

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 17 December 2015
Time: 6.00 pm

Please direct any enquiries on this Agenda to Lisa Moore, of Democratic Services, Bourne Hill, Salisbury, SP1 3UZ. direct line (01722) 434560 or email lisa.moore@wiltshire.gov.uk

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

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Membership:

Cllr Fred Westmoreland (Chairman)		Cllr Mike Hewitt
Cllr Christopher Devine Chairman)	(Vice	Cllr George Jeans
Cllr Richard Britton		Cllr Ian McLennan
Cllr Richard Clewer		Cllr Ian Tomes
Cllr Brian Dalton		Cllr Ian West
Cllr Jose Green		

Substitutes:

Cllr Trevor Carbin	Cllr Leo Randall
Cllr Terry Chivers	Cllr Ricky Rogers
Cllr Ernie Clark	Cllr John Smale
Cllr Tony Deane	Cllr John Walsh
Cllr Dennis Drewett	Cllr Bridget Wayman
Cllr Peter Edge	Cllr Graham Wright
Cllr Magnus Macdonald	

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AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes** (*Pages 7 - 20*)

To approve and sign as a correct record the minutes of the meeting held on Thursday 26 November 2015.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation 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 (acting on behalf of the Corporate

Director) no later than 5pm on Wednesday 9 December 2015. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

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

To receive details of completed and pending appeals.

7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

7a **15/08673/FUL - The Coach House, 63 A Castle Road, Salisbury, Wiltshire, SP1 3RN**

Increase eaves/ridge height by approx 1.1m to facilitate additional head height at first floor level.

7b **15/09990/OUT - Rose Farm, Hurdcott Lane, Winterbourne Earls**

Outline application for the erection of 2 x four bedroom detached houses with all matters reserved.

7c **15/06068/FUL - 23, Milford Street, Salisbury**

Change of use of site from public house (Class A3) and adult entertainment venue (sui generis) to form two commercial units (Classes A1, A2, B1 or D1) and 10 apartments including conversion, demolition and erection of buildings (Revised plans showing amendments to the ground and first floor layout and elevations).

7d **15/06160/LBC - 23 Milford Street, Salisbury**

Change of use of site from public house (Class A3) and adult entertainment venue (sui generis) to form two commercial units (Classes A1, A2, B1 or D1) and 10 apartments including conversion, demolition and erection of buildings (Revised plans showing amendments to the ground and first floor layout and elevations)

7e **15/10185/FUL - The Field House, Barbers Lane, Swallowcliffe, SP3 5PQ**

Change of Use of existing agricultural merchants barn and land to mixed residential and business use and conversion of part of barn to new dwelling.

7f **15/09554/VAR - Five Rivers Leisure Centre, Hulse Road, Salisbury,**

SP1 3NR

Variation of condition 8 to application 13/02254/FUL to allow 28 additional car parking spaces.

7g 15/06846/DP3 - Bulford Kiwi School, Hubert Hamilton Road, Bulford Camp, Wiltshire, SP4 9JY

Extension of existing Kiwi Primary School (new block) with associated works including new access.

8 Urgent Items - Commons Act 2006 - Section 15(1) And (3) Application To Register Land As A Town Or Village Green - The Common / Browns Copse Field / Bluebell Wood Field / Village Hall Field / The Field, Winterslow

The Chairman has approved consideration of the above mentioned item as urgent business as a decision is required prior to the next scheduled meeting.

Report by Ian Gibbons, Solicitor to the Council and Associate Director, Legal and Governance

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SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 NOVEMBER 2015 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Jose Green, Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Ian West, Cllr Trevor Carbin (Substitute), Cllr John Walsh (Substitute) and Cllr Graham Wright (Substitute)

Also Present:

Cllr Peter Edge

116 Apologies for Absence

Apologies were received from Councillors Brian Dalton, George Jeans and Ian Tomes.

Councillor Dalton was substituted by Councillor Trevor Carbin.

Councillor Jeans was substituted by Councillor Graham Wright.

Councillor Tomes was substituted by Councillor John Walsh.

117 Minutes

The minutes of the meeting held on 15 October 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes.

118 Declarations of Interest

Councillor Ian West declared a non-pecuniary interest in item 15/08539/FUL by virtue of having been a neighbour of the applicant for many years in the past. In the interests of openness and transparency he therefore declared he would not debate or vote on the item.

Councillors Fred Westmoreland, Mike Hewitt, Jose Green, Ian West and Ian McLennan declared a non-pecuniary interest in item 15/09243/FUL by virtue of having been members of Salisbury District Council at the same time as the applicant. They declared they would consider the matter with an open mind and debate and vote on the item.

119 Chairman's Announcements

There were no announcements.

120 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

121 Planning Appeals

The committee received details of the appeal decisions as detailed in the agenda, in particular the unsuccessful appeal of its decision in relation to 14/11591/FUL.

122 Planning Applications

Planning applications were considered as follows:

123 15/05844/OUT: Land East of Pennard, Lower Road, Quidhampton

Public Participation

Mr Chris Miell, agent, spoke in support of the application.

Cllr Caroline Hampson, Quidhampton Parish Council, spoke in objection to the application.

The Senior Planning Officer introduced the application for a new two bed detached dwelling that was recommended for approval. It was noted that the application was outline only, so details on materials and design would follow in a later application if the outline was approved. Key issues were stated to include the principle of the dwelling in the location, scale of the dwelling and access and highways issues. Late correspondence from the Highways officer was discussed and it was confirmed that a condition had been added to the recommendation, as requested by Highways officers, with regard to parking.

Members of the Committee then had the opportunity to ask technical questions of officers.

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

The Unitary Division Member, Councillor Peter Edge, then spoke in objection to the application, stating it to be an overdevelopment of the area with parking concerns.

The Committee discussed the application, noting the character of development in the area which included similar dwellings in similar locations, the conditions which Highways officers felt mitigated any safety or parking concerns, as well as the need for more small housing.

Resolved:

To hereby grant PLANNING PERMISSION for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:-

And subject to the following conditions:

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

- **The external appearance of the development;**
- **The landscaping of the site;**

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

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

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

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

3. No development hereby approved shall commence until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development

4. No development shall commence until further details of a consolidated and surfaced vehicle turning space (for a vehicle exiting space no.2) has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until that turning space has been completed in accordance with the approved details. Such turning space shall thereafter be retained and kept clear of obstruction at all times.

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

5. The development hereby permitted shall not be occupied or first brought into use until the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

6. This development shall be in accordance with the submitted drawings - Block Plan 8539/200 rev A, dated June 2015 and received to this office on 12/06/15

REASON: For the avoidance of doubt.

Informative:

Without prejudice to the Council's future consideration of the design, the applicant is recommended to avoid main windows facing the side of the plot, to avoid potentially harmful overlooking. For clarification, this application confirms the scale of the development to be a single storey bungalow.

Informative:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

124 **15/08539/FUL: 19 & 20 Woodstock Road, Salisbury, Wiltshire, SP1 3TJ**

Public Participation

Lynne Robertson, Donald Royle, Phil Clements spoke in objection to the application.

Laura Dennet and Vicky Walker spoke in support of the application.

The Area Team Leader presented the application for change of use for two adjoining properties from residential (C3) to residential care home (C2) for adults of working age with mental health conditions, which was recommended for approval. Key issues were stated to include the principle of the change of use, effect on the character of the area and residential amenity.

Members of the Committee then had the opportunity to ask technical questions of officers. Details were sought on conditions on soundproofing at the properties, level of staff cover proposed for care home residents, and confirmation that the application was partly retrospective and was already in use as a care home facility and was seeking expansion.

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

A discussion then arose, where the number of proposed residents within the two properties to be joined was raised and whether it was a suitable number for the scale, and it was confirmed by the Area Team Leader that recent changes to the rules on permitted development meant that each property could be individually converted to a house in multiple occupation for up to six persons without the need for planning permission. There was also discussion on the level of parking provision and the presence of the smoking shelter that was proposed, as well as the concerns of local residents and the need for suitable facilities to provide care to those with mental health issues.

Resolved:

That Planning Permission be Granted, subject to the following conditions

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

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

- 2) **The development hereby permitted shall be carried out in accordance with the following approved plans:
Plan Ref: WR/001, Received: 25.08.2015. Existing Floor Plans & Location Plan
Plan Ref: WR/002 A, Received: 05.11.2015. Proposed Floor Plans**

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

- 3) **The change of use hereby approved shall not be first implemented until a scheme outlining the proposed noise insulation and attenuation measures along the party wall of 19 and 18 Woodstock Road has been submitted to and approved in writing by the Local Planning Authority. The agreed noise attenuation measures shall be implemented in accordance with the approved details and specification prior to 19 Woodstock Road being first brought into use for C2 purposes and maintained/retained as such in perpetuity.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and is considered to be necessary in the interests of the residential amenities of the area.

Informative:

- 1) **The application involves the existing two dropped kerbs being joined and therefore the footway between the two current dropped kerbs would also require lowering. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352**
- 2) **The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice may be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy**
- 3) **The applicant's attention is drawn to the letter dated 15.09.2015 from Wiltshire Fire & Rescue Service which sets out recommendations for ensuring that the proposals are safe and are able to meet building regulations.**

125 **15/09243/FULL: Heale Farm, Middle Woodford, Salisbury, SP4 6NU**

Public Participation

Allison Whalley, agent, spoke in support of the application.

The Area Team Leader presented the application for the erection of four dwellings which was recommended for refusal. Attention was drawn to the late observations which stated that since the completion of the report the applicant had resolved issues in relation to drainage and ecology, and therefore refusal reasons three and four were withdrawn from the recommendation. Key issues were stated to include the principle of the development and impact on the character of the area, heritage of the buildings on the site and flooding.

Members of the Committee then had the opportunity to ask technical questions of officers. In response to queries it was stated the second reason for refusal in respect of section 106 legal agreement contributions for a footpath was included in the event of an appeal against the principal refusal reason so that an inspector would be able to consider the factor. It was also confirmed that although there were exceptions to permit development in sites otherwise not in accordance with policy to fund the restoration of Grade 1 Listed properties, no such property existed on the site.

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

The Unitary Division Member Councillor Mike Hewitt then spoke in support of the application, stating the current site was unsuitable for modern farming needs and had fallen into an unsightly state, and noted that the parish council were in support and that no objections had been received from the public.

A debate followed, where the character of the area and extent of development to the north and south of the site was raised, as well as the scale of the proposed dwellings and whether the local support for the proposal and cleaning up of the site justified an exception from policy.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to approve planning permission subject to a section 106 legal agreement to secure a contribution for the provision of a public footpath, and subject to the following conditions:

- 1) **WA1 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) **WM13 The development hereby permitted shall be carried out in accordance with the following approved plans:**

- Heritage Statement (December 2015)
- Extended Phase 1 Habitat & Bat Survey (September 2014)
- Updated Bat Mitigation Plan. Received – 16/11/2015
- Flood Risk Assessment (September 2015)
- Plan Ref: 432/P.06 E, Site Location Plan. Received – 14/09/2015
- Plan Ref: 432/P.03 D, Proposed Site Plan. Received – 14/09/2015
- Plan Ref: 432/P.56, Proposed Development – Plot 1. Received – 14/09/2015
- Plan Ref: 432/SK, Proposed Development – Plot 2. Received – 14/09/2015
- Plan Ref: 432/P.18 A, Proposed Granary Building – Plot 2. Received – 14/09/2015
- Plan Ref: 432/SK.32 A, Granary Building – Bat Mitigation. Received – 16/11/2015
- Plan Ref: 432/PL.58, Proposed Development – Plots 3&4. Received – 14/09/2015
- Plan Ref: 432/SK.18 B, Site Access Plan. Received – 14/09/2015
- Plan Ref: 432/P.60, Proposed Garage – Plot 1. Received – 14.09.2015
- Plan Ref: 432/P.61, Proposed Garage – Plot 2. Received – 14/09/2015
- Plan Ref: 432/P.62, Proposed Garage – Plot 3. Received – 14/09/2015
- Plan Ref: 432/P.63, Proposed Garage – Plot 4. Received – 14/09/2015
- Plan ref: 432/SK.24 D, Proposed Footpath. Received – 14/09/2015

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

- 3) **WB1** No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of all buildings, including render colour and timber stain, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 4) **WB13 No flint block will be used in the construction of the buildings hereby approved. No flint work shall be constructed to any buildings or walls on site until a sample panel of the brick/flint work, not less than 1 metre square, constructed using flints hand laid in a random pattern (with no preformed panels to be used), has been erected on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample panel, using flints hand laid in a random pattern with no preformed panels.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 5) **WB9 No external stonework shall be constructed on site, until details and samples of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall constructed in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 6) **WB14 No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 7) **NTS** No development shall commence on site until a method statement, demonstrating how the existing Cobb Wall along the western edge of the site is to be retained, maintained, incorporated into the development and protected during the construction process, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and the wall maintained as such in perpetuity.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 8) **WC1** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

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

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

- 9) **WC2** 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.

- 10) **WE1** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-G shall take place on the dwelling houses hereby permitted or within their curtilage.

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

- 11) **WJ3A** The Former Granary Building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, on Plot 2 and it 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.

- 12) **WE15** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages/stores hereby permitted shall not be converted into habitable accommodation.

REASON: to reduce the potential impact of flooding and to secure the retention of adequate parking provision, in the interests of highway safety, in the interests of highway safety.

- 13) **NTS** The works hereby approved to the Former Granary Building will be undertaken in accordance with the Updated Bat Mitigation Plan for Heale Farm, Middle Woodford, and Bat Mitigation drawing No 432/SK.32 Rev A, prepared by Michael Lyons Architecture and emailed to the Council on 16 November 2015. The roost thus created will be retained for the lifetime of the development.

REASON: to ensure ongoing provision is made for bats roosting in the Granary

- 14) **WG2** 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 15) **WG3** No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 16) **NTS** The development hereby permitted shall not be first occupied until the first five metres of the site 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.

- 17) **NTS** No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 1.0m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 18) **NTS** No development shall commence on site until details of the new footways have been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until the new footways have been constructed in accordance with the approved details.

REASON: To ensure that the new footways are laid out and constructed in a satisfactory manner

- 19) **WA12** No dwelling hereby approved shall be occupied until all the existing buildings on site shown to be removed on the approved plans have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area

- 20) **NTS** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

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

Informatives:

- 1) The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice may be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy
- 2) The applicant's attention is drawn to the letter dated 01.10.2015 from Wiltshire Fire & Rescue Service which sets out recommendations for ensuring that the proposals are safe and are able to meet building regulations.
- 3) The consent hereby permitted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from the local highway authority before any

works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

- 4) The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm bats or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to bats or the need to obtain a licence from Natural England before works commence where a breach of the Regulations may occur. Please visit the following websites for more information:
 - <http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>
 - <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>
- 5) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT]
- 6) Please note that land drainage consent will be required for the garage location with revised clearance and no loss in flood area; the removal of existing outfall; the new outfall; and any other work on, over near to the ordinary watercourse.

Councillor Christopher Devine requested his vote in objection to granting permission be recorded.

126 Urgent Items

Site visits were requested for applications at The Old Manor Hospital, Rose Farm, Hurdcott Lane and 3 Candown Road.

(Duration of meeting: 6.00 - 8.00 pm)

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

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

APPEALS

Appeal Decisions

Application Number	Site	Appeal Type	Application Delegated/ Committee	Appeal Decision	Over turn	Costs
15/03483/FUL	18 Falcons Way, Salisbury	WR	DEL	WITHDRAWN		
14/11779/FUL	Land adjacent to 9 Hilltop Close, Shrewton	WR	DEL	DISMISSED		
15/02098/FUL	Land off Butler Close, rear 81 Downton road	WR	DEL	DISMISSED		
15/04540/FUL	251 Castle street, Salisbury	WR	DEL	DISMISSED		

Outstanding Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee	Overtturn
13/05402/FUL	Harnham Telephone Repeater Station	H	COMMITTEE	O/T
14/10606/VAR	4 Heath road, Salisbury	WR	DEL	
15/02869/FUL	3 Antrobus road, Amesbury	WR	DEL	
15/04531/VAR	Aldi Foodstore, 42 Salisbury street, Amesbury	WR	DEL	
14/08025/FUL	Penruddock Arms, Hindon Road, Dinton	WR	DEL	
14/10095/FUL	Land to the rear of 33 Bedwin St and Belle Vue Road	WR	COMMITTEE	O/T
15/03766/FUL & 15/03798/LBC	14 Harnham road, Salisbury	WR	DEL	
14/11277/FUL	Antrobus Arms Hotel, Amesbury	WR	DEL	
15/00474/FUL	6 Endless street, Salisbury	WR	DEL	

New Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee	Overtake
15/03651/FUL	Avon Barn, Shute End, Alderbury	HH	DEL	
15/01278/FUL	Neel Akash, 14 North Street, Wilton	WR	DEL	

WR Written Representations
H Hearing
ENF Enforcement Appeal

HH Fastrack Householder Appeal
LI Local Inquiry

4th December 2015

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 1

Date of Meeting	17 December 2015
Application Number	15/08673/FUL
Site Address	The Coach House 63 A Castle Road Salisbury Wiltshire SP1 3RN
Proposal	Increase eaves/ridge height by approx 1.1m to facilitate additional head height at first floor level.
Applicant	Mrs P.A Ussher
Town/Parish Council	SALISBURY CITY
Electoral Division	ST FRANCIS AND STRATFORD – Cllr Mary Douglas
Grid Ref	414332 131077
Type of application	Full Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

Councillor Mary Douglas has requested this item be determined by Committee due to:

- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance
- Neighbour concern regarding this and the previous planning application on this site, as incremental development

1. Purpose of Report

To consider the above application and to recommend that planning permission be APPROVED with Conditions for the reasons outlined at the end of this report.

2. Report Summary

The main issues for consideration are:

- The scale, design and materials of the proposed development and the impact of the development on the existing character of the surrounding area
- The impact on the proposal on the amenity of neighbours
- Highways considerations

3. Site Description

The application site is located within a predominantly residential street scene on one of the main road arteries serving the City. The existing property constitutes a small one bed dwelling of single storey form with an integral single garage space at ground floor level and internal stairs to accommodation at first floor level within the void of the pitched roof.

A large three storey Edwardian house (number 63 Castle Road), sub-divided into flats, is located to the immediate south of the building. A detached two storey dwelling (number 65a) is located to the east (via a driveway shared with the application building and the Edwardian house). A detached two storey dwelling (number 65) is located in close proximity to the north east of the application site. A row of semi-detached two storey houses, set well back from the road, are located further to the north of the application site.

4. Planning History

14/08157/FUL 2 storey extension vertical extension on existing 1.5 storey footprint (WD)

5. The Proposal

The application proposes the increase in height of the eaves and ridge of the building (maintaining the same roof pitch) of approximately 1.1 metres to facilitate an increase in head height in the existing first floor accommodation. The works would facilitate the creation of a two bedroom property and bathroom on the first floor, with the living areas relocated to the ground floor. The existing garage is retained.

The application is a revised/reduced scheme over that initially proposed under this planning reference (the scheme initially proposed included the addition of a vertical extension to provide second floor level accommodation).

6. Local Planning Policy

Wiltshire Core Strategy Core Policies CP1, CP2, CP20, CP57 & CP64
Saved local plan policy H8
National planning guidance as provided by the NPPF & NPPG

7. Summary of consultation responses

WC Highways – Supports the proposal
Wessex Water – Standard letter of advice received
Wilts Fire & Rescue Service – No response received
WC Public Protection – No response received
Climate Change Team – No response received
Salisbury City Council – No response received in respect of the revised (reduced) scheme but objected to the original proposal on grounds of overdevelopment and loss of amenity.

8. Publicity

The application was publicised by site notice and neighbour notification letters. Following the submission of amended plans (a reduced scheme) all consultees, neighbours and other third parties who had previously shown an interest were re-notified for a further 21 day period of consultation.

Since the re-consultation on the revised scheme, 9 representations were received from third parties objecting to the proposal on grounds including:

- Overdevelopment
- Adverse impacts on neighbour amenity (overlooking/overshadowing etc)
- Excessive scale
- Design out of keeping
- Insufficient parking provision
- Access and parking issues/dispute
- Emergency vehicle access compromised

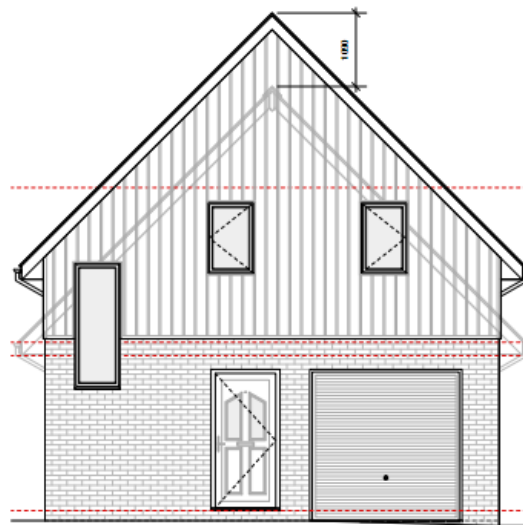
9. Planning Considerations

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

9.1 The scale, design and materials of the proposed development and impact on the existing character of the surrounding area

The existing dwellinghouse (subject of this application) is somewhat unusual in its scale and general appearance due to its modest footprint but 'reads' in the street scene as a garage outbuilding ancillary to the large Edwardian house at 63 Castle Road, and thereby fits in with the character and appearance of the area. The existing building is also reasonably well screened by existing boundary treatments when viewed from the street to the north and west by boundary walls and hedges of the front gardens of adjacent properties including those of number 65 Castle Road, and those located further to the north.

The application proposes the increase in height of the eaves and ridge of the building (maintaining the same roof pitch) of approximately 1.1 metres to facilitate an increase in head height in the existing first floor accommodation:



Proposed West Elevation 1:50

The proposal does not enlarge, increase or extend the existing footprint of the building, and the gross internal floorspace remains as existing. As part of the application it is proposed to re-arrange the internal layout of the building whereby two bedrooms and a bathroom are provided at first floor level, and a kitchen/living room are provided on the ground floor. The existing integral single garage space is retained.

Whilst there exists a large detached three storey Edwardian house (subdivided into flats) to the immediate south of the application site, the immediate surrounding area around the proposed development, and in particular on the eastern side of Castle Road, is characterised by detached and semi-detached two storey dwellinghouses that are set back a significant distance from Castle Road.

The proposed development would, using matching materials, increase the eaves and ridge height of the building by approximately 1.1 metres. Officers consider the proposal to constitute a modest increase in the overall scale of the dwelling that would be not significantly alter the appearance of the building and would not be unduly prominent within, or otherwise discordant with the existing character of the street scene and the character and appearance of the area in general.

9.2 Impact on neighbour amenity

There has been third party concern regards the impact of the development. The existing first floor of the property subject of the works currently contains two windows on the front facing west elevation, three rooflights on the south elevation, and a Juliet balcony and double doors on the rear , east facing elevation. Consequently, there are already a number of windows in the existing dwelling above ground floor level.

As part of the works, this existing first floor arrangement would be altered. A new additional first floor window is proposed in the front (west) facing elevation of the building, this would serve an internal staircase and is not considered likely to unduly overlook neighbouring properties. The two existing windows are retained, although the position of one of the windows would be moved slightly above the garage opening.

A new single rooflight window is proposed within the new north facing roof plane, which faces the adjacent dwelling, no. 65. The rooflight would serve as an ancillary window to one of the two first floor bedrooms. To preserve the amenity of the neighbouring property to the north, this window could be conditioned to be fitted with obscure glazing, as it could otherwise overlook the front garden of number 65 Castle Road.

Within the south facing side elevation the number of rooflight windows is reduced from current three rooflights to just one rooflight. The south facing rooflight window is not considered likely to unduly overlook neighbouring properties, as it faces the rear parking area of the adjacent property, and in any case, it replaces 3 rooflights, thus resulting in a reduction in overlooking potential.

Within the rear (east) facing elevation at first floor level it is proposed to insert two large casement windows in place of the existing glazed double door Juliet balcony. These would face the properties rear garden, and by reason of the substantial level of existing boundary screening between the application site and the closest neighbouring property to the east it is not considered the proposed casement windows would unduly overlook neighbouring properties.

Whilst this proposal also results in a new first floor for the property, the revised plans show an increase in height of just over 1 metre of the ridge and the eaves compared to the existing situation. Given the pitched nature of the roof, and relationships with adjacent properties, it is therefore unlikely that the increase in overshadowing or dominance from the revised proposal would be so significantly greater or harmful than the existing situation as to warrant refusal.

In general it is considered that by reason of the distance, orientation and general relationship between the proposed development and the closest neighbouring residential properties, and by reason of the modest increase in height of the building and taking into consideration the presence of significant existing mature natural screening to the east of the building, the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers (subject to the obscure glazing condition suggested above).

9.3 Highway and parking considerations

The existing dwelling is served via an access and driveway off the busy adjacent A345 road. It has one integral garage space. The proposal retains one internal garage parking space. The extent of the red line of the application site would appear to offer space for additional vehicles to park.

The Highways officer has reported that normal parking standards for a two bedroom dwelling would equate to two off-street parking spaces. However it is a material planning consideration that the applicant could, without the need for planning consent, internally re-arrange the existing premises into a two bed dwelling (albeit with more limited headroom) whilst maintaining one parking space.

As this fallback position is available to the applicant and, in the opinion of officers, would constitute a significant material consideration at Appeal should consent for the proposed development be withheld on the basis of insufficient off-street parking provision, and taking into consideration the relatively close proximity of the application site and its good walking and cycling links to the city centre, the retention of a single parking space for the proposed development does not warrant reasonable grounds for the refusal of the application.

Notwithstanding the above, the adjoining landowner has questioned the rights of the applicant to access the site from the Highway and rights to park and turn vehicles on the adjoining land. From the information submitted by the applicant and the adjoining landowner there is clearly an ongoing dispute over rights of access. The Council's Legal officer has been consulted and it has been concluded that in themselves these issues constitute a private civil matter and do not form a material planning consideration in the determination of this application.

Whilst any dispute may affect the possibility of parking and turning additional vehicles within the red line of the application site, should any civil dispute be resolved amicably, then additional onsite parking and turning may be able to be provided on site to serve the property in a manner which would have little impact on amenities. If matters are not resolved, and no additional parking or turning on site is possible, then no additional parking or turning can take place on site, and thus the actual impact on the site and the immediate surroundings may be negligible, particularly as the nature of the A345 is likely to preclude any on street parking within the vicinity of the site. Thus, based on such scenarios, it would also be difficult to justify harm in terms of highway safety, or impact on residential amenity.

10. S106 contributions

None relevant to the development proposed.

11. Conclusion

The concerns of the third parties and consultees have been duly considered and taken into account. However, the proposed development constitutes a modest enlargement of the existing dwelling that is considered acceptable in terms of its scale, design and materials and would not adversely affect the existing character of the surrounding area and would not unduly affect the amenity of neighbours. Whilst Highway concerns regards parking are noted, it is considered that in this particular instance, it would be difficult to defend a reason for refusal on this basis.

The proposed development is thereby considered accordant with the provisions of the Development Plan and relevant local and national planning policy guidance.

RECOMMENDATION

APPROVE subject to the following Conditions:

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

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

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

Drawing Number 660/02 Revision D dated 08/2015 as deposited with the local planning authority on 06.11.15, and

Drawing Number 660/03 dated 04.11.15 as deposited with the local planning authority on 06.11.15.

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

3. Before the development hereby permitted is first brought into use the rooflight window in the north facing roof plane shall be glazed with obscure glass only and the window shall be maintained with obscure glazing in perpetuity.

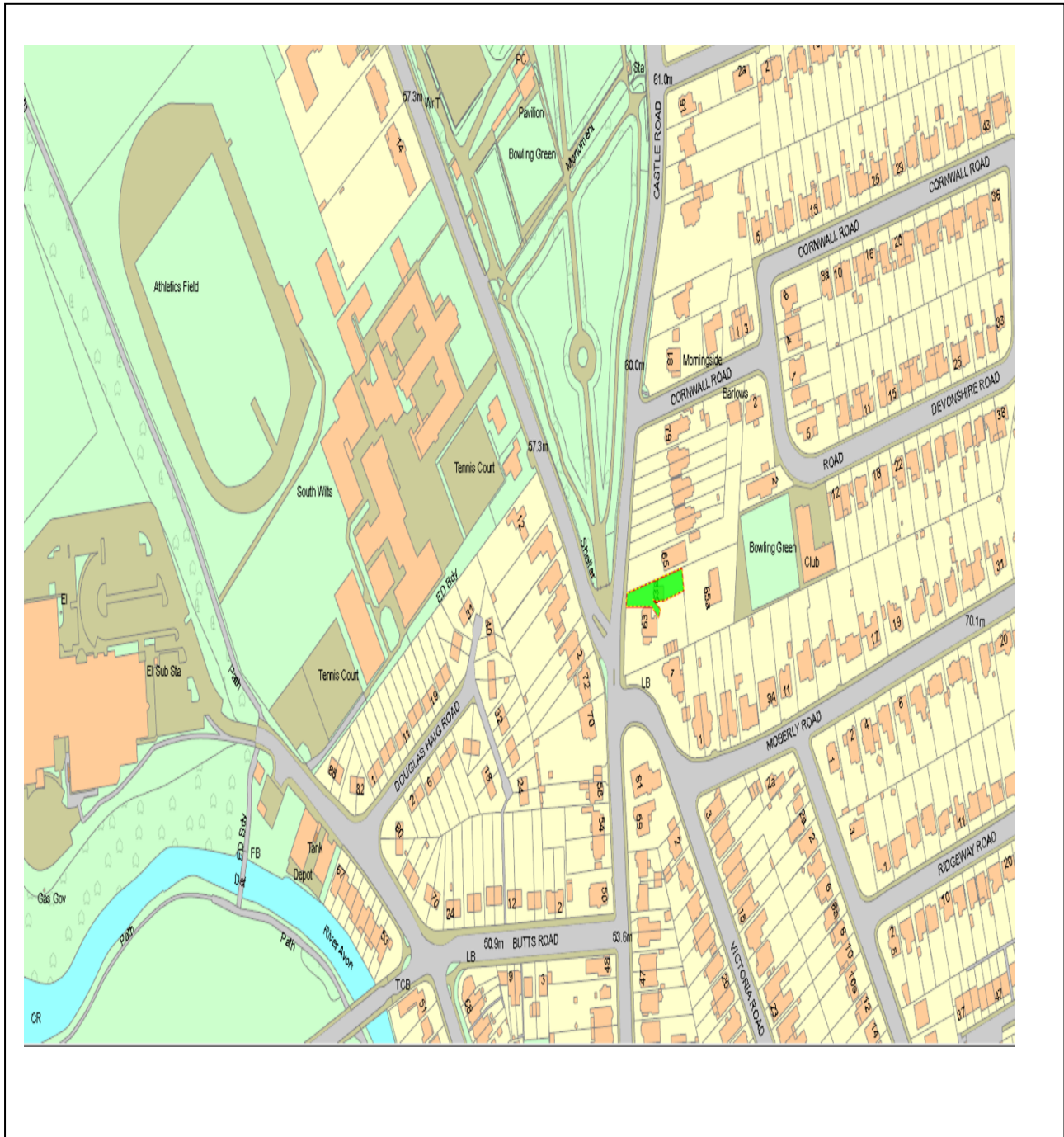
REASON: In the interests of residential amenity and privacy.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the integral garage space hereby permitted shall not be converted to habitable accommodation.

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

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Application Number	15/08673/FUL
Site Address	The Coach House, 63 A Castle Road, Salisbury, SP1 3RN
Proposal	Increase eaves/ridge height by approx 1.1m to facilitate additional head height at first floor level.
Case Officer	Warren Simmonds



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Report No. 2

Date of Meeting	17 th December 2015
Application Number	15/09990/OUT
Site Address	Rose Farm Hurdcott Lane Winterbourne Earls
Proposal	Outline application for the erection of 2 x four bedroom detached houses with all matters reserved
Applicant	Mrs P Goddard
Town/Parish Council	Winterbourne Earls
Grid Ref	417221 134095
Type of application	Outline
Case Officer	Tom Wippell

Reason for the application being considered by Committee

The application has been called to committee by Councillor Hewitt if minded to refuse for the following reasons:

- This has the full support of the Winterbourne Parish Council and will be identified on their plan as a viable site

1. Purpose of Report

To consider the recommendation of the Area Development Manager (South) that planning permission be refused.

2. Report Summary

The issues in this case are:

- Principle
- Scale, Design, Siting
- Residential Amenity
- Highway Safety
- Archaeology/Other Issues

Publicity of the application has resulted in a letter of support from the Parish Council and seven further letters of objection. There have been no letters of support.

3. Site Description

The site is located to the southern end of Winterbourne Earls, and currently forms part of a field used for grazing. The site is currently screened from the road by a thick hawthorn hedge, but will be visible from open farmland and the wider valley to the west, due to its elevated position at the top of a slope.

4. Planning History

A previous application (15/07076/OUT) for 2 detached dwellings was withdrawn earlier this year.

5. The Proposal

Planning permission is sought to construct 2 detached dwellings, with access taken from the A338 within the 30mph speed limit zone. A shared parking/turning space will be provided for 2 cars per property, with new garden areas sited to the rear and to the sides.

This is an outline application only, with all matters reserved except for the 'principle of development'.

6. Planning Policy

Core Policy 1, Core Policy 2, Core Policy 57, Core Policy 58, 'Saved' Local Plan Policy C6

NPPF

7. Consultations

Highways:

With reference to the above planning application received 20th October 2015, I refer to the previous submission against which highway concerns were raised (ref: 15/07076). I note that the proposed dwellings have been set further back into the site to provide a larger area for parking and turning and this is now considered to be acceptable.

The previous visibility issues do not appear to have been addressed and I wish to repeat the previous highway comments as follows:-

The site is located on the edge of the village with an access which is just inside the 30mph limit. Because of this visibility to the right will have to reflect the higher speed of approaching traffic. The submitted plans give no indication as to the visibility that can be achieved at the proposed access and there is the possibility that the required splays will fall outside the site boundary and the highway limits. In view of the above the applicant should be invited to submit revised plans showing visibility splays of 24m by 160m to the west (right) and 2.4m by 43m to the east (left).

I also suggest that the footway is widened across the site frontage to 2m.

Archaeology:

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

Parish Council: Support

8. Publicity

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

The publicity has generated seven letters of objection and no letters of support.

The letters of objection are summarised as follows:

- Consideration must be given to the entry/exit of vehicles from the new site and drivers' clear view of both the A338 and the adjacent pavement.
- This pavement is already inadequate, being too narrow for pedestrians escorting children and/or dogs. The narrowness, combined with the excessive speed of the traffic (well above the 30mph limit) means this is one of the most dangerous areas in the parish to walk.
- I am concerned that the minimisation of the hedge felling there will be a wholly inadequate view of the A338 and of the pavement from vehicles emerging from these new properties.
- I suggest that the development should fund an S106 agreement to enable the Highways Agency to extend the 30mph limit in a southerly direction as traffic passing this property consistently exceeds 30mph by a considerable margin.
- It will change the natural entry into the village and also it will near enough join the villages of Winterbourne and Hurdcott together (Rose Farm Cottage which is already in the field is part of

Hurdcott).

- I am also concerned that if it goes ahead it will create a dangerous entrance on the brow of the hill on the narrow entrance to the village (as well as losing a beautiful mature hedge, which has recently halved in size over the last month!!!). I can remember numerous accidents and near misses over the years, especially with the primary school entrance nearby and this development will only cause more issues.
- The plans which show the property KAM are incorrect as KAM has been modernised and the footprint of the property is now right up to the boundary of the field. This will impact on the distances from the proposed development.
- KAM's boundary wall to the development has 5 windows of which 3 of these are single aspect and will lose a great deal of light from the new house and the proposed planting of trees.
- This field is the boundary between the villages of Hurdcott and Winterbourne and if houses are built here the villages will almost merge.
- I'm concerned that the 3m gap between KAM and the new development is for a future access road to enable further houses to be built in the field.
- A significant amount of freight traffic uses this route daily, there is also Highways lit road narrowing triangle sign opposite the KAM boundary yet vehicles speed up as they approach the hill (especially the heavy lorries) as they leave the village and are reluctant to slow down as they enter in spite of calming measures along the road. My main fear is for cyclists of whom there are many using this route often for Porton Down and I believe this new development causes a significant hazard for pedestrians using the pavement many of whom are children walking to Winterbourne Earls School from Hurdcott and dog walkers.
- At present there are hedges on both sides and the existing properties sit on the original housing boundary creating a balanced gate way. The entrance to the Summerlug houses is further down and has a feature red brick wall, the balance between the edge of this and the start of KAM directly opposite neatly defines the edge of the village.
- The visibility splay that would be required for the new housing is not yet determined but I fear most of this hedge would be lost. The hedge is significant for wildlife and bats too which is of concern.
- Disappearing green belt land when there is brown field sites not yet used in the village and this is not on the village housing plan. This should not be considered until all safer brown field sites are used.

9. Planning Considerations

Principle

The site is designated as open countryside in the recently adopted Wiltshire Core Strategy, and therefore outside of the nearest Settlement Boundaries in which limited housing development will be acceptable, subject to the provisions of the Core Strategy.

Core Policy 2 states that; *'Other than in circumstances as permitted by other policies within this Plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans.'*

Therefore, given that the proposed residential development is outside of the Settlement Boundary, without a proven agricultural/ other need, and not forming part of a formal Neighbourhood Plan boundary review, the application should be viewed as contrary to the key sustainability aims of Core Policy 2. Furthermore, approval may set an unwanted precedent for similar residential developments to occur outside of the settlement boundary elsewhere within the District, thereby undermining the sustainability objectives of the Core Strategy as a whole.

The NPPF states (paragraph 55) that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, although Local Planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. In this case it is considered that there are no overriding visual benefits to warrant extending into the open countryside that would override the sustainability aims of Core Policy 2.

Scale/ Siting/ Design

In terms of siting, it is considered that there is sufficient space within the plot to avoid a cramped form of development, with the proposed layout making good use of the site. The dwellings in the surrounding area consist of a mixture of styles and sizes, including houses and bungalows, and in this regard, the scale of development (ie- a pair of two-storey dwellings) is considered acceptable for this plot.

The exact design of the dwelling will be dealt with at the reserved matters stage. In Officer's opinion, it should be possible to design 2 dwellings with the main elevations to the front and rear (as the indicative elevations show), without having an adverse impact on the character of the village. Materials, design features and fenestration can all be agreed at the reserved matters stage.

Due to the elevation position of the plot at the top of a slope, some form of additional planting would need to be introduced, to soften views of the new dwellings from the open countryside.

Residential Amenity

It should be noted that the loss of private views do not constitute material planning considerations that would form a reason for refusal, although the impacts in terms of overlooking/loss of privacy will be assessed.

It is considered that the careful design at the Reserved Matters stage of the application would prevent significant overlooking from new windows towards the neighbouring windows to the north.

The proposed addition of landscaping along the northern boundary will ensure that loss of privacy between the new gardens towards neighbouring windows will not be significant. Furthermore, it is noted that this side-on relationship between new gardens and existing windows is not an unusual form of development elsewhere within the District.

The amount/location of neighbouring windows/the siting of the recently-extended property 'Kam' so close to the boundary have been fully considered as part of the assessment on residential amenity.

It is considered that the new dwellings are sited a sufficient distance away from neighbouring boundaries to ensure that no significant overshadowing/ overdominance will occur to neighbouring properties.

The driveway leading to the site will be used by 2 extra dwellings only, and it is considered that harmful noise/disturbance will not occur from the amount of additional traffic/ pedestrian activity generated.

Impact on Highway Safety

It is unclear from the submitted drawings whether 2 cars will be able to enter and leave the site in forward gear without adversely affecting highway safety, as no clear visibility drawings have been submitted to support the scheme.

Given the busy nature of the road, and the site's location just inside the 30mph speed limit zone, it is considered that without sufficient information submitted to ascertain whether highway safety will be adversely affected, this should form a reason for refusal; albeit one that may be able to be overcome via the submission of amended plans at appeal (or possibly as Late Correspondence at the committee meeting).

Other Issues

In regard to the impact of the development on protected species, during the site visit, no visible evidence of protected species was observed. Therefore due to the relatively small size of the site and its relatively-low-potential for wildlife (as grazing land), it is considered that a protected species survey is not required at this stage.

The county archaeologist raises no objections to the scheme.

Recommendation:

That planning permission be REFUSED for the following reasons:

- 1. The creation of new dwellings in this location outside of the defined settlement boundaries, located remote from services and employment opportunities, without a proven agricultural or affordable housing need, would be contrary to the key sustainability aims of Local and National Planning Policy. The development would therefore be contrary to Wiltshire Core Strategy Core Policy 2, and the advice and guidance in regard to sustainable development contained within the NPPF.**
- 2. Insufficient evidence has been submitted to demonstrate that there will be sufficient visibility for cars leaving the site to ensure that highway safety will not be adversely affected by the new**

development. The scheme is therefore considered to have an adverse impact on highway safety, contrary to Core Policy 57 (ix) of the Wiltshire Core Strategy.

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 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.

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Application Number	15/09990/OUT
Site Address	Rose Farm Hurdcott Lane Winterbourne Earls Wiltshire SP4 6HR
Proposal	Outline application for the erection of 2 x four bedroom detached houses with all matters reserved
Case Officer	Tom Wippell



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Report No. 3

Date of Meeting	17 th December 2015
Application Number	15/06068/FUL
Site Address	23, Milford Street, Salisbury
Proposal	Change of use of site from public house (Class A3) and adult entertainment venue (sui generis) to form two commercial units (Classes A1, A2, B1 or D1) and 10 apartments including conversion, demolition and erection of buildings (Revised plans showing amendments to the ground and first floor layout and elevations)
Applicant	Warwick Developments Ltd
Town/Parish Council	Salisbury City Council
Grid Ref	414646 129954
Type of application	Full Planning
Case Officer	Tom Wippell

Reason for the application being considered by Committee

The application has been called to committee by former Councillor Helena McKeown if minded to approve for the following reasons:

- This application has been strongly objected to by the city Council, and for many reasons. It is converting a business function to residential in the street where the night time economy of Salisbury City is concentrated, and serves 2000 people, providing 200 jobs in the street and more elsewhere. Because of the lack of toilets after closing hours the property will be vulnerable to misuse as has happened elsewhere. This could be an issue of public health
- The street noise for residents with overlooking windows will not only suffer noise but the need to keep windows closed depriving them of fresh air and the chance to cool their rooms particularly in hotter weather. No mention was made of air conditioning.
- The building is listed, the walls are thin and the City planning committee is informed by a member who has lived and visits this street as well as by an objecting business owner close by that sound will come through the walls. There is concern that residents might complain of noise, and that there would be a risk of other businesses closing.
- The owner might find that as has reportedly happened nearby, that the rents have to go down in order to attract residents. The application contains no provision for parking in a residential zone which already has more permits than spaces.
- The application does not deal with flooding and the effects of a high water table. Given the flooding risk in central Salisbury, and the need for about 3000 residents to need relief accommodation, it might seem unwise to add some 20 more.

1. Purpose of Report

To consider the recommendation of the Area Development Manager (South) that planning permission be granted.

2. Report Summary

The issues in this case are:

- Principle of development
- Scale/Design/Siting, Impact on Listed Building and Conservation Area
- Amenity/Noise/Disturbance
- Highway Safety
- Affordable Housing
- Other Issues

Publicity of the application has resulted in an objection from the Parish Council, one letter of objection and one letter of support.

3. Site Description

The site is comprised of a terraced Grade II* Listed Building and a number of associated outbuildings within the curtilage of the property which are also Listed. The surrounding area has a mixed urban character, with commercial, retail and leisure uses at ground floor level. Upper floors also include mixed uses as well as residential. Many of the buildings along Milford Street are Listed, and the site is located within the Salisbury Conservation Area.

The existing buildings on the site exude a range of styles, building heights and architectural techniques. The main frontage onto Milford Street is divided into three bays and has a stucco facade, with a plain clay-tiled roof.

To the north of the site is currently being constructed a residential scheme of 9 units at 7-11 Brown Street.

4. Planning History

Various related to works to the building as part of its previous usage.

5. The Proposal

The scheme seeks the change of use from public house (A3) and adult entertainment venue (sui generis) to form two commercial units (A1, A2, B1 or D1) at the front of the site, and 10 apartments above and behind.

The scheme includes the conversion, demolition and erection of new buildings, and the creation of a rear courtyard. The historical entrance to the site from Milford Street is currently stopped up and not in use. However the application proposes to reinstate this entrance as a pedestrian access to the site, to be accessed via glazed doors which will be locked during the night.

6. Planning Policy

Saved policies S1, S2, S3 (retail) SDLP, Core Policy 1, Core Policy 2 (housing and economic development), Core Policy 36, 38 (retail/economic development), Core Policy 43 (affordable housing), Core Policy 57

(design and amenity), Core Policy 58 (heritage assets) WCS

NPPF NPPG, in relation to amenity, housing need, sustainability and vitality of town centres, and protection of heritage assets

7. Consultations

WC Environmental Health:

Based on the further evidence and attenuation details submitted, this department has no grounds to support an objection providing the recommended conditions are attached. However, future occupants of the proposed flats should be made aware that given the night time economy of the area they may at times notice noise from the nearby licensed premises and its customers. Though we would anticipate that their expectations should be commensurate with where they live.

We had concerns that noise from the adjacent premises, Zoo could have an adverse impact on future occupants of flats 6 and 10 (west). Although the noise levels inside the bedroom could be improved by constructing a room within a room design, this would be reliant on the occupant keeping their bedroom door shut to maintain acceptable levels. We also had concerns that the noise levels in other spaces of the flats could be intrusive and detriment amenity levels. It has now been proposed to construct the whole flat 6 and 10 based on the room within a room construction design, and noise levels inside the flats are predicted to meet PNC levels as set out in 5.2 of the Environmental Noise Assessment (reference; 182_150922_WHITEROOMS). However, the effectiveness of this room within a room construction is entirely dependent on the workmanship, and post completion testing would be required to ensure that the resulting work provides the predicted level of attenuation.

We would expect the applicant to provide further details on the specification details for the glazing and mechanical ventilation to be installed, and also the glazed door at the entrance to the site.

Conservation:

Welcome this scheme subject to clarification over minor details. Suggest conditions covering the materials (roofing and elevations and design of rooflights and new windows/doors – details from a brochure would be sufficient).

Historic England:

These applications should be determined in accordance with national and local advice and guidance, including the advice of your Conservation Officer. It is not necessary to consult us again on this application.

WC Highways:

The site is located in Salisbury City Centre close to shops, education and employment opportunities, leisure and health facilities, all within walking or cycling distance. Salisbury City Centre is well served by public transport and it would be possible to live in the proposed apartments without the need for a private car. The city centre is a highly sustainable location where allocated car parking is not always considered essential particularly where the development involves the conversion of an existing building, as in this case.

Notwithstanding the sustainable location, it is acknowledged that some residents may choose to own a car and this is something we have no control over. Also aware of the concern raised regarding the existing on-street parking pressures. Suggest that parking permits should not be given to any future residents of the 10 proposed apartments and I shall advise Parking Services accordingly.

WC Archaeology:

The site is of archaeological interest. As the archaeological assessment (A Archaeology 2015) explains, the site lies within the Black Horse Chequer of the planned medieval City of Salisbury. There is therefore potential for archaeological remains, particularly those of the medieval and post-medieval period, to be

present within the area and affected by the development. It is therefore recommended that a programme of archaeological works is carried out as part of any development. It is likely that this would take the form of an archaeological watching brief and/or small area of excavation in those areas where groundworks are required, but some building recording may also be required.

WC Waste:

After looking at the ground floor plan of the apartments bin store, it shows that the bin store is at the rear of the site. If this is further than 10 meters from the collection point it would not fit in with our guidance for bin stores section 5.2.4. If the bin store could not be moved closer to the point where our collection vehicle will collect, it would mean that the bins would need to be put out for collection. This may not fit in with the plans for the site.

The bin store should be of a sufficient size to fit the required amount of bins.

WC Drainage:

Site itself is in FRZ 1 – However the EA surface water flooding risk maps indicate surface water flooding directly outside of this site for 1 in 200 year event – this could be an issue. Due to the lack of information relating to drainage disposal the team have no alternative than to recommend objection based on current submission. Should missing information be supplied, then the recommendation could be changed to support with conditions. However, if adequate drainage disposal is not proven, Officers can decide to add conditions to any approval.

WC Housing:

The adopted Wiltshire Core Strategy (CP43) secures the provision for 40% Affordable Housing on sites with 5 or more dwellings within Salisbury. With the above in mind, a 40% Affordable Housing provision applied to the proposals would equate to 4 Affordable Units.

However, due to the nature of the development, on this occasion it would be preferable to seek an offsite contribution due to the difficulty in transferring/managing and maintaining 4 Affordable Units within a block of flats/converted listed buildings, as any Affordable Units would prove difficult to transfer to a Registered Provider Partner, given the bespoke nature of the scheme.

City Council

Strongly object to this application on the grounds that there are concerns about flooding due to it being on a high water table, public health, noise levels and the proposed change of use.

8. Publicity

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

The publicity has generated one letter of objection and one letter of support.

The letter of objection is as follows:

“...I started a new business 2 years ago, as a late night economy bar next door to the now proposed development, I employ approximately 30 staff on a part-time basis. I invested my life savings into this project, to now find that a developer has purchased the premises next door, to change into apartments. My bar trades until 3 am. I feel that, even with sound proofing, this will cause a disturbance to residence within the new planned apartments. Whether the sound is coming from my bar or the street in general, no sound proofing can stop this noise. I would like to bring to your attention, page 16, paragraph 4.1 & 4.3 of the developers application - that Wessex Water were satisfied there were no flooding or sewerage problems within the immediate area. I know for a fact that ZOO, The Chapel, White Rooms & what was Wiltshire Council offices in Milford Street, all have constant problems with flooding. Your council offices were closed

for 2 months last year due to raw sewerage and I personally had the lease at the White Rooms for 5 years and was constantly having to call out companies to sort out raw sewerage and flooding problems. The drainage in that part of Milford Street is not adequate. I feel that the engineering report for the planned premises is false and has not been looked into thoroughly. I appreciate that extra housing is required in all towns and cities at present, but to build 10 dwellings in a city centre, late night economy area could be the downfall of approximately 6 businesses within this area of Milford Street, that employs around 200 people. I strongly oppose this application.”

The letter of support is as follows:

“..I give my whole hearted support for the application and believe it will only make Salisbury a better and more attractive place to both live and work. The noise, disturbance and disruption on Milford Street spilling out across the City from the night clubs there has been a blight for many years. From litter, broken glass, vomit, violence and noise it’s been extremely difficult to live in the town and I’ve personally suffered threats and bad language whilst out at night with my children. So I hope that this well-designed residential property will get the go ahead.”

9.0 Planning Considerations

It should be noted that amended plans have been submitted showing a slightly revised internal layout to address Environmental Health concerns; however, the general ethos of the scheme remains the same, with the amount of residential units not changing. The Consultees and neighbouring properties have been reconsulted on the revised drawings and given a further chance to comment.

9.1 Principle of development

The application seeks to regenerate The White Rooms to provide jobs, retail opportunities and housing within the city centre. The proposed active frontage to Milford Street will also improve the vitality of the wider area through increased footfall. As such it is considered that the scheme will be acceptable in principle in this City Centre location, in accordance with Core Policy 1 & 2. This is provided the development is appropriate in terms of its scale and design to its context, and provided other interests including residential amenity and highway safety are addressed.

Although the scheme will result in another closure of a public house in Salisbury, it should be noted that there is no Core Strategy Policy that protects the loss of community uses within the City Centre (CP49 relates to rural settlements only). Nevertheless, the addition of 2 commercial units at the front of the site will retain a commercial frontage within the street scene, and will provide a similar amount of employment opportunities from the loss of the public house. The commercial units will also enhance the vitality and vibrancy of Milford Street, which is designated as a Secondary Shopping Area. The proposal therefore generally accords with aims of the saved Shopping policies S1, S2, S3.

9.2 Scale/Design/Siting, Impact on Listed Building and Conservation Area

The building and site overall is currently in a rather dilapidated state, particularly as the use of the buildings mainly ceased some years ago. The site provides an opportunity to repair a Listed Building and bring a currently vacant site back into use, and in this regard it is considered that the scale, form and layout of the proposal has taken into account the existing footprint of the site, as well as the context and character of the surrounding area.

Reference has been made to the history of the site as a brewery by maintaining the courtyard ‘mews’ layout. In Officer’s opinion, the scheme will maximise the potential usage of the land, without resulting in an overdevelopment of the site. When viewed from the public realm, the introduction of improved materials on the facade, and glimpses of the courtyard from the pavement/ through the shop windows will create an inviting and attractive entrance within the streetscene.

Moving through the site, the materials at ground/ first-floor level are considered to be of good quality, and the bespoke features such as a glazed linkway above the courtyard, the copper-clad-walls, newly exposed

brickwork, floor-to-ceiling windows, 'punched windows' and the timber cladding all add interest to the design.

The Conservation Officer and Historic England have been consulted, and raise no objections in terms of the impact on the Conservation Area or listed building. Materials/ further glazing details can be agreed via condition.

It is considered that the enhancement and conversion and reuse of the historic assets will accord with national and local policies, and that overall, the character of the surrounding Conservation Area and adjacent listed buildings will be enhanced.

9.3 Amenity/ Noise/Disturbance

The site is located in a commercial area, which has a concentration of bars and other similar uses as part of the night time economy of Salisbury. It is vital that the proposed residential uses are not significantly affected by the existing usage of the area, as this could not only have an effect on residential amenity, but also impact on the operation of existing commercial uses.

After lengthy negotiations and a site visit to discuss the application with an acoustic consultant, a scheme has been submitted which satisfies Environmental Health concerns that future occupiers of the site will not be subject to undue noise and disturbance from the 'ZOO' nightclub next door, or from late-night activity near to the application site. The mitigation measures include;

- Specially designed wall insulation,
- Glazed entrance door at the front of the site, to stop street noise (to be locked at night),
- Acoustic glazing,
- A noise monitoring programme, to be submitted to Environmental Health after occupation,
- A construction management plan and restrictions on the hours of construction,
- Restrictions on the new non-residential units- (ie no restaurant or takeaway uses)

In summary, Officers have fully assessed the valid concerns raised about noise/disturbance, but overall it is considered that subject to mitigation measures being approved by condition, no objections are raised.

9.4 Overlooking/Overdominance

The site is located close to the heart of the city centre, where buildings and uses are located within close juxtaposition with each other. A reduced level of amenity and privacy is part of the character of the area.

The proposal seeks to demolish two buildings towards the rear of the site and replace them with 2 new blocks of accommodation. By reason of the narrow layout of the site, it is inevitable that new windows within the new flats will face each other across the courtyard, and there is a concern that mutual overlooking will occur between properties.

Whilst it is accepted that some of the windows will cause some mutual overlooking across the courtyard, the introduction of obscure-glazed, together with cantilevered angled windows (to face diagonally only), will ensure that overlooking between properties will not occur to a significant degree to warrant refusal.

Each flat will have some form of private outlook from the habitable rooms within, and the floor spaces/living conditions/outlook for future occupants will be of an acceptable standard. The development has been set a sufficient distance away from the furniture shop window to the west (ie- the back of Brown Street), to ensure that significant additional overshadowing/overdominance does not occur over current levels.

To the east, a new living room window will face onto the (now empty) Council Offices. Whilst this window will be relatively close to the neighbouring site, it is considered that overlooking will not occur to a significant degree to warrant refusal, as no residential windows will face each other.

9.5 Highway Safety

The site is located in Salisbury City Centre close to shops, education and employment opportunities, leisure and health facilities, all within walking or cycling distance. Salisbury City Centre is well served by public transport and it would be possible to live in the proposed apartments without the need for a private car. The city centre is a highly sustainable location where allocated car parking is not always considered essential particularly where the development involves the conversion of an existing building, as in this case.

However, it is acknowledged that some residents may choose to own a car (this is something Officers have no control over), and concerns have been raised in regard to the existing on-street parking pressures. It is therefore suggested that parking permits should not be given to any future residents of the 10 proposed apartments. Parking Services will be notified of this stance, and will take action to ensure that this does not occur in the future.

9.6 Flooding and Drainage

Concerns have been raised that the site is susceptible to surface-water flooding, with drainage specialists called to fix flooding impacts for the properties on this stretch of road on many occasions over recent years.

However, it should be noted that the site is not in a flood risk area, and whilst it is understood from local businesses that the foul water and surface water drainage network do suffer from intermittent failure, investigations and improvements on site will be made where necessary as part of the implementation of the development in consultation with the relevant statutory undertakers. The statutory undertaker will also have a responsibility to provide a suitable network. Although this scheme represents a potentially more intensive form of development than the current use, the proposal represents an opportunity to enhance drainage in the area over the current situation (ie- the fall back position of reopening the pub, reusing the existing drainage).

Due to the built-up nature of the site, it would not be practical to sort out the exact drainage details at this stage, as significant remediation works and investigations will be required. Therefore, conditions should be added to any approval, ensuring that drainage details are submitted to and agreed in writing by this Authority.

As no basement level is proposed within the site, the historic fabric of the listed building is unlikely to be affected, although the applicant should note that further Listed Building Consent may be required if the detailed drainage plans require further works.

9.7 Protected Species/Housing Contributions/ Waste Collection/Archaeology

In regard to the impact of the development on protected species, it has been confirmed (in part 17 of the application form) that no protected species are present within the site. The applicant's ecology survey also confirms that there are no protected species, and during the site visit, no visible evidence of protected species was observed. Therefore due to the built-up nature of the site and its siting within an urban area, it is considered that no further surveys are required.

The Council's housing team have indicated that any affordable housing provision will be dealt with through an off-site contribution. Under current viability calculations, 0% contributions will be payable towards affordable housing, although the exact level of contribution is still being negotiated and will be reported to Members at the Committee meeting.

In response to the comments of the Council's Waste Team, The Agent has confirmed that residential bins will be taken to an appropriate collection point at the relevant times by a management company. A service charge will apply to future occupiers to facilitate the management company. The bins will be managed in a responsible way to ensure a high quality living experience for residents; this means that bins will only be brought out for collection at the appropriate times and will not be left out of the store and in view at any other time. This can be secured by an appropriately worded planning condition.

An archaeology survey can be carried out via condition.

Conclusion

The existing buildings and site are considered to be in a rather dilapidated state, and currently, do not tend to enhance the street scene of the Conservation Area, The listed building is similarly degraded.

The proposed development is of high quality and will bring about significant benefits to this part of the city centre. The proposals represent a sensitive re-use of the Listed Building, and will ensure the longevity of the group of historic buildings.

The 2 new commercial units on the ground floor will support activity and vitality of this part of the city centre, and subject to noise mitigation measures, drainage details, materials, archaeology surveys and construction method statements being agreed by condition, no objections are raised. Overall, it is therefore considered that in the Planning Balance, the scheme addresses the aims of national and local plan policies, in terms of enhancing the conservation area and the city centre, as well as providing housing, which will outweigh the limited harm to the surrounding amenity of the area.

Recommendation: APPROVE, subject to the following conditions:

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

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

- 2. 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 work has been carried out in accordance with the approved details. The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

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

- 3. No development shall commence on site until a scheme of acoustic glazing and mechanical ventilation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the standards set out in section 5.3 of the Environmental Noise Assessment (reference; 182_150922_WHITEROOMS, date; September 2015). The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.**

REASON: In the interests of protecting residential amenity

- 4. No development shall commence on site until a written scheme of noise attenuation for the room within the room construction of flats 6 and 10 has been submitted to and approved in writing by the Local Planning Authority. The written scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.**

REASON: In the interests of protecting residential amenity

- 5. No development shall commence on site until a written scheme for post-completion noise measuring has been submitted to and approved in writing by the local planning authority. The written scheme shall include details of the times at which noise measuring will take place and the equipment and noise descriptors to be used for the purposes of measuring the residual levels of noise caused by the licensed premises, Zoo. Where the post completion noise measurements identify that LA_{max} levels of noise from Zoo are in excess of Preferred Noise Criterion Curve 25 (PNC25), as shown in table 5.1 of the Environmental Noise Assessment (reference; 182_150922_WHITEROOMS, date; September 2015) in flats 6 and 10 those flat(s) shall not be occupied.**

REASON: In the interests of protecting residential amenity

- 6. The ground floor commercial units shall be used for A1, A2, A3, B1 or D1 use classes only. There shall be no A3 or A5 uses in the ground floor commercial units.**

REASON: In the interests of protecting residential amenity

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

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

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

REASON: In the interests of protecting residential amenity

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

REASON: In the interests of protecting residential amenity

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

REASON: In the interests of protecting residential amenity

10. No development shall commence on site until a scheme for the glazed doors has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the standards set out in the addendum to the Environmental Noise Assessment (reference; 182_151129_WHITE ROOMS, dated; 29th November 2015). The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.

REASON: In the interests of protecting residential amenity

11. No development shall commence on site until finer details, and where so appropriate materials, of all external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

12. No development shall commence on site until details of all eaves, verges, windows and doors (including head, sill and window reveal details), rainwater goods, rooflights and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes or first/second floors of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

14. The windows labelled as No. 19 on drawing P14-001 02-05-004B, in the inner courtyard elevation shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window, prior to the first occupation of the development hereby permitted, and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

15. Prior to the commencement of development, a waste collection management plan shall be submitted to and agreed by this Authority. The agreed management plan shall be carried out in accordance with the approved details in perpetuity.

REASON: In the interests of maintain adequate waste collection.

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority

before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

18. This development shall be in accordance with the submitted drawings:

- Site Plan P14-001-02-02-001

Proposed Ground Floor P14-001-02-03-001C Received 27th November

Proposed First Floor P14-001-02-03-002A rec. 7th October

Proposed Second Floor P14-001-02-03-003A

Proposed Roof Plan P14-001-02-03-004A

Demolition on Ground Floor P14-001-02-03-011A

Demolition First Floor P14-001-02-03-012A

Demolition Second Floor P14-001-02-03-013A

Proposed Section 03 P14-001-02-04-001A

Proposed Section 04 P14-001-02-04-002A

Wall Detail Key P14-001-02-04-005A

Wall Types 1 & 2 P14-001-02-04-006

Wall Types 3 & 4 P14-001-02-04-007

Wall Types 5 & 6 P14-001-02-04-008

Wall Build Up P14-001-02-04-010

Elevation 01 P14-001-02-05-001B rec. 27th November 2015

Elevation 02 P14-001-02-05-002A rec. 7th October

Elevation 03 & 04 P14-001-02-05-003A

Elevation 05 P14-001-02-05-004B rec. 7th October

Elevation 06, 07 & 08 P14-001-02-05-005A

Elevation 09 P14-001-02-05-006B rec. 7th October

Elevation 10 P14-001-02-05-007A

Demolition Elevation on 01 P14-001-02-05-011A

Demolition Elevation 02 P14-001-02-05-012B rec. 7th October

Demolition Elevation 03 & 04 P14-001-02-05-013A

Demolition Elevation 05 P14-001-02-05-014A

Demolition Elevation 06,07 & 08 P14-001-02-05-015A

REASON: For the avoidance of doubt.

INFORMATIVE:

The applicant should note that additional residents parking permits are unlikely to be allocated to the new occupiers of the flats.

INFORMATIVE:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

INFORMATIVE:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

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

Application Number	15/06068/FUL
Site Address	23 Milford Street, Salisbury, Wiltshire, SP1 2AP
Proposal	Change of use of site from public house (a3) and adult entertainment venue (sui generis) to form two commercial units (a1, a2, b1 or d1) and 10 apartments including conversion, demolition and erection of buildings (Revised plans showing amendments to the ground and first floor layout and elevations)
Case Officer	Tom Wippell



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Report No. 4

Date of Meeting	17 th December 2015
Application Number	15/06160/LBC
Site Address	23, Milford Street, Salisbury
Proposal	Change of use of site from public house (Class A3) and adult entertainment venue (sui generis) to form two commercial units (Classes A1, A2, B1 or D1) and 10 apartments including conversion, demolition and erection of buildings (Revised plans showing amendments to the ground and first floor layout and elevations)
Applicant	Warwick Developments Ltd
Town/Parish Council	Salisbury City Council
Grid Ref	414646 129954
Type of application	Full Planning
Case Officer	Tom Wippell

Reason for the application being considered by Committee

The application has been called to committee by former Councillor Helena McKeown if minded to approve for the following reasons:

- This application has been strongly objected to by the city Council, and for many reasons. It is converting a business function to residential in the street where the night time economy of Salisbury City is concentrated, and serves 2000 people, providing 200 jobs in the street and more elsewhere. Because of the lack of toilets after closing hours the property will be vulnerable to misuse as has happened elsewhere. This could be an issue of public health
- The street noise for residents with overlooking windows will not only suffer noise but the need to keep windows closed depriving them of fresh air and the chance to cool their rooms particularly in hotter weather. No mention was made of air conditioning.
- The building is listed, the walls are thin and the City planning committee is informed by a member who has lived and visits this street as well as by an objecting business owner close by that sound will come through the walls. There is concern that residents might complain of noise, and that there would be a risk of other businesses closing.
- The owner might find that as has reportedly happened nearby, that the rents have to go down in order to attract residents. The application contains no provision for parking in a residential zone which already has more permits than spaces.
- The application does not deal with flooding and the effects of a high water table. Given the flooding risk in central Salisbury, and the need for about 3000 residents to need relief accommodation, it might seem unwise to add some 20 more.

1. Purpose of Report

To consider the recommendation of the Area Development Manager (South) that planning permission be granted.

2. Report Summary

The issues in this case are:

- Scale/Design/Siting, Impact on Listed Building and Conservation Area

Publicity of the application has resulted in an objection from the Parish Council, one letter of objection and one letter of support.

3. Site Description

The site is comprised of a terraced Grade II* Listed Building and a number of associated outbuildings within the curtilage of the property which are also Listed. The surrounding area has a mixed urban character, with commercial, retail and leisure uses at ground floor level. Upper floors also include mixed uses as well as residential. Many of the buildings along Milford Street are Listed, and the site is located within the Salisbury Conservation Area.

The existing buildings on the site exude a range of styles, building heights and architectural techniques. The main frontage onto Milford Street is divided into three bays and has a stucco facade, with a plain clay-tiled roof.

To the north of the site is currently being constructed a residential scheme of 9 units at 7-11 Brown Street.

4. Planning History

Various related to works to the building as part of its previous usage.

5. The Proposal

The scheme seeks the change of use from public house (A3) and adult entertainment venue (sui generis) to form two commercial units (A1, A2, B1 or D1) at the front of the site, and 10 apartments above and behind.

The scheme includes the conversion, demolition and erection of new buildings, and the creation of a rear courtyard. The historical entrance to the site from Milford Street is currently stopped up and not in use. However the application proposes to reinstate this entrance as a pedestrian access to the site, to be accessed via glazed doors which will be locked during the night.

6. Planning Policy

Saved policies S1, S2, S3 (retail) SDLP, Core Policy 1, Core Policy 2 (housing and economic development), Core Policy 36, 38 (retail/economic development), Core Policy 43 (affordable housing), Core Policy 57 (design and amenity), Core Policy 58 (heritage assets) WCS

NPPF NPPG, in relation to amenity, housing need, sustainability and vitality of town centres, and protection of heritage assets

7. Consultations

Conservation:

Welcome this scheme subject to clarification over minor details. Suggest conditions covering the materials (roofing and elevations and design of rooflights and new windows/doors – details from a brochure would be sufficient).

Historic England:

These applications should be determined in accordance with national and local advice and guidance, including the advice of your Conservation Officer. It is not necessary to consult us again on this application.

WC Archaeology:

The site is of archaeological interest. As the archaeological assessment (A Archaeology 2015) explains, the site lies within the Black Horse Chequer of the planned medieval City of Salisbury. There is therefore potential for archaeological remains, particularly those of the medieval and post-medieval period, to be present within the area and affected by the development. It is therefore recommended that a programme of archaeological works is carried out as part of any development. It is likely that this would take the form of an archaeological

watching brief and/or small area of excavation in those areas where groundworks are required, but some building recording may also be required.

City Council

Strongly object to this application on the grounds that there are concerns about flooding due to it being on a high water table, public health, noise levels and the proposed change of use.

8. Publicity

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

The publicity has generated one letter of objection and one letter of support.

The letter of objection is as follows:

"...I started a new business 2 years ago, as a late night economy bar next door to the now proposed development, I employ approximately 30 staff on a part-time basis. I invested my life savings into this project, to now find that a developer has purchased the premises next door, to change into apartments. My bar trades until 3 am. I feel that, even with sound proofing, this will cause a disturbance to residence within the new planned apartments. Whether the sound is coming from my bar or the street in general, no sound proofing can stop this noise. I would like to bring to your attention, page 16, paragraph 4.1 & 4.3 of the developers application - that Wessex Water were satisfied there were no flooding or sewerage problems within the immediate area. I know for a fact that ZOO, The Chapel, White Rooms & what was Wiltshire Council offices in Milford Street, all have constant problems with flooding. Your council offices were closed for 2 months last year due to raw sewerage and I personally had the lease at the White Rooms for 5 years and was constantly having to call out companies to sort out raw sewerage and flooding problems. The drainage in that part of Milford Street is not adequate. I feel that the engineering report for the planned premises is false and has not been looked into thoroughly. I appreciate that extra housing is required in all towns and cities at present, but to build 10 dwellings in a city centre, late night economy area could be the downfall of approximately 6 businesses within this area of Milford Street, that employs around 200 people. I strongly oppose this application."

The letter of support is as follows:

"..I give my whole hearted support for the application and believe it will only make Salisbury a better and more attractive place to both live and work. The noise, disturbance and disruption on Milford Street spilling out across the City from the night clubs there has been a blight for many years. From litter, broken glass, vomit, violence and noise it's been extremely difficult to live in the town and I've personally suffered threats and bad language whilst out at night with my children. So I hope that this well-designed residential property will get the go ahead."

9.0 Planning Considerations

It should be noted that amended plans have been submitted showing a slightly revised internal layout to address Environmental Health concerns; however, the general ethos of the scheme remains the same, with the amount of residential units not changing. The Consultees and neighbouring properties have been reconsulted on the revised drawings and given a further chance to comment.

9.2 Scale/Design/Siting, Impact on Listed Building and Conservation Area

The building and site overall is currently in a rather dilapidated state, particularly as the use of the buildings mainly ceased some years ago. The site provides an opportunity to repair a Listed Building and bring a currently vacant site back into use, and in this regard it is considered that the scale, form and layout of the proposal has taken into account the existing footprint of the site, as well as the context and character of the surrounding area.

Reference has been made to the history of the site as a brewery by maintaining the courtyard 'mews' layout. In Officer's opinion, the scheme will maximise the potential usage of the land, without resulting in an overdevelopment of the site. When viewed from the public realm, the introduction of improved materials on the facade, and glimpses of the courtyard from the pavement/ through the shop windows will create an inviting and attractive entrance within the streetscene.

Moving through the site, the materials at ground/ first-floor level are considered to be of good quality, and the bespoke features such as a glazed linkway above the courtyard, the copper-clad-walls, newly exposed brickwork, floor-to-ceiling windows, 'punched windows' and the timber cladding all add interest to the design. The Conservation Officer and Historic England have been consulted, and raise no objections in terms of the impact on the Conservation Area or listed building. Materials/ further glazing details can be agreed via condition.

It is considered that the enhancement and conversion and reuse of the historic assets will accord with national and local policies, and that overall, the character of the surrounding Conservation Area and adjacent listed buildings will be enhanced.

Conclusion

The existing buildings and site are considered to be in a rather dilapidated state, and currently, do not tend to enhance the street scene of the Conservation Area, The listed building is similarly degraded.

The proposed development is of high quality and will bring about significant benefits to this part of the city centre. The proposals represent a sensitive re-use of the Listed Building, and will ensure the longevity of the group of historic buildings.

Recommendation: APPROVE, subject to the following conditions:

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

Reason (1) To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004. .0006 AMENDED

2. No development shall commence on site until finer details, and where so appropriate materials, of all external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

3. No development shall commence on site until details of all eaves, verges, windows and doors (including head, sill and window reveal details), rainwater goods, rooflights and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. This development shall be in accordance with the submitted drawings:

- Site Plan P14-001-02-02-001

Proposed Ground Floor P14-001-02-03-001C Received 27th November

Proposed First Floor P14-001-02-03-002A rec. 7th October

Proposed Second Floor P14-001-02-03-003A

Proposed Roof Plan P14-001-02-03-004A

Demolition on Ground Floor P14-001-02-03-011A

Demolition First Floor P14-001-02-03-012A

Demolition Second Floor P14-001-02-03-013A

Proposed Section 03 P14-001-02-04-001A

Proposed Section 04 P14-001-02-04-002A

Wall Detail Key P14-001-02-04-005A

Wall Types 1 & 2 P14-001-02-04-006

Wall Types 3 & 4 P14-001-02-04-007

Wall Types 5 & 6 P14-001-02-04-008

Wall Build Up P14-001-02-04-010

Elevation 01 P14-001-02-05-001B rec. 27th November 2015

Elevation 02 P14-001-02-05-002A rec. 7th October

Elevation 03 & 04 P14-001-02-05-003A

Elevation 05 P14-001-02-05-004B rec. 7th October

Elevation 06, 07 & 08 P14-001-02-05-005A

Elevation 09 P14-001-02-05-006B rec. 7th October

Elevation 10 P14-001-02-05-007A

Demolition Elevation on 01 P14-001-02-05-011A

Demolition Elevation 02 P14-001-02-05-012B rec. 7th October

Demolition Elevation 03 & 04 P14-001-02-05-013A

Demolition Elevation 05 P14-001-02-05-014A

Demolition Elevation 06,07 & 08 P14-001-02-05-015A

REASON: For the avoidance of doubt.

INFORMATIVE:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

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Application Number	15/06068/LBC
Site Address	23 Milford Street, Salisbury, Wiltshire, SP1 2AP
Proposal	Change of use of site from public house (a3) and adult entertainment venue (sui generis) to form two commercial units (a1, a2, b1 or d1) and 10 apartments including conversion, demolition and erection of buildings (Revised plans showing amendments to the ground and first floor layout and elevations)
Case Officer	Tom Wippell



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 5

Date of Meeting	17 th December 2015
Application Number	15/10185/FUL
Site Address	The Field House, Barbers Lane, Swallowcliffe, SP3 5PQ
Proposal	Change of Use of existing agricultural merchants barn and land to mixed residential and business use and conversion of part of barn to new dwelling.
Applicant	Mr & Mrs D Bright
Town/Parish Council	SWALLOWCLIFFE
Electoral Division	FOVANT AND CHALKE VALLEY – CLLR JOSE GREEN
Grid Ref	396506 126507
Type of application	Full Planning
Case Officer	Matthew Legge

Reason for the application being considered by Committee

Cllr Jose Green has called in this application “*In view of the scale and necessity for a small dwelling on site for the agricultural business to be retained*”

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager (South) that planning permission be **Refused**.

2. Report Summary

It is considered that this application has not demonstrated any functional or financial evidence to convince Officers that the proposed creation of a residential unit is expressly needed to support the function or viability of the rural enterprise known as Bright Seeds. This application has also failed to undertake any critical assessment over the reuse of the building for any other uses other than that of the existing agricultural use.

3. Site Description

The application site consists of the barn which has an expired approval of a 50/50 mix of agricultural and B1(a) office, adjoining land and highways access. The barn is therefore still in a full agricultural use. The Applicant also owns the associated land which comprises a private dwelling (The Field House) and garden land. The barn and associated land are used in conjunction with the applicant’s business as Seed Merchants (Bright Seeds).

The application site is located outside of any settlement boundary and is within the AONB.

4. Planning History

S/2010/1044 Part conversion of an existing steel framed agricultural building into B1 offices. AC

S/2005/1313 Retrospective application for agricultural barn. AC

5. The Proposal

This application proposes to convert around 70% of the existing barn building for a three bedroom dwelling house (169m²) and associated garden land. The occupation of the barn will be by the applicant and retained part of the agricultural barn and the remaining agricultural land will continue to be used for continued use by the applicant for seed research and development.

6. Local Planning Policy

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

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP27 (Spatial Strategy for the Tisbury Community Area)

CP41 (Sustainable construction and low carbon energy)

CP48 (Supporting Rural Life)

CP50 (Biodiversity and Geodiversity)

CP51 (Landscape)

CP57 (Ensuring high Quality Design and Place Shaping)

CP60 (Sustainable Transport)

CP61 (Transport and Development)

Saved policies of the Salisbury District Local Plan:

H28 (Housing in the countryside – agricultural and forestry workers temporary housing)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

National Planning Policy Guidance (NPPG)

7. Publicity

Parish Council – *“Swallowcliffe Parish Council support this application which would allow continuation of the applicants wildlife seed interests and their outreach activities for the village and wider environmental community.*

The property is already well screened from the adjacent road and the proposed dwelling would be integrated into the existing barn structure with little change in overall appearance.

We believe approving the change of use will be in our communities best interest.”

WC Highways – *“No highway objection on the basis that this proposal is acceptable on agricultural grounds otherwise I recommend refusal on the grounds that the proposed development is outside any defined housing policy boundary and is contrary to local and national sustainable transport policy guidance.”*

8. Planning Considerations

Principle of development

This application has provided very little information as to the nature or financial success of the Applicant's rural business. As such the Council has no information as to the operations of the rural business on the application site or any information as to how the barn building (in question) did and still does serve a functional purpose for the rural business.

This application has commented that "*The applicant's main business has relocated to Burcombe thereby reducing the use and need for the barn. In 2010 Consent was granted to change the use of 50% of the barn from agricultural to B1 business use.*" Thus the Council is aware that the Applicant's main business has already relocated and that this mixed B1(a) and agricultural barn unit is of reduced use and need to the operation of the rural business. There is no supporting information to convince the Council that this barn building serves an essential element of the rural business. Without any other information to the contrary Officers have to conclude that the barn building is of surplus need to the function of the rural business and that the rural business is as viable with or without the barn building.

Officers recognise the support from the Parish Council and consider that there is an undercurrent of support from the Parish Council to ensure the continued employment use of the site which is assumed to enable the Applicant's to stay within the village. However Officers point out that if this application were to be approved then there is no mechanism for the Council to ensure that the Applicant's will stay in the village or any mechanism to ensure that the Applicant's will continue to maintain their outreach support to the community.

The application site is located in the AONB and as such the recent Government changes (Part Q) to the GPDO to allow for the conversion of the farm building to residential uses is not a possibility for this application site and as such no such fallback position is being considered as part of this planning application. As the B1(a) use has not been implemented, Part O of the GPDO cannot be considered as a fall back position to the application.

Re-use of rural buildings

Core Policy 48 of the Wiltshire Core Strategy is a principle policy used to assess this application. CP48 (Supporting Rural Life) includes the following policy criteria for the reuse of rural buildings:

Conversion and re-use of rural buildings

Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where it satisfies the following criteria:

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

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

This application has not included any justification against the reuse of the building in line with the above criteria. There has been no marketing of the rural building for uses akin to the existing

agricultural uses or any marketing of any other of the cascading uses such as tourism, cultural or community before the end use of residential is proposed. There is no structural survey of the building to convince Officers that the building is capable of conversion without major rebuilding. The building is of modern construction and is not considered to be a heritage asset worthy of retention and the site is located away from local services.

It is considered that this application has not demonstrated any evidence to convince Officers that the above criteria i-v (*as taken from Core Policy 48*) is fully met and as such there is no justification yet for the reuse of the rural building for any other uses other than for an agricultural use.

Assessment of Need

Notwithstanding the above assessment over the appropriate re-use of the building, Core Policy 48 also includes an element of consideration over the creation of rural workers dwelling as proposed within this application:

Dwellings required to meet the employment needs of rural areas

Outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.

The proposed residential use of the barn has not been supported by any functional and financial evidence. The Applicants live next to the application site in a dwelling known as The Field House and as such the barn building already has a connected residential unit. The creation of the barn building was granted in 2005 and the rural business was understood to be solely managed and operated from this unit. The 2005 application does not contain any S106 tie of the barn to the dwelling or any condition to tie the barn to the occupancy of The Field House. Thus Officers conclude that the original creation of the barn building was considered (at that time) to be a standalone enterprise without the functional need for an associated dwelling house.

Officers have no reason to suggest that the rural business now requires a residential dwelling to support its viability. Indeed as mentioned above, it appears that the business has largely relocated away from the application site and there is no need for the existing barn in the operations of the rural business. No argument has been presented with this application to argue for the functional need of the dwelling to support the rural business. This application has provided a personal statement which outlines the Applicant's reasoning for the application. The Applicant's have commented "*We are both nearing retirement and need to downsize but are passionate to continue with our work for the environment. We are proposing to develop our barn which is inside the 2.5 acre trial site for living accommodation. This would enable us to sell our Main Field House, finance the adaptation of the barn and wipe off the mortgage.*"

Officers understand that the Parish Council have supported this application with the aim to ensure that "*this application which would allow continuation of the applicants wildlife seed interests and their outreach activities for the village and wider environmental community.*" Whilst Officers accept (*by the virtue of the PC comments*) that the Applicants are a welcomed part of the community it is considered that such personal circumstances are not material planning considerations that would in any way override planning policy. The ability of ensure personal financial security through the sale of an asset is not a consideration that could be supported by local planning policy. Any approval of this application could as such set a dangerous precedent for similar such applications throughout the district.

Other matters

The Wiltshire Council Highways Officer has raised an objection to the application on the basis that the residential development would be outside of any defined settlement boundary and is contrary to local and national sustainable transport policy guidance.

The design of the dwelling is not considered to represent any demonstrable harm to the character of the AONB and the appearance of the converted barn is not judged to be too dissimilar to the design and scale of the existing agricultural barn building.

9. Conclusion

This application has not demonstrated any functional or financial evidence to convince Officers that the proposed creation of a residential unit is expressly needed to support the function or viability of the rural enterprise. This application has also failed to undertake any critical assessment over the reuse of the building for any other uses or any alternative agricultural use.

The proposal, located remote from a range of services is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys.

RECOMMENDATION

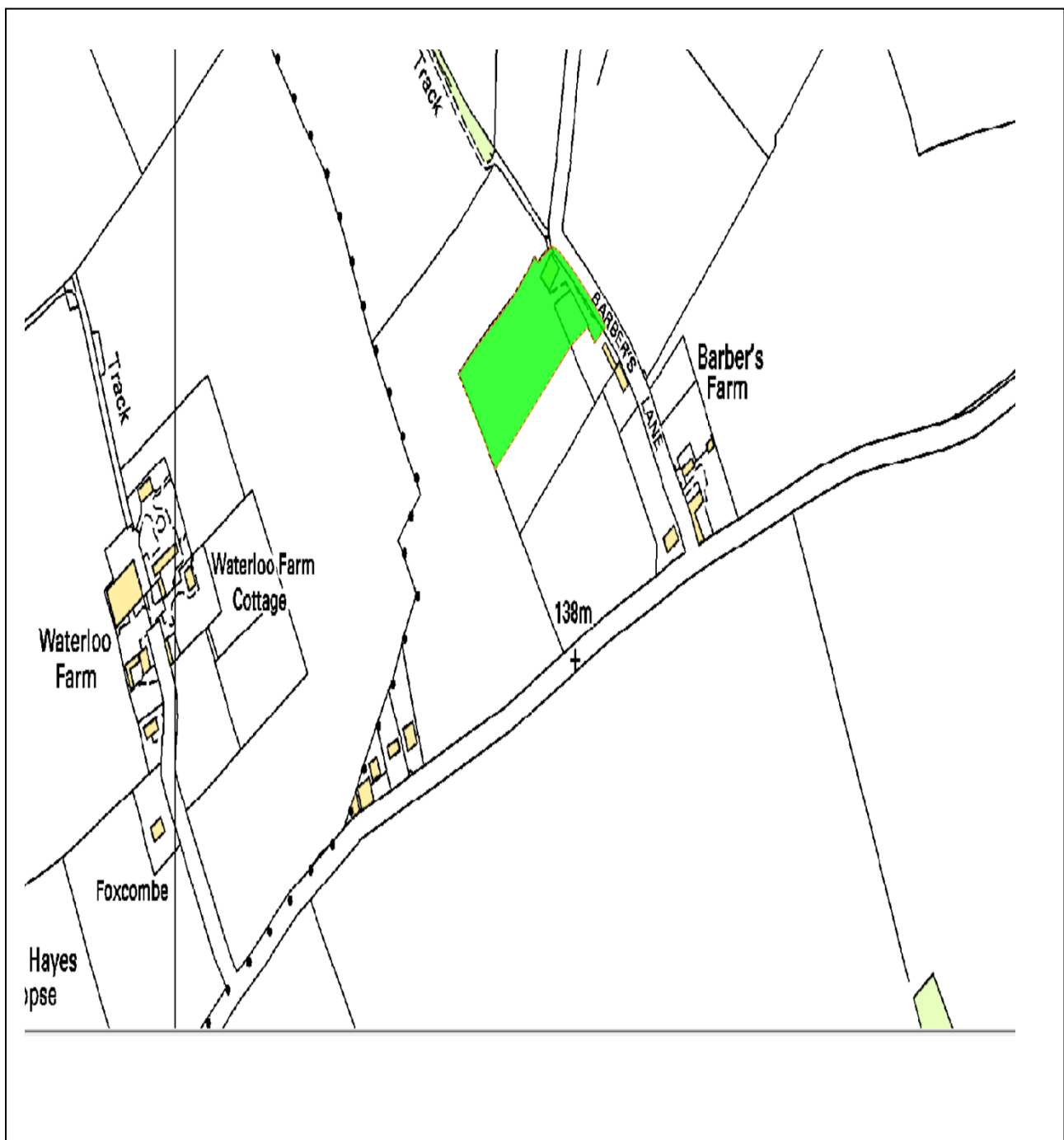
REFUSE

1. Core Policy 1 of the Wiltshire Core Strategy set out the 'Settlement Strategy' for the County, and identifies four tiers of settlement – Principle Settlements, Market Towns, Local Service Centres and Large and Small Villages. The application site is located outside of any settlement boundary and is identified as countryside. This application proposes to create a dwelling house within an agricultural barn which is associated with a rural business known as Bright Seeds. This application has not demonstrated any functional or financial evidence to convince Officers that the proposed creation of a residential unit is expressly needed to support the function or viability of the rural enterprise. This application has also failed to undertake any critical assessment over the reuse of the building for any other uses other than that of the existing agricultural use. The proposal is contrary to the Wiltshire Core Strategy, Core Strategy 48 and saved policy H28 as contained in Appendix D of the Wiltshire Core Strategy (Jan 2015).

2. The proposal, located remote from a range of services is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. The proposal is contrary to the Wiltshire Core Strategy, Core Policy 60 and Core Policy 61.

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Application Number	15/10185/FUL
Site Address	The Field House, Barbers Lane, Swallowcliffe, SP3 5PQ
Proposal	Change of Use of existing agricultural merchants barn and land to mixed residential and business use and conversion of part of barn to new dwelling.
Case Officer	Matthew Legge



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 6

Date of Meeting	17 th December 2015
Application Number	15/09554/VAR
Site Address	Five Rivers Leisure Centre Hulse Road Salisbury SP1 3NR
Proposal	Variation of condition 8 to application 13/02254/FUL to allow 28 additional car parking spaces.
Applicant	Wiltshire Council
Town/Parish Council	SALISBURY CITY
Electoral Division	ST FRANCIS AND STRATFORD – Cllr Mary Douglas
Grid Ref	413860 131042
Type of application	Full Planning
Case Officer	Adam Madge

Reason for the application being considered by Committee

The application has been submitted by Wiltshire Council and a letter raising material planning issues has been received which officers do not have delegated powers to deal with.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Report Summary

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

- Principle of development
- Highway Safety
- Effect on trees and landscaping

The application has generated 1 letter of objection from the Salisbury Area Green space partnership. Salisbury City Council support the proposal with an additional comment (see below).

3. Site Description

The site is that of the Five Rivers Leisure Centre which is currently being redeveloped as a campus for Wiltshire Council. The site is located to the North of Salisbury. Within the conservation area and close to the River Avon SAC/SSSI. To the North of the site are sports pitches and an open area of land. The site is presently well treed.

4. Planning History

13/02254/FUL Proposed two storey main extension, including new build linking entrance reception / foyer space on northern side of existing building. New main extension to accommodate the principle community based spaces. Single storey changing room extension on western side of existing building. Single storey gym extension on southern side of existing building. Remodelling and refurbishment of spaces within existing building to accommodate the proposed extensions and rearrangement of existing uses. Approved 1st October 2014

5. The Proposal

The above planning application granted planning permission for the enlargement of the existing facilities at the Five Rivers leisure Centre for it become a campus development. At the time it was envisaged that the police would use part of the development for operational purposes but their needs have changed and the fire service now intend to use the office space for their headquarters and have asked for an additional 28 parking spaces to be provided as part of this development which is now nearing completion.

The additional 28 parking spaces are to be provided on the northern edge of the existing car parking area and will entail the removal of some trees which it is intended to replace. The car parking spaces will match the existing i.e be gravel with tarmac roads between.

6. Local Planning Policy

The Wiltshire Core strategy was adopted in January 2015 and therefore forms the main policy document for consideration of this application. In particular the following policies are relevant -

a. Adopted development plan

Core Policy 20 Development in Salisbury

Core Policy 51 Landscape.

Core Policy 57 Ensuring High Quality Design and Place Shaping.

Core Policy 58 Ensuring the conservation of the historic Environment.

Core Policy 64 Car parking demand management.

b. Neighbourhood Planning – There is no adopted neighbourhood plan for Salisbury City

National Planning Policy context.

NPPF- National Planning Policy Framework.

7. Summary of consultation responses

Wiltshire Council archaeology – The site has been extensively remodelled in the 1950's and 1960's and is therefore not considered to hold features of archaeological significance – No objections.

Environment Agency – No objection subject to an informative relating to pollution during construction.

Highways England – No objection

Natural England - No objection to the variation of condition 8 but they would support the replacement of the trees to be removed from the site.

Public Protection – Have stated that they have no observations.

Wiltshire Highways – No highways objections.

Salisbury City Council – No objections subject to suitable trees and landscaping being provided.

Wiltshire Council Conservation officer – No objections

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation. 1 letter of objection was received from the Salisbury Greenspace partnership stating the following –

*Salisbury Area Greenspace Partnership **objects** to this planning application in its current form. The principle of providing additional car parking to meet the increased demands due to changes within the campus building is not disputed but the loss of the remaining trees without any replacement tree and other landscape planting is.*

We were disappointed at the landscape response to the comments made by the Salisbury Wildlife Group to the original application. The landscape architect said there was no need for a visual impact assessment despite the location of this development within the Stratford Sub Castle Conservation area where it can be viewed from both Old Sarum and the Avon Valley Nature Reserve to the north. Landscape mitigation was deferred to the ecologist who is only providing an informal native hedge to the north of the playing field, there is no replacement tree planting to reduce the visual impact of this large building or to integrate the extensive area of parking and the all-weather pitch into the landscape setting.

There is also a need to refresh, renew and adjust the existing tree and shrub planting for the leisure centre car park generally to meet the changed circumstances. A detailed landscape plan for this area should be provided before the additional parking is approved.

9. Planning Considerations

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

a. Principle of development

The principle of development on this site has been largely accepted by the previous planning application. The new parking spaces will be seen in the context of the existing and the area is already highly developed. Core policy 20 accepts the principle of development within the built up area of Salisbury and it is therefore considered that the principle of this development is acceptable.

b. Highway Considerations

The councils highway engineers have been consulted on this application and have raised no objections. Core policy 64 states that maximum car parking standards will apply and the councils highway engineers consider that the proposed number of car parking spaces (373) are adequate to meet the needs of the development. It has been confirmed by the applicant that it is not intended to run emergency response vehicles from the site.

c. Trees and landscaping

It is proposed to remove a number of smaller trees as part of this development and the applicant has therefore arranged to replace with five new trees to cover the removal of these as such it is considered that there will not be a significant further detriment to the landscape at this site.

Third party concerns have been raised by the Salisbury green space partnership that there would be the loss of trees and this has been addressed by the applicant through the reprovision of trees around the parking area to replace those that have been lost. It is not considered that there is a need for further landscaping in this area. Salisbury City Council also stated that they had no objection to the development subject to suitable trees and landscaping and it is hoped that the additional trees meet this concern.

Further comments were provided by the Salisbury Green space partnership which relate to the wider site and the original planning application and whilst these comments are noted this application is only to vary the area where the proposed parking is to be situated and therefore cannot reasonably revisit all the landscaping and trees on the site which was considered by members to be acceptable when the initial application was approved.

In view of the above it is considered that the proposal complies with Core Policy 51 of the Wiltshire Core Strategy.

10. Conclusion

It is considered that the introduction of these additional 28 vehicle spaces will allow an effective use of the new development for the fire brigade headquarters, whilst still maintaining a satisfactory degree of planting and landscaping at the site, the replacement of the trees to be removed with five new trees will mitigate the loss of the trees as part of this development and as such it is considered that the development will comply with core policies 51 and 57 of the adopted Wiltshire Core Strategy.

RECOMMENDATION:

Grant Planning permission subject to the following conditions.

- 1 In complete accordance with the submitted details, use of the all weather pitch, including operation of the associated floodlighting, shall cease at 22:00hrs each day and shall not resume use and operation until the following day at 08:30hrs, unless otherwise agreed with the Local Planning Authority in the form of a new and separate planning permission in that regard.

Reason: So as to avoid unnecessary and unacceptable noise and disturbance from the use and operation of the all-weather pitch.

- 2 The development shall be carried out as specified in the approved Arboricultural Method Statement (AMS), and shall be supervised by an arboricultural consultant.

Reason: To prevent trees on site from being damaged during construction works.

- 3 No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

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

Location Plan no 2904(L) 001

Existing Site photographs no 2904(L)005

Existing site plan no 2904(L)010

Proposed site plan no 2904(L)011 rev K

External Works plan no 2904(L)012 rev D

Proposed All Weather pitch plan 2904(L)020 rev B

Existing Basement floor plan 2904(L)040

Existing Ground Floor Plan 2904(L)041

Existing first floor plan 2904(L)042

Existing Roof Plan 2904(L)043

Proposed ground floor plan 2904(L)050

Proposed first floor plan 2904(L)051

Proposed Roof plan 2904(L)052

Existing South Elevation 1 plan 2904(L)101
Existing South Elevation 2 plan 2904(L)102
Existing North Elevation 1 plan 2904(L)103
Existing North Elevation 2 plan 2904(L)104
Existing West and East elevations plan no 2904(L)105
Existing Minor elevations 2904(L)106
Proposed 3D views plan no 2904(L)110
Proposed elevations plan no 2904(L)111
Proposed elevation 1 plan no 2904(L)112
Proposed elevation 2 plan no 2904(L)113
Proposed elevation 3 Plan no 2904(L)114
Proposed elevations 4,5 and 6 plan no 2904(L)115
Police compound fencing detail plan no 2904(L)116
Bin Store detail plan no 2904(L)117
Screen entrance wall plan no 2904(L)118
Cycle shelter details plan no 2904(L)119
Existing site sections plan no 2904(A)170
Proposed site sections plan no 2904(A)171
473477/P003 - Revision P2 : External Lux Levels for Planning - Football Pitch
2904_L_017 Parking Extension Plan
All plans are revision A unless stated.

Additional documents

Flood risk assessment by Hydrock dated May 2013

Noise and Acoustic report reference 5520/DO/pw dated July 2013 by Acoustic consultants Ltd

Transport assessment by Key transport consultants Ltd dated July 2013 including appendices

Design and Access statement by the Bush Consultancy dated 23rd July 2013
External Lighting statement by Halcrow dated 22nd July 2013
Preliminary ecological appraisal by Alec French architects dated September 2012
Biodiversity Enhancement Strategy dated October 2013 by the landmark practice
Construction Working Method statement dated October 2013 by the landmark practice

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

- 5 The development hereby approved shall be carried out in accordance with the details and recommendations of the biodiversity Enhancement Strategy and Construction Method statement dated October 2013 and produced by the landmark practice.

Reason: In order to protect wildlife within the vicinity of the site

- 6 Prior to the occupation of any of the new buildings, the subject of this application, a car parking management plan shall be submitted to and approved by the local planning authority. The plan shall set out measures for ensuring that long stay parking on the site does not arise, as well as measures for dealing with offenders. The car parking shall at all times be managed in accordance with the approved plan.

REASON: To ensure that adequate parking provision exists on the site to accommodate forecast demand.

- 7 All 373 parking bays on the site, as indicated on the approved drawings, with the exception of the 50 space overspill parking area on the proposed reinforced grass area, shall be clearly permanently marked for each parking bay, before the beneficial use of any of the additional uses proposed on the site. All car parking spaces shall be provided before the beneficial use of any of the additional uses proposed on the site.

REASON: To ensure that individual parking bays can be readily identified, and in the interest of efficient use of sufficient parking provision.

- 8 56 cycle parking spaces shall be provided in accordance with the approved drawings before the beneficial use of any of the additional uses proposed on the site.

REASON: In the interests of encouraging sustainable transport to the site

- 9 Prior to the occupation of any of the new buildings, the subject of this application, details of the provision of the proposed community bus, its funding arrangements and its proposed route and timetabling shall be submitted to and approved in writing by the local planning authority. The Community bus shall be operated in accordance with the agreed routeing and timetabling, unless alternative arrangements are agreed by the local planning authority.

REASON; In the interests of encouraging use of sustainable transport modes to access the site.

- 10 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

INFORMATIVE

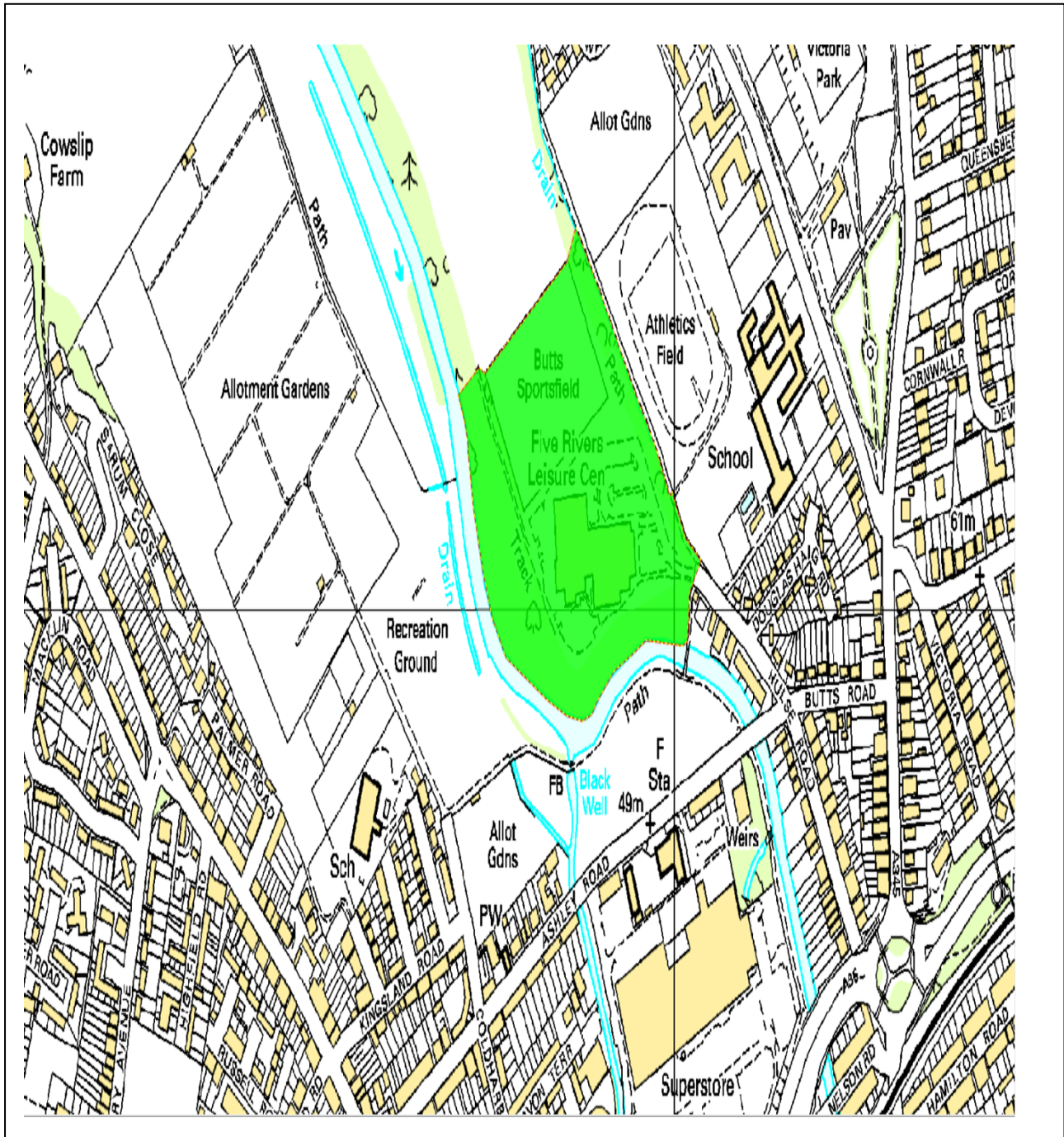
Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Application Number	15/09554/VAR
Site Address	Five Rivers Leisure Centre, Hulse Road, Salisbury, SP1 3NR
Proposal	Variation of condition 8 to application 13/02254/FUL to allow 28 additional car parking spaces.
Case Officer	Adam Madge



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 7

Date of Meeting	17 December 2015
Application Number	15/06846/DP3
Site Address	Bulford Kiwi School Hubert Hamilton Road Bulford Camp Wiltshire SP4 9JY
Proposal	Extension of existing Kiwi Primary School (new block) with associated works including new access
Applicant	Mr P. Smith
Town/Parish Council	BULFORD
Electoral Division	BULFORD ALLINGTON AND FIGHELDEAN – (Cllr. Smale)
Grid Ref	418827 143826
Type of application	Full Planning
Case Officer	Simon Smith

Reason for the application being considered by Committee

This application has been submitted by Wiltshire Council. In accordance with paragraph 1.1 of the Council's Scheme of Delegation Specific to Planning, this application cannot be determined under delegated powers where an objection has been received raising material planning considerations.

1. Purpose of Report

To consider and determine the above planning application in accordance with local and national planning policy and guidance as well as other material planning considerations.

It is recommended that planning permission be granted, subject to the imposition of suitably worded conditions.

2. Report Summary

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

- Background to the Army Basing Programme
- Principle of development

- Design, layout, materials
- Impact upon neighbours
- Parking and highway considerations

The Bulford Parish Council supports the application.

3. Site Description

Kiwi Primary School comprises a site of c.2.2Ha and a series of largely brick built buildings located at its Southern end. The Northern part of the site is used as the school playing fields, which are set at a lower level. A modular building and fenced area in the central part of the site is used for the Bulford Children's Centre

Pedestrian access to the site is via Harrington Drive and Hubert Hamilton Road, with a further access from Marlborough Road, although the applicant suggests this access is not frequently used. Vehicular access is also via Hubert Hamilton Road and indicated with on-site car parking for staff only (some 19 spaces).

The school site itself is owned by Wiltshire Council, but is closely related to Bulford military camp and it is the case that the majority of the surrounding land is owned and used by the MoD for military and associated purposes. To the immediate North and East of the school site is an estate of military housing, although the nearest residential properties at Harrington Drive (arranged in a terrace to the immediate East of the playing fields) are understood to be in private ownership, as is the road itself.

The site is outside of any specific heritage or ecological designation and is located with Flood Zone 1 and therefore not within an area of risk in relation to surface flooding

4. Planning History

13/00230/FUL	External play canopy
S/2010/0216	Outside Covered play area
S/2010/0340	Change in roofing material to assembly hall
S/2010/0896	New children's centre
S/2012/1098	Retention of nursery unit
S/2012/1365	Retention of temporary nursery unit
S/1997/1431	Erection of temporary mobile nursery unit
S/2007/8009	Retention of nursery unit

5. The Proposal

Wiltshire Council have appointed B3 Architects to draw up plans and submit a planning application for the expansion of Kiwi Primary from a 1FE to a 2FE and finally to a 3FE school

across 2 phases. The proposals will eventually accommodate some 364 additional pupils, the majority being derived from the expected increase in military families in the area. The development is to comprise:

- Phase 1 – provision of 1.0FE of junior accommodation in a new 2 storey building to take the total to 2.0FE, raising pupil numbers from 266 to 420. A total of 53 car parking spaces are to be provided. A small sprinkler and refuse store is proposed for the car parking area.
- Phase 2 – Provision of 1.0FE of accommodation via an extension to the phase 2 building (delivering an additional 13 classrooms, hall and library) taking the school to 3.0FE, raising pupil numbers from 420 to 630.

Since the second phase of development is only necessary once all those new SFA (Service Family Accommodation) anticipated as parts of the Army Basing Programme are completed, the application seeks flexibility of implementation.

Please note that the submitted plans reference 3 phases of development, the first of which comprising works that is regarded as “permitted development”, not requiring planning permission. For the purposes of this report, that first phase is ignored, although imposed planning conditions do need to adopt the applicants nomenclature.

All new buildings are to be of modular construction and are to be positioned within the confines of the school site.

6. Local Planning Policy

The Wiltshire Core Strategy (WCS) was adopted by the Council in January 2015. For the purposes s38(6) of the Planning and Compulsory Purchase Act 2004 and Annex 1 of the NPPF, the WCS is now the statutory development plan. Nevertheless, several policies within the Salisbury District Local Plan (2011) have been saved and continue to be relevant to this application.

Policy PS5 of the Salisbury District Local Plan confirms that new education facilities required by the Local Education Authority will normally be permitted on suitable sites either within or adjoining settlements.

Previously saved policies within the Salisbury District Local Plan relating to design and townscape (particularly D1 and D2) have been replaced by CP57 of the WCS. This policy confirms the need for high quality design in all new developments.

Policies relating to highways and transportation are now addressed by Core Policy 61 of the WCS and parking requirements by Core Policy 64 and by the Council's LTP3 Car Parking Strategy.

7. Summary of consultation responses

Bulford Parish Council – Supports the application.

Council Highway Engineer – No objection, subject to the imposition of conditions. See highways section below.

Council Environmental Health Officer – (i) Contaminated Land – require the imposition of a planning condition requiring the investigation of the site and implementation of any necessary decontamination; (ii) Noise - recommend a condition is imposed so as to ensure a detailed assessment with proposed mitigation measures is submitted and implemented.

Council Ecologist – *“A comprehensive ecological survey of the site has been carried out by RSK Environment. The habitats within the site that will be directly affected by the proposal consist solely of hard standing, close mown amenity grassland and an existing portacabin, none of which have any ecological conservation value. RSK have made recommendations within their report for precautionary working practices with particular regard to nesting birds, reptiles and bats, as well as general good practice methods that will ensure wildlife species are not harmed as a result of the construction process. I consider that the proposal would not result in any adverse impacts to biodiversity. I request that the following condition be added to any permission you are minded to give this application. The development will be constructed in strict accordance with the recommendations given in the Ecological Survey Report by RSK Environment for this site, dated May 2015.”*

Council Archaeologist – *“I have now received the archaeological evaluation report for this application. The report demonstrates that the only archaeological feature present within the trenches is a chalk platform that is likely to be associated with the military use of the site. I would therefore like to change my advice to No Objections and do not recommend that an archaeological condition is required for this application.”*

Council Drainage Engineer – *“Application form states foul disposal will be via main sewer – drainage drg within submission shows a layout but it based on an assumed connection level to the main sewer – condition required which will include the need prove actual level of connection to ensure site can drain by gravity to the sewer.....storm water disposal will be via soakaway and main drainage but drainage drg only appears to show soakaways being used (and indicated to be phased) – phase 1 system relies on being able to cross foul system to reach soakaway. Whilst the school site is in FRZ 1 and not within an area of risk in relation to surface flooding according to EA mapping there are issues with small areas of surface flooding risk to the east, north and south of the site. The flood risk statement in the submission states testing has been undertaken to determine that soakaways will work in the chalk subsoil – however the test results and calculations for the soakaway sizing have not been submitted – applicant should be asked to supply these in line with the requirements for “major” developments – report says new system will be sized to prevent flooding but drg already shows sizes.”* Recommends conditions be imposed.

Historic England – No objection.

MoD Safeguarding – No objection.

8. Publicity

A single letter of objection has been received from the “*Bulford Residents Steering Committee*”, raising the following concerns:

“Having now read the transport plan. there is no mention that the Southern end of Harrington Drive is a Private Road and that any recent changes to alleviate traffic to the church car park has had little effect (about 4 cars per day). 90% of traffic uses Harrington Drive as the exit route as there are less speed bumps. Cars also park and turn on drives, pavement. cars arriving half an hour before school opening/closing. The plan does not rule out any access

from Harrington Drive. As part of The Bulford Residents Steering Committee we have not been consulted at all."

9. Planning Considerations

Background:

In March 2013, the Secretary of State for Defence announced the Regular Army Basing Plan. This set out the future lay down of Army units in the UK as units move back from Germany and restructure to deliver the Army 2020 future operating Model. The Army Basing Plan has transitioned into a delivery as Army Basing Programme (ABP). This proposes an optimisation of the UK estate including greater concentration of the Army on Salisbury Plain Training Area (SPTA), where three high readiness Reaction Force Brigades will be based. It is anticipated that the unit moves to Wiltshire are to occur in the 2015 – 2019 period.

This reorganisation of the Army will involve significant new development in and around the Ludgershall, Perham Down, Tidworth, Bulford and Larkhill areas, so to accommodate the additional activity, personnel and their families as well as the infrastructure to support them. In particular, some 917 new Service Family Accommodation (SFA) homes are proposed, spread across sites at Ludgershall, Bulford and Larkhill.

Due to the increase in population for the areas allocated, the Defence Infrastructure Organisation and Wiltshire Council have earmarked schools where the capacity will need to be increased to accommodate the children moving into the new homes. Bulford is expected to be the location for an additional 227 Service Family Accommodation units and, as a consequence, Kiwi Primary School has been identified as a school that will need to expand so as to accommodate the additional pupils derived, in large part, from those houses.

Principle of development

Policy PS5 of the Salisbury District Local Plan 2011 continues to be saved. It states that new education facilities required by the Local Education Authority will normally be permitted on suitable sites either within or adjoining settlements and required to be implemented concurrently with the developments they are intended to serve. In this particular case, Bulford Kiwi Primary is both sited within the settlement boundary as well as immediately adjoining a large area of military housing.

Design, layout, materials

The first phase of development is to create a new classroom block, separated from the existing school buildings, being positioned at the back/Northernmost edge of the existing playground to the playing fields beyond. The new classroom building would be some 41m in length, 12.0m deep, 6.8m in height.

The second phase takes the form of an extrusion from the first phase Westwards towards Marlborough Road, with a connecting internal door. The second phase building would necessitate the removal of the existing Bulford Children's Centre complex and is a somewhat larger building (47m (w) x 23.8m (d) at its deepest x 7.6m (h)).

All new buildings are of a modular format, enabling off site construction at the same time as the completion of ground works. Nevertheless, the external finish, outward appearance and substantial nature of the two phases of building do not appear to be significantly different to that of a traditional build. Being clad in a combination of red brick slips and through colour

cement board in colours that are intended to compliment the red brick of the existing school and the brick/lighter coloured render panels of the surrounding residential properties. The roof is described as being of a felt type construction.

The new buildings, especially considering phase 1 and 2 in totality, would be undeniably substantial. Indeed, approaching a height of 8.0m in parts the new building would also have a flat roof, thereby perhaps increasing the perception of bulk. Views of the development would certainly be possible from Harrington Drive and Marlborough Road across the playing fields. Nevertheless, all possible views of the development will be in the context of an existing school complex and substantial buildings. Even when considered in its totality, the development is not thought to be out of character or obtrusive in that context.

The small sprinkler and bin store building is to be provided adjoining the car parking area, details of which may be controlled via planning condition.

Impact upon neighbours

The nearest residential properties can be found at Harrington Drive, all of which are understood to be in private ownership and no longer occupied by military personnel. Direct views of the development will be possible from those properties facing the playing fields, since the boundary to the playing field is defined by a chain link fence and therefore relatively open. Such views will be at some distance at 20m+ at a perpendicular angle and are not considered likely to result in an unacceptable impact.

A terrace of four properties are positioned to the immediate East of the school and the proposed new buildings. The flank wall of the nearest of those properties is within 1-2m of the school boundary and immediately faces the playground, the front elevation of the proposed phase 1 building being positioned at an oblique angle beyond. Whilst it is clear the front elevation of the new building would present a multitude of windows at ground and first floor, because of the oblique relationship to the flank of the terrace, none would result in obtrusive overlooking or adverse impact upon living conditions.

Parking and highway considerations

The proposal will extend the existing school by some 364 to a total of 630 school places. Staffing numbers increase from 25 to 60 FTE . Car parking is proposed to be increased from 19 to 53 spaces on the site. The submitted Transport Statement does however, suggest several local issues need to be addressed.

The Council's Highway Engineer considers that some of the footways around the site, especially at the junctions of Hubert Hamilton Road and Horne Road with Marlborough Road are in need of remedial work to accommodate the increased pedestrian movement associated with the proposed development (notwithstanding the comment made at 3.2.5 of the Transport Statement).

Refuse

currently collected at kerbside in Eurobins with no facility is provided off-street to accommodate them. As the school will more than double in size if all phases are delivered, then additional waste will need to be collected, possibly requiring additional bins, Space should be provided so that the footway and-or access points are not impeded by bins out for collection, or collection should be made from within the site.

Car Parking at the first phase of development

The Council's Highway Engineer points out that the Transport Statement (TS) is at odds with the phasing drawings provided. Whilst para 3.1.3 of the TS indicates the car park will be increased only at the last phase of development, the revised drawings show the increase being delivered as part of the first phase of development. The increase in parking spaces should indeed be incorporated at the first phase of development. Revised drawing SK-021 shows 53 spaces being created, which the Council's Highway Engineer considers to be satisfactory, subject to proper school management of banked (end-to-end) spaces. It is considered that planning conditions can and should be imposed in respect of these issues.

Car parking at the final phase of development

Using the Council's LTP3 Car Parking Strategy, the full development to accommodate 630 pupils will require a total of 81 parking spaces. The submitted plans demonstrate only 63.

The Planning Practice Guidance notes state: '*Maximum parking standards can lead to poor quality development and congested streets, local planning authorities should seek to ensure parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable.*' In this context, the Highway Engineer does confirm the need for the development to provide a minimum number of car parking spaces to be acceptable. Accordingly, more spaces that are presently available/proposed are required once all the proposed development has taken place are required to satisfy the parking requirements and to avoid an unacceptable impact upon the surrounding roads at peak times.

It is of note that the roads other than Marlborough Road are within the control of the MoD and there can be no certainty that the current opportunities for setting down and picking up on the adjacent streets can be secured. Indeed, whilst the TS identifies the Our Lady Queen of Peace Roman Catholic Church (on the northern side of Marlborough Road) as a potential location to provide for up to 60 spaces, that land is controlled by the MoD and without a formal agreement between the school and the MoD, there can be no guarantee of their availability. For this reason, it is necessary and reasonable to impose a planning condition that prohibits the construction of the last phase of development until an enforceable scheme for alternative on or off site parking arrangements for the additional parking spaces can be secured.

10. Conclusion

Saved Policy PS5 of the Salisbury District Local Plan 2003 confirms that new education facilities required by the Local Education Authority will normally be permitted on suitable sites.

In this particular instance, the development would take place within an established school site, within Bulford settlement boundary and is of a form and appearance that would not have an unacceptable impact upon the amenities of the locality or surrounding residents. Access to the site is considered to be suitable for the increased number of pupils and staff and, subject to the imposition of planning conditions, parking provision on the site can be adequately controlled.

Accordingly, the proposal would not conflict with the requirements of policies PS5 of the Salisbury District Local Plan 2011 as well as policies CP57, CP61 of the Wiltshire Core Strategy 2015 and CP64 of the LTP Car Parking Strategy.

RECOMMENDATION: Planning permission be GRANTED subject to the following conditions:

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

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

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

Site Location Plan SK19-C (received 23/10/15)
Site Plan SK-20 rev.C (received 23/10/15)
Site Plan Phase 2 SK03 rev.E (received 23/10/15)
Ground Floor Plan – Phase 2 SK-04 Rev.H
First Floor Plan – Phase 2 SK05 rev.I
North and South Elevations SK09 rev.D
East and West Elevations SK10 rev.D
Ground Floor Plan Phase 3 SK11 rev.F
First Floor Plan Phase 3 SK12 rev.F
Sprinkler Tank and Refuse Store SK13 rev.D (received 23/10/15)
Site Plan Phase 3 SK14 rev.E (received 23/10/15)
Pedestrian gate Modifications SK-16 rev.C
Foul and Surface Water Drainage Layout KW-D-001 rev.P1

Landscape Plan Phase 2 SK21 rev.A (received 23/10/15)
Landscape Plan Overall Strategy SK22 rev.B (received 23/10/15)

Hubert Hamilton Road Junction SK29 rev.A (received 23/10/15)
Kiwi Pedestrian Desire Lines (received 23/10/15)

Design and Access Statement
Arboricultural Impact Assessment
Flood Risk Statement
Ecological Survey Report, prepared by RSK Environment (dated May 2015).
Archaeological Desk Based Assessment
Interpretive Report on Site Investigation
Noise Assessment
Transport Statement

All date stamped 24th July 2015, unless otherwise stated.

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

3. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the detailed drawings to be submitted to and approved by the Local Planning Authority. The areas shall be maintained for those purposes only at all times thereafter.

REASON: In the interests of highway safety

4. No part of the development hereby permitted shall be first brought into use until a car parking management plan has been submitted to and approved in writing by the Local Planning Authority. The car parking arrangements shall be operated in accordance with the approved plan.

REASON: To ensure that the double banked parking spaces provided at the north western part of the proposed parking area are managed in an appropriate manner which does not unnecessarily impede use by defined users.

5. No part of the development hereby permitted shall be occupied until a School Travel Plan, being a revised version of the existing Travel Plan (2012), has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and in the interests of sustainable transport to and from the development.

6. Prior to the commencement of the development a Construction Traffic Management Plan shall be submitted to and agreed by the Local Planning Authority. The Plan shall include, inter alia, details of how and when modular units will be delivered to the site, proposals to protect existing highway from damage, a timescale for repairing damage caused to the highway, and arrangements for construction personnel vehicle parking. It shall also include the following:
 - i. Loading and unloading of equipment and materials
 - ii. Storage of plant and materials used in constructing the development
 - iii. Wheel washing and vehicle wash down facilities
 - iv. Measures to control the emission of dust and dirt during demolition and construction
 - v. A scheme for recycling/disposing of waste resulting from demolition and construction works
 - vi. The movement of construction vehicles
 - vii. The cutting or other processing of building materials on site
 - viii. The location and use of generators and temporary site accommodation
 - ix. Pile driving (if it is to be within 200m of residential properties)

The development shall be undertaken in complete accordance with the approved plan.

REASON: In the interests of highway safety.

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

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

REASON: So as to ensure the amenity of local residents are protected during construction and operational phase of development.

8. The development shall be carried out in complete accordance with the recommendations and conclusions contained within the Ecological Survey Report, prepared by RSK Environment (dated May 2015).

REASON: So as to ensure that the construction and operational phase does not adversely impact upon the ecological value of the locality.

9. No development shall commence on site until a scheme for protecting the nearby residential properties against noise from ventilation and extraction equipment has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full before the use commences and maintained at all times thereafter.

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at least 5dB below the background noise level.

REASON: To ensure the development does not result in an unacceptable impact upon the living conditions of nearby residents.

10. No development shall commence on site until a scheme for the discharge of foul water from the site, including confirmation of connection levels to confirm that a gravity system is appropriate, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

11. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

12. Prior to its construction, details of the proposed sprinkler and bin store shall have been submitted to and agreed in writing by the Local Planning Authority. The store building shall be constructed in complete accordance with those approved details.

REASON: So as to secure a suitably designed store building that does detrimentally impact upon parking provision across the site.

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

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

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

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

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

14. Prior to the commencement of development, details of the proposed external materials to be used in the construction of the development shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with those details so agreed.

REASON: To ensure a form of development that respects the character and appearance of its locality.

15. Prior to the commencement of the development a scheme for the improvement of pedestrian facilities at the junction of Marlborough Road/Hubert Hamilton Road and Horne Road shall be submitted to and approved by the Local Planning Authority. The scheme shall ensure that dropped kerb crossings are provided at all crossing desire lines to facilitate movement by pedestrians. The scheme shall be fully implemented prior to the first occupation of the development hereby permitted.

REASON: In the interests of highway safety and to help facilitate sustainable transport to and from the site

16. Prior to the commencement of the development a scheme for the collection of waste from the site (which do not require bins to be temporarily stored on the footway), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development hereby permitted.

REASON: In the interests of users of the footway on Hubert Hamilton Road

17. No part of the development hereby permitted shall be first brought into use until the access, turning area and all necessary parking spaces have been completed in accordance with the details to be submitted to and approved by the Local Planning Authority. Those details shall include the commitment to provision of 53 car parking spaces (as demonstrated on plan SK03 rev.E). The accesses to the site shall include the vehicular access and two pedestrian accesses from Hubert Hamilton Road, and the pedestrian accesses from Marlborough Road and Harrington Drive. No part of the development hereby permitted shall be occupied until the accesses and car parking areas shown on submitted drawing SK-021 have been completed. In accordance with the details agreed, the parking areas shall be maintained for those purposes only at all times thereafter.

REASON: It is expected that the details submitted will ensure the provision of all necessary parking spaces shown on the submitted plans prior to the first use of the new buildings, in the interests of highway safety, to meet the policy requirements in relation to school car parking requirements and to ensure that car parking places are not unduly obstructed by users.

18. No part of the development hereby permitted shall be commenced until an On-site Car Parking Management Plan shall have been submitted to and approved in writing by the local planning authority. The car parking at the site shall be managed in complete accordance with the approved Plan thereafter.

REASON: To ensure that the double banked parking spaces of the proposed parking area are managed in an appropriate manner, which does not unnecessarily impede use by defined users.

19. No part of the Phase 3 development (as defined within the submitted plans and documents) shall take place until a Car Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of additional on and off-site parking spaces to be provided, and the legal arrangements in place to assure their availability at school start and finish times. Thereafter the car parking arrangements shall be operated in complete accordance with the approved Plan.

REASON: To ensure that an additional supply of parking is provided (over and above that to be constructed as part of the first phase of development) in accordance with the requirements of the adopted Wiltshire LTP3 Car Parking Strategy. To also ensure that any off-site provision is suitably located and so as to ensure the development does not cause unacceptable congestion and parking problems in the future.

20. Prior to the first occupation of the development hereby permitted at least 15 covered cycle parking spaces shall be provided in accordance with a plan, the details of which shall first have been submitted to and approved by the Local Planning Authority.

REASON: In the interests of sustainable transport to and from the site.

21. Prior to the commencement of the development a Construction Traffic Management Plan shall have been submitted to and agreed by the Local Planning Authority. The Plan shall include, inter alia, details of any temporary site access, how and when modular units will be delivered to the site, proposals to protect existing roads from damage, a timescale for repairing damage caused to the highway, and arrangements for construction personnel vehicle parking. The development shall be undertaken in accordance with the plan.

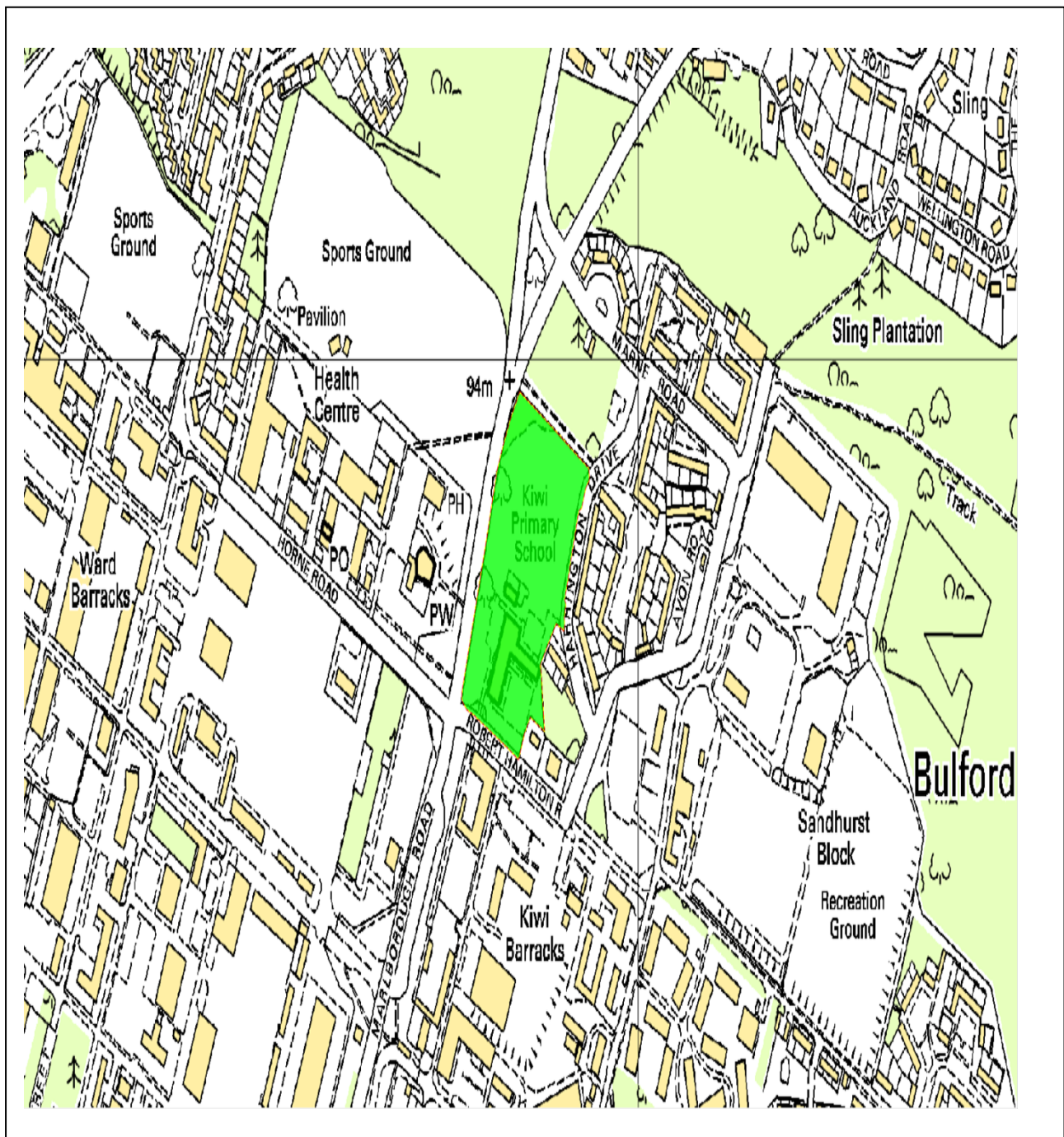
REASON: In the interests of highway safety

22. Prior to the commencement of development, a Framework Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Framework Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority before the second term following the first occupation of the development hereby permitted. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

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Application Number	15/06846/DP3
Site Address	Bulford Kiwi School, Hubert Hamilton Road, Bulford Camp Wiltshire, SP4 9JY
Proposal	Extension of existing Kiwi Primary School (new block) with associated works including new access
Case Officer	Simon Smith



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