

REPORT FOR THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting	
Application Number	PL/2023/08818
Type of application	Full planning permission
Site Address	127 East Gomeldon Road, Gomeldon, Salisbury, SP4 6NB
Proposal	Conversion of existing barns to form a single storey two bedroom residential dwelling (Use Class C3) and associated works
Recommendation	Approve subject to s111 agreement
Applicant	Mr and Mrs Sam and Ruby Duffy
Town/Parish Council	Idmiston CP
Electoral Division	Old Sarum & Lower Bourne Valley ED
Case Officer	Julie Mitchell

Reason for the application being considered by Committee

The application has been called into committee by the divisional member, Cllr Andrew Oliver, on the grounds that the character of East Gomeldon Road is defined by ribbon development along the north side of East Gomeldon Road with dwellings either located at the front of the residential plots with linear rear gardens or located at the rear of the plot with linear front garden. Tandem or back land development is unusual for this road. The siting of the proposed dwelling located further to the north than existing dwellings and their curtilages is considered to for harmful encroachment of residential development into the rural landscape, contrary to core policy 57 of the Wiltshire Council Core Strategy.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved subject to the s111 agreement to secure mitigation for protected sites.

2. Report Summary

The key determining planning issues are considered to be:

- Principle of development/capability of conversion
- Visual impact on the character and appearance of the existing building and the surrounding area

- Neighbour amenity
- Highways/Infrastructure/Access to local services
- Ecology
- Drainage/Flood risk

3. Site Description

The application site relates to two existing, adjacent single storey barn/equestrian type building situated on land to the rear of existing residential properties in East Gomeldon Road. The site is associated with 127 East Gomeldon Road, however the building itself lies to the rear of the boundary to the neighbouring property at 129 East Gomeldon Road. The site is accessed from East Gomeldon Road, which lies to the south of the site, via an existing vehicular access lane which lies immediately to the east of the domestic curtilage of 127 East Gomeldon Road which has a separate vehicular access located to the west of the site access. Immediately to the east of the access is a further vehicular access lane which serves land to the rear of 129 East Gomeldon Road and which separates the site from the domestic curtilage of this dwelling. Several of the properties along the northern side of the highway have plots of land beyond the residential curtilage which are in use for agricultural/equestrian purposes, some of which include buildings for those purposes. Open countryside lies to the north of the properties in East Gomeldon Road and to the south of East Gomeldon Road, which is largely undeveloped. The context for the site is shown in the mapping extract below.



The site lies within the parish of Idmiston and forms part of the small village settlement of Gomeldon/East Gomeldon/West Gomeldon, with lies to the south of the large village of Porton and to the north east of the large village of The Winterbournes. Small village settlements do not have limits of development, however the proposed site lies outside of the 'built up' area of the small village formed by the existing residential properties which line the highway and their domestic curtilages.

The site is within the locally designated Special Landscape Area. It lies within the catchment of the River Avon SAC and within 6.4 km of the Salisbury Plain SPA.

4. Planning History

PL/2021/08548 - Conversion of existing barns to form a single storey two bedroom residential dwelling (Use Class C3) and associated works – Refused – Appeal Dismissed

5. The Proposal

The proposal comprises the conversion of the existing buildings to a single residential property, including the additional of a small linking extension, together with associated domestic curtilage and PTP, the site plan below shows the layout of the site and immediate context for the site.



Submitted site plan

The proposal provides for single storey accommodation comprising an open plan kitchen/dining room, lounge, 2 bedrooms, 2 bathrooms, a small study and a plant room.

The proposal is supported by a structural report, landscape assessment and bat/protected species survey.

6. Local Planning Policy

Wiltshire Core Strategy (WCS) adopted 2015

National Planning Policy Framework 2023

Wiltshire Core Strategy:

CP1 (Settlement Strategy),

CP2 (Delivery Strategy),
CP3 (Infrastructure Requirements),
CP4 (Amesbury Community Area),
CP41 (Sustainable Construction),
CP48 (Supporting Rural Life),
50 (Biodiversity and Geodiversity),
57 (Design)

Salisbury District Local Plan - Saved Policy C6

Wiltshire Local Transport Plan – Car Parking Strategy

Idmiston Parish Council Neighbourhood Plan 2017

Idmiston, Porton & Gomeldon Village Design Statement 2013

Wiltshire Design Guide

Habitat Regulations Assessment and Mitigation Strategy for Salisbury Plain Special Protection Area

Conservation of Habitats and Species Regulations

7. Summary of consultation responses

Idmiston Parish Council: Objection.

- In open countryside. East Gomeldon does not have a development boundary.
- Not infill development
- Unsustainable location, presumption against new development
- Contrary to WCS Policy and NPPF
- Not identified in Neighbourhood Plan
- Not in compliance with exemption tests (WCS para 4.25)
- Encroachment into countryside
- Out of character with ribbon development
- Tandem or back land development is unusual for this road

Dorset & Wiltshire Fire & Rescue Service: Advice on building regulation compliance

Wiltshire Council Highways: No objection, subject to conditions

Wiltshire Council Ecology: No objection, subject to conditions

Wiltshire Council Landscape: No objection

8. Publicity

Neighbour notification was carried out Third party representations have been received to the proposal, summarised as follows:

Objections

- Introduction of new materials, vehicular parking, residential paraphernalia would detract from countryside
- The access track is detailed to be tarmac but is a stone and grass countryside track
- Contrary to established character of development
- Contrary to Policies CP51 and CP57
- Sets a precedent for further backland development
- Not infill development
- Will advance the amalgamation of the villages of Gomeldon, Porton and Idmiston
- The previous appeal decision should be taken in account
- Point 23: "The harm I have identified to the character and to the area would be significant"
- Point 25 "The proposal would not be a sustainable form of development, the conflict with the development plan is not outweighed by other considerations"
- Hay barn and stable block located within 10 metres of the proposed dwelling
- Detracts from rural nature of the area
- Could lead to curtailment of legitimate equestrian activities at 133 East Gomeldon Road
- The stables at No. 127 continue to be used to house livestock (currently goats as of 23/11/2023) and the barn is used for machinery storage
- The fields behind belonging to No 127 are rented to a local horse trainer/dealer
- The existing structures are not redundant and are functional for agricultural and/or equestrian purposes
- Placement of hedgerow on boundary line will encroach on land belonging to 133 East Gomeldon Road and inappropriately close to a residential property

Support

- No objection from occupiers of 123 East Gomeldon Road

9. Planning Considerations and Assessment

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.

Principle of Development:

Core Policy 1 of the Wiltshire Core Strategy (WCS) sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries. Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier. Core Policy 2 defines East Gomeldon as a small village, and therefore it has no settlement boundary and is therefore

outside of the limits of development. New dwellings will not be permitted outside the limits of development, except for in the following circumstances:

- infill within the existing built area of small villages
- rural exception sites (Core Policy 44) i.e. 100% affordable housing developments
- supporting rural life (Core Policy 48).

The application site consists of two existing buildings located approximately 65m to the rear of the existing building line on the northern side of East Gomeldon Road. These buildings are clearly separate from the existing built form of the established line of residential units which are within the built up area of the small village and therefore the development would not fall within the category of infill development under Core Policy 2. The proposal is not for an affordable housing unit and therefore the exception policy, Core Policy 44, is not of relevance.

Core Policy 48 allows for the conversion and re-use of rural buildings for employment, tourism, cultural and community uses, subject to 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.

Only where there is clear evidence that the above uses are not practical propositions, would a residential use be considered.

The proposal has been previously considered by the LPA and the Council's decision to refuse the application was upheld at an appeal.

In respect of CP48 (i), the application is supported by a structural report. This report was submitted with the previous appeal and the Inspector's decision included reference to this report at paragraphs 12 to 17 of the decision letter. The conclusion in paragraph 17 was that the buildings were structurally sound and capable of conversion without significant rebuilding and therefore that the proposal complies with this criterion. The appeal decision confirms that the basic principle of this policy in terms of the capability of the building to be converted is met. There were no previous reasons for refusal based on the proposed residential use of the buildings as opposed to the preferred commercial and community type uses set out in CP48. Taking into account the reasoning for the dismissal of the previous appeal, the principle of converting the existing buildings to a residential use is deemed an acceptable exception to WCS Core Policies 1 and 2. Whilst noting previous concerns that there would likely be a need to build a replacement storage building to meet the needs of the smallholding, this was not a reason that the Inspector gave weight to in their decision.

The remainder of the criteria in CP48, listed under (ii), (iii) and (iv), crossover with other core policies of the WCS and policies within the Idmiston Neighbourhood Plan (INP) and these

considerations are therefore addressed under separate topic headings in more detail below. In respect of CP48 (v), the buildings that are the subject of this planning application are not designated or undesignated heritage assets and therefore this point is not applicable.

Visual/Landscape Impacts

CP48 (ii) deals with character and appearance of landscape and settlement, as well as residential amenity which will be considered in a subsequent section of the report. The aims of CP48(ii) in respect of character and appearance are reinforced by Wiltshire Core Strategy Policies CP51 (Landscape) and CP57 (Design), saved policy C6 of the Salisbury District Local Plan (Special Landscape Areas) as well as Policies 1 and 3 of the Idmiston Parish Council Neighbourhood Plan 2015-2026 (INP).

CP51 requires that *"Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures"* whilst CP57 states that *"A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality."* This includes *"relating positively to its landscape setting and the existing pattern of development"* and *"responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting"*. Saved policy C6, states that *"Within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality on the landscape are acceptable, they will be subject to the following criteria;*

- (i) The siting and scale of development to be sympathetic with the landscape; and*
- (ii) High standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area. "*

The INP provides the local policy context for the site and the surrounding villages. Policy 1, as set out in the appeal decision, emphasises the importance of the physical and visual breaks between the villages so they remain as recognisably separate places with their own identities and does not support development which prejudices the existing separation of the villages from each other and Policy 3 outlines the importance of the edges of settlements and requires that new development minimises the visual impact upon those locations. Further design criteria is provided in Design Policies 6 and 10 of the Idmiston, Porton and Gomeldon Village Design Statement (VDS). Design Policy 6 of the VDS states: *"For our villages to remain as recognisably separate places, with their own identities, it is critical that these physical and visual breaks between our settlements are retained. Consequently any development which prejudices the continued separation of our existing villages from each other, and from those in neighbouring parishes, will not be supported"*, whilst Design Policy 10 of the VDS states: *"To ensure new development in Gomeldon and East Gomeldon is compatible with the existing settlements' mostly linear form... Tandem or backland development should be avoided"*.

The appeal decision letter sets out the inspector's findings in relation to the impact on character and appearance in paragraphs 5 to 11. Within this it is noted that the site comprises two vacant

single storey barns and an area of associated pasture, located behind a long line of dwellings fronting East Gomeldon Road. A large gap is maintained between the barns and the host dwelling at No 127 East Gomeldon Road (No. 127) meaning that the barns appear somewhat divorced from No. 127 and the other dwellings fronting the road. The barns are therefore seen in a more rural context close to adjacent fields and enclosed paddocks, as well as some occasional utilitarian buildings set behind and away from the dwellings to the south.

The inspector further noted that the proposed residential dwelling would primarily utilise the existing built envelope of the barns. The linking of the barns with a modest addition would unify the structures and the proposed re-cladding in appropriate materials would represent a visual improvement to their appearance, which they noted was agreed in principle with the Council. However, of concern was that the large green space to the side and rear of the barns would likely be used for the parking of vehicles and the placing of residential paraphernalia such as seating and clothes drying areas, thereby creating a more intensive residential environment that would be visually at odds with the more open and undeveloped setting of the site and resulting in residential development in a more advanced position beyond those neighbouring properties which would encroach further into the open countryside. Whilst it was acknowledged that some frontage properties further to the south have deep rear gardens that extend close to the position of the appeal barns and that the removal of permitted development (PD) rights at the site and additional landscaping to improve screening around the proposed dwelling could be required, it was concluded that the proposal would *"harmfully infringe upon the important undeveloped space separating the villages of East Gomeldon and Porton, as well as eroding the settlement's edge. The effect of this would be visible from surrounding land and appear discordant and disconnected in relation to the more integrated arrangement of dwellings fronting East Gomeldon Road"*. Given the site's elevated position above East Gomeldon Road and likely views through the site access, it was judged that the combined effect of removal of PD rights and additional planting would not effectively mitigate the effects or screen the site, such that the conclusion was that the development would have an unacceptable effect upon the character and appearance of the area contrary to the policies of the WCS, SDLP, INP and VDS which seek to prevent development from detracting from the character of the surrounding landscape and built environment and protect the prevailing settlement pattern in the area.

To address the inspector's reasoning for dismissing the appeal, this application is supported by a Landscape Assessment (LVA) which seeks to demonstrate that the landscape effects of the proposal are limited. The Council's Landscape Officer has reviewed the LVA and raised no objection to the proposals on the basis that the development will not create any significant harm to the local or wider landscape character or its appearance and perceived visual amenity. The likely landscape effects are summarised below:

- No effects on the fabric of the landscape, including topography & drainage with a slight beneficial effect in terms of vegetation.
- No cultural or heritage assets are directly or indirectly affected by the proposals.
- There would be a small effect arising from the change of use from stable & barn to residential but not unexpected as there are similar dwellings either side of the site. The LVA notes that 'the effects of these changes would be very small and have no meaningful effect on the wider landscape character'.

- There would be a small change to the settlement pattern however there will be no perceived coalescence with Porton and no meaningful effect on the wider landscape character or settlement pattern.
- There would be no effects to the aesthetic and perceptual characteristic of the landscape.

The proposed change of use of the buildings to a residential use would not demonstrably alter the character and appearance of the buildings and where the appearance of the building is altered it has been accepted that those changes would be visually beneficial. In this context it is difficult to argue that the proposal would encroach unacceptably into the countryside beyond the building line since the buildings already exist and the siting is determined by this. However it is the associated residential activity to the exterior of the building which has been held to create the change in character and encroachment arising from the change from 'rural' activity and paraphernalia associated with the existing use to residential activity and paraphernalia associated with the proposed use. The LVA does not demonstrate that this change and consequent visual impact would not occur, but rather indicates that the scope of that impact would not be significant. Given the additional information and the comments of the Council's Landscape Officer, it is considered that it would be difficult to sustain a reason for refusal on character and appearance on the basis of the reasoning which led to the dismissal of the previous appeal.

Residential Amenity:

CP48 (ii) also deals with residential amenity. In terms of achieving suitable levels of amenity, CP57 (vii) requires proposals to have “...*regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)*”. The officer report for the previous application noted that concerns had been raised over the conflict between residential and equestrian land uses as a result of these being located adjacent to each other due to the close proximity of stables and menage to the proposed dwelling, however the conclusion was that this is not an unusual concept rural areas. It was also concluded that the proposed dwelling was of sufficient distance from existing dwellings for there to be no overlooking or other adverse impacts on existing residential properties. It is therefore concluded that there would be no conflict with CP48(ii) in respect of residential amenity or CP57 (vii).

Highway Safety/Access/Infrastructure:

In respect of CP48 (iii), the buildings benefit from an established vehicular access. Wiltshire Council's Highways Officer have raised no objections to the suitability of the existing access for residential use, and have confirmed that the proposed parking and turning arrangements on site are adequate. Consequently there would be no conflict with WCS policies in respect of highway safety. In terms of infrastructure, the existing buildings are not connected to mains electricity, gas or water, however given the proximity to other residential properties it is not considered that there would likely be any significant obstacles to prevent these connections being achieved or alternative provision made. Reference to drainage is outlined later in the report.

In respect of CP48 (iv), a new dwelling in the proposed location would be deemed to be in an unsustainable location given that the site is outside the limits of development, however, the

proposal is near to other dwellings and it is not an isolated dwelling in the context of the NPPF guidance which gives support for conversion of rural buildings to provide dwellings in rural locations. In the context of the support in principle for the re-use and conversion of rural buildings in CP48 and national policy, and having regard to the conclusion of the appeal inspector in respect of the previous application that the buildings are sound and capable of conversion, the re-use of existing buildings would not be expected to be within the boundary of a town or village since CP48 is an exception to housing policy relating to new buildings. As such the proposed dwelling would be considered to have reasonable access to local services given that it is adjoining the built area of the small village of East Gomeldon, which along with some nearby villages, is described as forming "part of a network of closely related settlements separated by undulating and attractive countryside". The requirement of CP48(iv) is therefore met and there is no conflict with the WCS when considered as a whole in light of the exception provided by CP48.

Ecology:

Core Policy 50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

The application is supported by a Bat & Protected Species Survey Report. The ecology survey confirms that the buildings did not support roosting bats but did support nesting birds. The ecology report makes a series of recommendations for precautionary measures to be implemented as part of the development, to ensure that protected species are not adversely impacted by the works. These include avoidance measures and some provision of alternative features and habitat areas to ensure that wildlife continues to be accommodated within the development. These include, three nesting opportunities for swallow and two open fronted nest boxes to compensate for the loss of roosting habitat, one inbuilt bat roosting provision, one house sparrow nesting terrace, one bee brick and a sensitive lighting scheme.

The submitted Landscape Proposals include native hedgerow planting and tree planting, this is welcomed. To maximise benefits to biodiversity it is recommended that new hedgerow planting comprises of at least 5 native woody species to achieve a 'species-rich' hedgerow. Measures recommended in the ecology report, including compensatory measures for nesting birds, have been incorporated into the design and shown on the elevation drawings in order to comply with Core Policy 50 and demonstrate no net loss in biodiversity as a minimum. The inclusion of other features such as bee bricks and bat boxes is also encouraged.

Porton Down Protected Sites (HRA)

The site is located approximately 950 m from Porton Down Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) and Salisbury Plain Special Area of Conservation (SAC). A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species Regulations 2017(as amended). This concluded that given the scale and nature of the development combined with the separation of 950 m between the designated sites and the application site, there is no mechanism for adverse effect. The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

New Forest Protected Sites (HRA)

The proposed development site lies within the 13.8 km zone of influence for the New Forest protected sites, which comprises the New Forest SPA, New Forest SAC and New Forest Ramsar site. Therefore, the application is screened into appropriate assessment under the Habitats Regulations 2017 (as amended) on account of its potential to cause adverse effects on the New Forest protected sites through increased recreational pressure which may occur alone and in combination with other plans and projects. Many of the special features of the New Forest protected sites afforded protection are vulnerable to adverse effects associated with an increase in recreation as demonstrated in Natural England's supplementary advice issued for the SPA on 19 March 2019 and for the SAC on 18 March 2019.

Following a Cabinet decision on 7 May 2024, Wiltshire Council's "Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1.1, 21 March 2023) is being revised. Cabinet approved revised mitigation measures to manage recreational pressures on the New Forest protected sites, including the cessation of use of Community Infrastructure Levy (CIL) to fund Strategic Access Management and Monitoring (SAMM) measures for minor residential development (1-49 dwellings) and tourism / visitor accommodation within the 13.8 km zone of influence. Instead, SAMM measures are to be funded by developer contributions at a rate of £600 (plus legal and admin fees) per unit of residential or tourism accommodation. This revision applies to all development that will result in a net increase in accommodation units within the 13.8 km zone of influence from the New Forest protected sites and therefore applies to this application. The New Forest SAMM Report was commissioned by all the local planning authorities with areas lying within the 13.8km zone, in order to identify and implement a consistent strategic approach to mitigation across the zone of influence.

It will therefore be necessary for developer contributions to be secured via s111 agreement, unilateral undertaking or s106 agreement for this application to ensure the necessary mitigation is secured. This will enable the Council to conclude, subject to endorsement from Natural England, that the development proposed by means of this application will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects.

Hampshire River Avon SAC Catchment (HRA)

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Appropriate Assessment (AA) under Section 63 of the Habitats Regulations must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

The Council's current strategic mitigation approach has now changed following a cabinet report in early February. The Council-led scheme will only be available for planned development where there is a supply of mitigation credits for the relevant sub-catchment, and the credits will only be allocated to applications that are advanced in the planning system. Developer contributions via planning obligations are sought for planning applications that wish to use the Council-led scheme.

Hurdcott Wastewater Treatment Works serves the local area, however evidence has been submitted to demonstrate that connection to the sewer network is not feasible. A Package Treatment Plant (PTP) (Graf one2clean) has therefore been proposed. This PTP is certified for phosphorus removal with an efficiency of 1.6 mg/l.

A phosphorus budget has been submitted and reviewed by Wiltshire Council. The total annual phosphorus load to mitigate is 0.23 kg TP/yr.

A Hampshire Avon Credit Screening Approval Certificate has been provided to the applicant which enables them to apply to the Council-led scheme via the website Development Applications in the Hampshire Avon. Compliance with the Council-led scheme, or provision of an alternative approved mitigation package, can be secured via condition to ensure that mitigation is provided prior to commencement of development. It is considered that this approach delivers the required level of certainty to secure effective mitigation for the phosphorus burdens of this planning application. There will be no in combination effects with other developments, therefore it is concluded that there would be no adverse effect on the integrity of the above European sites as a result of the development, this enables a favourable Appropriate Assessment to be concluded.

Salisbury Plain Special Protection Area (HRA)

Due to the proximity of the proposed development site to the Salisbury Plain Special Protection Area (SPA) (within 6.4 km of the Salisbury Plain SPA), this triggers a Habitats Regulations Assessment (HRA). Previously the proposal was not considered to be planned development, however given that it has been accepted that the buildings are capable of conversion, officers now conclude that it would be difficult to sustain a refusal on the grounds of conflict with CP48. As such, the proposal would be considered to be "planned" residential development as an exception to new housing provision and therefore the Council's mitigation strategy can be used to offset the proposal's impact on the Salisbury Plain SPA.

Drainage and Flood Risk:

The site lies within Floodzone 1 and the siting of the existing buildings is not shown to be at risk of other sources of flooding. The distance of the site from the mains connection is such that the use of PTP is considered acceptable having regard to the drainage hierarchy. Surface water drainage is indicated to be via soakaway. It is considered that flood risk is not a constraint for the proposed development and the means of foul and surface water drainage would be appropriate.

11. Conclusion (The Planning Balance)

The existing buildings are located outside of the limits of development, where the creation of new dwellings is only permitted via one of the exception policies. The proposal has been subject to a previous appeal decision in which it was considered that a structural survey provided sufficient evidence that the buildings are capable of conversion to residential without significant rebuilding and that the re-cladding of the buildings and linking extension would unify the structures would represent a visual improvement to their appearance in compliance with CP48 (i) of the WCS.

It was previously found that the change of use of the buildings and surrounding land to form domestic curtilage would result in the encroachment of residential paraphernalia and creation of a more intensive residential environment which would be visually at odds with the more open and undeveloped setting of the site and have an unacceptable effect on the character and appearance of the area, contrary to Policy CP48(ii) of the WCS, Saved Policy C6 of the SDLP, the Neighbourhood Plan and Design Policies 6 and 10 of the Idmiston, Porton and Gomeldon Village Design Statement. The proposal remains as previously assessed and the residential use of the external areas would be as described. However the application is supported by an LVA which seeks to demonstrate that whilst this change and consequent visual impact would occur, the scope of that impact would not be significant and therefore would not represent demonstrable harm to the landscape setting and settlement pattern, a position which the Council's Landscape Officer supports.

The objections from the parish council and third parties have been considered and there are no other material considerations which would indicate reasons for refusal taking into account the conclusions of the appeal inspector in dismissing the previous appeal.

The application site is located within the catchment of the River Avon Special Area of Conservation and on the basis that the principle of the proposed re-use has been accepted as compliant with CP48, it is confirmed that the development would satisfy the criteria for the Council-led mitigation strategy to offset additional phosphate discharge of the proposed use. It can therefore be concluded that the proposal would not cause adverse effects on the SAC subject to condition as set out by the Council's ecologist and therefore compliant with CP69.

The application site lies within the 13.8 km zone of influence for the New Forest protected sites and on the basis that the applicant has agreed to make the contribution to the Council-led mitigation strategy to offset additional recreational effects of the proposed use it can be concluded that the proposal would not cause adverse effects on the protected sites subject to applicant entering into s111 for the purposes of making the contribution and is therefore compliant with CP34.

The application site is located within 6.4km of the Salisbury Plain Special Protection Area and on the basis that the principle of the proposed re-use has been accepted as compliant with CP48, the Council's own mitigation strategy can be relied upon. It can therefore be concluded that the proposal would not cause adverse effects on the SPA and therefore compliance with CP50.

RECOMMENDATION

Approval is recommended subject to the conditions set out in the report.

Conditions: (6)

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

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

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

Site Location Plan PL/0011 ((received 12 October 2023)

Landscape Proposals/Site Plan 1092-MP-01 Rev A dated 10.10.2023 (received 13 May 2024)

Proposed north and south elevation 172.200 Page 01 Rev A dated 10.01.2022 (received 25 March 2024)

Proposed east and west elevation 172.200 Page 02 Rev A dated 10.01.2022 (received 25 March 2024)

Proposed floor plan 172.200 Page 03 dated 19.07.2021 (received 27 October 2023)

Proposed roof plan 172.200 Page 04 dated 19.07.2021 (received 27 October 2023)

External Lighting Plan 100002/LIGHT (received 25 March 2024)

Bat and Protected Species Survey 210510 rev01 dated July 2021

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

- 3 The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

- 4 The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council New Forest Protected Sites Mitigation scheme has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 34.

- 5 The proposed package treatment plant and drainage field shall be installed, maintained and operated in accordance with the submitted specification and details hereby approved, namely the Graf One2Clean Sewage Treatment Plant. Any subsequent replacements shall have an equivalent or improved performance specification. The package treatment plant and drainage field shall be installed, connected and available for use before the development is occupied and they shall be maintained and operated thereafter for the lifetime of the development.

REASON: To provide ongoing and adequate nutrient mitigation for the nutrient neutrality water catchment for the life of the development and to ensure that any future package treatment plant is of an equivalent or improved standard.

- 6 External lighting will be installed in strict accordance with the External Lighting Plan (10002/LIGHT). No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

- 7 The dwelling hereby approved shall not be occupied until the parking and turning areas together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said parking and turning areas shall not be used other than for the parking and turning of vehicles or for the purpose of access.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 8 The mitigation and enhancement measures detailed in the following Bat and Protected Species Survey 210510 rev01 dated July 2021, Proposed East & West Elevation. Drawing no: 172.200 Rev A and Proposed North & South Elevation. Drawing no: 172.200 Rev A shall be carried out in full prior to the first occupation of the dwelling. These features shall continue to be maintained as approved for the target species for the lifetime of the development

REASON: To provide mitigation and enhancement for biodiversity

- 9 The dwelling hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and shall not be occupied until a water efficiency assessment to ensure compliance with the Building Regulations Optional requirement of a maximum water use has been complied with.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

- 10 All landscaping measures comprised in the approved details of landscaping as shown in Landscape Proposals. Drawing no: 1092-MP-01. Rev A. Indigo Landscape Architects shall be carried out in the first planting and seeding season following the first occupation of the dwelling or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the protection of important landscape habitat features and the protection, mitigation and enhancement of landscape features and biodiversity.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

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