

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 23 May 2013
Time: 6.00 pm

Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718376 or email stuart.figini@wiltshire.gov.uk

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

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Membership:

Cllr Richard Britton	Cllr Ian McLennan
Cllr Richard Clewer	Cllr John Noeken
Cllr Brian Dalton	Cllr Ian Tomes
Cllr Christopher Devine	Cllr Fred Westmoreland
Cllr Jose Green	Cllr Ian West
Cllr George Jeans	

Substitutes:

Cllr Terry Chivers	Cllr Helena McKeown
Cllr Ernie Clark	Cllr Leo Randall
Cllr Tony Deane	Cllr John Smale
Cllr Dennis Drewett	Cllr John Walsh
Cllr Peter Edge	Cllr Bridget Wayman
Cllr Russell Hawker	Cllr Graham Wright

AGENDA

Part I

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

1 **Apologies for Absence and Membership**

2 **Minutes** (*Pages 1 - 18*)

To approve and sign as a correct record the minutes of the meeting held on 18 April 2013 (copy attached).

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

5 **Public Participation and Councillors' Questions**

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 in person no later than 5.50pm on the day of the meeting.

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. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in

particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than **5pm on Thursday 16 May 2013**. 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 **Appeals Report** (Pages 19 - 20)

To receive details of completed and pending appeals.

7 **Planning Applications** (Pages 21 - 22)

To consider and determine planning applications in the attached schedule.

7a **S/2013/0294/Full - Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW** (Pages 23 - 30)

7b **S/2013/0071/Full - Land Adjacent To Parish Church, Salisbury Road, Steeple Langford, Salisbury, SP3 4NQ** (Pages 31 - 40)

7c **S/2013/0276/Full - Hollygate, Castle Lane, Whaddon, Salisbury, Wiltshire, SP5 3EQ** (Pages 41 - 50)

7d **S/2013/0266/Full - Land adjacent to Springvale, Tidworth Road, Allington, Salisbury, SP4 0BN** (Pages 51 - 60)

7e **S/2013/0251/Full - Adj. Greenways, Tidworth Road, Allington, Salisbury, SP4 0BN** (Pages 61 - 68)

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

NONE

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SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 18 APRIL 2013 AT THE GUILDHALL, MARKET PLACE, SALISBURY, WILTSHIRE, SP1 1JH.

Present:

Cllr Richard Britton, Cllr Brian Dalton, Cllr Christopher Devine, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Bill Moss (Substitute), Cllr Fred Westmoreland (Chairman) and Cllr Ian West

Also Present:

Cllr Richard Clewer

29 Apologies for Absence

Apologies were received from Cllrs George Jeans, John Smale and Graham Wright. Cllr Bill Moss substituted for Cllr Smale.

30 Minutes

The minutes of the meeting held on 7 March 2013 were presented.

Resolved:

To approve as a correct record and sign the minutes.

31 Declarations of Interest

Cllr Ian West declared a non-prejudicial interest in S/2012/0521/Full as he had a relative who is a resident in one of the homes managed by the Orders of St John Care Trust.

32 Chairman's Announcements

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

33 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

34 **Highways Act 1980 - Section 119 and Wildlife and Countryside Act 1981 - Section 53 The Wiltshire Council (West Tisbury No. 21) Public Path Diversion Order 2012 and Definitive Map and Statement Modification Order 2012**

Public Participation

Mr Roger Little spoke in support of the Order

Mrs Jean Watson spoke in support of the Order

Cllr Platt, on behalf of Tisbury Parish Council, spoke in objection to the Order.

The Rights of Way Officer introduced the report which asked the Committee to consider the objections to the public path diversion Order and recommend that the Order be forwarded to the Secretary of State for the Environment, Food and Rural Affairs for confirmation.

It was explained that the proposal to divert the bridleway would improve the privacy and security of the property that the bridleway currently passed alongside, also the proposed alternative route would remove the bridleway from the track presently used by vehicles. In addition it would benefit the public by locating the route away from properties and create a more open and enjoyable route with improved views of the countryside.

The Committee questioned the surfacing of the diverted path and considered the safety issues.

Resolved:

That "The Wiltshire Council (West Tisbury No. 21) Public Path Diversion Order 2012 and Definitive Map and Statement Modification Order 2012", be forwarded to the Secretary of State for determination, with a recommendation from Wiltshire Council that the order be confirmed without modification.

35 **Planning Appeals**

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

36 **Planning Applications**

36a **S/2013/0056/Full - Stonehenge Campsite, Berwick St. James, Salisbury**

Public participation:

Mrs Douse spoke in objection to the application.
Mr J Coleman spoke in objection to the application
Mr M Gairdner spoke in objection to the application
Mr T Allen, agent, spoke in support of the application
Mrs E Lovelcok, warden, spoke in support of the application
Mr W Grant, land owner, spoke in support of the application

The Planning Officer introduced the report which recommended approval, subject to conditions. He explained that the report referred to Annex A of PPS7. PPS7 had, in fact, been replaced by the NPPF. However, in the absence of other guidance the tests it sets out relating to the need for accommodation at rural enterprises remained, taking into account all matters, an appropriate way to consider evidence to arrive at a decision.

He explained that this application was deferred at the last meeting for officers to investigate ways of controlling the type of caravan that may be stationed on the site.

Further legal advice had been obtained which had changed the position previously reported. Specifically, as the development was described as a "touring caravan site", this was the use to which it was limited. It followed that a material change from this use to another use would require planning permission.

A material change would include replacing any of the touring caravans with mobile homes regardless of the nature of their occupation, this in view of their size and appearance, their permanence and their resulting impact on the character of the area which is materially different to that of a touring caravan. However, campervans and the two holiday pods as currently on site do not require planning permission, these having sufficiently similar impacts to a touring caravan to not materially alter the nature of the underlying permitted use which remains primarily a touring caravan site.

Therefore, in response to the Committee's question, control over what type of caravan could be stationed was provided by the narrow description of the development – that is, a touring caravan site – and this encompassed touring caravan and campervans. A limited number of pods which are similar in terms of their size, occupation and impact to a touring caravan, as currently on site, would equally not be considered a material change of the use of the land but further pods may require planning. But, other types of caravan – such as, mobile homes or lodges – would present a material change to the use, and so could not be stationed on the site without further planning permission.

The current application was for a material change to the original planning permission in that it proposed change of use of the site to a touring caravan site but now with two pitches to be used to station a touring caravan or campervan or pod for longer term occupation by wardens. In view of the

explanation just given, in the event of planning permission being given the narrow description of the development would continue to limit the type of caravan to these types. Other caravan types such as mobile homes would not be permitted. The control was provided by the description and condition no. 2 of the report, and was explained in the informative at the end of the report.

Regarding the merits of this application, Policy T7 resists proposals for static holiday caravans and permanent holiday accommodation in the open countryside, but does not resist proposals for non-permanent holiday touring caravans or impermanent holiday accommodation. It follows that the overall proposal in this case for a touring caravan site is acceptable under Policy T7. The incidental wardens' accommodation now also proposed is not holiday accommodation but rather is accommodation associated with the touring caravan site enterprise. It follows that the tests for its acceptability are those set out in Annex A of PPS7. The Policy HC27 tests for rural workers accommodation are also material, notwithstanding that they relate to agricultural workers dwellings.

In particular, if an applicant can demonstrate a functional need for accommodation to support a rural enterprise and if the business is financially sound with every prospect of remaining so, then there is policy support. This is also subject to the accommodation satisfying other normal planning considerations such as safeguarding amenity.

The proposal was to allow two of the pitches in the caravan site to be used for the stationing of a campervan or caravan or pod by a senior warden all year round, and by an assistant warden between 19 March and 30 September which is the permitted camping season.

The officers were satisfied that there was a demonstrated functional need for these – specifically to have wardens on hand day and night to deal with customers and manage activities, and to provide security. The applicant had also demonstrated that the business was viable and able to sustain this employment.

In relation to other planning issues, the existing planning permission has established that having caravans in the caravan site is not detrimental to amenity, and in this context two more permanently sited caravans centred amongst the other transitional caravans would have no measurably harmful impact.

The Legal Officer advised the Committee in relation to whether the permission granted use of the land for touring caravans or caravans within the statutory sense of the word. She stated that the Council interpreted a permission drafted by the Secretary of State taking into account what it thought what was intended by the Inspector and what the Court would be likely to decide should the matter come before it. The drafting in this case was not clear and interpretation by its nature could be argued more than one way. In this matter the Council initially interpreted the permission as allowing caravans within the statutory meaning based upon various issues

and legal points. Subsequently the Council received correspondence from an interested party stating that it had obtained Counsel's opinion which stated the permission should be interpreted otherwise. The Council sought its own Counsel's opinion. Based upon the information now before it the Council reassessed the probability of successfully defending its interpretation before the Courts and balanced the risks to the Council. The fundamental point that the condition can not enlarge a permission as described means that the Council consider that the permission is interpreted as permitting use of the land for touring caravans, not caravans within the statutory meaning.

During the debate concerns such as functional need and impact on the countryside were discussed.

Resolved:

REFUSED against officer recommendation for the following reason:

- 1 Policy C2 of the South Wiltshire Core Strategy (which is "saved" policy of the Salisbury District Local Plan 2011) states that development in the countryside will be strictly limited and will not be permitted unless it would benefit the local economy and maintain or enhance the environment. Policy H23 (which is also a "saved" policy) states that undeveloped land outside a Housing Policy Boundary, Housing Restraint Area, Special Restraint Area or New Forest Housing Policy Area and not identified for development in the Local Plan will be considered to be countryside where the erection of new dwellings will be permitted only where provided for by policies H26 or H27 of the Local Plan. Policy H26 is an exceptions policy for affordable housing and so is not relevant to this case. Policy H27 relates to housing for rural workers. The policy sets out criteria against which such developments will be assessed, and although the policy specifically refers to accommodation for agricultural and forestry workers, the criteria is equally applicable to accommodation for other types of rural enterprise. The National Planning Policy Framework has replaced Annex A of Planning Policy Statement no. 7 (PPS7). However, in the void of other advice the tests Annex A set out relating to the need for workers' accommodation at rural enterprises also remain an appropriate way to consider evidence to arrive at a decision. In this particular case, and having regard to the Policy H27 criteria and Annex A tests, the local planning authority is not satisfied that the applicant has provided adequate evidence to demonstrate that there is a functional need for two wardens (that is, one full time warden for the entire year and one full time warden for the camping season only) to be permanently based in accommodation (that is, a touring caravan, campervan or "pod") at the site. Specifically, the local planning authority considers that the functional need stated by the applicant -

namely, to manage the administrative functions (including meeting and greeting all site visitors, marketing of the campsite, managing bookings, the website, and social network media, and accounts) and physical functions (including cleaning, maintenance and landscape management, and on-site management providing security, enforcing campsite rules and compliance with health and safety regulations) required to operate the site - does not require 24 hour or year round on-site presence of a live-in warden or wardens. There are other means of providing these services and functions without a permanent on-site presence.

The proposal is, therefore, contrary to policies C2 and H23 of the Salisbury District Local Plan 2011, contrary to the relevant criteria relating to functional need set out in Policy H27 of the Salisbury District Local Plan 2011, and contrary to the test relating to functional need set out in Annex A to PPS7. The proposal is also unacceptable in terms of the National Planning Policy Framework (paragraph 55).

In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

Cllrs Devine, Hewitt and Westmoreland requested that their votes against the motion be recorded.

36b **S/2012/0521/Full - Old Sarum House, Portway, Old Sarum, Salisbury**

Public participation:

Mr P Holcroft spoke in support of the application
Ms Karen Jones spoke in support of the application
Mr A Marshall spoke in support of the application

The Planning Officer introduced the report which recommended approval, subject to conditions. Attention was drawn to the late correspondence.

During the debate members raised issues relating to the departure from the allocated employment use of the site and lack of detailed plans.

Resolved:

That planning permission be GRANTED for the following reasons:

The Council is required to give a summary of the reasons for this decision and its conditions, and a summary of the development plan policies and proposals relevant to the decision and its conditions. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the South Wiltshire Core Strategy, namely saved Salisbury District Local Plan policies G1, G2, D1, D2, D7, H2D, H24, E1B, CN11, CN20, CN21, CN22, CN23, R3, PS2, T11, T12 and T14, South Wiltshire Core Strategy policies CP5, CP19, CP20 & CP22, Wiltshire & Swindon Waste Core Strategy DPD WCS6 and the NPPF (particularly paragraphs 22 and 134).

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

- 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 Development shall be carried out in accordance with the following plans:

FS323-120-02	Submitted on 17/04/12
FS323/120-03A	Submitted on 17/04/12
FS323-120-04A	Submitted on 17/04/12
FS323-120-05A	Submitted on 17/04/12
FS323-120-06A	Submitted on 17/04/12
FS323-120-08	Submitted on 17/04/12
FS323-120-07	Submitted on 17/04/12
FS323-120-09	Submitted on 17/04/12
FS323-120-10	Submitted on 17/04/12
FS323-120-11	Submitted on 17/04/12
FS323-120-12	Submitted on 17/04/12
FS323-120-13	Submitted on 17/04/12
FS323-120-14	Submitted on 17/04/12
FS323-120-15	Submitted on 17/04/12
FS323-120-16	Submitted on 17/04/12
FS323-120-17	Submitted on 17/04/12

FS323-120-18	Submitted on 17/04/12
FS323-120-19	Submitted on 17/04/12
FS323-120-20	Submitted on 17/04/12
FS323-120-21	Submitted on 17/04/12
FS323-120-22	Submitted on 17/04/12

No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

REASON: For the avoidance of doubt.

- 3 No development shall commence on site until 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: In the interests of visual amenity and the character and appearance of the area including the setting of the heritage assets.

POLICY- G2 (General Development Guidance), D1 (General Design Guidance), G2 (General Design Guidance), C6 (Development within a Special Landscape Area), C7 (Development within the Landscape Setting of Salisbury & Wilton), CN8 (Development affecting a Conservation Area), CN9 (Development affecting a Conservation Area), CN11 (Development affecting a Conservation Area), CN20 (Development affecting a Scheduled Ancient Monument)

- 4 No development shall commence until a scheme for water efficiency has been submitted to, and approved in write by, the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and prudent use of natural resources

POLICY: G2 (General Development Guidance)

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

shall specifically address the following:

- i. The movement of construction vehicles
- ii. Wheel washing and vehicle wash down facilities
- iii. The storage, transport and management of waste materials and building materials.
- iv. The recycling of waste materials
- v. The loading and unloading of plant and materials
- vi. The location and use of generators and temporary site accommodation

The development shall not be carried out otherwise than in accordance with the approved construction management plan without the prior written permission of the Local Planning Authority.

REASON: To prevent pollution of the water environment

POLICY: G2 (General Development Guidance)

- 6 Notwithstanding the layout shown on the approved site layout drawing FS323-120-13, no development shall commence until a swept path analysis to demonstrate access for a 10.8 metre refuse vehicle. Where the provision of these details may require adjustments to parking layout, any such adjustments shall also be shown on the revised layout drawing. The development shall be carried out in accordance with the approved revised site layout drawing.

REASON: To ensure sufficient turning provision throughout the site

POLICY - G2 (General Design Guidance)

- 7 No development shall commence until the detailed design of the surface water drainage scheme for the application site has been submitted to, and approved in writing by, the Local Planning Authority. The relevant scheme shall be based on sustainable drainage principles, have due consideration of the hydrological and hydro geological context of the site and be in accordance with the design criteria set out within the approved Flood Risk Assessment (reference 80139-FRA). It shall also include details of how it is to be maintained and managed after completion, and is to be implemented in accordance with the approved details, before the development is completed.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, and to ensure future maintenance of the surface water drainage scheme.

POLICY: G2 (General Development Guidance)

- 8 No development shall take place within the application 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 in writing by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

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

POLICY - CN21 (Impact on Archaeology), CN22 (Impact on Archaeology), CN23 (Impact on Archaeology)

- 9 Development shall be carried out in accordance with the "Waste Minimisation Statement" submitted dated March 2012.

REASON: To ensure the minimisation of waste during construction

POLICY: WCS 6 (Waste Guidance)

- 10 Development shall be carried out in accordance with the Travel Plan (Appendix C) submitted on 10th April 2012.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

POLICY- G2 (General Development Guidance)

- 11 No construction 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: 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.

POLICY: G2 (General Design Guidance)

- 12 No deliveries shall be taken at or collections made from the development except between the hours of 08:00 and 20:00 Monday to Saturday and 08:00 and 18:00 on Sundays and public holidays.

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.

POLICY: G2 (General Development Guidance)

- 13 No development shall commence on site until a scheme of noise control measures has been submitted to and approved by the Local Planning Authority specifying the measures that will be taken for the purposes of preventing and controlling the emission of noise from externally mounted plant or equipment and ventilation systems. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details unless otherwise agreed in writing 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.

POLICY- G2

- 14 No development shall commence on site until a scheme for the discharge and control of fumes, gasses and odours from the ground floor kitchen and second floor laundry has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use shall be maintained at all times thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY- G2 (General Development Guidance)

- 15 No development shall commence on site until a scheme specifying the measures that will be taken for the purposes of controlling and mitigating against noise and vibration caused by Equinox International Ltd has been submitted to and approved by the Local Planning Authority. The written scheme shall include construction details including the use of elastomeric bearings and sound masking systems and shall be in accordance with the submitted "Report On The Effects of Noise and Vibration on the Proposed Residential Care Development Portway, Old Sarum for the Order of St John Care Trust Addendum Number 3", Revision "C", dated 25 March 2013. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter

unless otherwise agreed in writing 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.

POLICY- G2 (General Development Guidance)

- 16 Notwithstanding the generality of condition 15 above, no development shall commence on site until a scheme of post-completion noise measurements has been submitted to and approved by the Local Planning Authority. The written scheme shall include details of the times over which the noise measurements will be undertaken, the locations from which the measurements will be taken, and the equipment and noise descriptors to be used for the purposes of measuring the residual levels of noise caused by the operation of Equinox International Ltd. The written scheme shall also describe how the post-completion noise measurements will be undertaken in the event that Equinox International Ltd do not co-operate with the developer in undertaking the post-completion noise measurements. Where the post-completion noise measurements identify that the levels of noise caused by the operation of Equinox International Ltd are in excess of those predicted in the "Report On The Effects of Noise and Vibration on the Proposed Residential Care Development Portway, Old Sarum for the Order of St John Care Trust Addendum Number 3", Revision "C", dated 25 March 2013 a written scheme of additional measures required to control and mitigate against the noise caused by the operation of Equinox International Ltd together with a timetable for the implementation of those measures shall be submitted to and approved in writing 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.

POLICY: G2 (General Development Guidance)

- 17 The development shall not be first brought into use until the post-completion noise measurements have been undertaken in accordance with the approved scheme pursuant to condition 16 and the written results submitted to the local planning authority and, where required by virtue of condition 16, the written scheme of additional measures required to control and mitigate against the noise caused by the operation of Equinox International Ltd has been submitted to and approved by the Local Planning Authority. The additional measures required to control and mitigate against the noise caused by the operation of Equinox International Ltd shall be

implemented in full in accordance with the approved scheme and timetable for implementation pursuant to condition 16. The approved scheme shall be maintained at all times thereafter unless otherwise agreed in writing 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.

POLICY: G2 (General Development Guidance)

18 INFOMATIVE - ENVIRONMENT AGENCY

With regard to condition four above, the development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

Any submitted scheme should include detailed information (capacities, consumption rates etc on proposed water saving measures). Manufacturer's specifications should not be submitted. Applicants are advised to refer to the following for further guidance:
www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx
www.savewatersavemoney.co.uk

19 INFORMATIVE - ENVIRONMENT AGENCY

The surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 dated September 1991 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice".

20 INFORMATIVE - ENVIRONMENT AGENCY

With regard to condition five above, safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

1. The use of plant and machinery, oils/chemicals and materials
2. The use and routing of heavy plant and vehicles
3. The location and form of work and storage areas and compounds
4. The control and removal of spoil and wastes

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:
www.environment-

agency.gov.uk/business/topics/pollution/39083.aspx

21 INFORMATIVE - ARCHAEOLOGY

With regard to condition eight above the work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation agreed by this the County Archaeologist and there will be a financial implication for the applicant.

22 INFORMATIVE - WILTSHIRE FIRE & RESCUE SERVICE

The scale of the project and the complex approach to the fire safety will necessitate the need for joint consultation by the Building Regulations Authority, designer and Fire Authority.

Cllrs Dalton, Devine and McLennan asked for their votes against the motion to be recorded.

36c **S/2013/0020/Full - 37 York Road, Salisbury. SP2 7AT**

Public participation:

Mr J Smith spoke in objection to the application

Cllr Lindley representing, Salisbury City Council, spoke in objection to the application

Cllr Richard Clewer, local member, spoke in objection to the application on parking issues.

The Planning Officer introduced the report which recommended approval, subject to conditions.

The Committee were reminded that the application was deferred at the meeting on 7 March due to concerns raised by third parties about the parking permit schemes.

During the debate members discussed the issue of parking and it was

Resolved:

That planning permission be GRANTED subject to the applicant entering into a S106 agreement covering the following matters:

1. A financial contribution towards off-site recreation provision; and
2. A financial contribution towards off-site affordable housing provision,

... unless it is demonstrated to the satisfaction of the Area Development Manager that this would undermine the viability of the development;

Subject to the following reason for approval:

The Council is required to give a summary of the reasons for this decision and its conditions, and a summary of the development plan policies and proposals relevant to the decision and its conditions. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the South Wiltshire Core Strategy, namely Policies G2, H8, D3, TR14 and R2.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the social and environmental conditions of the area. 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. This development shall be in accordance with the following submitted drawings:

DRG No. 12096 2 (21/12/12) 21/12/2012

Block Plan 21/12/2012

Reason: For the avoidance of doubt

36d **S/2013/0279/Full - 12 Burford Avenue, Salisbury. SP2 8AG**

Public participation:

Mrs J Sage spoke in support of the application

The Planning Officer introduced the report which recommended approval, subject to conditions.

It was

Resolved:

That planning permission be GRANTED for the following reasons:

The Council is required to give a summary of the reasons for this decision and its conditions, and a summary of the development plan policies and proposals relevant to the decision and its conditions. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the South Wiltshire Core Strategy, namely Policies G2, D3, H16

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. 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 (south east) elevation or roofslope of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY- G2

3. This development shall be in accordance with the submitted drawing[s] sage20-01, sage20-02 deposited with the Local Planning Authority on 22/2/13, unless otherwise agreed in writing by the Local Planning Authority.

REASON: for the avoidance of doubt.

37 Urgent Items

There were no urgent items.

38 **Exclusion of the Press and Public**

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute no. 39 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

39 **The Old Coach House East Grimstead - update**

The Head of Legal Services introduced a report which updated the committee on enforcement at the site.

(Duration of meeting: 6.00 - 9.50 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line (01225) 718371, e-mail pam.denton@wiltshire.gov.uk

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

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APPEALS

Appeal Decisions

Application Number	Site	Appeal Type	Application Delegated/ Committee	Appeal Decision	Overturn	Costs
S/2012/0377	Unit 7 Wilton Shopping Village Wilton	WR	Delegated	Dismissed	No	No
S/2012/0928	2 Lovegrove Acre Dinton	WR	Committee	Allowed	Yes	No
S/2012/0771	Adj The Retreat Ashley Road Salisbury	WR	Delegated	Dismissed	No	No

New Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee		Overturn	Costs Applied for?
S/2012/1363	Twin Elms The Avenue Porton	WR	Delegated		No	No
S/2013/0112	Pippins, Lights Lane Aldebury	HH	Delegated		No	No
S/2013/0024	Lime Tree Cottage Flower Lane Amesbury	WR	Delegated		No	No
S/2012/1307	Tricky's Paddock Whiteparish	Hearing	Committee		Yes	No

WR Written Representations
HH Fastrack Householder Appeal
H Hearing
LI Local Inquiry
ENF Enforcement Appeal

13th May 2013

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INDEX OF APPLICATIONS ON 23RD MAY 2013

1

Application No: S/2013/0294/Full
Site Location: Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW
Development: Creation of new access and farm track

Recommendation: Approve with Conditions

2

Application No: S/2013/0071/Full
Site Location: Land Adjacent To Parish Church, Salisbury Road, Steeple Langford, Salisbury, SP3 4NQ
Development: Erection of detached two bedroom dwelling

Recommendation: Approve with Conditions

3

Application No: S/2013/0276/Full
Site Location: Hollygate, Castle Lane, Whaddon, Salisbury, Wiltshire, SP5 3EQ
Development: Extensions and alterations to dwelling and replacement garage

Recommendation: Approve with Conditions

4

Application No: S/2013/0266/Full
Site Location: Land adjacent to Springvale, Tidworth Road, Allington, Salisbury, SP4 0BN
Development: The erection of a two storey three bedroom dwelling

Recommendation: Refuse with Reasons

5

Application No: S/2013/0251/Full
Site Location: Adj. Greenways, Tidworth Road, Allington, Salisbury, SP4 0BN
Development: Erection of three bedroom bungalow dwelling

Recommendation: Refuse with Reasons

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REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting	23 rd May 2013
Application Number	S/2013/0294
Site Address	Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW
Proposal	Creation of new access and farm track
Applicant / Agent	Guy Rasch / Gerald Steer
Town/Parish Council	Woodford
Grid Ref	E. 411977 N. 136021
Type of application	Full Planning
Case Officer	Charlie Bruce-White

Reason for the application being considered by Committee

Cllr Hewitt has called in the application due to local concern relating to matters of highways safety.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED** subject to conditions.

2. Report summary

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

1. Principle of development;
2. Justification;
3. Character & appearance of the area;
4. Highways safety;
5. Other matters.

Objections have been raised by the Parish Council and 17 third parties.

3. Site Description

The site relates to a parcel of land at Middle Woodford, which is used in connection with the rearing of pheasants, situated directly off the main (C-class) road that runs through the Woodford Valley. Behind the site, to the north-west, exists agricultural land in the applicant's ownership used in connection with grazing. The site is currently accessed via a length of track which runs through the agricultural land to an existing access onto a road known as Church Bottom. The site is outside of the Housing Policy Boundary.

4. Relevant Planning History

None relevant

5. Proposal

It is proposed to create a new vehicular access onto the road directly off the site, and to form a new length of track to link up with the existing section.

6. Planning Policy

Local Plan: policies G1, G2, C2, C6, C20

Central government planning policy: NPPF

7. Consultations

Parish Council Object due to potential for water run-off onto the road; access is on a blind bend and would be a hazard to highways safety; and it is not necessary as alternative access exists. If the application is approved the Parish would like reassurance that the land will not be built on.

Highways Officer No objection subject to conditions to secure visibility splays and details of surface water drainage to prevent discharge onto the highway.

Environmental Health No objection

Ecologist No objection

Archaeologist No objection

8. Publicity

The application was advertised by site notice and neighbour consultation.

17 letters of objection were received, raising the following concerns:

- Potential hazard to highways safety as access is on a blind/dangerous corner;
- Not necessary as the site can be satisfactorily accessed by alternative means;
- The site is on a higher level to the road and is close to the spring line and water table, and therefore the creation of an access at this point could result in excess water and mud being discharged onto the highway;
- Proposed drainage channels and soakaways to deal with the surface water are likely to be ineffective due to ground conditions;
- Possible precursor to further development.

9. Planning Considerations

9.1 Principle of development

Local Plan policy C20 states that development which is essential to meet the needs of agriculture, forestry and horticulture will be permitted in the countryside provided that it can be demonstrated that;

- (i) the development would be inappropriate in an urban area;
- (ii) the proposed development is directly related to a nearby holding or group of holdings;
- (iii) measures are included to prevent the pollution, over-abstraction and degradation of water courses and groundwater sources.

9.2 Justification

The applicant details that the new access is necessary to serve the site as the existing access on Church Bottom will be taken over by a prospective purchaser of the adjacent agricultural land. The local planning authority has no control over whether this land is sold or not, and the principle of an alternative access is considered reasonable, subject to meeting other essential planning criteria such as not detrimentally affecting the character and appearance of the countryside, and being acceptable in highway safety terms. Regardless of whether the adjacent land is sold or not, it is noted that the proposed access would provide a far more efficient and less onerous route to the pheasant shed than the existing arrangement.

9.3 Character & appearance of the area

The proposed access would be formed within an existing earth bank off the highway, and would project through an existing roadside hedge, albeit at a point where the hedge is particularly thin and possibly dead. It would be a relatively modest access, typical of many field accesses found within the area and wider countryside, and would not require significant engineering works or significant removal of the hedge for the purposes of creating visibility splays, since the road at the access point would be naturally splayed in either direction. There would be a need, however, to trim back the hedge to the south of the access to ensure adequate visibility in this direction, although this would be relatively limited and new hedge planting could be undertaken behind the existing hedge to reinforce it where necessary, in order to maintain the hedge-lined character of the road. New hedge planting would also be undertaken to either side of the access, protruding back into the site. As a result it is not considered that the proposal would have an unacceptable visual impact within the countryside.

9.4 Highways safety

The Highways Officer has visited the site and undertaken pre-application discussions with the applicant to ensure its optimum position. The access meets the required visibility standards, as set out within national guidance, for the type of road and speed of traffic expected on it.

In considering the objections raised by the Parish Council and third parties the Highways Officer comments as follows:

The proposed access is on the outside of the bend which gives good visibility in each direction. I am satisfied that the required visibility can be achieved with some alterations to the hedge, which is under the control of the applicant. I accept that the bend is fairly blind for users of the road. This is caused by the wall to Woodford Mill on the inside of the bend. As the access is on the outside of the bend there will be good visibility of and from the access. Visibility standards are set out in Manual for Streets. If there is a problem of traffic ignoring the speed limit this is a matter for the police to address.

The application includes a cut off drain at the edge of the carriageway discharging to a soakaway. However, if the water table is as high as claimed by the objectors the soakaway will not work and water will be discharged on to the highway. I have checked with our area maintenance team and there are existing problems with water discharge in the area. In view of this I consider that the applicant should be required to demonstrate that the soakaway will be adequate to handle the expected discharge. This will involve undertaking permeability tests in a trial pit and an engineering design for the soakaway.

In conclusion, no highway objection is raised subject to conditions requiring the formation/maintenance of the required visibility splays and further details of the proposed drainage measures, the latter of which will require agreement prior to any works commencing. Notwithstanding any agreed drainage scheme, it is an offence to discharge water onto the highway, and the local highway authority can take action to resolve such offences if this occurs.

9.5 Other matters

Several third parties have raised concerns that the proposal could be a precursor to further development. However, any further development would be considered on a case by case basis, and judged on its own merits, and notwithstanding this speculation it is noted that the site is outside of the Housing Policy Boundary and residential development would therefore be contrary to the provisions of the development plan.

10. Conclusion

The proposed access is considered to be justified development in the countryside that would not have an unacceptable impact upon the rural character of the area and, subject to conditions, would be acceptable in highway safety terms.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the South Wiltshire Core Strategy, namely saved Local Plan policies G1, G2, C2, C6, C20.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the social, economic and environmental conditions of the area.

And 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 shall only be undertaken in accordance with the following approved plans:

Plan Ref....1090.P18.A3 Rev. A...	Dated....01.03.13....
Plan Ref....1090.P19.A3 Rev. B...	Dated....01.03.13....
Plan Ref....1090.P20.A3...	Dated....16.04.13....

Reason: For the avoidance of doubt.

- 3) The access hereby approved shall not be brought into use until a visibility splay has been provided between the edge of the carriageway and a line extending from a point 2.0 metres back from the edge of the carriageway, measured along the centre line of the access, to a point 1.0m into the carriageway from the nearside edge 43 metres to the south (right) from the centre of the access. Such splay shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

Reason: In the interests of highway safety.

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

Reason: To ensure that the development can be adequately drained and that no water is discharged from the site on to the highway.

- 5) No development shall commence on site until plans (to be based upon a topographical survey) have been submitted to, and agreed in writing by, the local planning authority detailing the extent of alterations to the hedge to the south of the access in order to meet the required visibility splay as set out in condition 3. The plans should include proposals, including planting specifications, for the relocation/reinforcement of the hedge further back from the highway where appropriate. Any new hedge planting agreed shall be carried out in the first planting season following the first use of the access or the completion of the development whichever is the sooner. Any hedge plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason: The required visibility splay to the south of the access will require the roadside hedge to be trimmed back, and appropriate new planting should take place where this is necessary in order to ensure that the hedge-lined appearance of the road is maintained, in the interests of the rural character of the area.

INFORMATIVE:- Condition 4 (Surface water drainage)

It is understood that there are existing problems with water discharge in the area, and that the water table is likely to be relatively high in the area of the site. The applicant will therefore need to demonstrate that any soakaway will be adequate to handle the expected discharge. This will involve undertaking permeability tests in a trial pit and an appropriate engineering design for the soakaway.



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REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting	23 rd May 2013
Application Number	S/2013/0071
Site Address	Land Adjacent To Parish Church, Salisbury Road, Steeple Langford, Salisbury, SP3 4NQ
Proposal	Erection of detached two bedroom dwelling
Applicant / Agent	Ms Kate Fox / Paul Stevens
Town/Parish Council	Steeple Langford
Grid Ref	E. 403643 N. 137476
Type of application	Full Planning
Case Officer	Charlie Bruce-White

Reason for the application being considered by Committee

Cllr West has called in the application due to the scale of development, its visual impact upon the surrounding area, relationship to adjoining properties, design (bulk, height, general appearance), and environmental/highway impact.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED** subject to conditions.

2. Report summary

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

1. Principle of development;
2. Previous appeal decision;
3. Character & appearance of the area, inc. impact on conservation area & setting of listed buildings;
4. Highway considerations;
5. Amenities of adjoining and nearby property;
6. Archaeology;
7. Affordable housing and open space contributions;
8. Other matters.

The application has generated objections from Steeple Langford Parish Council and seven third parties.

3. Site Description

The site is situated on Salisbury Road within the village of Steeple Langford. It is within the Conservation Area and Housing Restraint Area, and comprises a vacant plot of land,

currently overgrown and enclosed by a timber panel fence. It is situated within a prominent part of the village, in front of a grade I listed Church. To its left are Church Cottages, a terrace closely associated with the church and its grounds. To its right, on the other side of The Upper, is Mill House. Nearby, on the opposite side of Salisbury Road is The Malthouse. These buildings, although not listed, are identified as of local importance within the Steeple Langford Conservation Area Appraisal (CAA).

4. Relevant Planning History

07/1147 - Construct residential dwelling with associated parking – Refused: 20/07/07; appeal dismissed 05/06/08

5. Proposal

It is proposed to erect a two storey dwelling.

6. Planning Policy

Local Plan: policies G1, G2, G5, D2, H19, CN8, CN10, CN11, CN12, C4, C5, TR11, TR14, R2

Core Strategy: core policies 1, 3, 19

Central government planning policy: NPPF

Other material guidance: Steeple Langford Conservation Area Appraisal

7. Consultations

Parish Council	Object due to overdevelopment of site, overbearing impact upon surrounding properties including listed church, unsatisfactory parking/turning arrangement, construction could affect graveyard and adjacent trees, would obscure views of the church, would exacerbate existing surface water flooding problems.
Conservation Officer	No objection subject to amended plan illustrating a more characteristic roof pitch, and conditions to control quality of detailed design features.
English Heritage	Application should be determined in accordance with national and local policy, and on the basis of your specialist conservation advice.
Tree Officer	No objection subject to condition relating to tree protection measures.
Highways Officer	No objection subject to conditions on standard access requirements.
Archaeologist	No objection subject to archaeological watching brief condition.

8. Publicity

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

7 letters of objection were received, raising the following concerns:

- Overdevelopment of the plot;
- Would obscure views of the listed church and harm its setting;
- Unsatisfactory vehicular access and parking;
- Loss of privacy to neighbouring residential property;
- Potential affect of construction upon adjacent graveyard.

9. Planning Considerations

9.1 Principle of development

The site is within the Housing Restraint Area where Local Plan policy H19 states that the erection of a new dwelling will be acceptable only if the following criteria are met:

- there will be no adverse impact on the character of the settlement or neighbourhood designated as a Housing Restraint Area;
- there is no loss of an important open space which contributes to the special character of the area;
- the loss of features such as trees, hedges and walls, which contribute to the character of the area, is kept to a minimum; and
- the development will be in keeping with the character of the neighbouring properties.

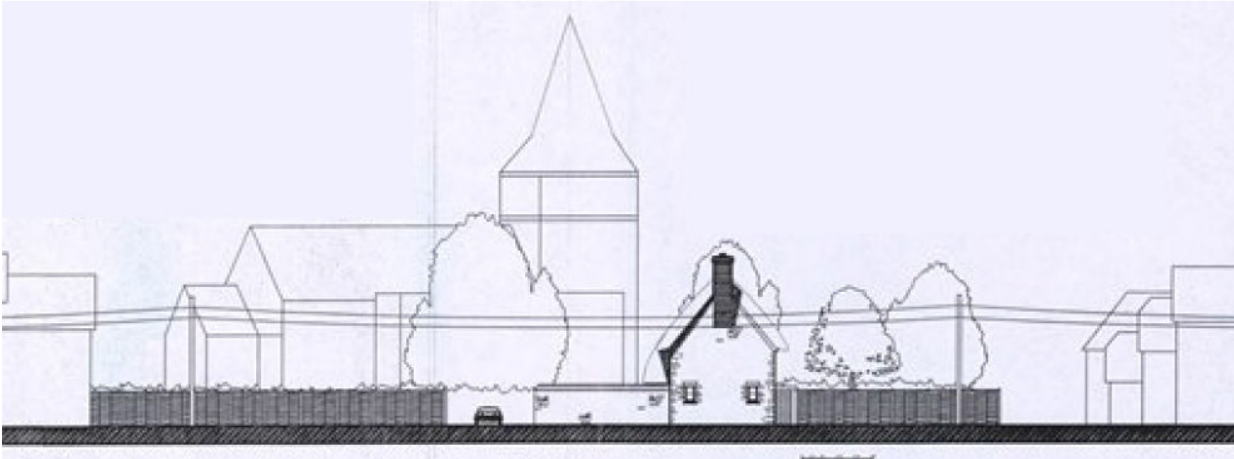
The site is also identified within the CAA as a potential redevelopment site in order to enhance the character of the conservation area. One of the key consideration will therefore be whether this objective is achieved.

9.2 Previous appeal decision

A previous application for a dwelling on the site has been refused and dismissed at appeal. The Planning Inspector identified two particular shortfalls relating to the design of the previously proposed dwelling, which he felt would result in a development that would be unsympathetic to the setting of the listed church, and one that would not preserve/enhance the character of the conservation area. Firstly, the orientation of the proposed dwelling was with its side to the road, whereas the Inspector identified the predominant pattern of development along Salisbury Road to be of property frontages facing the road. Secondly, the proposed use of a thatched roof in this position was considered to be out of keeping with the red clay roofing tiles that contribute an attractive unity to the immediate area.

Previously refused scheme

Street elevation



Main elevation (facing away from road)



9.3 Character & appearance of the area, inc. impact on conservation area & setting of listed buildings

The CAA states that “The unkempt, undeveloped wedge of land to the north of the church does not make a positive contribution to the setting of the Grade I Listed church... There is significant scope for betterment here which would both potentially improve the townscape of the village and provide a better setting to the Grade I listed church”. The CAA suggest that this could be done by:

- Creating continuity of built form along the frontage;
- Reinforcing the corner with Duck Street;
- Continuing the use of stone or flint boundary walls;
- Keeping the eaves line low (a maximum of 4.2m).

The development now proposed seeks to incorporate the above recommendations and to avoid the uncharacteristic elements identified by the Inspector within the previous scheme. This has been achieved principally by orientating the dwelling with its main elevation facing the road and abutting the pavement, and more closely following the architectural style and materials of dwellings in the immediate vicinity of the site. In particular, the dwelling would have a more simple rectangular form, with a low eaves line, and would make use of natural stone walling and clay tiled roof. The dwelling would include a rear

extension, designed so as to appear as a later addition, being of a subservient scale with contrasting rendered walls. A condition could be imposed to ensure that the colour of the render would blend satisfactorily with the stone.

The applicant has submitted amended plans during the course of the application, in response to a request from the Conservation Officer to provide a more steeply pitched roof to the dwelling, which would be more in keeping with the local vernacular. The Conservation Officer also recommends that conditions be imposed to secure a sample panel of pointed stonework; sample tiles; dormer, eaves and window details; window/door arch details; and chimney details (including the gable treatment).

The Council's Tree Officer has confirmed that the proposed development is possible without having a significant adverse impact on the important adjacent trees, provided it is completed in accordance with the submitted arboricultural report, and further details of construction methods are submitted for approval via a condition.

9.4 Highway considerations

The Highways Officer is satisfied with the proposed parking/turning arrangement and standard of the vehicular access, and consequently raises no objection in highways safety terms. A condition is recommended to secure appropriate drainage details to ensure that surface water from the site is not discharged onto the highway.

9.5 Amenities of adjoining and nearby property

It is considered that the proposed dwelling is spaced a reasonable distance from neighbours so as to not result in unacceptable levels of overlooking or other adverse impacts.

9.6 Archaeology

The Council's Archaeologist comments that the site is potential sensitive in archaeological terms, but considers that any such features could be adequately recorded through an archaeological watching brief undertaking during the construction phase.

9.7 Affordable housing and open space contributions

The residential development of the site triggers the need for contributions towards affordable housing and public open space, under Core Policy 3 and Local Plan policy R2 respectively. The applicant has detailed that they would be willing to make such payments, and consequently the development would be acceptable subject to the completion of an appropriate S106 legal agreement.

9.8 Other matters

It is noted that concern has been raised by the Parish Council and several neighbours that the construction of the development could affect the adjacent church graveyard. However, the dwelling would not be built right up to the boundary, and in any case the separate consent of the church authorities would be required to undertake any work that would affect their property.

10. Conclusion

The proposed residential development would be acceptable in principle and its redevelopment is supported within the Steeple Langford CAA. An appropriate design has been put forward which would overcome previous concerns of the Planning Inspector and which would adhere to the recommendations of the CAA. Consequently the proposal would preserve/enhance the character of the conservation area, and would not adversely affect the setting of the adjacent grade I listed church. Subject to conditions and a S106 agreement, other essential planning criteria would also be met.

11. Recommendation

That subject to the applicant entering into a S106 agreement to secure contributions towards affordable housing and public open space

Planning Permission be GRANTED for the following reason:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the South Wiltshire Core Strategy, namely Core Policies 1, 3, 19 and saved Local Plan policies G1, G2, G5, D2, H19, CN8, CN10, CN11, CN12, C4, C5, TR11, TR14, R2.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the social, economic and environmental conditions of the area.

And 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 shall only be undertaken in accordance with the following approved plans:

Plan Ref....01 Rev. A...	Dated....18.03.13....
Plan Ref....02 Rev. A...	Dated....17.01.13....
Plan Ref....04...	Dated....17.01.13....

Reason: For the avoidance of doubt.

- 3) No development shall commence on site until 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: In the interests of visual amenity and the character and appearance of the area.

- 4) No development shall commence to face the external walls of the dwelling until sample panels of both stonework and render, not less than 1 metre square each, have been constructed on site, inspected and approved in writing by the Local Planning Authority. The panels shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

- 5) No development shall commence on site until details of all eaves, windows (including head, sill and window reveal details), doors, dormers and chimneys (including gable treatment) 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.

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

- details of trees to be retained and any new planting proposed;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc).

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

- 7) 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.

- 8) No development shall commence on site until a detailed arboricultural method statement has been submitted to and agreed in writing by the local planning authority, to demonstrate how those trees be retained will be protected during the course of development. Development shall be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity.

- 9) 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.

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

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

- 11) No development shall commence on site until a scheme for water efficiency, to reduce the water consumption of the dwelling hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of the conservation of water resources.

- 12) 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. The approved programme of archaeological shall be carried out in accordance with the approved details.

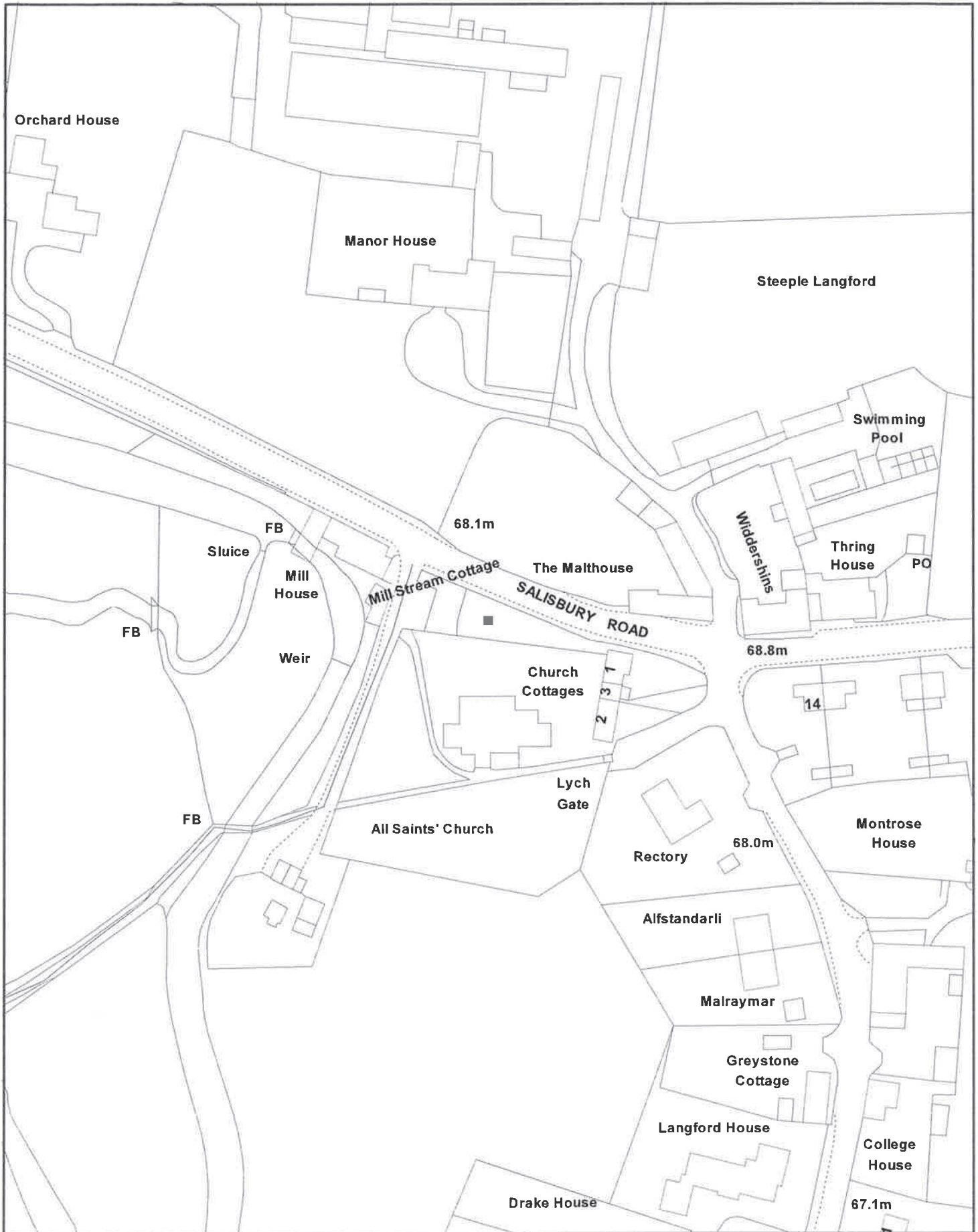
Reason: To enable the recording of any matters of archaeological interest.

- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions to the dwelling hereby permitted, and no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected within its curtilage.

Reason: To safeguard the character and appearance of the area and to ensure there is satisfactory amenity and parking space retained around the site.

- 14) Construction works shall not take place except between the hours of 07.30hrs to 1800hrs on Mondays to Friday and 08:00 to 13:00hrs on Saturday. There shall be no work on Sundays and Public Holidays. This condition does not apply to the internal fitting out of the buildings.

Reason: In order to limit the noise and disruption to adjacent neighbours during antisocial hours



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Date of Meeting	23 rd May 2013
Application Number	S/2013/0276
Site Address	Hollygate, Castle Lane, Whaddon, Salisbury, Wiltshire, SP5 3EQ
Proposal	Extensions and alterations to dwelling and replacement garage
Applicant	Mr J Townsend Berridge
Town/Parish Council	Alderbury
Grid Ref	E. 419552 N. 126296
Type of application	Full Planning
Case Officer	Matthew Legge

Reason for the application being considered by Committee

Cllr Britton has called in this application due to neighbouring concerns over:

- size of development relative to plot size
- out of keeping with its immediate surroundings

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED** subject to conditions.

2. Report Summary

The main issues in this case are as follows:

1. Impact of the proposal on the character of the area;
2. Impact of the proposal on residential amenity.

This application has received an objection from the Parish Council and objections from four neighbouring objections.

3. Site Description

The application site is located within a Housing Policy Boundary area. The site is surrounded by residential dwellings and has an existing vehicular access onto Castle Lane.

4. Planning History

03/1272: Alterations and Extension - REF

07/1925: Extend Bungalow And Its Roof Height To Form A First Floor Level - AC

12/1004: Extensions and alterations to dwelling and replacement garage - REF

5. The Proposal

Extension and alterations to dwelling and replacement garage.

The extensions include a side/rear 'wing' to provide a new dining area, kitchen and family area; and a new front porch. The extensions also include changes to the roof to enable its use as habitable accommodation (three bedrooms and related bathrooms). To achieve this first floor accommodation the eaves level of the existing building would be increased in height by 1.3m, with a half-hipped roof erected above this. Overall height of this new roof would be equal to that of the highest part of the existing building – 6.3m.

The new triple garage with office over would be sited to the side/rear of the house, 1.0m minimum from the boundaries of the site.

6. Planning Policy

Adopted policies; G2, D3, H16, C6 and C12 as saved within Appendix C of the adopted South Wiltshire Core Strategy.

National Planning Policy Framework (NPPF)

7. Consultations

Parish Council – Object

Wiltshire Council Highways – No highway objection

Wiltshire Council Ecology – None received

Wiltshire Council Environmental Health – No objection

WF&RS – General comments

8. Publicity

Four letters of objection have been received:

- Concern over size of garage and overshadowing
- Concern over increased bulk of dwelling and overlooking

9. Planning Considerations

9.1 Principle of development

This application has been submitted following the refusal of a similar application (S/2012/1004). The reasons of the previous refusal are a material consideration to this application and as such the previous refusal reasons need to be overcome in order for the LPA to support the current application. The previous reasons for the refusal were:

1. The proposed development is not considered to be compatible with the existing property in terms of scale, design and layout and would not be carefully integrated in relation to other properties and the overall landscape framework, contrary to policy H16 and D3 of the Salisbury District Local Plan and paragraphs 58 and 64 of the National Planning Policy Framework.

In particular, the altered, extended ridgeline of the bungalow, the rear facing dormer windows and large glazed features (front and rear elevations) in combination with the ridgeline, elaborate stairway and landing for the replacement garage are all likely to appear cramped within the site itself and uncharacteristically dominant, contrary to the spacious character of the area. The quadruple casement dormer window seems inappropriately scaled for the garage and would compete with the entrance feature on the dwelling. Furthermore, the garage is not sufficiently subservient in scale, height or appearance to the main dwelling. Together, the buildings would give the site a cramped appearance. The design of the scheme has not been carefully integrated in relation to the surrounding properties, particularly given the difference in heights between the site and properties to the north east fronting Southampton Road.

2. Properties in the vicinity of the site are not currently overlooked. The proposed rear facing dormer windows and large glazed features (front and rear elevations), the curved stairway and prominent landing for the replacement garage would unduly disturb and interfere with adjoining properties (to the north east and south west) in terms of actual, oblique and perceived overlooking, to the detriment of the amenities of the existing occupiers, contrary to Policy G2 of the Salisbury District Local Plan.

3. The property was historically used by brown long eared bats. This species favours loft spaces with a high void, as found at the application site. The Whaddon area provides high quality feeding habitat for bats with county wildlife sites on either side of the village, and it is reasonable to expect therefore that the property could have become reoccupied by bats. A previous survey carried out more than 2 years ago needs to be repeated but has not been submitted with the application. The proposal is therefore contrary to Policy C12 of the Salisbury District Local Plan and paragraphs 109 and 118 of the National Planning Policy Framework.

9.2 Scale, design, materials and impact of the development on the character of the area

Policy C6 has particular regard to the high quality of the landscape. The existing bungalow is set within the centre of its plot, and is low rise with a staggered hipped roofline, about 6.3m from ground to ridge. This facilitates views through the site between the roof ridges and spaces between the dwelling and garage. Properties to the east of the site fronting Southampton Road are at a lower level than the site, and a tall hedge provides the boundary. At present, a short section of the roof ridge of the existing bungalow is visible above the hedge.

There is some concern expressed in relation to the design of the proposed dwelling and the garage. The previous refusal mentioned; *“The proposed development is not considered to be compatible with the existing property in terms of scale, design and layout and would not be carefully integrated in relation to other properties and the overall landscape framework...”* This application has maintained the overall design of the originally refused scheme but this application has made the following alterations when compared to that previously refused application. The changes are as follows:

- Removal of two rear dormers and insertion of two conservation styled roof lights
- Removal of narrow light strip window on north east elevation.
- Removal of a three light floor to ceiling window on the front south west elevation and the insertion of a door in its place.
- Insertion of small square light window within side north west elevation.
- Reduction in height (-0.525m) of the proposed dwelling (no higher than existing ridge)
- Removal of spiral external staircase for garage
- Reduction in size of large glazed garage dormer
- Removal of new external stair case. Now fully internalised within garage
- Reduction in height (-0.2m) and size of the garage.
- Re-grading of ground level to include a further 0.6m lower ground level for the garage. Resultant visual loss of garage height is now 0.8m.
- Increased offset distance for the garage from the southern boundary.
- Insertion of small roof lights within the proposed garage roof

Whilst the design of the extended dwelling is not considered to be comparable to that of the original dwelling, it is considered that the ‘back-land’ location of the site will not permit prominent street views of the dwelling. Officers consider that concerns over the design of the scheme in this setting are not a robust reason to refuse the application if all other previous refusal reasons have been overcome. It is considered that the built up character of the area is not easily defined and the character could easily be determined to be made up from varying house designs/masses of dwellings. Given the rear location of the dwelling and its limited visual presence within the street scene it is considered that on balance the changes to the original refusal (as set out above) now satisfy previous concerns in relation to its design acceptability. It is not considered that the design of the extended dwelling results in enough harm to the character of the area to warrant a refusal on this ground alone.

9.3 Impacts on neighbours’ amenities

Following neighbours’ objections about impact on amenity (as a result of overbearing mass and bulk of development) the ridge height of the proposed development has been reduced by 0.525m. This reduction has now reduced the ridge height of the proposal to the height of the bungalow’s existing ridge. This reduction is now considered to sufficiently mitigate this element of the previous refusal. The reduction and or removal of rear dormer windows within the proposal also addresses neighbouring concerns. Officers are aware that there is existing overlooking between the neighbouring properties. The dwellings known as Dinard, Kingsland and Marteri all have a high level rear window(s) which permit views into the application site. Any significant first floor windows within the proposal are located on the side elevations. The north western side elevation faces towards an area of what appears to be treed common land. Any neighbouring views of this first floor window are considered to be acceptable with no

demonstrable harm to residential amenity. The four light first floor window on the south eastern elevation is largely screened from neighbouring views by the creation of the proposed garage and the existing outbuilding which is located at the rear of the dwelling known as Sunnyside. The proposed garage only includes three high level windows and a number of smaller roof lights on the hipped gable ends. The proposed windows are not considered to be unduly detrimental of neighbouring amenity. The three windows are noted to be largely inward facing and will not have a direct orientation towards neighbouring properties.

The massing of the garage has been highlighted by neighbours together with its size and bulk. Following neighbour concerns, the width of the garage has been reduced by 0.5m so to allow for a further off set distance from the southern boundary which is shared with Sunnyside and Lanterns. The distance from the southern boundary is now 1m which is considered to be acceptable.

As a result of further negotiation the dimensions of the garage have also been reduced. The external stair case has been removed and the width and depth of the garage has been reduced. The reductions to the dimensions of the garage are considered to help to reduce its perceived impact upon neighbouring dwellings. In addition the physical height of the garage has been reduced by 0.2m and the land upon which the existing garage is to be built is proposed to be lowered by 0.6m. Upon investigation the Agent has commented that the existing garage was constructed on built up land and thus the removal of this land will visually reduce the height of the garage by 0.8m.

Whilst the garage is larger than the existing garage and will add a degree of mass (when compared to the existing garage), it is a balanced view that the creation of the garage will not result in such detriment to neighbouring amenity where a refusal could be reasonably justified and defended. The garage is located 20m - 25m from the rear elevations of the immediate dwellings along Southampton Road and positioned in a western location to those rear gardens. Any significant loss of light to the rear portion of the neighbouring gardens will be limited to the mid to late afternoon and evening which is on balance considered to be acceptable in planning terms.

9.4 Highway Safety

Wiltshire Council Highways have commented: *"I am satisfied that sufficient parking and turning provision is accommodated on site and as such, I do not believe the proposal will have a detrimental impact upon highway safety. Therefore, I recommend that no Highway objection is raised, subject to the following condition being attached to any permission granted:*

The garages (building) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Hollygate.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling."

9.5 Impact on Protected Species

A Wiltshire Council Ecologist considered that the previous refused application should have been supported by an up-to-date bat survey. The property was historically used by brown

long eared bats. This species favours loft spaces with a high void, as found at the application site. The Whaddon area provides high quality feeding habitat for bats with county wildlife sites on either side of the village, it is reasonable to expect therefore that the property could have become reoccupied by bats. This application has submitted a Bat Survey which has been produced by a Chartered Rural Surveyor & Ecological Consultant (Feb 2013). The survey found no evidence of bats in the roof space or the surrounding external areas. The potential impact on protected species was perceived to be low and as such no mitigation measures have been proposed. The proposal is considered to be compliant with policy C12 of the Local Plan and paragraphs 109 and 118 of the NPPF and as such this reason for refusal has been overcome.

10. Conclusion

This application has made a significant number of alterations when compared to the previous refused application. The alterations are now considered to satisfy the reasons for the previous refusal in that the enlarged dwelling and new garage block are now not considered to result in harm to surrounding neighbouring amenities and the extended dwelling and garage block will not result in any demonstrable harm to the character of the area.

RECOMMENDATION

The Council is required to give a summary of the reasons for this decision and its conditions, and a summary of the development plan policies and proposals relevant to the decision and its conditions. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the South Wiltshire Core Strategy, namely Policies G2, D3, H16, C6 and C12.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development [to improve the [economic, social and environmental] conditions of the area].

- 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 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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the first floor of the development hereby permitted (such expression shall also include the roof space)

REASON: In the interests of residential amenity and privacy.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions / external alterations to 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 external alterations.

- 4 The garage hereby permitted shall not be used at any time other than for the parking of vehicles ancillary to the residential use of the main dwelling, known as Hollygate and the garage shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

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

DRG No. JT.PEP01 Rev C (Jan 2013) 18/04/2013

DRG No. JT.PE01 Rev C (Jan 2013) 18/04/2013

DRG No. JT.PGP01 Rev D (Jan 2013) 26/04/2013

DRG No. JT.PCA01 (Jan 2013) 26/04/2013

DRG No. JT.PSP01 Rev D (June 2012) 26/04/2013

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

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Date of Meeting	23 rd May 2013
Application Number	S/2013/0266
Site Address	Land adjacent to Springvale, Tidworth Road, Allington, Salisbury, SP4 0BN
Proposal	The erection of a two storey three bedroom dwelling
Applicant / Agent	Mr & Mrs Gallop / Mrs Rita Pope
Town/Parish Council	Allington
Grid Ref	E. 420412.9 N. 139297
Type of application	Full Planning
Case Officer	Steven Banks

Reason for the application being considered by Committee

Cllr Smale has requested that the application should be considered at a Committee meeting because, "The Parish Council is in favour and the location is a 'brown site' having had housing on the site previously".

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **REFUSED** for the reasons detailed below.

2. Report summary

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

1. The principle of development
2. Sustainability
3. Financial contributions towards the provision of recreational open space and affordable housing
4. The impact that the proposal would have on the amenity of the occupiers of nearby properties
5. The impact that the proposal would have on the character and appearance of the area surrounding the site
6. The impact that the proposal would have on highway safety

The application has generated one objection letter from a third party.

3. Site Description

This application relates to a piece of land which is located to the north east of a dwelling known as Springvale and to the south west of the part of the A338 which passes through

Allington. The piece of land which is the subject of this application serves as amenity space for the occupiers of the dwelling known as Springvale. It should be noted that the dwelling known as Springvale falls within the Allington Housing Policy Boundary and that the proposal site falls outside of any Housing Policy Boundary.

4. Relevant Planning History

S/2012/1620/FULL - The erection of a two storey three bedroom dwelling - Refused
11/01/2013

5. Proposal

Planning permission is sought for the erection of a detached, two storey, three bedroom dwelling. It should be noted that a shared access with the property known as Springvale is proposed.

This application represents a resubmission of the recently refused application S/2012/1620/FULL which was for the erection of a two storey three bedroom dwelling. The application was refused for the following reasons:

1. The proposal site, falls outside of any Housing policy Boundary, forms part of a settlement which has not been prioritised for sustainable growth and is considered to form part of the open countryside where a special justification is required for the construction of dwellings. Satisfactory evidence, justifying a special circumstance or need for the proposed dwelling, has not been submitted as part of this planning application. The proposal, by reason of its location, is therefore considered to be unsustainable and contrary to Core Policy 1 of the South Wiltshire Core Strategy and saved policies H23 and G1 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy) and paragraph 49 of the NPPF.
2. The proposal, by reason of the lack of a financial contribution towards recreational open space and affordable housing, is contrary to saved policy R2, of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) and Core Policy 3 of the South Wiltshire Core Strategy.

The following informative which was attached to the refusal of S/2012/1620/FULL should be noted:

In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to the proposal's failure to comply with the development plan as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

6. Planning Policy

Salisbury District Local Plan saved policies (which are 'saved' policies of the adopted South Wiltshire Core Strategy):

- G1: Principles of sustainable development
- D2: Infill development
- G2: General criteria for development

C6: Development in the countryside which falls within the Special Landscape Area
TR11: The provision of off street car parking spaces
R2: Open space provision
H23: Residential Development outside Housing Policy Boundaries

South Wiltshire Core Strategy:

Core Policy 1 - The Settlement Strategy and distribution of growth in south Wiltshire
Core Policy 3 - Meeting Local Needs for Affordable Housing

National Planning Policy Framework: Paragraph 49, 56, 64 and 47

7. Consultations

Allington Parish Council: The period for Allington Parish Council to respond to their consultation on the proposal expired on 12/03/2013 and a response has not been received.

Wiltshire Council's New Housing Team: consider that the proposal, by reason of the applicant not agreeing to a financial contribution of £12,882 towards affordable housing, is contrary to Core Policy 3 of the Wiltshire Core Strategy.

Wessex Water: confirm that the proposal would require a new water supply and a waste water connection.

Wiltshire Council's Archaeological Department: consider that archaeological remains are unlikely to be affected by the proposal and so raise no objections.

Wiltshire Council's Environmental Health Department: no objection.

Wiltshire Councils Highways Department: no objection subject to the imposition of a condition requiring the turning area to be provided prior to the occupation of the proposal and its maintenance thereafter.

8. Publicity

This application was advertised by site notice and neighbour letters.

One letter of objection to the application has been received from an occupier of 4 Wyndham Farm Cottages.

In summary the grounds of the objection are that the proposal would result in overlooking which would harm the residential amenity of the occupiers of 4 Wyndham Farm Cottages, and that the proposal would result in an increase in the number of vehicles accessing the A338 which could harm highway safety.

9. Planning Considerations

9.1 The principle of development

Policy H23 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) defines undeveloped land which falls outside of any

Housing Policy Boundary as being countryside, where the erection of new dwellings will only be permitted under special circumstances, where, for example, there is an established agricultural need (policy H27) or need for affordable housing (policy H26).

The piece of land to which this application relates falls outside of any Housing Policy Boundary and is therefore considered to be countryside. The applicant's have not submitted any satisfactory evidence which justifies a special circumstance or need for the proposed dwelling under policies H26 or H27.

The proposal is therefore considered to be contrary as a matter of principle to saved policy H23 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy).

9.2 Sustainability

Sustainable development is an important theme which runs through and is supported in both the NPPF and the South Wiltshire Core Strategy. In principle, self contained settlements are considered to function in a sustainable manner and it is the aim of the South Wiltshire Core Strategy to create self contained settlements. In order to create self contained settlements it is considered that growth should be focussed around settlements with a range of facilities which can meet housing, service and employment needs in a sustainable manner.

The South Wiltshire Core Strategy has identified in a hierarchy which settlements are considered to be suitable for growth. Growth is primarily focussed in the first three of the six tiers of the hierarchy.

The lowest tier in the Hierarchy is tier F: 'Other Settlements and the Countryside'. The proposal site is considered to fall within this tier. This tier relates to remote rural areas where facilities are limited. These areas are considered to represent the most unsustainable areas for growth and development is unlikely to increase in these areas.

Core Policy 1 of the South Wiltshire Core Strategy identifies areas for growth. The proposal site does not fall into any of the identified areas and is therefore considered to be unsustainable and contrary to Core Policy 1 of the South Wiltshire Core Strategy.

Policy G1 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) is a sustainability policy and part (i) of the policy gives priority to development proposals that would achieve an overall pattern of land use which would reduce the need to travel and would support the increased use of public transport, cycling and walking. The proposal site is remote from facilities, and any occupiers of the development would be reliant upon the private motor vehicle to reach facilities. The proposal would increase rather than reduce the need to travel by motor vehicle. The proposal is therefore considered to be contrary to saved policy G1 of the Salisbury District Local Plan.

In paragraph 15 of the NPPF it is stated that, "All plans should be based upon and reflect the presumption in favour of sustainable development," and in paragraph 49 of the NPPF it is stated that, "Housing applications should be considered in the context of the presumption in favour of sustainable development." It is further stated in paragraph 49 of the NPPF that, "Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable

housing sites.” Paragraph 47 of the NPPF requires local planning authorities to, “identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%”.

South Wiltshire currently has a 17 year supply of housing sites.

It has been established above that the proposal is not considered to represent a sustainable form of development and there is not a lack of a supply of deliverable housing sites which are considered to be sustainable in South Wiltshire. Therefore, it is not considered that there is an exceptional need for the proposal in a location which is considered to be countryside and unsustainable.

Therefore the proposal is contrary to paragraph 49 of the NPPF.

It should be noted that a large amount of land exists which is located outside of and in close proximity to Housing Policy Boundaries in the area covered by the South Wiltshire Core Strategy. If this land were to be developed it would seriously undermine the objectives of the South Wiltshire Core Strategy.

The reference in the Allington with Boscombe Parish Plan to support some modest infilling is acknowledged. However, Parish Plans do not allocate land for new development. No Neighbourhood plan exists in this area.

The Ward Member’s refers to the proposal site being brown field land. Any buildings which once stood on this site have been removed, and the land is now considered to form part of a residential garden. It is stated in the NPPF that previously developed land excludes, amongst others, “residential gardens and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.” Therefore, it is not considered that the proposal site represents a brown field site. However, it should be noted that the site, by reason of its location which is outside of any housing policy boundary and is not related to a main settlement, would be contrary to the policy in the Local Plan which relates to the development of brown field sites in any event.

9.3 Financial contributions towards the provision of recreational open space and affordable housing

Under Core Policy 3 of the South Wiltshire Core Strategy, on proposal sites where it is proposed to create 4 dwellings or less a financial contribution is required towards the provision of affordable housing. On proposal sites where residential development is proposed, a financial contribution, under saved policy R2 of the Salisbury District Local Plan (which is a ‘saved’ policy of the adopted South Wiltshire Core Strategy) is also required towards recreational open space. Section 106 agreements will be entered into where applicants are willing to comply with the requirements of these policies.

It is noted that the applicant states that they are willing to make a financial contribution towards public open space but no reference is made to affordable housing. Given the more fundamental concerns about the principle of this proposal referred to in preceding paragraphs, it is not considered prudent to enter into a Section 106 agreement at this time in any event. Instead a reason for refusal is offered referring to the failure of the application to comply with policies CP3 and R2. This reason for refusal could potentially be addressed later on in the event of an appeal.

9.4 The impact that the proposal would have on the amenity of the occupiers of the properties nearest to the proposal

Part (vi) of policy G2 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) states that new development should avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers.

The proposed dwelling, by reason of its size and the separation distance between the proposed dwelling and the nearest properties and the views possible from the proposed openings, would not harm the residential amenity of the occupiers of nearby properties.

The proposal is therefore considered to be in accordance with part (vi) of saved policy G2 of the Salisbury District Local Plan.

9.5 The impact that the proposal would have on the character and appearance of the area surrounding the proposal site

Policy D2 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) permits proposals for street and infill development where proposals respect or enhance the character or appearance of an area. Infilling is defined in the Plan as "the filling up of a small gap in an otherwise built up frontage". In this case the proposed site does not comprise a small gap in a built up frontage being a wide side garden defined as countryside. The proposal, therefore, does not comprise infill, and so is not supported by Policy D2.

Good design forms an important theme in the NPPF. Paragraph 56 of the NPPF states that, "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." Paragraph 64 of the NPPF further states that, "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions." Policy C6 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) permits development within the Special Landscape area which is sympathetic with the landscape.

9.6 The impact that the proposal would have on highway safety

Part (i) of policy G2, of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy), states that new development will be assessed against the provision of a satisfactory means of access and turning space within the site. Reference is also made to the provision of a sufficient level of parking. Wiltshire Council's Highways Department, in their consultation response, does not object to the proposal subject to the imposition of one condition on any planning permission. The condition relates to the completion of the proposed parking and turning area prior to the occupation of the proposal and its maintenance thereafter. Because Wiltshire Council's Highways Department did not raise any objections to the proposal on the grounds of highway safety it is considered that the proposal does not conflict with part (i) of saved policy G2 of the Salisbury District Local Plan.

Policy TR11, of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy), requires the provision of a sufficient level of off street parking spaces for development proposals.

Wiltshire Council's Highways Department does not object to the proposal on the grounds of a lack of off street parking spaces and it is considered that a sufficient level of off street parking spaces has been proposed. The proposal is therefore considered to be in accordance with policy TR11 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy).

10. Conclusion

The proposal site, falls outside of any Housing policy Boundary, forms part of a settlement which has not been prioritised for sustainable growth and is considered to form part of the open countryside where a special justification is required for the construction of dwellings. Satisfactory evidence, justifying a special circumstance or need for the proposed dwelling, has not been submitted as part of this planning application. The proposal, by reason of its location, is therefore considered to be unsustainable and contrary to Core Policy 1 of the South Wiltshire Core Strategy and policies H23 and G1 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy) and paragraph 49 of the NPPF.

The proposal, by reason of the lack of a financial contribution towards recreational open space and affordable housing, is contrary to saved policy R2, of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) and Core Policy 3 of the South Wiltshire Core Strategy.

11. Recommendation

Planning Permission be REFUSED for the following reasons:

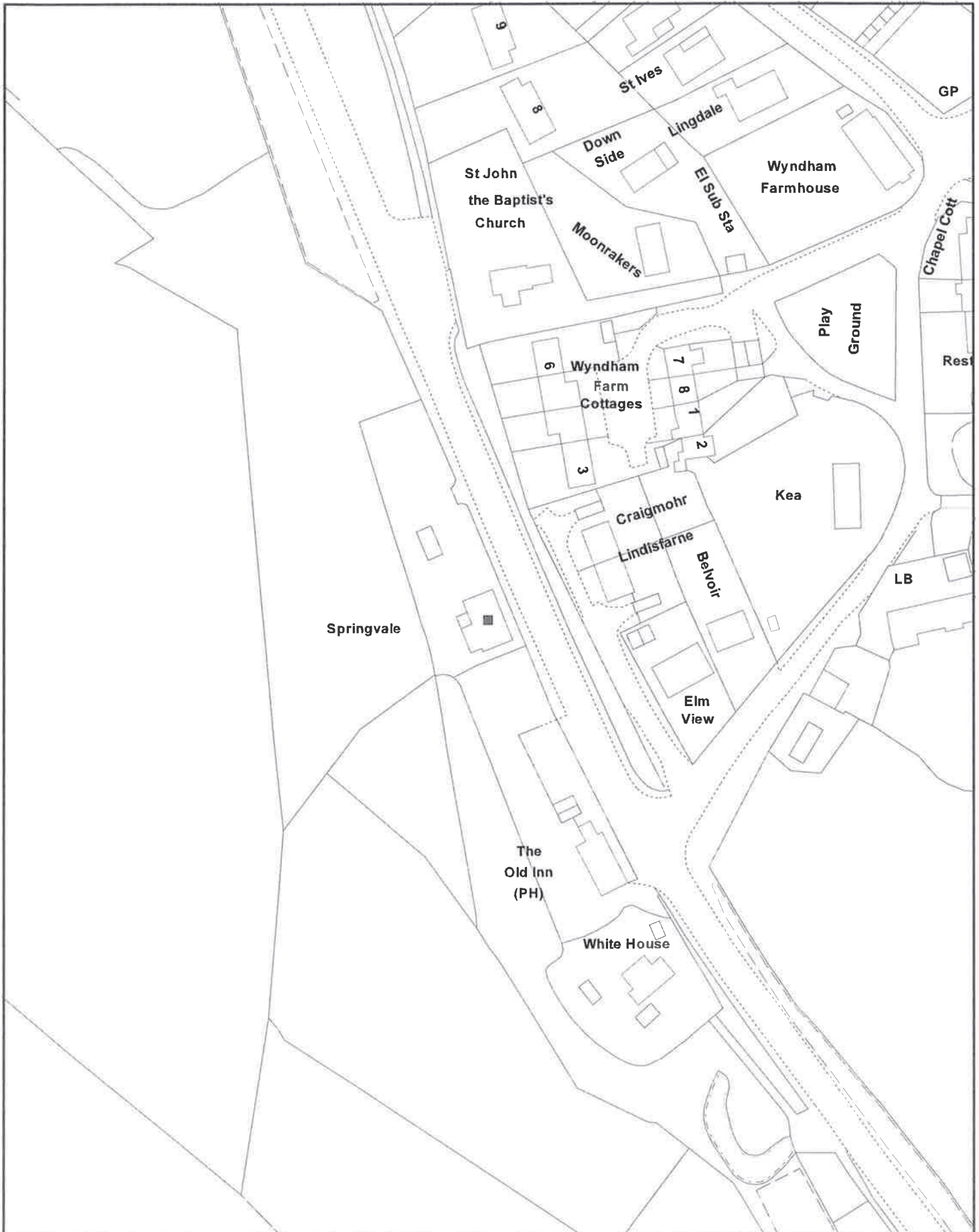
1.The proposal site, falls outside of any Housing Policy Boundary, forms part of a settlement which has not been prioritised for sustainable growth and is considered to form part of the open countryside where a special justification is required for the construction of dwellings. Satisfactory evidence, justifying a special circumstance or need for the proposed dwelling, has not been submitted as part of this planning application. The proposal, by reason of its location, is therefore considered to be unsustainable and contrary to Core Policy 1 of the South Wiltshire Core Strategy and saved policies H23 and G1 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy) and paragraph 49 of the NPPF.

2.The proposal, by reason of the lack of a financial contribution towards recreational open space and affordable housing, is contrary to policy R2, of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) and Core Policy 3 of the South Wiltshire Core Strategy.

Informative:

In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to the proposal's failure to comply with the development plan as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

Reason for refusal no. 2 could be addressed in the event of the applicant agreeing to enter into a legal agreement with the local planning authority to make the financial contributions required by Policies CP3 and R2.



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REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting	23 rd May 2013
Application Number	S/2013/0251
Site Address	Adj. Greenways, Tidworth Road, Allington, Salisbury, SP4 0BN
Proposal	Erection of three bedroom bungalow
Applicant / Agent	Mr & Mrs Hill / Mrs Rita Pope
Town/Parish Council	Allington
Grid Ref	E. 420290 N. 139571
Type of application	Full Planning
Case Officer	Charlie Bruce-White

Reason for the application being considered by Committee

Cllr Smale has called in the application as the Parish Council is in favour, and the site is a 'brown site' having previously supported an abattoir.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **REFUSED** for the reasons detailed below.

2. Report summary

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

1. Principle of development;
2. Sustainability;
3. Character and appearance of the area;
4. Highway considerations;
5. Foul drainage;
6. Affordable housing and open space contributions.

The application is supported by the Parish Council. No responses have been received from third parties.

3. Site Description

The site relates to part of the garden to the side of a bungalow known as Greenways, situated off the main road running through the village of Allington. The existing bungalow is situated within the Housing Policy Boundary (HPB) although the garden area to the side of the dwelling is situated outside of the HPB.

Central government planning policy: NPPF

7. Consultations

Parish Council	Support
Highways Officer	No objection subject to condition to secure details of parking / turning
Archaeologist	There are no records within / immediately adjacent to the site and The development is not a large new footprint of impact. I therefore consider it unlikely that significant archaeological remains would be disturbed and so have no further comment to make.
Housing Officer	The development will trigger an off-site contribution of £12,882 towards affordable housing.
Wessex Water	Confirm that site is within an area served by the mains sewer

8. Publicity

The application was advertised by site notice and neighbour consultation.

No letters of representation were received.

9. Planning Considerations

9.1 Principle of development

Local Plan policy H23 states that undeveloped land outside a HPB and not identified for development in the Local Plan will be considered to be countryside where the erection of new dwellings will be permitted only where provided for by policies H26 (affordable housing) or H27 (housing for rural workers). The application is not made on the basis of either one of these exceptions, and therefore the proposal is contrary to policy H23.

9.2 Sustainability

The basis for policy H23 is founded on the settlement hierarchy established within the Core Strategy. A hierarchy has been identified based upon the size and function of settlements, which provides the foundation of the Core Strategy for delivering growth across the South Wiltshire area. This states that growth will be primarily focussed on settlements in the upper three tiers of the settlement strategy, which comprise Salisbury, Amesbury and the Local Service Centres. Allington is not included within any of these tiers, and is grouped within the lowest and sixth tier known as '*Other Settlements and the Countryside*'. The tier is described within the Core Strategy as follows:

This tier includes some of the smallest settlements in south Wiltshire, often in remote rural areas and with no facilities of their own. Functionally they are almost completely reliant on local service centres for day-to-day needs. As such they represent the most unsustainable location for new growth and hence new development is unlikely to appreciate in these villages.

The NPPF requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (paragraph 47). The NPPF also states that there must be a presumption in favour of sustainable development if a local planning authority cannot

demonstrate a 5 year housing supply (paragraphs 15 and 49). South Wiltshire currently has some 17 years supply, and therefore in this instance there is no overriding need for this development in a countryside location.

Consequently, significant other material considerations need to be demonstrated in order to go against the policies of the Core Strategy, which is a recently adopted and up to date plan. It is noted that there are many sites on the edge of HPBs, and their piecemeal, unplanned expansion could seriously undermine the objectives of the Core Strategy.

It is noted that the Parish Council support the proposal, and the Allington Parish Plan indicates that there was 'some support for modest infilling of detached, semi-detached, bungalow and affordable housing' in the village. Whilst an important document for outlining the objectives and future directions for local communities, Parish Plans do not actually allocate, or have the authority to allocate, land for new development. In any event, this site does not comprise an infill as defined by Policy D2 of the Local Plan.

On the other hand, the Localism Act has created special provisions for local communities to create 'Neighbourhood Plans', which would have much more status in providing such allocations, and these documents would sit underneath the Core Strategy as part of the development plan. If Allington Parish Council wishes to seek the support of modest infilling within its community, it is the Neighbour Planning mechanism that they should exploit, and Officers from Spatial Planning can give further advice on request. However, until a Neighbourhood Plan is in place, including the necessary provisions to permit such development, the weight that can be afforded to the Parish Council's support is relatively limited in the determination of this planning application.

The applicant has also detailed that there was a building on the site many years ago, apparently comprising a dwelling and abattoir, and states that this sets a precedent to support the proposed development. However, any such building has long been demolished and the land comprises open residential garden. The NPPF makes it clear that residential gardens do not fall within the definition of previously developed (brownfield) land. In any case the site is not within a HPB and does not relate to a main settlement, and would therefore not be in compliance with Local Plan policy on the redevelopment of brownfield sites.

9.3 Character and appearance of the area

The dwelling design proposed would not be out of keeping with the area subject to further details relating to landscaping, principally in relation to site levels and the treatment of excavations.

9.4 Highway considerations

The Highways Officer raises no objection in highway safety terms subject to a condition to secure further details of the parking / turning area for the proposed and existing dwelling.

9.5 Foul Drainage

Now that the applicant proposes to connect to the mains sewer, the development would be in compliance with Local plan policy G5 and the previous reason for refusal in relation to this can be omitted.

9.6 Affordable housing and open space contributions

Local Plan policy R2 and Core Policy 3 require financial contributions towards off-site recreational open space and affordable housing respectively. In respect of these

requirements the Local Planning Authority will normally enter into negotiations with the applicant to secure the relevant obligations through a S106 agreement. Whilst the applicant has agreed to enter into such negotiations, given fundamental concerns with regards to the principle of development, Officers do not consider such negotiations to be prudent since they would result in abortive legal costs to both the applicant and Council. Consequently, in the absence of a S106 agreement being entered into, the development cannot comply with the above policy requirements, and this provides an additional reason for refusal.

10. Conclusion

The proposed development would be unacceptable in principle, being situated outside of a Housing Policy Boundary and not comprising an exception such as affordable housing or housing for a rural worker. Furthermore, no provision has been made towards affordable housing or public open space within the locality.

11. Recommendation

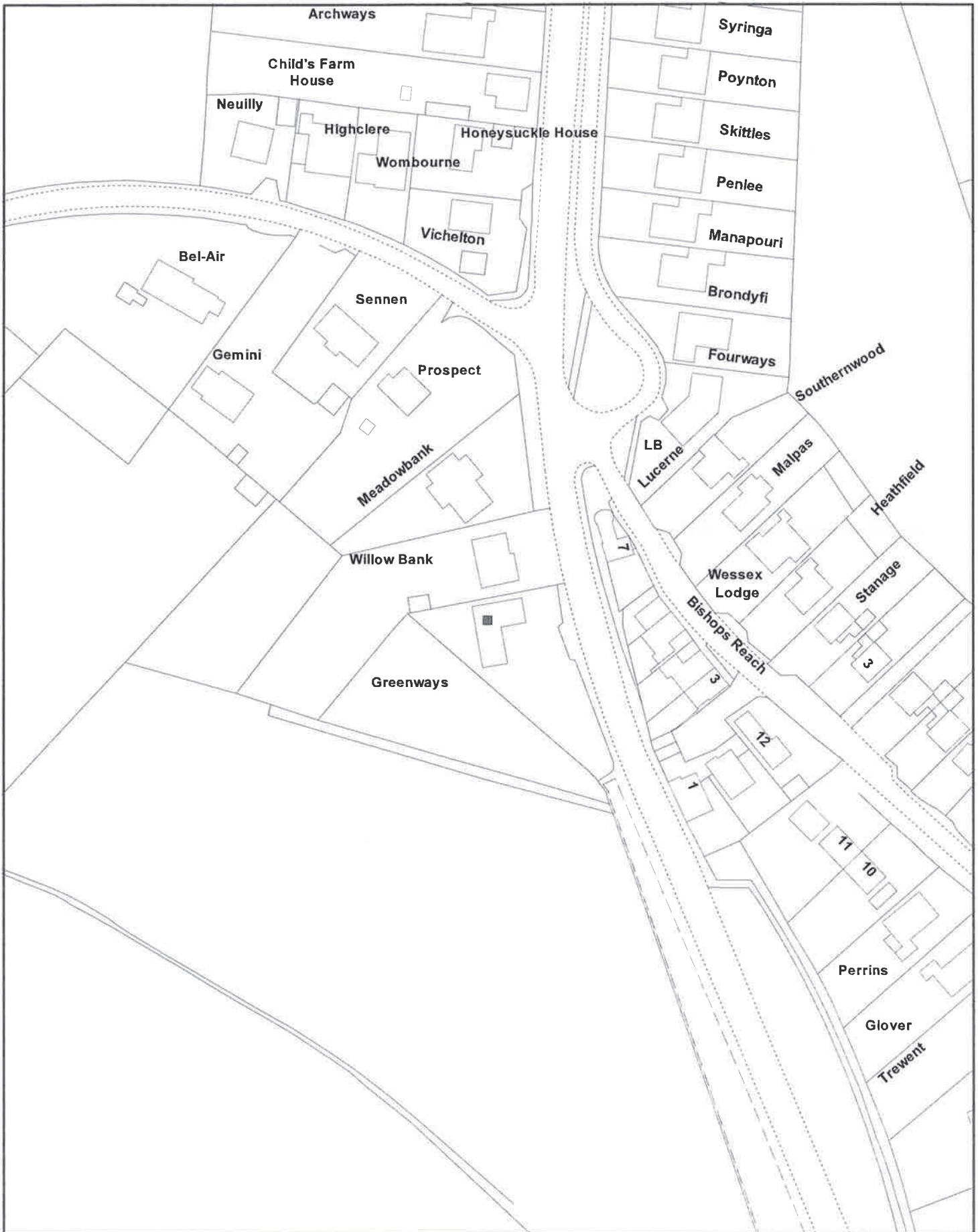
Planning Permission be REFUSED for the following reasons:

- 1) The site comprises undeveloped land outside of a Housing Policy Boundary, and is situated within a settlement which is not considered to be a sustainable location for growth by virtue of its low position within the settlement hierarchy. The Local Planning Authority has an existing planned supply of housing in excess of the minimum required by the NPPF, and therefore there is no presumption in favour of the development. The proposal would therefore be contrary to the aims and objectives of the adopted South Wiltshire Core Strategy, having particular regard to Core Policy 1 and saved Local Plan policies H23 and G1(i), and the NPPF.
- 2) The development has not made adequate provision towards affordable housing or public open space, and would therefore be contrary to Core Policy 3 of the adopted South Wiltshire Core Strategy and Local Plan policy R2 (as saved within the adopted South Wiltshire Core Strategy).

INFORMATIVES:

- 1) It should be noted that the reason given above relating to policy R2 and Core Policy 3 could be overcome if all the relevant parties complete a Section 106 legal agreement.
- 2) In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to the proposal's failure to comply with the development plan and the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

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