storm water drainage disposal to be via a soakaway in the driveway – Any proposed use of soakaways will need to be backed up by permeability testing to BRE 365 plus in chalk areas any soakaway needs to be at least 10m from buildings/structures.

INFORMATIVE TO APPLICANT: Wildlife and Countryside Act

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and

experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

263 **17/11250/FUL & 17/11681/LBC - Little Manor Nursing Home, Manor Farm Road, Millford, Salisbury, SP1 2RS**

Cllr Hewitt and Cllr Jeans left the meeting.

Public Participation

Mr Fuller spoke in Objection to the application

Matthew Airey spoke in Support of the application

Matthew Holmes spoke in Support of the application

Jonathan Ross spoke in Support of the application.

The Senior Planning Officer Becky Jones introduced the report for external and internal alterations/refurbishments of the historic part of a 24 bed residential care home. Demolition of the recent extensions to the rear, and construction of a Care Quality Commission (CQC) compliant replacement extension, increasing the capacity to 30 beds and alteration to existing access. Demolition of 2 ancillary buildings and associated landscape works. The application was recommended for refusal.

The Officer noted that the proposed site plans had been amended since publication of the agenda, as detailed in the late correspondence circulated at the meeting. As a result the Conservation Officer had removed a reason for refusal. He had also asked for the scale and amenity to be added to the reasons for refusal.

Members then had the opportunity to ask technical questions, where it was Clarified that the recommended reasons for refusal had been edited since the report was published.

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

The Division Member Cllr Sven Hocking then spoke in support of the application. Noting that with regards to conservation and heritage, the front of the property did have character, however he felt that the rest of the building did not, adding that there was a need to bring the facility up to the required standards.

He acknowledged that Mr Fuller would have a large development at the rear of his property and that would need to be addressed, however the benefits outweighed the negatives, so he supported the application. He would expect the applicant to work with the residents to mitigate the negatives to their properties.

Cllr Hocking moved the motion of approval this was seconded by Cllr Smale.

A debate followed where the key issues raised included that the Applicant Wessex Care were a major provider in care for the elderly in the area, however it was a matter of balance, to consider the local need for the nursing provision over the loss of the protection to the building and limiting the impact on neighbouring properties.

The Conservation Officer had raised some concerns on the effects the proposed development would have on the listed building. The residents living at the property next door had raised concerns on the impact of the development would have on them.

The scale of the proposed building was too big and would impact on those around it.

The Committee voted on the motion of approval, this motion was not carried.

The Chairman then moved the motion of Refusal, for application 17/11250/FUL, this was seconded by Cllr Britton.

Resolved

That application 17/11250/FUL be REFUSED for the following reasons:

1. The development seeks to remove modern extensions and to extend and alter a Grade II listed building comprising a 24 bed nursing home. The proposed extension and alterations would add six new bedrooms and other facilities, to create a modern, 30 bed nursing home facility. The listed building, despite its relatively poor quality extensions, is pre-eminent on the site and the present extensions are very much secondary and partially obscured from view from Manor Farm Road. The proposed extension is a substantial three-storeyed cranked range occupying a footprint that is significantly disproportionate to its host.

Whilst there are some elements of heritage gain within the proposals (such as the proposed stairs to the front door) and neutrality by removing the poor quality modern extensions and refurbishment works to the original building, the alterations to the historic core of the listed building (such as removal of masonry walls to the rear of room 3 and the kitchen) appear to result in the loss of historic fabric and are inadequately justified in public benefit terms as required by NPPF para 134.

Therefore, the proposed extension, by virtue of its overall design, height and footprint, would cause “substantial” harm to the character and setting of the listed building, contrary to section 16 and 66 of The 1990 Act and paragraph 133 of the NPPF and the aims of Wiltshire Core Strategy Core Policy 58; and alterations to the historic core of the listed building would cause “less than substantial” harm and are inadequately justified in public benefit terms, contrary to NPPF paragraph 134.

2. The site lies adjacent to No 10 Westbourne Close, Milford Grove and White Lodge. The proposed 3 storey extension to the listed building, by virtue of its design, scale, massing and proximity to boundaries would result in an unacceptable level of actual and perceived overlooking towards neighbouring residential properties, is likely to give rise to unwanted light intrusion and would appear unduly dominant, to the detriment of the neighbouring occupiers,

contrary to Wiltshire Core Strategy Core Policy 57 (vii) and paragraphs 9, 56 and 64 of the NPPF.

The Chairman then moved the motion of Refusal for application 17/11681/LBC, this was seconded by Cllr Britton.

Resolved

That application 17/11681/LBC be REFUSED for the following reasons:

1. The development seeks to remove modern extensions and to extend and alter a Grade II listed building comprising a 24 bed nursing home. The proposed extension and alterations would add six new bedrooms and other facilities, to create a modern, 30 bed nursing home facility. The listed building, despite its relatively poor quality extensions, is pre-eminent on the site and the present extensions are very much secondary and partially obscured from view from Manor Farm Road. The proposed extension is a substantial three- storeyed cranked range occupying a footprint that is significantly disproportionate to its host.

Whilst there are some elements of heritage gain within the proposals (such as the proposed stairs to the front door) and neutrality by removing the poor quality modern extensions and refurbishment works to the original building, the alterations to the historic core of the listed building (such as removal of masonry walls to the rear of room 3 and the kitchen) appear to result in the loss of historic fabric and are inadequately justified in public benefit terms as required by NPPF para 134.

Therefore, the proposed extension, by virtue of its overall design, height and footprint, would cause “substantial” harm to the character and setting of the listed building, contrary to section 16 and 66 of The 1990 Act and paragraph 133 of the NPPF and the aims of Wiltshire Core Strategy Core Policy 58; and alterations to the historic core of the listed building would cause “less than substantial” harm and are inadequately justified in public benefit terms, contrary to NPPF paragraph 134.

264 **17/10559/OUT - 34 Park Lane, Salisbury, SP1 3NP**

Public Participation

Mr Weaver spoke in Objection to the application

Rachel Yeomans spoke in Support of the application

Rodney Job spoke in Support of the application

The Senior Planning Officer Warren Simmonds introduced the report for an outline planning application for demolition of existing five bedroom detached bungalow and replacement with two detached chalet style dwellings and a single block containing four apartments. which was recommended for approval with conditions.

Members then had the opportunity to ask technical questions, where it was clarified that the Ecologist had not visited the site, but had instead conducted a desktop study.

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

The Division Member Cllr Douglas had had to leave the meeting, provided a statement which was read out by the Officer:

I have called this to committee due to concerns regarding visual impact, relationship to surrounding properties and design. Although I recognise that this is an outline application, and that the accompanying design and layout is merely indicative, I want to stress that the design and layout are not acceptable, as indicated in the officers report (section 9.2, para 3 and 4 under 'Impact on the amenity of neighbours'; and INFORMATIVE at the end of the report). I would urge the committee to make that very clear in their decision.

The Chairman moved the motion of approval this was seconded by Cllr Devine

A discussion then took place, where the main points raised included that during the site visit it was evident how enormous the site actually was. It was felt that a development of the proposed size would still leave a reasonable amount of amenity space around it. The front building would be placed inline with the building next door, and the 2 chalets seem of an entirely reasonable size.

The application if approved would need to be followed up by an un reserved matters application.

The Committee then voted on the motion of approval with conditions.

Resolved

That application 17/10559/OUT be APPROVED with the following conditions:

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

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

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

- (a) The external appearance of the development;**
- (b) The landscaping of the site;**
- (c) The scale of the development;**
- (d) The layout of the development;**
- (e) The means of access to the site.**

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

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

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

4. The development shall be limited to a maximum of 6 dwellings only, and in terms of the access and parking arrangements and protection of existing trees only, the scheme shall be carried out in general accordance with the following plans:

Drawing number 1710-SK002 revision E dated 01.02.18, as deposited with the local planning authority on 06.02.2018, and

Drawing number 1710-SK003 revision E dated 01.02.18, as deposited with the local planning authority on 06.02.2018, and

REASON: The proposal is only acceptable in terms of the number of dwellings, the general parking, turning and access provisions, and in terms of how the mature trees on the site would be retained and protected.

5. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

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 together with permeability test results to BRE365 with location of ground water levels, 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. Development shall be carried out in strict accordance with the submitted Arboricultural Impact Statement and Method Statement (Woodland & Countryside Management Ltd, 2nd February 2018) and associated submitted documentation.

REASON: To ensure the retention and protection of important trees.

8. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans, unless an alternative layout arrangement is otherwise agreed in writing by the local planning authority as part of a future consent.

The areas and spaces so agreed shall be maintained for those purposes at all times thereafter.

REASON: In the interests of public safety.

9. 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;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- measures for the protection of the natural environment.
- hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

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

10. 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.

Reason: In the interests of amenity

INFORMATIVE

The Council considers that the overall design and positions of the two suggested chalet bungalows shown on the indicative plans may need further consideration prior to the submission of a future reserved matter or full application, so that the impacts of the scheme on neighbouring amenity can be limited as far as possible, whilst retaining adequate parking and turning areas and protecting/retaining existing trees on site. It is recommended that any future scheme is discussed with officers prior to any future application being submitted.

265 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 7.05 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

Wiltshire Council
Southern Area Planning Committee
5th April 2018

There are no Planning Appeals Received between 23/02/2018 and 23/03/2018

Planning Appeals Decided between 23/02/2018 and 23/03/2018

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
16/07192/FUL	E V Naish Ltd Crow Lane, Wilton Salisbury, Wiltshire SP2 0HD	WILTON	Demolition of Existing Buildings to Facilitate the Mixed Use Development of the Site to Provide 61 Residential Units, Two Commercial Units of B1 Use, One Retail Unit, and Associated Car Parking.	SAPC	Written Reps	Approve with Conditions	Allowed with Conditions	16/03/2018	None
S/2003/1016	E V Naish Ltd Crow Lane & 51/ 53 North Street, Wilton, Salisbury, SP2 0HB	WILTON	Demolition of Existing Buildings & the Erection of 62 Dwellings, Two Commercial (B1) Units and One Retail Unit	SAPC	Written Reps	Approve with Conditions	Allowed with Conditions	16/03/2018	None
17/00469/FUL	Corner Cottage Becketts Lane Chilmark, Wiltshire SP3 5BD	CHILMARK	Retrospective application for the formation of vehicle access	DEL	Written Reps	Refuse	Dismissed	12/03/2018	None

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REPORT FOR SOUTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	5th April 2018
Application Number	18/00898/FUL
Site Address	Land at Ridge Farm, Woodfalls, Salisbury, SP5 2LW
Proposal	Installation of a 17.5m slimline telecommunications column with 3 no. antennas within shroud, 2 no. 300mm dishes, with installation of 1 no. equipment cabinet and 1 no. meter cabinet and ancillary works within a secure fenced compound.
Applicant	Vodafone Ltd
Town/Parish Council	REDLYNCH
Electoral Division	REDLYNCH AND LANDFORD – Cllr Randall
Grid Ref	419664 120031
Type of application	Full Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

The application has been called in by the Division Member because of concerns about visual impact; the relationship to adjacent properties and public interest in the matter.

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 the report.

2. Report Summary

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

- Principle of development
- Siting, Appearance and Visual Impact and residential amenity
- Health and safety

The application has generated a total of 73 representations (together with a petition) from the interested parties, as follows:

Neighbour/third parties – 73 Third party representations have been received, together with a petition containing 38 signatories, each in objection to the proposed development. The following objections/concerns have been raised:

*Traffic disruption, construction/service vehicle movements and right of access
Proximity to residential properties and consequent impact on amenity*

Impact to enjoyment of Right of way footpath
Lack of community consultation
Microwaves, public health and safety
Landscape/visual impact
Insufficient screening of the site – nearby trees soon to be cut down
Insufficient site selection process – questionable reasons for alternative sites being discounted
Impact on property values
Development in the countryside
Poor/insufficient access
Noise and disturbance to local residences from construction and maintenance
The proposed mast would provide insufficient coverage for Redlynch & Lover

Redlynch Parish Council object to the proposed development on grounds that the proposal would have an adverse impact on neighbouring properties due to its height, scale and dominance as it will be located too close to residential housing. In addition it will still have an impact on the users of the footpath and the enjoyment of the rural surroundings.

3. Site Description

The application site is located in a field that is part of Ridge Farm situated adjacent to the settlement boundary for Woodfalls. A ROW runs southwards from a farm access located at the end of a track that is accessed off Highfield Road. The site lies south of dwellings in Highfield Lane.



Right of Way – Footpath REDL25 identified in purple

4. Planning History

- | | | |
|----------------|---|-------------------------|
| 16/09602/FUL | The installation of a 17.5m monopole with 3 antennas and 2 microwave dishes, the installation of 2 equipment cabinets and a meter cabinet and development ancillary thereto | APPLICATION WITHDRAWN |
| 17/01351/PNTEL | Installation of 17.5m monopole with 3 antennas and 2 microwave dishes, with installation of 2 equipment cabinets and a meter cabinet and development ancillary thereto | Deemed Consent 25.04.17 |

5. The Proposal

The application proposes the installation of a 17.5m slimline telecommunications column with 3 antennas within the shroud and 2 x 300mm microwave dishes, together with installation of 1 equipment cabinet and development ancillary thereto.

The mast would be erected within the existing compound of approx. 5.6m x 5.6m which has been constructed on the site approximately 2.2m from the field boundary consisting of hedging, beside the ROW that runs adjacent to the boundary and 10m south of the field gate that is accessed to the end of the track.

Access to the site would be gained via Ridge Farm, The Ridge.

The new mast would replace the existing mast that is currently in situ in the village at Skylark motors, close to the bungalows at Springfield Crescent.

6. Local Planning Policy

Wiltshire Core Strategy (WCS) Core Policies CP48, CP51.

WCS Strategic objective 6: to ensure that infrastructure is in place to support communities

Saved SDLP policy PS7 (Telecommunications)

NPPF

Section 5 Supporting high quality communications infrastructure

7. Summary of consultation responses

Redlynch Parish Council - object to the proposed development on grounds that the proposal would have an adverse impact on neighbouring properties due to its height, scale and dominance as it will be located too close to residential housing. In addition it will still have an impact on the users of the footpath and the enjoyment of the rural surroundings.

Wiltshire Council Archaeology – No objection - Although this site lies within an area of archaeological interest, there is nothing specifically within the site. Therefore, 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 Highways – No objection – Access to the site will be via a track that leads to adjacent properties and the field in which the equipment is proposed to be sited, this is not proposed to be altered as part of this application. Once the construction is complete access thereto will be limited to maintenance and as such the additional use of the existing access will not be detrimental to highway safety and therefore I wish to raise no highway objection.

Wiltshire Council Rights of Way – No objection - I note that a 2 metre width has been made available for the public footpath between the compound and the hedge. While this was our minimum requirement given in response to the previous application there is still overgrowth from the hedge which reduces the available width of the path here both alongside the compound and the utility pole. With further growth the path may become impassable and the surface may require additional maintenance due to this restricted width. I would therefore recommend the following condition/informative:

The section of hedge from the gateway to a point approximately 3 metres beyond the utility pole should be cut back level with the existing fence. Once construction is complete this section of hedge must be maintained to this standard by the applicant or the landowner.

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

New Forest National Park Authority – Support - No harmful impact upon the park considered.

8. Publicity

The application was publicised via site notices and neighbour notification letters. The application generated a total of 73 third party representations have been received, together with a petition containing 38 signatories, each in objection to the proposed development.

The following objections/concerns have been raised:

Traffic disruption, construction/service vehicle movements and right of access
Proximity to residential properties and consequent impact on amenity
Impact to enjoyment of Right of way footpath
Lack of community consultation
Microwaves, public health and safety
Landscape/visual impact
Insufficient screening of the site – nearby trees soon to be cut down
Insufficient site selection process – questionable reasons for alternative sites being discounted
Impact on property values
Development in the countryside
Poor/insufficient access
Noise and disturbance to local residences from construction and maintenance
The proposed mast would provide insufficient coverage for Redlynch & Lover

9. Planning Considerations

9.1 Background

This application arises from unusual circumstances. The applicants already have a telecommunications mast in place within the residential area of the village at Skylark Motors, to the rear of bungalows in Springfield Crescent, but as the landowner wishes to

redevelop the site, they need to relocate, as well as update to current infrastructure standards. Most telecommunication structures of this nature, including new or replacement masts, do not require planning permission from the Council as local planning authority, but only 'prior approval', where the local planning authority can only consider the *siting and appearance* of the development. (This is because the Government place a high priority on the national delivery of telecommunications infrastructure and therefore effectively grant planning permission, leaving the local Council to consider only siting and appearance). In 2017, the applicants submitted a prior approval application for a 17.5 metre high mast in this field and obtained deemed consent for its erection as the application was not determined by the Council within the Government stipulated time limit of 56 days.

The applicants commenced development, but investigations by the Council, assisted by local residents, confirmed that the concrete slab and compound that had been laid for the development was not built on the site authorised by the deemed consent, but approximately 2 metres away. The developers therefore stopped worked to consider their options and discuss the matter with Council officers. Whilst they could, as a 'fall-back' position, and without any come-back from the Council, tear up the concrete, compound and infrastructure that has been laid and build the mast that has deemed consent on the approved site, they have opted to propose to retain the compound on the site where it has been constructed, and instead to erect a 'slimline' mast of a less intrusive design than the one that has deemed consent, and one more usually associated with areas of sensitive landscapes, such as AONB's. Because the mast would be erected on the existing base, they are not able to take advantage of prior approval procedures, as these only apply where no development has commenced. This is why the Council now has a planning application before it for determination.

9.2 Health Issues

Paragraph 46 of the NPPF states:

"Local planning authorities must determine applications on planning grounds. They should not ...determine health safeguards if the proposal meets International Commission guidelines for public exposure."

Officers note the representations made on this issue. However, the submitted statement from the applicants confirms that: *"The proposed equipment and installation is designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP), as expressed in the EU Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0Hz to 300GHz)."*

Consequently, the proposal is in accordance with the guidance in the NPPF and the Council cannot justify a refusal of the scheme on grounds of health concerns.

9.3 Site Selection

The applicant has provided (at section 5 of the submitted Supplementary Information document) details of the site selection process leading to the selection of the site for the

proposed mast. The site selection process details 15 alternative sites that were considered for the proposed mast, and the reasons for each being discounted:

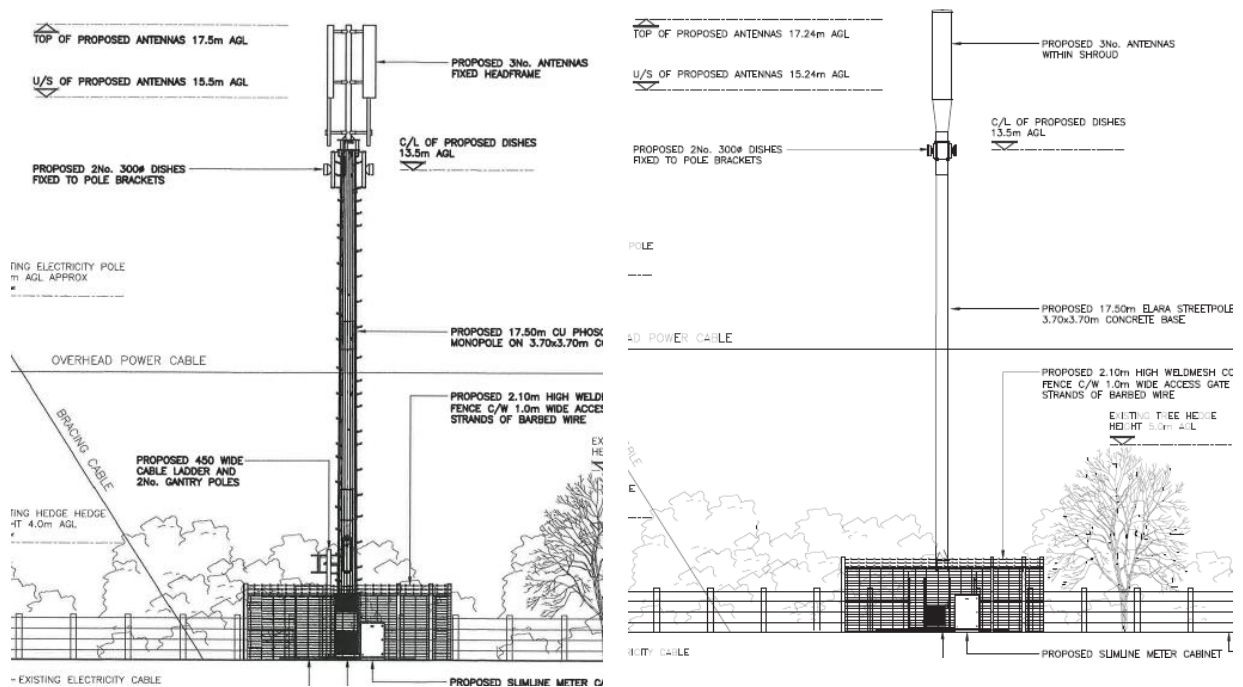
Alternative sites considered and not chosen

Site Type	Site name and address	National Grid Reference	Reason for not choosing site
1.Greenfield	Land to the North of Lodge drove, Woodfalls, SP5 2HH	E419377, N119820	A base station at this location would not provide the coverage required. A site more central to the built settlement of Woodfalls is required
2. Greenfield	Woodfalls Cross Farm, Hale Road, Woodfalls, SP6 2NW	E419746, N119469	A base station at this location would not provide the coverage required. A site more central to the built settlement of Woodfalls is required
3. Greenfield	MoT service station and car sales site, The Ridge, Woodfalls, SP5 2LS	E419791, N120124	This is the location of the existing telecommunications base station. The owner has plans to sell the land for redevelopment and is not interested in accommodating a telecommunications base station.
4. Greenfield	Playing Fields, Redlynch Social Club, Woodfalls, SP5 2LU	E419847, N119759	When searching for a site owner did not express any interest. In addition, a site here would not provide the level of coverage that the application site will provide.
5. Greenfield	Land to west of Slab lane and Primrose lane, Woodfalls, SP5 2NB	E419235, N120731	The ground levels are significantly lower than the existing and proposal site and an installation here would not achieve the required coverage.
6. Greenfield	Land to the south of Whiteshoot Hill, Woodfalls, SP5 2NW	E420040, N119644	The ground levels are significantly lower than the existing and proposal site and an installation here would not achieve the required coverage.
7.Greenfield	Woodfalls Inn, The Ridge, Woodfalls, SP5 2HT	E419821, N119851	The building is not suitable for the accommodation of an installation and there is no land available. If available, a structure here would have greater visibility than a the application proposal.
8. Greenfield	Land adj. The Ridge, Woodfalls, SP5 2HT	E420134, N120922	The site owner was not interested, when the site at the current location was progressed. The location is remote from the existing site and a site here would not meet coverage requirements.
9. Greenfield	Hart Hill Farm, The Ridge, Woodfalls, SP5 2LJ	E419990, N120374	The site owner did not express any interest. In addition a site here would not provide the level of coverage that the application site will provide.
10.	Parish Council suggested site – Recycling Centre	E421751, N117813	Coverage requirements would not be met with a site at this location

11.	Parish Council suggested site – Commercial site	E420614, N118650	Coverage requirements would not be met with a site at this location
12.	Parish Council suggested site – Site close to but to west of “land north of Lodge Drive” discounted site	E419115, N119781	Coverage requirements would not be met with a site at this location
13.	Parish Council suggested site – Parish Council Site (Site at Loosehanger)	E420872, N119067	Coverage requirements would not be met with a site at this location
14.	Parish Council suggested site – Site near top of Whiteshoot	E419923, N119641	Coverage requirements would not be met with a site at this location
15.	Parish Council suggested site – Edge of Tinneys Firs, Woodland Trust land	E419960, N119693	Coverage requirements would not be met with a site at this location

9.4 Appearance and Visual Impact

A comparison of the mast design now proposed with the one that has deemed consent is shown below. The one on the right is the current proposal.



The comparison confirms that the mast now proposed is slimmer and less intrusive than the mast that has deemed consent. Although taller, it is a design that has much in common with the existing mast at the rear of Springfield Crescent.



Existing Mast to rear of Springfield Crescent (to be removed)

The location of the proposed site is a field to the rear of properties in Highfield Lane. In this location, it is removed from the urban context of the current mast, but seen from distant views against the backdrop of existing development and trees/vegetation that form the current interface between the built development and the field. There are also overhead electricity cables and poles in the vicinity. The field is not in a protected or sensitive landscape, being outside of the National Park and not within any AONB. Whilst the mast that has deemed consent would be a more intrusive element in the landscape, it is not considered that the slimline mast would have such a significant effect. It would also be possible to paint the supporting column in a recessive colour. Whilst it will be clearly visible from the public right of way adjacent, it would be seen in close association with the existing electricity pole stay and apparatus. Overall, it is considered that the visual impact from the proposed slimline mast would be acceptable in this location.



Proposed Site

It is considered that the design now proposed mitigates as far as possible any negative impacts on the landscape and is in accordance with the guidelines in CP51.

9.5 Residential amenity and Access

The mast would be close to a nearby bungalow at 'Rolleston', which has its flank wall adjacent to the field. Other properties are further away. Again, Government guidance in the NPPF is clear that local planning authorities '*should not insist on minimum distances between new telecommunications development and existing development*'. This is not altogether surprising as many 'streetwork' style masts are found in residential locations in close proximity to nearby houses (similar to the existing mast in the village). Whilst the mast will be visible from windows in the flank elevation of Rolleston, impacts on outlook from houses are not a material planning consideration and the mast itself will not have any significant impact on the amenity of nearby properties.

The access to construct the site is through the existing field, and no objection has been raised by highways. Once the mast has been erected, any traffic generation will be minimal, simply being maintenance checks etc.

9.5 Public Benefits The mast will ensure that the village and the surrounding area continue to receive good coverage for mobile phone use, in line with the requirement in Core Policy 48 to improve access to services and infrastructure in rural areas. This weighs in favour of the development.

9.6 Fall-back Position

As noted above, it remains a material planning consideration that the applicant *could* remove the existing base compound and re-construct it in the correct place according to the Prior Notification scheme (a distance of approximately 2m further to the North) and construct the larger Prior Notification version of the mast (as above left). The consent is still valid.

10. Conclusion

The proposed mast would replace the existing mast at the Skylark Motors site which is to be decommissioned. The proposed mast would provide potential public benefits by providing continued mobile phone coverage to the village. Although any new mast will always have a degree of visual intrusion, the design now proposed does mitigate substantially the visual impact, and whilst it might be close to some properties in Highfield Lane, none will suffer any significant adverse impact on their amenity, and certainly none sufficient to justify refusal of planning permission. There will also be a degree of improvement to the visual amenity in the area of Springfield Crescent by the removal of the existing mast.

Given that there is also a fall-back position that could see a more intrusive and visually harmful mast erected within a few metres of the site, it is considered that the current proposal is acceptable, subject to the conditions set out below.

RECOMMENDATION

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:

Drawing number 201 issue G dated 10.01.18, as deposited with the local planning authority on 26.01.18, and

Drawing number 301 issue F dated 10.01.18, as deposited with the local planning authority on 26.01.18, and

Drawing number 100 issue A dated 07.09.16, as deposited with the local planning authority on 26.01.18.

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

3. All equipment, apparatus and structure(s) hereby approved provided shall, when no longer reasonably required, be removed as soon as reasonably practicable from the land and the land restored to its condition before the development took place.

REASON: To ensure the removal of equipment, apparatus and structures and the restoration of the land when no longer reasonably required, in the interests of amenity.

4. Within three months of the bringing into use of the telecommunication apparatus hereby approved, the existing mast and apparatus at the Skylark Motors site in Woodfalls shall be decommissioned and removed from the site.

REASON: To prevent the proliferation of new telecommunication apparatus, in the interests of the character and appearance of the area, as the justification for this new mast relies partly on the need to replace the mast at Skylark Motors.

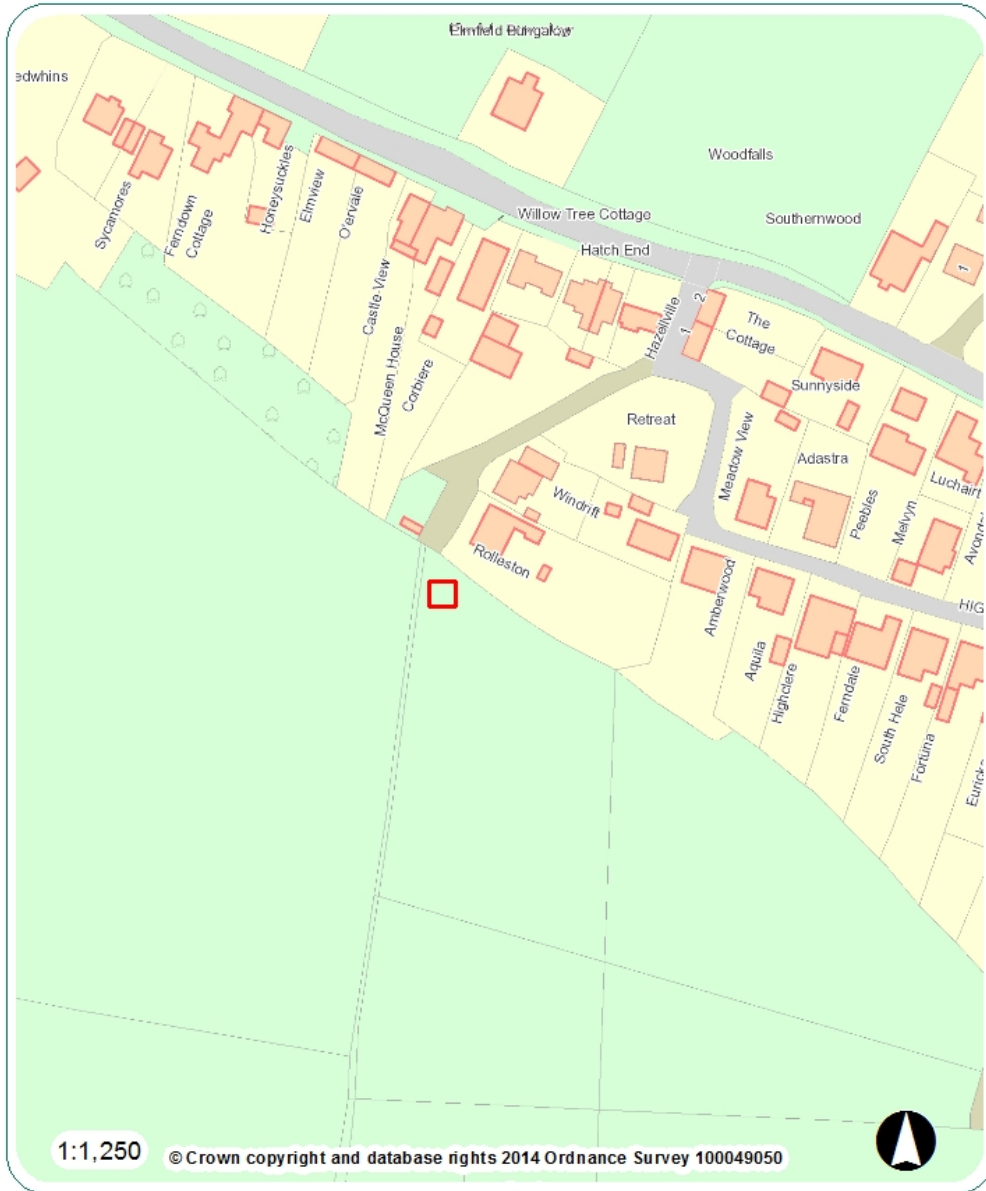
5. Before the mast hereby is erected on the concrete slab, details of the external colour paint to be applied to it shall be submitted to and approved in writing by the local planning authority. The mast shall be painted in the approved colour before being brought into use.

REASON: To protect the character and appearance of the area, by ensuring the mast is painted in a suitable colour.

Informative:

The section of hedge from the gateway to a point approximately 3 metres beyond the utility pole should be cut back level with the existing fence. Once construction is complete this section of hedge should be maintained to this standard to ensure that the right of way is not obstructed.

18/00898/FUL
Land at Ridge Farm
Woodfalls
Salisbury
SP5 2LW



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 2

Date of Meeting	05 April 2018
Application Number	17/10167/FUL
Site Address	The Greyfisher, Ayleswade Road, Harnham, Salisbury, SP2 8DW
Proposal	Erection of two storey, 20 bedroom hotel with associated car parking, cycle parking and landscaping following demolition of derelict garages.
Applicant	Greene King Retailing Ltd
Town/Parish Council	SALISBURY CITY
Electoral Division	ST MARTINS AND CATHEDRAL – Cllr Sven Hocking
Grid Ref	414406 128975
Type of application	Full Planning
Case Officer	Matthew Legge

Reason for the application being considered by Committee

Cllr Hocking has called this application to the Southern Area Planning Committee due to the scale and bulk of the development and the impact to neighbouring amenity

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 principle of the development is considered by Officers to be in accordance with local policy and as such there is no objection in principle to the application. The development has however received an objection from the City Council and a number of comments of local objection. These comments are not supported by the Council's Highways or Public Protection officers who have raised no objection to the scheme subject to conditions. The scheme has proposed to mitigate against overlooking of neighbouring properties by the use of obscure glazing and the offset distances to neighbouring dwellings is considered to be acceptable. The concerns of neighbouring residents in relation to the current operation of the Public house whilst understood, are not material matters on which the current application should be judged.

3. Site Description

The site is located on the southern side of the city, adjacent to the A338. To the east of the site are the water meadows of the River Avon floodplain which form part of the

historic landscape setting of the city. The surrounding area is predominately residential with some commercial land uses including a car MOT centre on New Bridge Road to the south. The Greyfisher Public House, a 2 storey building is located to the north of the site. The public house has its main frontage onto Ayleswade Road, with its rear elevation facing onto a car park and an outdoor patio area. To the east of the site are two detached bungalows whereas the other dwellings to the south and west are largely two-storey semi-detached pairs of houses.

The proposal site is essentially flat and provides parking for the public house. There is a row of domestic garages on the western frontage facing into the site, which form the rear boundaries of properties in Ayleswade Road. Otherwise the site is enclosed by high boundary fences and walls, generally about 1.8m high. The garaged site no longer appears to form an active part of the car park facilities serving the public house.

Vehicular access to the public house car park and the existing garages is via two access points onto New Bridge Road.

4. Planning History

The most recent relevant planning history -

S/2007/2105: Erection of eight apartments parking and associated landscaping. Approved with conditions

5. The Proposal

This application proposes the erection of a two storey, 20 bedroom hotel with associated car parking, cycle parking and landscaping following demolition of the existing derelict garages.

6. Local Planning Policy

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

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP20 (Spatial Strategy for the Salisbury Community Area)

CP40 (Hotels, Bed & Breakfast, Guest Houses and Conference Facilities)

CP57 (Ensuring high Quality Design and Place Shaping)

CP58 (Ensuring the Conservation of the Historic Environment)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

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

7. Summary of consultation responses

This application has generated an objection from Salisbury City Council as they consider it to be overdevelopment, and to have the potential to create light pollution and noise generated

from the plant room. Wiltshire council's Archaeology department has also objected due to the lack of a trench evaluation.

Following re-consultation due to amended plans:

No further comments have been made by Salisbury City Council. Wiltshire Council Archaeology has raised no further objections to the application following the carrying out of a trenched evaluation.

8. Publicity

19 letters of neighbouring objection:

- *Concerns over loss of views of the Cathedral*
- *Concerns over the scale of the development and impact on neighbouring dwellings and character of area.*
- *Concerns over increase to parking levels of on street parking*
- *Concerns over increase in general noise from the intensified use*
- *Concerns over smells from the kitchen*
- *Concerns over existing boundary treatment along (entrance up from Newbridge road to the pub/bin area)*
- *Concerns over existing public parking in the private Ayleswade/Harnham road resulting in undue impact to the condition of the road and impact on amenity of residents.*
- *Concerns over lack of obscure glazing to the first floor windows and impact to neighbouring amenity.*
- *The management of the existing facility is poor resulting in waste and light pollution to the detriment of neighbouring dwellings*
- *Concern over opening hours and noise outside of opening hours from the hotel use.*

9. Planning Considerations

9.1 Principle of development

The application site is located close to the centre of Salisbury which is categorised within the Wiltshire Core Strategy as a Principle Settlement. The north, south and western site boundaries are bordered by neighbouring dwellings. The eastern boundary is formed by the A338 (New Bridge Rd) and this is the primary vehicular access to the site although a second northern vehicular entrance is noted.

This application proposes to construct a 20 bed hotel unit which would be owned and managed by the owners of the Hungry Horse (Greene King). The principle of the development of tourism accommodation is contained within Core Policy 40 of the Wiltshire Core strategy which is permissive of such development within the Principle Settlements such as Salisbury. CP40 seeks to ensure that all proposals will not have a detrimental impact on the viability of the town centre and seeks to avoid unacceptable traffic generation.

Wiltshire Council's Economic Development officers have supported the scheme and comment "*I have considered this proposal in light of the Wiltshire & Swindon Visitor Accommodation Futures report June 2014, which I consider to be the most recent study of visitor accommodation supply and demand for the county. I note that the applicant has also referred to this study in its Planning Statement and I am in agreement with its assessment. I am therefore supportive of this application in terms of supporting tourism growth in Salisbury,*

job creation and safeguarding, and wider benefits to the local economy.” This applicant has also submitted a sequential assessment to the siting of the hotel accommodation and further supporting comments contained within the planning statement. Officers concur with the assessment of Wiltshire Council’s Economic Development officer and have no material reason to object to this application on the grounds of any undue impact on the viability of the town centre.

Whilst officers note the neighbouring concerns over parking numbers and increased traffic generation the scheme has been considered by WC Highways whose comments do not amount to an objection to the scheme and as such Officers consider that the principle of the scheme is policy compliant.

9.2 Impact of the scale and character of the development

The City Council and a number of neighbouring dwellings have raised concerns over the design and massing of the scheme. Wiltshire Council’s own urban Designer has also raised concerns to the originally presented scheme. Due to the level of concerns expressed the scheme has been revised and a re-consultation was undertaken by the Council.

The revised scheme has received a number of comments of detail from Wiltshire Council’s Urban Designer but the comments do not amount to an objection to the overall design or layout of the scheme as revised and it is the view of Officers that the scheme is unlikely to result in demonstrable harm to the character of the locality to any extent where a refusal on design grounds could be reasonably justified.

9.3 Impact on the context and character of the surrounding conservation area

Wiltshire Council’s Conservation officer has considered the scheme and has raised no objection to the development in terms of impact on the nearby conservation area:

“...The site is bounded by the city conservation area to the east and northwest. There are no listed buildings within the immediate surroundings, the closest being the terrace 2-14 Harnham Rd with which there is virtually no intervisibility. The proposals would have negligible impact on the CA to the west, the extensions being behind the original building....In heritage terms though, I don’t consider there to be any wider impacts of the scheme than this slightly contrived roofscape, which is not in the CA. There are no significant views from the public realm that would be affected, the cathedral for instance...”

9.4 Impact on neighbour amenity

Officers note that the original submission (prior to amended plans) received a number of letters of objection from neighbouring dwellings due to the perception of harmful impact to their amenity from overlooking, overbearing mass, smells and noise.

Wiltshire Council’s Public Protection officers have considered the submitted application details and have commented *“In principle this department has no objections to the proposals and recommends a number of conditions are imposed if planning consent is granted to protect amenity levels at nearby residential properties. Nonetheless, it is apparent that a number of residents have raised concerns in relation to the potential impact from noise, odour and lighting, if the premises expands. Having reviewed the case history for this premises, over the past ten years this department has only received three complaints (two noise and one lighting complaint, all resolved without formal action). Whilst we appreciate*

that the addition of a hotel is likely to cause intensification of use at the site, we are satisfied that our nuisance and licensing regimes are in place to deal with any adverse impact."

Officers accept that there is local concern with the current operations and undertakings on the site and that the proposed hotel accommodation has generated additional concerns that the existing problems with noise, odour and waste will only be exacerbated. It is clear from the above comments that the Council has powers (outside of planning legislation) to deal with complaints relating to noise, waste, odour and other neighbouring concerns related to the running of a public house within close proximity to neighbouring dwellings.

Following local concerns and concerns from Wiltshire Councils Urban Design Officers, the scheme has been amended and members should be aware of the introduction of first floor obscure glazing to the all north and south facing windows to prevent or mitigate direct overlooking or the perception of overlooking. Officers are aware that the offset distance from the northern elevation of the hotel to the closest neighbouring southern elevation for the dwelling at 3 New Bridge Road is about 20m. The distance to the southern elevation of the Mallards is about 35m. These distances are considered to be reasonable to prevent direct overlooking.

Equally, there is existing established boundary planting along the northern elevation of the application site which is under the direct control of the applicant. This planting currently provides screening to the application site from neighbouring dwellings. The planting and the fence appears to provide adequate visibility screening and Officers are minded to secure a scheme for boundary planting and or maintenance of existing planting by condition upon any approval. Officers note the Applicants desire to upgrade the existing fencing around the site to form a 2m – 2.5m high acoustic fence which is considered to be an improvement upon the existing boundary treatment.

To the southern elevation of the proposed hotel there are a number of first floor windows located at an oblique angle to the neighbouring dwelling known as Noric at a minimum distance of 15m. These windows are also proposed to be obscure glazed and given the offset distances and the oblique angle, officers are minded to consider that the resultant impact is not unduly harmful to such an extent where a refusal on such grounds could be warranted.

The proposed removal of existing garaging and the creation of parking areas and surfacing are considered to be consistent with the existing use of this southern portion of the site. Officers have no reason to raise any neighbouring concerns to the additional parking areas created here which is noted to be surrounded by a proposed new 2m high acoustic fence and additional landscaping.

9.5 Parking/highways

Officers note that neighbouring letters have expressed concerns over the access to and from the site and the perception that the development will unduly increase traffic to the detriment of the locality. Wiltshire Council Highways have conserved the submission of details and are aware of the neighbouring comments of concern. Wiltshire Council Highways have raised no objection to this scheme having commented;

"I have no highway objection to the principle of the proposed development although I wish to make the following comments.....There will be an increase in the amount of car parking from 45 to 59 spaces (plus 4 disabled spaces = 63 spaces). To meet the parking standards, 1 space per bedroom is necessary (20 spaces). Whilst overall there is a slight shortfall it is acknowledged that the two uses are linked and therefore trips will be linked. I note the parking survey and TRiCs analysis provided in the Transport Statement which show that

although demand is generally high, the combination of uses and the additional spaces will be sufficient for hotel and pub / restaurant uses. Cycle parking will be provided and the site is on a regular bus route (both of which are likely to mainly benefit staff)....I note the swept paths which, although tight, do demonstrate the ability of servicing vehicles to access the site and for cars to pass parked service vehicles....”

Officers note that Wiltshire Council Highways have recommended a condition to cover the submission of a Travel Plan statement (a list of actions that the hotel will take to minimise its transport impact).

9.6 Drainage

Wiltshire Council Drainage has supported this scheme subject to conditions which can be imposed upon any approval. Wiltshire Council Drainage's comments are:

- *EA show the site as FZ 1*
- *Site not shown to be in an area at risk of surface water flooding for 1 in 30/100 events*
- *Site shown to be in an area affected by high ground water thus detailed consideration/permeability testing to BRE 365 and determination of agreed top water level of ground water taking into consideration seasonal variations will be required as part of any application.*
- *Also need confirmation from the sewerage undertaker whether spare capacity exists within the sewer system to serve site or whether offsite improvements are required if proposal is to discharge offsite*
- *Detailed proposals for foul drainage disposal will be needed in application to include confirmation from the sewerage undertaker whether spare capacity exists within the sewer system to serve site or whether offsite improvements are required*

9.7 Archaeology

Wiltshire Council Archaeology had originally objected to the scheme due to the lack of a trench evaluation. Due to this objection a trench evaluation has now been undertaken and the results of the trenching have been considered by the Council Archaeologist. Following the submission of the archaeological evaluation the holding objection has been removed.

10. Conclusion

The proposal to build a 20 bedroom unit of hotel accommodation close to the centre of Salisbury will compliment existing hotel and B and B accommodation already available in the city. It is proposed to create up to 8 full and part time jobs associated with the hotel unit which are welcomed. Neighbouring concerns that have been raised in relation to the existing running of the hotel whilst understood cannot be taken into account when considering this application. Other issues that have been raised such as noise, overlooking and parking are all material considerations but officers consider are either adequately covered by the provisions in the application or can be mitigated against through the appropriate use of conditions. The application complies with the Wiltshire Core strategy policies and with the provisions in the NPPF and as such should be granted planning permission.

RECOMMENDATION - Grant Planning Permission

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

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

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

DRG No. Proposed Site Plan 2895-04-09	26/01/2018
DRG No. Proposed Elevations 2895-05-03	26/01/2018
DRG No. Proposed Ground Floor Plan 2895-06-02	26/01/2018
DRG No. Proposed Ground Floor Plan 2895-07-01	26/01/2018
DRG No. Proposed First Floor Plan 2895-08-01	26/01/2018
DRG No. Proposed Hotel West Elevation 2895-11-00	26/01/2018
DRG No. Proposed Standard Details 2895-12-00	26/01/2018
DRG No. Acoustic Fence 2895-13-00	26/01/2018
DRG No. Window Details 2895-14-00	26/01/2018
DRG No. Proposed Dormer & Lobby Window Details 2895-15-00	26/01/2018
DRG No. Proposed Entrance Door & Lobby Details 2895-16-00	26/01/2018
DRG No. Proposed External Service Door Details 2895-17-00	26/01/2018
DRG No. Proposed Landscape Plans (Sept 2017)	19/10/2017

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 that Order with or without modification), the hotel shall be used as a hotel and for no other purpose (including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

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

4. 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

5. All soft landscaping comprised in the approved details of landscaping (Proposed Landscape Plans (Sept 2017) shall be carried out in the first planting and seeding season following the first occupation of the hotel building 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. A Travel Plan statement (a list of actions that the hotel will take to minimise its transport impact) should be submitted to and approved in writing by the local planning authority prior to first use of the accommodation approved. Such a plan should include the following:-

- Promoting the Connecting Wiltshire website to both restaurant and hotel guests (via their websites)
- Providing information about public transport (bus and rail) and walking / cycling routes to both restaurant and hotel guests (via any website or providing timetables/maps to guests).
- Parking management policies
- Delivery management policies.

REASON: In the interest of highway safety.

7. No part of the hotel development hereby permitted shall be brought into use/occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

8. No externally mounted plant (including air conditioning units, extraction systems or other air handling plant etc) shall be sited until such a scheme has been approved in writing by the Local Planning Authority. The design of externally mounted plant shall achieve a Rating Level (BS4142:2014) below the background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

REASON: In the interest of neighbouring amenity.

9. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E4 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: In the interest of neighbouring amenity.

10. Before the development hereby permitted is first occupied/brought into use the first floor windows in the southern and northern elevations shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

11. Prior to first occupation of the development hereby approved, the acoustic fencing detailed on DRG No. 2895-13-00 as shown on site plan DRG No. 2895-04-09 shall be erected and at a height of 2m other than on the northern site boundary where the acoustic fencing shall be erected at a height of 2.5m. The acoustic fencing shall be maintained at the stated heights in perpetuity.

REASON: In the interest of neighbouring amenity.

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

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

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

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

REASON: In the interest of neighbouring amenity.

13. 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 and 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 interest of neighbouring amenity.

14. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

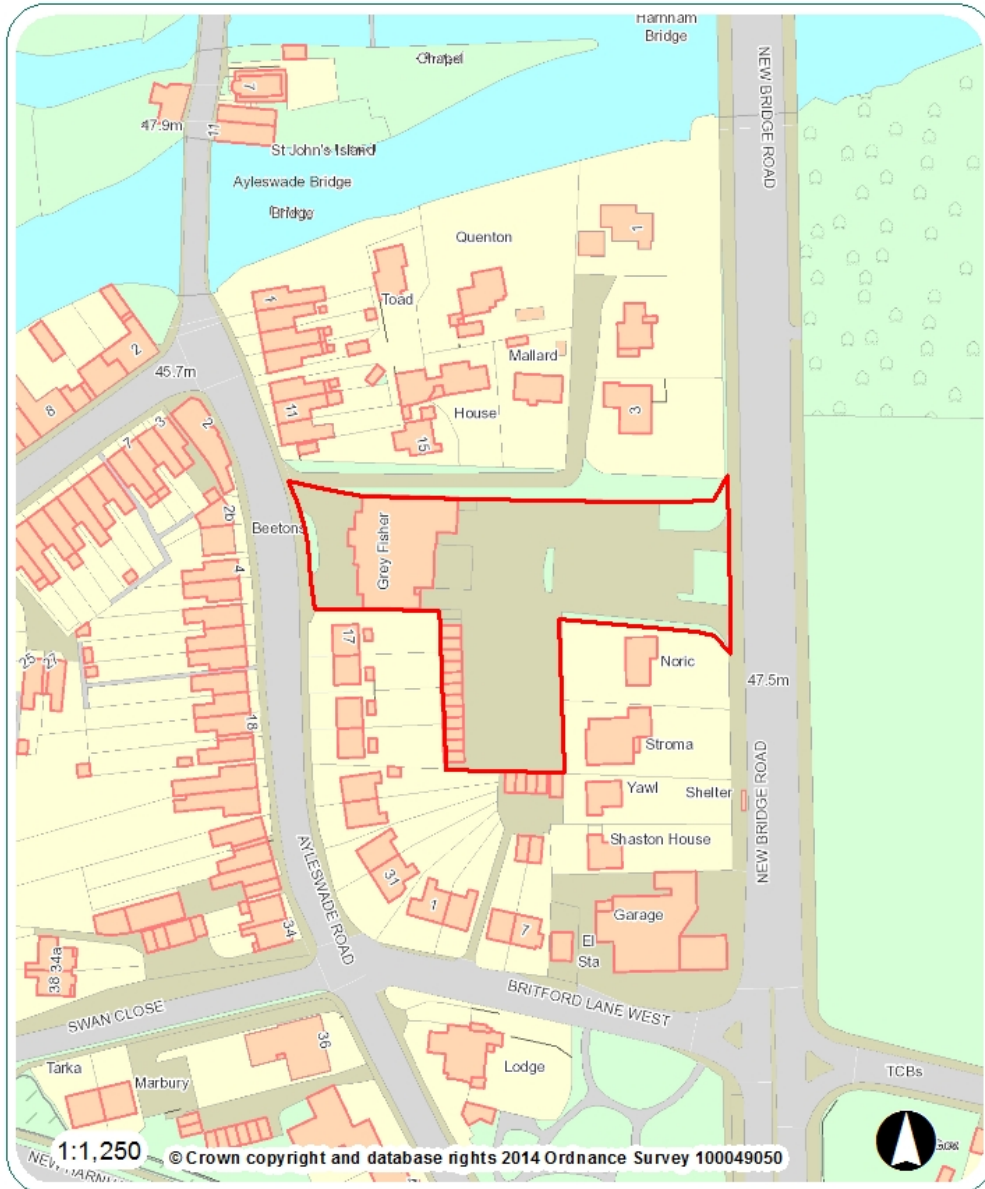
15. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 and location of top ground water level to ensure at least 1m of unsaturated soil between base of any soakaway and the agreed top water level of ground water taking into account seasonal variations, 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:

1. This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

17/10167/FUL
The Greyfisher
Ayleswade Road
Harnham
Salisbury
SP2 8DW



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	5 th April 2018
Application Number	17/08832/FUL
Site Address	40 Blue Boar Row Salisbury Wiltshire SP1 1DA
Proposal	Alterations to shopfront and change of use of ground floor from A3 use (Restaurant) to A4 use (Bar) and part first floor from B1 use (Office) to A4 use (Bar).
Applicant	Mr Godfrey Russell - Revolution Bars
Town/Parish Council	SALISBURY CITY
Electoral Division	ST EDMUND AND MILFORD – Cllr Hoque
Grid Ref	414414 130103
Type of application	Full Planning
Case Officer	Christos Chrysanthou

Reason for the application being considered by Committee

The application has been called in to committee by Councillor Hoque for the following reasons –

The Scale of development
 The visual impact upon the surrounding area
 Relationship to adjoining properties
 Design – bulk, height, general appearance
 Environmental/highway impact

1. Purpose of Report

To consider the above application and the recommendation of the Head of Development Management that planning permission should 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
- Design and visual impact on the conservation area
- The Impact on neighbouring amenity

3. Site Description

The application site is located within Salisbury city centre with its frontage on Blue Boar Row facing Market Place. Its current use is a restaurant with offices above and is operated by Pizza Hut. The rear of the property faces onto Chipper Lane which has a variety of properties along it including residential and commercial. The whole site is located within the Salisbury City conservation area.

4. Planning History

Various planning and advertisement consents relating to signage at the front of the site but no significant applications that would affect this development.

5. The Proposal

Planning permission is sought for 'Alterations to shopfront and change of use of ground floor from A3 use (Restaurant) to A4 use (Bar) and part first floor from B1 use (Office) to A4 use (Bar).

6. Planning Policy

National Planning Policy Framework

Section 1 Achieving Sustainable Development

Section 2 Ensuring the vitality of town centres

Section 7 Requiring good design

Section 12 Conserving and enhancing the historic environment

National Planning Policy Guidance (NPPG) Noise

Noise Policy Statement for England (NPSE)

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 20 Spatial Strategy: Salisbury Community Area

Core Policy 38 Retail and Leisure

Core Policy 57 Ensuring high quality design and place shaping

Core Policy 58 Ensuring the conservation of the historic environment

Saved Policies S1, S2, S3 Retail

Salisbury City Conservation Area Appraisal

7. Summary of consultation responses

City Council

Initially Salisbury City Council supported the application but following the submission of new reports and reconsultation Salisbury City Council stated the following -

SCC object to this application in light of new reports being submitted since the original consultation. Its objections are based on the noise pollution and the measures outlined in the report look to be inadequate for the residents living in close quarters.

WC Conservation

Initially the councils conservation officer objected to the proposed front and rear elevations as proposed particularly to sliding timber doors that were proposed across the whole of the ground floor elevation. The plans have since been amended and as such the conservation officer has stated the following in relation to the proposed plans -

I have no outstanding objections to the proposals.

WC Public Protection

We are in a position where we have two competent acousticians challenging each other with regards to technicalities of the report and obviously representing different clients from opposite perspectives. I have put a response together to Mr Gosling (noise consultant to the neighbour) with regards to controlling Music Noise Levels.

- 1. We are aware of the NR20 criterion and as you say, this was for new residential development being introduced to the source.*
- 2. In our professional opinion, the recommended external criteria (at 1m from residential windows) of 41dB LAeq (5mins)/NR35 before 23:00hrs and 33dB LAeq (5mins)/NR28 are totally commensurate and contextual with the locality, the scenario and the ambient/background noise levels.*
- 3. Internal levels (through an open window) before 23:00 hrs in living spaces should be c. 31dB/NR25 and c.23dB/NR18 after 23:00hrs in bedrooms.*
- 4. The recommended levels are, in our experience, relatively low in the context of an urban/commercial setting in close proximity to residential properties.*
- 5. Having visited the site, I am also confident that music source noise levels will be contained adequately within the room allocated for music and that the criteria will be comfortably met.*

Beer Garden

Whilst the proposed beer garden is likely to introduce a 'change' in residential amenity that does not currently exist, from our perspective, this impact is impossible to quantify in the same way as the music can be. It would therefore seem to be a matter for the planning officer to consider in 'planning' terms as to whether the impact (conflict in uses) would be so significant as to warrant a refusal. I will be recommending that consideration is given as a minimum to a time restriction on the use of the beer garden to differentiate day time from evening or evening from night time. This position may change as each of the applicants is contesting the degree of impact from the beer garden and it maybe that the applicant can give additional consideration to mitigating the impacts. I would suggest that we meet up to discuss this prior to you making your final decision.

In addition I will be recommending an informative to the applicant to manage the beer garden robustly would also seem prudent if approval is granted.

8. Publicity

The application was advertised by site notice, newspaper advert and neighbour consultation letters. Further consultation followed the submission of revised drawings and additional information.

Summary of neighbour/third party representations

1 letter of no objection/support has been received and 11 letters of objection have been received siting the following material planning considerations:

Objections

- Loss of amenity to neighbouring dwellings, notably the adjacent dwelling at no26 Chipper Lane, in particular the impact of noise and nuisance/ disturbance.
- Would encourage antisocial/ disorderly behaviour thereby straining police resources
- Operating hours are too late
- Impact on heritage assets

Salisbury civic society

While the Society does not normally become involved with general issues of noise in the city centre, this proposal would have a pronounced impact on the residential property at the rear, at 26 Chipper Lane. The change from a service yard at the rear of 40 Blue Boar Row to an external bar area, open until 2a.m. Monday to Saturday and 1a.m. on Sundays and bank holidays, would quite clearly damage the amenities of the flat in Chipper Lane.

The Society is all in favour of enhancing the commercial vibrancy of the city centre, but only if other existing uses do not suffer thereby. In particular, the impact of this proposal at the rear would seem not to meet this condition, and the Society therefore has to object to this aspect of the application.

Neighbour (26 Chipper Lane)

For the avoidance of doubt, change of use from restaurant to a night club style venue (late night bar), the overall noise from the venue plans as a whole, the lateness of the music hours and opening hours, the requested access to allow patrons to enter/exit/queue to and from Chipper Lane which was previously a quiet side street in the evening, and the change of use of the rear car park into a patron area are particularly firmly objected to, due to the extreme impact the plans present to the amenity of us as Salisbury residents immediately next door. (extract from email sent to the officer)

No objection/support

- Quality establishment and will improve the offering for residents and visitors alike

9. Planning Considerations

Principle of development

The application proposes the change of use of the ground floor from A3 use (Restaurant) to A4 use (Bar) and part first floor from B1 use (Office) to A4 use (Bar). The remaining part of the first floor and the upper floors would be retained as offices.

The application site is located in the central shopping area and conservation area in the heart of Salisbury city with its primary frontage on Blue Boar Row. The current use of the site is a restaurant and is currently occupied by Pizza Hut.

The NPPF lists bars and pubs as a main town centre use. Section 2 of the NPPF promotes competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres.

A city centre needs to provide facilities for all ranges and ages of people and to compete with other neighbouring towns and cities the offer in the city centre must remain fresh and new. The substantive investment proposed by this application will provide a new offer in a new location that Salisbury does not have and will help with continued investment in the town centre.

The proposed use of the site as a bar is considered to be a compatible use with the city centre location and in accordance with the NPPF and the Core Strategy the proposal is considered to be acceptable in principle.

Design and visual impact to the conservation area

Core Policy 57 states 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.

Core Policy 58 states that designation of a conservation area or listed building does not preclude the possibility of new development. In considering applications for new development, the council will seek to ensure that the form, scale, design and materials of new buildings are complementary to the historic context.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The façade of the building on Blue Boar Row would be refurbished consisting of a general redecoration and repairs with no new windows or material alterations. A new timber shopfront would replace the existing which appears to be sympathetically designed (following the submission of amended plans). The proposal also consists of various internal

alterations and utilising the existing rear courtyard as a beer garden area. New timber fixed gates with an escape door are proposed to the rear elevation.

In having special regard to the desirability of preserving and enhancing the appearance and character of the Conservation Area and the setting of nearby Listed Buildings, the Conservation Officer has considered the proposal and the amended plans and has responded with no objections to the proposal.

Officers consider the design and visual aspect of the development proposal to be acceptable. As the proposal would enable the façade to be refurbished complete with a new shopfront it is considered that there would be tangible improvements to the building which would enhance the appearance and character of the conservation area.

Impact on neighbour amenity

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

- Noise

NPPG Noise – Para: 006 states that 'some commercial developments including fast food restaurants, night clubs and public houses can have particular impacts, not least because activities are often at their peak in the evening and late at night. Local planning authorities will wish to bear in mind not only the noise that is generated within the premises but also the noise that may be made by customers in the vicinity.

Wiltshire councils Public Protection officers have carefully considered the proposal, including the independent noise assessment submitted on behalf of the neighbour, in terms of its impact to neighbour amenity particularly the impact of noise on the neighbouring dwelling. The public protection officer has visited the site and considers that the music source noise levels would be contained adequately within the premises.

The installation of a front lobby arrangement and automatic closed doors, in addition to keeping external windows and doors closed when amplified or live music is being played would ensure internal music/noise is contained within the premises.

In addition a noise limiter would be installed within the premises and would be set up with the public protection officer present. To ensure that projected noise levels are achieved and frequency bands are controlled to minimise noise levels in order to mitigate the impact on neighbour amenity, the applicant has agreed to undertake post completion testing of the music environment in addition to a post completion noise monitoring exercise which would be conducted by a suitably competent acoustic professional.

- Use of beer garden area

With music/indoor noise adequately kept within the premises, the proposed beer garden area is considered to be the main source of new noise that could impact on neighbour amenity. The proposed beer garden would utilise the existing courtyard area to the rear of the site and adjacent to the neighbouring dwelling 26 Chipper Lane.

Following discussions with Wiltshire councils public protection officers and the Local planning authority, the applicant has agreed to close the beer garden area at 21:00 on Sunday – Thursday and at 22:00 on Friday and Saturday. The outside area (beer garden) to the rear of the premises shall not be used for patrons (including smoking) after these hours.

In officers view the combination of the restricted hours of use of the beer garden and the implementation of the noise mitigation measures proposed in the applicants acoustic reports are considered to be sufficient to ensure noise levels are kept to a minimum in accordance with guidance contained within the NPPG.

- External lighting

No details of external lighting have been submitted however it is acknowledged that external lighting would be required for the beer garden to be operational during the evening. A scheme of external lighting would be required for approval by the LPA prior to installation. In the interests of the amenities of the area any external lighting would not be illuminated outside the hours of 21:00 from Sundays through to Thursdays and 22:00 on Friday and Saturdays.

- Use of access on Chipper Lane

There would be an escape door within the new timber gates however this would not be used by patrons for access into the premises and would only be used in emergencies. Patrons of the bar would only be able to access the premises via the main entrance on Blue Boar Row. This is to ensure that patrons do not congregate or loiter outside the front door of the neighbouring residential dwelling.

- Deliveries

There is a loading bay located on Chipper Lane in front of the launderette and neighbouring dwelling (no26). Access to the site for deliveries would be gained from the retained corridor located next to the rear timber gates. In the interests of the amenity of the area deliveries to the site would be restricted to the hours of 08:00-18:00 Monday to Friday and between 08:00-13:00 Saturdays and none on Sundays and Public Holidays.

- Operating hours

The bar is proposed to be open during the hours of 10:00- 02:00 Monday – Friday and 10:00-01:00 Sunday and Bank Holiday. Whilst officers note most of the pubs around Market Place close at the latest between 23:00 and 00:00 there are examples of pubs and bars within the city centre that remain open until 02:00/ 03:00 (e.g. Yoyo, Queens Arms). As the

site is located in the heart of the city and given that a bar would be expected to remain open late at night, officers consider the opening hours to be appropriate for the proposed use.

10. Conclusion

The proposed change of use would ensure the site is kept in use thereby continuing to contribute to the vitality of the city centre and the night-time economy. The design and visual aspect of the proposal would result in improvements to the shop frontage and façade of the building thereby enhancing the appearance and character of the conservation area.

In planning policy terms, the proposed use of the site as a bar would be compatible with the city centre location. It is however acknowledged that there are residential properties adjacent to and in close proximity to the site.

With music/indoor noise kept within the premises, the proposed beer garden area is considered to be the main source of new noise and would be closed at the latest time of 22:00 to ensure sleep activities of neighbouring residents are not disrupted. Further noise insulation of the garden area would be provided by a solid insulated canopy roof and acoustic timber panelling to the exterior walls. Any exterior lighting would also be switched off when the beer garden is closed.

In the context of the city centre location and in line with national planning policy guidance on noise, officers consider that the combination of restricted hours of use of the beer garden and the proposed mitigation measures which would be secured by condition would minimise the impact of noise to neighbour amenity.

The letters of objection from local residents and third parties have been considered in full and having regard to the material considerations and all matters raised, the proposed change of use is considered to accord with government guidance contained within the NPPF, NPPG and relevant policies contained within the adopted Wiltshire Core Strategy, therefore the LPA recommends the application is approved subject to appropriate conditions.

RECOMMENDATION

Approve 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 and documents:

Location Plan Date rec. 15/09/17

Drawing No. 101/C Plans as Proposed (Revised) Date rec. 02/02/18

Drawing No. 102/B Elevations as Proposed (Revised) Date rec. 02/02/18

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

3) External Music noise level (MNL) shall not at any time, exceed the following levels: LAeq, 5 min 40dB,
Leq, 5 min 55dB in the 63Hz octave frequency band,
Leq, 5 min 50dB in the 125Hz octave frequency band,
(when measured at 1m outside the façade of the nearest noise sensitive residential property;
26 Chipper Lane).

Beyond 11pm on any day the external music noise levels shall not exceed the following levels:

LAeq, 5 min 25dB,
Leq, 5 min 45dB in the 63Hz octave frequency band
Leq, 5 min 40dB in the 125Hz octave frequency band
(when measured at 1m outside the façade of the nearest noise sensitive residential property;
26 Chipper Lane).

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

4) The premises shall not be occupied until a written scheme for post completion noise measuring has been submitted to and approved in writing by the local planning authority. The written scheme shall provide details of how compliance with the sound levels in condition 3 will be demonstrated and include times and locations at which noise monitoring will take place and the equipment that will be used to take measurements.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

5) The premises shall not be occupied until a post completion noise monitoring exercise has been completed in line with the agreed scheme in condition 4 demonstrating the Music Noise Levels in condition 3 have been achieved. The scheme shall be designed by a suitably competent and qualified person. The results of the noise monitoring exercise shall be submitted and approved by the local planning authority.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

6) The councils Public Protection officers shall be invited to attend the setting of the noise limiter controlling music noise levels inside the premises. The exercise will be undertaken by a suitably qualified acoustic engineer through making observations from the boundary with the neighbouring residential property. Where Music Noise Levels can be detected the frequency bands will be adjusted to reduce the levels ensuring that the music levels achieve the levels specified in condition 3 and ensuring there is no loss of amenity to the nearest noise residential property.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

7) All external windows and doors shall be kept closed at all times when amplified or live music is taking place except when being used for access and egress.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8) All building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor.

Measurements and assessment shall be carried out in accordance with BS4142: 2014.

REASON: In the interests of the amenity of the area.

9) The noise mitigation measures proposed by the applicant both in the original noise report dated 1st December 2017 (171107-R001) and addendum to the original report dated 2nd February 2018 (171107-R003) shall be implemented in full prior to the use of the outside area.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

10) The outside area (beer garden) to the rear of the premises shall not be used for patrons (including smoking) after 21:00 Sunday to Thursday and 22:00 on Friday and Saturdays.

REASON: In the interests of the amenity of the area.

11) The door to the rear of the premises that opens out onto Chipper Lane shall only be used by members of the public for access and egress in the event of an emergency.

REASON: In the interests of the amenity of the area.

12) The premises shall not be occupied until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odours and fumes from cooking processes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In the interests of the amenity of the area.

13) No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E2, as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

The approved external lighting shall not be illuminated outside the hours of 21:00 Sundays to Thursdays and 22:00 on Fridays and Saturdays.

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

14) No deliveries shall be made to or collections made from the development hereby approved except between the hours of 08.00 and 18:00 Monday to Friday 08:00 and 13:00 Saturdays and none on Sundays and Public Holidays.

REASON: In the interests of the amenities of the area

15) No bottles or refuse shall be placed outside in the patio area except between the hours of 08.00 and 18:00 Monday to Friday; 08.00 and 13:00 Saturdays and none on Sundays and Public Holidays.

REASON: In the interests of the amenities of the area

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

REASON: In the interests of the amenities of the area

17) The use hereby permitted shall only take place between the hours of 10:00- 02:00 Monday to Friday and 10:00-01:00 Sunday and Bank Holiday.

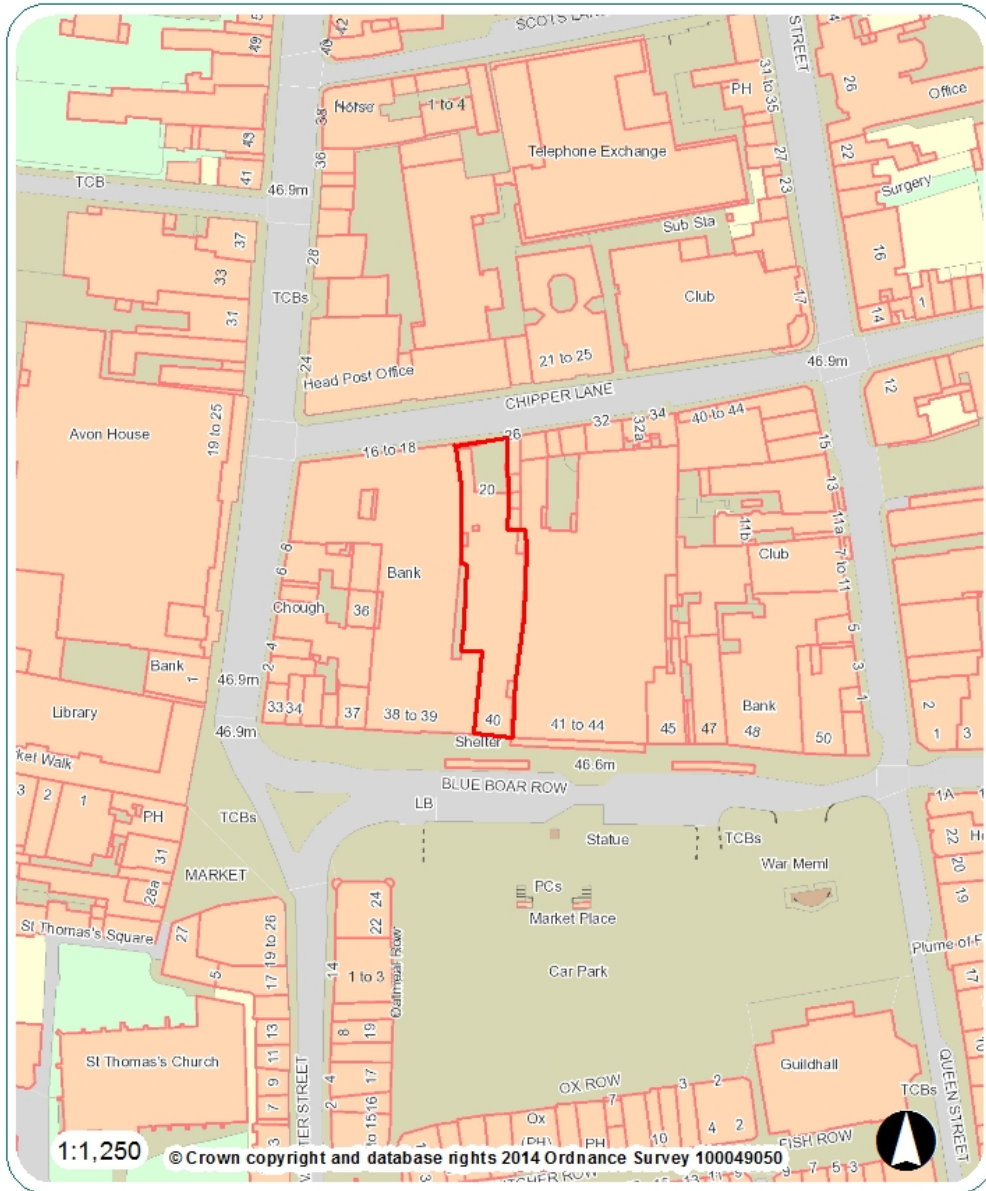
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Informative

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17/08832/FUL
40 Blue Boar Row
Salisbury
Wiltshire
SP1 1DA



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	05 April 2018
Application Number	17/12499/FUL & 18/00274/LBC
Site Address	The Kings Head, The Street, Whiteparish, SP5 2SG
Proposal	Single Storey Rear Extension (Orangery) to Pub Building & Separate Barn Conversion / Restoration with extension to provide Lodging
Applicant	Mr Shaun Wylie
Town/Parish Council	WHITEPARISH
Electoral Division	ALDERBURY AND WHITEPARISH – Cllr Richard Britton
Grid Ref	424530 123610
Type of application	Full Planning
Case Officer	Matthew Legge

Reason for the application being considered by Committee

Cllr Britton has called both the full & listed building applications to planning committee due to the local support for the scheme and concerns over the objection raised by the council's conservation officer.

Members should be aware that this report covers both the FUL and LBC applications

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 officer recommendation that the application be refused.

2. Report Summary

The development of the proposed single storey extension to the rear of The Kings Head is considered to be acceptable in terms of the impact on the character and significance of the listed building, however it is considered that the works required to create 8 units of associated hotel accommodation will result in significant extensions to the listed stable block resulting in harm to the character and setting of the listed building and the curtilage listed outbuilding.

3. Site Description

The Kings Head is a grade II listed building and the whole of the application site is located within the Whiteparish Conservation Area and also within the designated Special Landscape Area. The Public house itself is located within the retained settlement boundary and the rear

of the site is located outside of the settlement boundary and is therefore within the policy area defined as countryside for planning purposes.

4. Planning History

S/1999/0318	Extend sorting hall to gain new kitchen area with pitched roof over. Approved with conditions
S/2002/0405	Single storey rear extension to existing restaurant area. Approved with conditions
S/1994/0773	L/b application - removal of internal non load bearing partition, insertion of post below timber beam. Approved with conditions
S/2012/0812	Partial demolition of outbuilding within curtilage of listed building. Approved with conditions
S/1998/0823	Single stable with tack area. Approved with conditions
S/2010/0053	Demolition of existing building and construction of a new shop and post office premises with two flats over and terrace of three starter homes at the rear; off street parking. Approved with conditions
S/2010/0098	Demolition of existing building and construction of a new shop and post office premises with two flats over and terrace of three starter homes at the rear; off street parking. Approved with conditions
S/1996/1303	Removal of internal wall, building of brickwork pier up to underside of beam. Approved with conditions
S/2010/1563	Demolish part of curtilage listed outbuilding to form alternative access to car park, together with remedial works to remaining building. Withdrawn
S/2010/1564	Demolish part of curtilage listed outbuilding to form access to car park, together with remedial works to remaining building. Withdrawn
S/2000/2171	Externally illuminated projecting sign, fascia sign and 3 non-illuminated wall signs 1 a board sign and refurbish existing lanterns 4 flood lights at eaves level. LBC – Approved with conditions
S/2000/2172	Externally illuminated projecting sign, fascia sign and 3 non-illuminated wall signs 1 a board sign and refurbish existing lanterns 4 flood lights at eaves level. Approved
S/2003/2530	Proposed kitchen/dining room extension. Approved with conditions

5. The Proposal

Both the Full and listed building applications propose to undertake a single storey rear extension to the pub along with the conversion of the rear outbuilding and it's extension to provide 8 units of B&B accommodation. It is also proposed to provide an extension to the rear car park.

6. Local Planning Policy

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

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP24 (Spatial Strategy for the Southern Wiltshire Community Area)

CP39 (Tourist Development)

CP48 (Supporting Rural Life)

CP49 (Community Facility)

CP50 (Biodiversity and Geodiversity)

CP51 (Landscape)

CP57 (Ensuring high Quality Design and Place Shaping)

CP58 (Ensuring the Conservation of the Historic Environment)

CP60 (Sustainable Transport)

CP61 (Transport and Development)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

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

The Conversion of Historic Farm Building in the Countryside - 2006

7. Summary of consultation responses

Whiteparish Parish Council has strongly supported the application but had reservations over the number of off street parking spaces provided. A revision to the scheme has increased the number of onsite parking spaces.

The Council's Conservation officer has objected to the scheme.

8. Publicity

A signed petition of 52 signatures in support of the creation of the associated 8 bedroom accommodation has been received.

6 letters of support have been received these can be summarised as;

- "...The development of the barn behind the Kings Head will affect the local community as a whole – bringing visitors to the community and income to our local pubs and village shop..."
- "...At a time when villages are losing their public houses, I feel it is important to support the landlords who are willing to make such an investment into the community. The barn will ensure that the public house is a sustainable business in the village and therefore full support should be given..."
- "Currently there is nowhere for them to stay within the village boundaries. I know of several businesses in the village that require accommodation for business associates and currently have nowhere to send them within the village."

- *“The current barn is an eye sore. It is a building that is not utilised and is also in disrepair, needing serious renovation as proposed to maintain its stability and structure”*

1 letter of concern/objection (Salisbury Civic Society)

- General support for the rear single storey extension.
- Concerns expressed over the works to extend the rear outbuilding and desire expressed to look at alternative ways to provide the accommodation within the grounds.

9. Planning Considerations

Principle of development

Officers are aware of the application S/2012/1150 which approved the change of use of the neighbouring public house known as The Fountain Inn. In considering the 2012 application Officers commented *“The Fountain Inn is currently one of three public houses within the settlement of Whiteparish and as such will not result in the loss of a central social and economical business within the village”* Clearly the LPA in permitting the change of the use accepted the loss in part due to the operation of two other Pubs in the village. The LPA is concerned about the potential loss of such key community facilities (such as The Kings Head) and therefore there is strong policy support for the retention of such community facilities.

The applicant has not submitted any financial viability assessment to suggest that the additional facilities are required to increase the viability of the business. However Officers are aware of the strong local support for the additional units of hotel accommodation and note the petition of support (52 signatures) wanting the new hotel accommodation. Officers also note the comments within the representation letters which support the extension to the rear of the Public house and the creation of additional hotel accommodation.

Core Policy 39 of the Wiltshire Core Strategy comments on the delivery of tourist development and tourism accommodation and the Council are supportive of rural businesses and aims where possible to support the growth of such. In this instance the rural business is considered to be a community facility in the form of a Public House and Officers note the local support for the retention of this community use. Core Policy 49 seeks to retain community uses and this applications proposed diversification being the introduction of units of associated accommodation can only reasonably be considered to be a positive addition to the business albeit that such a view is not supported by any evidence base.

Officers consider that the creation in principle of additional units of accommodation at the pub to strengthen it's viability and provide suitable accommodation potentially for other businesses in the area is supported by policy and is a positive enhancement economically to this village. There is no objection to the principle of the development.

Impact on the Listed building & Impact on the character of the Conservation Area

Notwithstanding Officers support for the principle of the creation of units of accommodation, the development has resulted in comments of concern from the Council's Conservation officer. Comments from the councils conservation officer can be separated into two parts, the single storey rear extension to the public house and the works to the existing outbuilding:

Rear single storey extension - The revised plans of the rear extension have been considered and whilst there is no objection to the principle of the development to the rear of the listed building there are concerns over the level of submitted details. Such details can however be secured by condition upon any approval.

Conversion and extension to the stables – The councils conservation officer has stated - *“I reiterate that I have no objection to the proposed conversion of this outbuilding but I do consider the proposals for its extension would change significantly its character and, in view of the size and scale of the extensions, overwhelm the original host element...”* Additionally The Salisbury Civic Society has also commented on this rear development to the former stables and states *“Following the appearance of amended plans, the Society's principal concern is with the work to the curtilage listed barn. This is a simple traditional building, which adds to the value of the whole group. While an effort has been made to create a visual break between it and the proposed large extension to its rear, the latter is still of disproportionate scale, and likely to have an unfortunate impact.”*

It is clear that the concerns of the conservation officer relate to the nature and amount of works required to create 8 units of accommodation from the conversion and development of the rear outbuilding. Concerns have been expressed about the proposed impact of the very large extension (greater than the footprint of the stable building) on the interest/setting of the stable. The proposed extension would dwarf the existing modest building. The proposed roof arrangement would also be at odds with the simple pitched linear character of the host dwelling.

It is also considered the scheme (*conversion and extension to the stables*) as presented would adversely impact on the character and significance of this grade II listed building and the curtilage listed stable block and would therefore be contrary to CP58. The design of the extensions to the rear outbuilding fail to respect the character of the host dwellings and therefore it is considered the design is contrary to CP57 which seeks a design that responds to local distinctiveness.

Impact on neighbour amenity

The works to the rear of the listed public house are single storey and are unlikely to represent any notable impact on the amenity of neighbouring dwellings. The development associated with the conversion and extension of the rear outbuilding will bring additional glazing in the form of Juliet balconies closer to the front elevations of three starter dwellings approved via planning permission S/2010/0053. Given Officers concerns the Juliet balconies have included timber slated privacy screens on the ground and first floor. These screens can be conditioned to be maintained to prevent any undue oblique overlooking towards the front elevation.

The primary rear and private amenity areas for these three neighbouring dwellings will be unaffected by the development to the outbuilding but the extension to the parking area will be visible. Whilst there is no entitlement to any view in planning terms the

extension of the car parking area out into the countryside is unfortunate as it will affect the verdant character of the area however officers consider that there are surfacing treatments solutions that can be used to negate the further spread of gravel or tarmacadam. Such surfacing treatments can be agreed by condition upon any approval.

Archaeology

This site is of archaeological interest as it lies directly adjacent to the listed Kings Head Inn and in the historic core of Whiteparish, which dates to at least the Saxon period. Wiltshire Council Archaeology has not objected to the scheme subject to a condition imposed upon any approval to secure a programme of archaeological works in the form of an archaeological watching brief to be carried out as part of any development.

Ecology

Wiltshire Council Ecology has not objected to this application and has commented:

“The building is not in an ideal environment to support a significant bat roost. Case officer site photos show evidence of lifted tiles on the existing barn, which may offer suitable crevice-roosting opportunities for bats. These potential roosts haven’t been assessed by the consultant ecologist in their report (Lowans Ecology & Associates, 18/12/17); however the building is surrounded by hard standing and has external floodlighting. These conditions make it highly unlikely that bats will be using these potential roost features. The informative below should support any given permission to alert the applicant to the possibility of bats being present.”

Parking/highways

Wiltshire Council Highways has considered the scheme and has not raised any objection to the use of the existing access:

“The car park is located to the rear of the pub served by an access of single vehicle width which passes between two buildings (the pub and the adjacent property). The limitations of the access are acknowledged in terms of restricted width and reduced sight lines for vehicles emerging onto the A27, and it is accepted that improvements are not possible. The use of the access is established and is located within the village centre where vehicle speeds are lower and turning vehicles/manoeuvres are expected. On balance I have no issue with an increase in use of this access associated with the proposed development, assuming that the accommodation would be tied to the pub.”

Wiltshire Council Highways has raised some comment to the original provision of onsite parking spaces;

“The proposal includes an increase in the floor area of the pub allowing for more seating in the restaurant. In order to assess the necessary amount of car parking required it would be useful to know the total floor area of the public areas of the pub. The parking for the pub / restaurant would be based on 1 space per 5sqm. I would also expect a provision of one parking space for each guest bedroom. Please can the applicant consider the required parking provision to reduce the likelihood of parking over spilling onto the adjacent public highway.”

The revisions to the scheme have now significantly increased the numbers of onsite parking and as such the concerns from WC Highways and the Parish Council are considered to be sufficiently overcome.

10. Conclusion

The development of a single storey extension to the rear of The Kings Head is considered to be acceptable in terms of the impact on the character and significance of the listed building however the works required to create 8 units of associated hotel accommodation will result in significant extensions to the listed stable block. The design of the extensions to the rear outbuilding fails to respect the character of the host building and therefore it is considered the design is contrary to CP57 which seeks design that responds to local distinctiveness. Equally the development of the rear listed stable block results in undue harm to the character and significance of the grade II listed building and the curtilage listed stable block and would therefore be contrary to CP58.

RECOMMENDATION:

REFUSE for the following reason -

The extensions and alterations to the rear listed stable block will result in development which is considered to dominate the simple architectural massing of the host building by significantly increasing its massing. Any extension to this building should be clearly subservient in scale and simply detailed such that the host structure remains pre-eminent. The design is considered to be contrary to CP57 of the Wiltshire Core Strategy which seeks design that responds to local distinctiveness. The development would also result in harm to the character and significance of the grade II listed building and the curtilage listed stable block and would therefore be contrary to CP58 of the Wiltshire Core Strategy (Jan 2015), the aims of paragraph 132 of the National Planning Policy Framework and the aims of the adopted Supplementary Planning Guidance entitled The Conversion of Historic Farm Building in the Countryside - 2006

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17/12499/FUL & 18/00274/LBC

The Kings Head
The Street
Whiteparish
SP5 2SG



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	5 th April 2018
Application Number	18/00115/VAR
Site Address	Mayfield White Way Pitton Salisbury Wiltshire SP5 1DT
Proposal	Variation of conditions 2 and 3 of planning permission 16/09446/FUL to allow for alterations to the materials for the approved extension
Applicant	Mr Juhkental & Miss Horvath
Town/Parish Council	PITTON & FARLEY
Electoral Division	WINTERSLOW – Cllr Devine
Grid Ref	421054 131434
Type of application	Variation of condition
Case Officer	Christos Chrysanthou

Reason for the application being considered by Committee

The application has been called in to committee by Councillor Devine due to the public interest in the scheme and the fact that the original application was determined by Southern area committee

1. Purpose of Report

To consider the above application and the recommendation of the Head of Development Management that planning permission should be APPROVED.

2. Report Summary

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

- The compatibility of the materials with the surrounding area and the visual impact

3. Site Description

The application site is a detached bungalow situated within an established residential area in Pitton. The site is accessed off White Way and is situated within an adopted housing policy boundary and adjacent to a conservation area. Planning permission was granted in January 2017 for a rear extension and roof enlargement work for which has now commenced on site.

4. Planning History

16/09446/FUL Proposed rear extension and raise roof to provide rooms Approved with conditions

5. The Proposal

The application seeks consent for a variation of conditions 2 (approved plans) and 3 (materials to match the existing) to allow alterations to the approved scheme including materials. Some of the changes which are being sought have now been commenced on site.

6. Local Planning Policy

National Planning Policy Framework (NPPF):
Section 7 - Requiring good design

Wiltshire Core Strategy (WCS):
Core Policy 57: Ensuring high quality design and place shaping

7. Summary of consultation responses

Pitton & Farley Parish Council: Objection

Pitton & Farley Parish Council objects most strongly to this retrospective request for the variation of Conditions 2 & 3 of planning permission 16/09446/FUL.

Condition 2 - this must be complied with, and the extension must be constructed according to the agreed plans.

Condition 3 - this was imposed for very good reasons i.e. to protect the street scene, and the use of slate roofing and timber cladding has had a significant negative impact on the street scene, as evidenced by the attached photos. The owner must use the materials as specified by the condition to ensure that the dwelling blends in as much as possible with the neighbouring buildings on that side of the road, as originally stipulated.

8. Publicity

The application was advertised by site notice and neighbour consultation letters. Further consultation followed the submission of revised drawings (side rooflights omitted).

6 letters of objection have been received citing the following concerns:

- Non-compliance to planning condition is unacceptable/ condition should be adhered to.
- Materials out of character with the surrounding area/ detrimental to street scene.

1 Letter of no objection has been received – visual improvement

9. Planning Considerations

9.1 Compatibility of materials and visual impact

This application for a variation of condition follows the granting of planning permission by the Southern Area Planning Committee in January 2017 for the erection of a rear extension and raising the height of the roof ridge of the main dwelling to provide habitable accommodation within the roofspace.

The application seeks consent to allow the use of exterior materials which are different to those shown on the approved plans. The approved plans showed brickwork and roof tiles to match the main dwellinghouse and the decision notice had a condition attached for materials to match those used in the dwelling. Officers had recommended the condition with the intention of ensuring a cohesive match in terms of the brick and roof tiles used in the development and those used in the existing dwelling. Condition 3 of planning consent ref: 16/09446/FUL states:

The brick and roof tile to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

The development has now commenced however it has not yet been completed. The footprint is the same as per the previously approved plans. The following changes are now proposed as part of this application:

- Spanish natural slate tiles have been used on the main dwelling and the rear extension
- Render to the side gable end elevations and to the existing brick plinth.
- Timber cladding (Redwood cedar or Pine Thermowood) to the rear elevation of the dwelling and to the walls of the rear extension and part of the front elevation.
- Stone cladding (Alpine LedgeStone / colour Pheasant) to part of the front elevation.
- Omission of 2no rooflights (front and rear roof slopes)

It is noted that the side gable end elevations did previously consist of areas of render. In addition the roof tiles were previously of a dark colour and in officers view the use of natural slate tiles in lieu of concrete tiles (as stated on the approved plans) is an improvement.

Whilst neighbours concerns are fully understood and it is frustrating when applicants build a development (for whatever reason) not in accordance with the plans this in itself is not, and cannot be, a reason for refusing planning permission. The decision about whether to grant planning permission for changes to the scheme must be solely based on whether the proposal is an acceptable type of development in it's altered form.

Properties within the village of Pitton are characterised by a variety of exterior materials including those proposed to be used for this development. The site is not situated within the conservation area and the property is not a listed building. In officers view the proposed exterior materials are compatible with the character of the local surrounding area and with the high quality of design and materials required by policy 57 of the Wiltshire core strategy and the NPPF.

10. Conclusion

Officers note the comments and objections made by the parish council and local residents.

Whilst the proposal is partly retrospective, in officers view the proposed change in exterior materials is considered to be acceptable in the context of materials found on properties in the local surrounding area.

The proposed development conforms to the objectives of core policy 57 of the Wiltshire Core Strategy and the aims of the NPPF. Therefore, the Local Planning Authority considers that this application for a variation of condition should be granted.

RECOMMENDATION:

Approve with 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 and documents:

Application Form
Location Plan
Block Plan
Drawing No. 16053/3/B Elevations

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 that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the southeast or northwest roof slopes of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.



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