

AGENDA

Meeting: Southern Area Planning Committee

Place: The Guildhall, Market Place, Salisbury, Wiltshire, SP1 1JH

Date: Thursday 11 November 2021

Time: 3.00 pm

Please direct any enquiries on this Agenda to Lisa Alexander, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01722) 434560 or email lisa.alexander@wiltshire.gov.uk

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

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Richard Britton (Chairman)
Cllr Sven Hocking (Vice-Chairman)
Cllr Trevor Carbin
Cllr Brian Dalton
Cllr Nick Errington
Cllr George Jeans

Cllr Charles McGrath
Cllr Ian McLennan
Cllr Nabil Najjar
Cllr Andrew Oliver
Cllr Rich Rogers

Substitutes:

Cllr Ernie Clark
Cllr Kevin Daley
Cllr Bob Jones MBE
Cllr Ricky Rogers

Cllr Bridget Wayman
Cllr Graham Wright
Cllr Robert Yuill

Covid-19 safety precautions for public attendees

To ensure COVID-19 public health guidance is adhered to, a capacity limit for public attendance at this meeting will be in place.

You must contact the officer named on this agenda no later than 5pm on Wednesday 9 November 2021 if you wish to attend this meeting. Places will be allocated on a first come first served basis.

To ensure safety at the meeting, all members of the public are expected to adhere to the following public health arrangements to ensure the safety of themselves and others:

- Do not attend if presenting symptoms of, or have recently tested positive for, COVID-19
- Follow one-way systems, signage and instruction
- Maintain social distancing
- Wear a face-mask (unless exempt)

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Bourne Hill, Salisbury
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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 26*)

To approve and sign as a correct record the minutes of the meeting held on Thursday 14 October 2021.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public. During the ongoing Covid-19 situation the Council is operating revised procedures and the public are able to participate in meetings after registering with the officer named on this agenda, and in accordance with the deadlines below.

Statements

Members of the public who wish to make a statement in relation to an item on this agenda should register with the officer named on this agenda no later than 5pm on Tuesday 9 November 2021.

Statements to the Committee should:

State whom the statement is from (including if representing another person or organisation);

State clearly whether the statement is in objection to or support of the application;

Be readable aloud in approximately three minutes (for members of the public and statutory consultees) and in four minutes (for parish council representatives – 1 per parish council).

Up to three objectors and three supporters are normally allowed for each item on the agenda, plus statutory consultees and parish councils.

Those submitting statements would be expected to attend the meeting to read the statement themselves, or to provide a representative to read the statement on their behalf.

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 electronically to the officer named on the front of this agenda no later than 5pm on Thursday 4 November 2021, in order to be guaranteed of a written response.

In order to receive a verbal response questions must be submitted no later than 5pm on Monday 8 November 2021.

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 members prior to the meeting and made available at the meeting and on the Council's website. Questions and answers will normally be taken as read at the meeting.

6 Planning Appeals and Updates (Pages 27 - 28)

To receive details of completed and pending appeals and other updates as appropriate.

7 Planning Applications

To consider and determine planning applications in the attached schedule.

7a APPLICATION NUMBER: 19/11282/FUL - Land at Cleveland House, High Street, Tisbury, SP3 6HF (Pages 29 - 46)

Carry out alterations to existing access, erect single storey dwelling and provision of parking to serve new and existing properties.

7b APPLICATION NUMBER: PL/2021/07309 - Land adjacent, Holy Trinity, Dean Road, East Grimstead (Pages 47 - 64)

Change of use from agriculture to dog exercise grounds.

8 Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

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Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 14 OCTOBER 2021 AT THE GUILDHALL, MARKET PLACE, SALISBURY, WILTSHIRE, SP1 1JH.

Present:

Cllr Richard Britton (Chairman), Cllr Sven Hocking (Vice-Chairman), Cllr Brian Dalton, Cllr Nick Errington, Cllr George Jeans, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Andrew Oliver, Cllr Rich Rogers and Cllr Robert Yuill (Substitute)

Also Present:

Cllr Paul Sample

21 **Apologies**

Apologies were received from:

- Cllr Charles McGrath who was substituted by Cllr Robert Yuill
- Cllr Andy Oliver

22 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 August 2021 were presented.

Resolved:

To approve as a correct record and sign the minutes.

23 **Declarations of Interest**

In relation to Item 7c – Application PL.2021.03958, it was noted that the Applicant Amanda Newbury was known to most of the Committee members due to her various roles within the community.

24 **Chairman's Announcements**

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

25 **Public Participation**

The committee noted the rules on public participation.

26 **Planning Appeals and Updates**

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

Resolved:

That the Appeals Report be noted.

27

Planning Applications

28

PL.2021.06492 - Land Adjacent to The Bowman Centre, Shears Drive, Amesbury, Wiltshire, SP4 7XT

Public Participation

Samantha Covington spoke in objection to the application

A statement of Objection from Caroline Pollard was read by Samantha Covington

A statement of Objection from Michael Holloway was read by Samantha Covington

Simon Rutter (Agent) spoke in support of the application

Attention was drawn to additional information which had been published in Supplement 1 to the agenda, which detailed the Town Council objection and no objection from the MOD or Public Protection. One further letter of objection had been received and summarised and a revised recommendation was set out.

The Senior Planning Officer, Georgina Wright, presented the application which was for the erection of a new church with day nursery, on land adjacent The Bowman Centre, Shears Drive, Amesbury, Wiltshire, SP4 7XT.

The main issues which had been considered to be material in the determination of the application were listed as Principle, Character & Design, Neighbouring Amenities, Highway Safety, Waste Management, and Archaeology.

The site consists of one parcel within the local centre at the Kings Gate residential development, which was secured in line with the strategic allocation of the wider site as an urban extension to the Market Town of Amesbury.

The local centre which had been subdivided into a number of parcels, of which applications had been approved and, in most cases built out, for various uses on these parcels. This application involved the last remaining parcel (parcel D).

The Officer outlined two previous applications for the parcel of land, and the outcomes of those in 2016 and 2019. The amendments were shown and explained, these included additional car parking spaces on site and the use of additional public spaces around the site, and the height of the proposed building in comparison to the surrounding properties.

The application was recommended for Approval with conditions as set out in the report.

Members then had the opportunity to ask technical questions of the officer, where it was clarified that the remit for the site included use as a church so there was no requirement for a needs assessment.

The town council objection had been received in time, but had been missed off the original report, which was why it was later uploaded as an update (Supplement 1) to the agenda.

Conditions for ventilation, solar panels and electric charging points could be added if the Committee was minded to approve.

Members of the public as detailed above, then had the opportunity to speak on the application.

Some of the main points in objection were focused around the size and scale of the development. Parking issues associated with a large congregation travelling from Tidworth and Bulford and the impacts on the road network.

The suitability of the site for a development with an associated high footfall and whether the new application sufficiently addressed previous concerns.

Noise concerns relating to highly amplified singing and whether it would be intrusive to residents.

Some of the points in support included the intention for the church to be a part of the local community centre, the changes made to this application to address previous concerns, including a reduced footprint which was now further away from residents, reduced eaves and internal measures for sound absorption.

Local Member Cllr Yuill who was on the Committee as a substitute, spoke in objection to the application, noting points around an insufficient amount of parking spaces and the concerns of the Centre Management company which had also expressed concern around additional parking requirements.

The days and times which it was expected the church would be at its busiest and the clash with other local facilities and businesses which in turn would cause a congestion issue and a lack of parking, which he felt would cause inconsiderate parking and in turn would impact on access for the emergency services.

The impact on the Bowman centre which he stated had been intended to be the dominant building in the centre.

Whether the noise survey carried out in 2019 included the proposed air conditioning which he felt would increase to the noise levels, as would the nursery due to the proposed indoor and outdoor play areas.

He queried the ventilation plant, proposed to be contained in the building, with external vents, noting that air conditioning did not extract but instead cooled air already in the building.

Cllr Yuill then moved the motion of Refusal, against Officer recommendation on the grounds of lack of car parking, noise and Highway Congestion.

This was seconded by Cllr Rich Rogers.

The Committee was invited to discuss the application, the main points included the number of existing public car parking spaces, which were already in demand.

The size of the proposed church and that 60% of its congregation would commute from elsewhere to attend.

That there was an existing outline permission for the site.

Whether if approved a condition requiring the windows to be closed during singing sessions.

Members noted other similar situations where residents on new estates were opposed to development on green spaces even when a development plan was present which included clear intentions for development from the outset.

The application was for both a church and a day nursery and could not be considered separately.

The Highways Officer was in attendance and was able to explain how he had arrived at his position of no objection. The impact of the development was not accepted to be a significant impact on the Highway network.

The Bowman centre car parking was privately owned and could not be included for use by the church or nursery visitors.

The Committee then voted on the motion of refusal against officer recommendation, on the grounds stated above.

The motion was not carried.

The Chairman then moved the motion of Approval, in line with Officer recommendation, with additional conditions, and informatives as below:

Solar panels

- Electric charging point
- Solar Panels
- keeping doors shut
- Windows fixed
- Green travel plan

Informative:

- Air source heat pump

This was seconded by Cllr Hocking.

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

It was:

Resolved

To approve application PL.2021.06492 - Land Adjacent to The Bowman Centre, Shears Drive, Amesbury, Wiltshire, SP4 7XT, in line with Officer recommendation and subject to the following conditions:

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

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

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

Application Forms & Certificate

Ref: D300 – Location Plan. Received – 25.06.2021

Ref: D311 – Site Layout With Context. Received – 13.10.2021

Ref: D302 – Ground Floor Plan. Received – 25.06.2021

Ref: D303 – First Floor Plan. Received – 25.06.2021

Ref: D304 – Roof Plan. Received – 25.06.2021

Ref: D305 Rev A – Elevations. Received – 25.06.2021

Ref: D306 – Elevations. Received – 25.06.2021

Ref: D307 – Site Sections A-A and B-B. Received – 25.06.2021

Ref: D308 – Site Sections C-C and D-D. Received – 25.06.2021

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

3. **No development shall commence above slab level until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

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

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

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

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the 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.

6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

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

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 and storage of waste and building materials;
- v. The recycling of waste materials (if any)
- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation

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

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

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

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

9. The development hereby permitted shall not be first brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

10. No development shall commence on site until a Green Travel Plan 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: 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 road safety and reducing vehicular traffic to the development.

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

REASON: In the interests of neighbouring amenities

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

REASON: In the interests of neighbouring amenities

13. The use of the Church/Worship part of the building hereby permitted shall only take place between the hours of 08:00 and 21:30 Monday to Friday and between the hours of 10:30 and 14:00 on Saturdays and Sundays.

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

14. The use of the children's nursery part of the building hereby permitted shall only take place between the hours of 08:00 and 18:00 Mondays to Friday and not at all on Saturday and Sundays.

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

15) Except for access and egress, all external doors shall remain closed during worship, choir practice and when other noise generating meetings or activities are taking place.

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

16. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the

Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: 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 the amenity of the area.

17) Notwithstanding the approved plans, the detailed design of the building shall be designed and constructed so as to ensure that any reverberation from the approved use of the building does not exceed 0.8 second Tmf , as defined by table 6 of BB93 'Acoustic design of schools: performance standard'(Department of Education, 2015) and in line with the submitted acoustic report (Hayes Mackensie Partnership Ltd, Ref: 3278_R03_EXT2 and dated 03/08/2021).

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

18) All roof lights above the room labelled 'Main Hall' on the approved plans and windows in the North West elevation of the building hereby approved, shall be non-openable. The glazing detail and design of the fire exit door/s shall meet the specifications set out in S. 4.5-4.7 of the submitted acoustic report (Hayes Mackensie Partnership Ltd, Ref: 3278_R03_EXT2 and dated 03/08/2021).

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

19) Prior to occupation of the building hereby approved, an assessment of the acoustic impact arising from the operation of the air conditioning units shall be undertaken in accordance with BS 4142: 2019 and a scheme of attenuation measures to demonstrate the rated level of noise is 5dB below background for new plant or less than background and protective of local amenity, shall be submitted to and approved in writing by the Local Planning Authority. The background levels are to be taken as a 15 minute LA90 at the boundary of the nearest residential noise-sensitive receptors.

A post installation/occupation noise assessment shall be carried out within 3 months of occupation of the building hereby approved to confirm compliance with the noise criteria and additional steps required to achieve compliance shall be taken, as necessary in accordance with an approved timeframe. The approved attenuation measures shall be

maintained in accordance with the manufacturer specification and permanently retained I perpetuity.

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

20) Notwithstanding the approved plans, at least one electrical charging point shall be installed at the site and the roof shall be fitted with solar panels. Details of which shall be first submitted to and agreed in writing by the Local Planning Authority. The equipment shall be installed/fitted at the site in accordance with the approved details before the building is first brought into use and shall thereafter be retained and maintained in accordance with the manufacturer's specifications.

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

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

2) This permission shall be read in conjunction with The Deed of Variation Legal Agreement (dated when agreed).

3) In discharging condition 19 the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with

BS4142:2019 (or any subsequent version) and demonstrate that the rated noise level is 5dB below the background noise level.

4) The applicant shall consider every possible option for alternative heating of the building hereby approved including air source or ground source heat pumps

29 **PL.2021.04201 - Land Previously Occupied by Alderbury Football Club**

Public Participation

Chris Harmon spoke in objection to the application

Nick Billington (Agent) spoke in support of the application

Cllr Elaine Hartford (Chair) spoke on behalf of Alderbury PC

Attention was drawn to additional information which had been published in Supplement 2 to the agenda, which detailed additional conditions and informative notes.

The Senior Planning Officer, Lynda King, presented the application which was for all outstanding Reserved Matters (appearance, landscaping, layout and scale) for the erection of 50 residential units, pumping station and replacement guide hut with associated infrastructure, parking, landscaping, open space and works, all pursuant to permission 17/04001/OUT.

It was noted that Highways was not a matter for consideration due to having been decided by the inspector at outline stage. In 2018 there had not been a 5-year land supply, this was still the case.

The main issues which had been considered to be material in the determination of this application were listed as Principle, Highway Safety, Drainage, Layout and House Design.

The site was a generally level area of open land to the west of Alderbury and West Grimstead Primary School and was bordered by Junction Road along it's western boundary and a footpath leading from Junction Road and Firs Road along it's southern boundary.

The land was currently used by Alderbury Football Club, along with the new facilities for the club on land immediately to the north of the site granted under ref no. S/2011/0029. The site also housed the existing Guide Hut, which would be replaced on a different section, as part of the proposals.

Access was also previously approved as part of the outline application.

The footpath was not part of the application site and therefore improvements to this could not be requested.

The proposals included a significant amount of contributions and the site was in a sustainable location on edge of the village. There was also an affordable housing contribution.

Members then had the opportunity to ask technical questions of the officer, where it was clarified that whilst the affordable housing on the site was under the usual 40% requirement, at 22%, this had been approved by the Inspector at the outline stage of the appeal.

The site was also liable for CIL at the usual contribution rate. The 106 had already been written and could not be added to at this stage.

An informative for the provision of fibre broadband to the properties could be added, should the Committee be minded to approve.

The provision of a pre-school was part of a separate application.

Members of the public as detailed above, then had the opportunity to speak on the application.

Some of the main points in support included the urban appearance in a rural landscape, excess water run-off.

Some of the main points in support included the changes made to alleviate concerns raised, including materials, a shared surface area, a more formal street layout, and a redesigned drainage scheme.

The Parish Council (PC) representative spoke in objection to the development on this greenfield site. Noting that of most concern was the safety of children and parents as the proposed access would bring hundreds of additional vehicle movements near the school and suggested the inclusion of drop-off and collection spots.

It was also disappointed with the design and layout, as it was felt to be an urban design which was incongruous and out of keeping with the local area.

Additional water discharge was suggested as a flooding risk to neighbouring properties. The site was also outside of the neighbourhood boundary.

Local Member Cllr Britton who was on the Committee, spoke in objection to the application, noting his frustration with the Inspectors view on Wiltshire Council not being able to demonstrate a 5-year land supply and having no regard to the site being outside of the settlement boundary. Permission had therefore been given for 50 houses on the site.

He aired frustration on Highways consideration of parking issues around the school, noting that the proposals would increase traffic directly in front of the school and that there was an egress pinch point which would result in a conflict at school drop and pick up times.

He noted that the applicant had taken on board the comments of the proposal being bland which had resulted in an improvement on the layout and appearance.

The site was in a greenfield setting and he share concerns around drainage in this notoriously boggy area, noting that experts had stated that the pumping station would solve the problem.

Issue comes down to whether the changes had mitigated the urban nature of the site.

Cllr Britton then moved the motion of Refusal, against Officer recommendation on the grounds of CP57 sec 1, 2 & 6 – in line with the comments made by the Urban Officer.

This was seconded by Cllr Hocking.

The Committee was invited to discuss the application, the main points included that school chaos could be experienced at every school, and the efforts to improve the appearance from what had previously been proposed was welcomed.

It was felt that if materials could not be obtained that then the applicant should not be permitted to use a substitute which was of a poorer quality, but instead a like for like replacement should be imposed.

The Committee then voted on the motion of Refusal against Officer recommendation for the reasons stated above.

The motion failed.

Cllr Jeans then moved the motion of approval in line with Officer recommendation, with the following additional conditions:

- External materials with like for like standards
- Provision of electric charging points
- Provision of Fibre optic broadband

Informative:

- To comply with relevant conditions on outline consent
- Heating system by heat pumps

This was seconded by Cllr Najjar.

There was no further debate, therefore the Committee then voted on the motion of Approval:

It was:

Resolved

To Approve application PL.2021.04201 – Land previously occupied by Alderbury Football Club, subject to the following conditions:

1) Approved plans

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

Site Layout Pegasus P19-1086_13J J

Site Location Pegasus P19-1086_14 B

House pack Pegasus P19-1086_17

[see below for ref for each plan] N/A

[See below for rev]

Tenure Plan Pegasus P19-1086_22E E

Guide Hut Pegasus P19-1086_26 -

Street Scenes Pegasus P19-1086_27 B

Materials Plan Pegasus P19-1086_28 E

Open Space Plan Pegasus P19-1086_16 C

HOUSETYPESEveleigh Floor Plans and elevations 42, 43 P19-1086_29-Sheet-1 -

Eveleigh Floor Plans and Elevations 40, 41 P19-1086_29-Sheet-2 -

Elmsie Floor Plans and Elevations 26,25 P19-1086_29-Sheet-3 -

Elmsie/Eveleigh/Elmise Elevations 30 - 32 P19-1086_29-Sheet-4 -

Elmsie/Eveleigh/Elmise Floorplans 30-32 P19-1086_29-Sheet-5 -

Becket Floorplans and Elevations 10, 29 P19-1086_29-Sheet-6

Becket Floorplans and Elevations 33 P19-1086_29-Sheet-7 -

Becket Floorplans and Elevations 20,21,13

P19-1086_29-Sheet-8 -

Mylne Floorplans and Elevations 28,34 P19-1086_29-Sheet-9 -

Mylne Floorplans and Elevations 2, 35, 38,44, 3,36,39,45 P19-1086_29-Sheet-10 -

Pembroke Floorplans and Elevations 11, 24 P19-1086_29-Sheet-11 -

Knightley Floorplans and elevations 1,9,27 P19-1086_29-Sheet-12 -

Knightley Floorplans and elevations 16 P19-1086_29-Sheet-13 -

Knightley Floorplans and elevations 12,19,22 P19-1086_29-Sheet-14 -

Knightley Floorplans and elevations 23,46 P19-1086_29-Sheet-15 -

Knightly Floorplans and Elevations 37 P19-1086_29-Sheet-16 -

Atkins Floorplans and Elevations 47, 48 P19-1086_29-Sheet-17 -

Atkins Elevations 4-6 P19-1086_29-Sheet-18 -

Atkins Floorplans 4-6 P19-1086_29-Sheet-19 -

Asher Floorplans and elevations 7,15,8,14 P19-1086_29-Sheet-20 -

Atkins/Asher Floorplans and Elevations 49/50 P19-1086_29-Sheet-21 -

Garage Floorplans and Elevations See site layout P19-1086_29-Sheet-22 -

1 External Levels Plan Ardent 2101520-002 B

2 Drainage Plan Ardent 2101520-003 B

4 Tracking Ardent 2101520-005 B

5 Geometry and Visibility Ardent 2101520-006 E

1 Soft Landscape Proposals Sheet 1 of 2 CSA 5477_100_D D

2 Soft Landscape Proposals Sheet 2 of 2 CSA 5477_101_D D
3 Hard Landscape Proposals sheet 1 of 2 CSA 5477_102_D D
4 Hard Landscape Proposals Sheet 2 of 2 CSA 5477_103_D D
5 Landscape Masterplan CSA 5477_104_D D
6 Ecological enhancements Plan CSA 5477/106 A
3 Planning Statement (incorporating Affordable Housing Statement and SCI) Tetra Tech HP21007 - 784-B027568 - PS V2
C7
Arboricultural Impact assessment (incorporating tree survey and protection plan) Barton Hyett BHA_4323_AIA B
8 Update Ecological Appraisal (Submitted 10.05.21) CSA CSA/5477/02 -
9 Information to Inform Habitat Regulations Assessment (Submitted 10.05.21) CSA CSA/5477/01 –

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

2 The external materials to be used on the development hereby approved shall be in accordance with the Materials Plan (P19-1086_28 rev E) unless materials of a similar standard are agreed in writing by the Local Planning Authority.

REASON; To allow for different suitable materials to be agreed in case those approved are unavailable.

3 The development hereby approved shall be undertaken in such a way as to ensure that 'fibre to the premises' broadband is available for connection to each of the new dwellings.

REASON: In the interests of the connectivity of the dwellings hereby approved and to ensure that later retro fitting of this facility is not required.

4 Provision will be made for the installation of Electric Vehicle Charging Points to serve each dwelling on the site.

REASON: To ensure that the development assists in meeting local and national carbon reduction targets by enabling residents to use electric vehicles

Informatives: (4)

5 This approval of matters reserved refers only to conditions 1, 7, 12, 14, of outline planning permission 17/04001/OUT dated 7th December 2018, but does not by itself constitute a planning permission.

6 The further approval of the Local Planning Authority in respect of those matters reserved by conditions 6, 8, 10, 13, 15, 16, of outline planning permission dated 7th December 2018 is required before development commences.

7 Your attention is also drawn to the conditions imposed on the outline planning permission reference 17/04001/OUT and dated 07/12/2018 that still require to be discharged.

8 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 22nd November 2018.

30 **PL.2021.03958 - 29 and 29A Brown Street, Salisbury, SP1 2AS**

Public Participation

Dr Roger Frost (Charter Court Management Company) spoke in objection to the application

Jonty Newbury spoke in support of the application

Amanda Newbury spoke in support of the application

Cllr Atiqul Hoque spoke in support of the application

Attention was drawn to additional information which had been published in Supplement 3 to the agenda, which detailed the response of the Environmental Health Noise Officer in relation to the requirement and position of the noise barrier.

The Planning Team Leader, Adam Madge, presented the application which was for Demolition of existing building with retention of existing façade with minor modifications and use of land as a hospitality area (Description revised following changes to the proposed frontage – previously “Demolition of existing building, erection of gates and railings as modification to front facade to facilitate use of land as a hospitality”). The application had been deferred at the last meeting to allow discussions to take place and a plan for a noise barrier to be formed.

The main issues which had been considered to be material in the determination of this application were listed as demolition of the existing building and impact on the Conservation Area, Principle of the proposed use, Impact on residential amenity and noise/disturbance.

Officer recommendation was for a noise barrier in a set location, of at least 4m in height.

Members then had the opportunity to ask technical questions of the officer, where it was clarified that the final specifications of the barrier were not yet determined, however a condition was suggested that approval of materials was delegated to Officers prior to the installation of the barrier. The noise barrier would also need to comply with any conditions relating to the conservation area.

Members of the public as detailed above, then had the opportunity to speak on the application.

Some of the main points in objection included that the closest dwelling was 35 yards. The application had been opposed as it was felt there would be

inadequate noise protection, however since the last meeting there had been discussions between the residents, the applicant and the Council to remedy the noise concerns.

Haze McKenzie were appointed to assess the site and had suggested a noise barrier be erected and noise be restricted to 65dbs.

Residents agreed with the barrier, however felt this should be a minimum of 5m in height and be in place by spring of 2022.

Some of the main points of those in support included that a Noise Consultant had been contracted to advise on a solution. Discussions with resident and the council had been held to find a solution as it was important to the applicant to work with her neighbours.

The applicant was supported by the city council ward councillor who spoke in support, noting that the applicant was known for her good work in the community.

Local Member Cllr Sample who was not on the Committee, spoke to the application, noting that the identified gap had been acting as a funnel and that there had been local concern from local charter court residents. Thanks to the committee for deferring to allow time for this to be resolved by the two parties.

Following advice the applicant had come forward with a plan to implement a noise barrier. He asked on behalf of the residents that the Committee increased the barrier to the 5m requested by the residents.

Cllr Hocking then moved the motion of approval in line with Officer recommendation, but with a minimum of 5m height and a maximum limit of 65dbs.

This was seconded by Cllr Jeans.

The Committee was invited to discuss the application, the main points included that it was good that a solution had been reached.

The Committee then voted on the motion of approval in line with Officer recommendation with the added height of 5m and max noise level of 65dbs.

It was:

Resolved

To approve application PL.2021.03958, 29 & 29a Brown Street Salisbury, subject to the following conditions:

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

Site Location Plan PP1338/100 P3 dated 25.03.2021

Ground Floor Plan PP1338/101 P3 dated 22.03.2021

**First Floor Plan PP1338/202 A dated 05.10.2021
Street Elevation PP1338/104 P1 dated 04.06.2021
Site Survey PP1338/DM02 dated 10.03.2021**

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

2 Detailed plans of an acoustic barrier to a height of 5 metres above ground level, as specified at Sections 4.3 and 4.4 in Hayes McKenzie Noise report dated 10th September 2021, shall be submitted within 1 month of the date of this decision and approved in writing by the Local Planning Authority. The acoustic barrier shall be installed and sited in accordance with the approved details by 1 March 2022 and maintained at all times thereafter. The use of the outdoor venue shall be closed to members of the public during January and February 2022 to enable the required works to be undertaken and tested prior to re-opening.

REASON: In order to ensure that it achieves the required sound attenuation in the interests of residential amenity and ensure the appearance of the wall would relate satisfactorily to the existing buildings in the interests of preserving the character and appearance of the Conservation Area.

**3 The use hereby permitted shall only take place between the hours of:
11am and 10pm Monday – Wednesday,
11am – 11pm Thursday
11am – midnight on Friday and Saturday, and
11am – 9pm on Sunday and Public/ Bank Holidays.**

REASON: In the interests of residential amenity.

4 Amplified music (live or recorded) played on the application site shall not be above 65dB LAeq, 1min in listener areas at any time (in accordance with recommendation at Section 4.5 in Hayes McKenzie report dated 10th September). No Amplified music will be played on the development site after 2300hrs.

REASON: In the interests of residential amenity.

5 A Noise Management Plan shall be submitted by the applicant within 1 month of the date of this decision and approved in writing by the Local Planning Authority in consultation with Wiltshire Council Public Protection. The application site will be managed strictly in accordance with the approved Noise Management Plan at all times thereafter.

REASON: In the interests of residential amenity.

Informatives: (2)

The applicant is advised that this permission does not affect any private property rights and therefore does not authorise the carrying out of any

work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

Any alterations to the approved plans, brought about by compliance with Building Regulations, Licensing or any other reason, and resulting in external alterations to the approved details must first be agreed with the Local Planning Authority before commencement of work.

31 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 6.20 pm)

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

Press enquiries to Communications, direct line ((01225) 713114 or email communications@wiltshire.gov.uk

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**Wiltshire Council
Southern Area Planning Committee
11th November 2021**

Planning Appeals Received between 01/10/2021 and 29/11/2021

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
21/01208/FUL	Nos 90 And 92 Bulford Road Durrington, SP4 8DH	Durrington	Demolition of 2 dwellings and the erection of a building containing 6 dwellings (4 x 2-bed & 2 x 1-bed), along with the provision of associated parking and hard and soft landscaping.	DEL	Written Representations	Refuse	11/10/2021	No

There were no Planning Appeals Decided between 01/10/2021 and 29/11/2021

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	11/11/2021
Application Number	19/11282/FUL
Site Address	Land at Cleveland House High Street Tisbury SP3 6HF
Proposal	Carry out alterations to existing access, erect single storey dwelling and provision of parking to serve new and existing properties.
Applicant	Mr & Mrs W Aspinall
Town/Parish Council	TISBURY
Electoral Division	TISBURY– COUNCILLOR NICK ERRINGTON
Grid Ref	394408 129559
Type of application	Full Planning
Case Officer	Christos Chrysanthou

Reason for the application being considered by Committee

The application has been called in by Councillor Errington for reasons of the visual impact upon the surrounding area, the relationship to adjoining properties and the design of the development proposal.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Site Description

The site is a parcel of garden land located toward the southern boundary of the host dwelling Cleveland House which has its frontage on High Street. The proposal site would be accessed by a private lane via High Street and would occupy a site area of approx. 346sq.m apportioned from the existing garden which would provide a curtilage area including parking for the proposed single storey dwelling.

The site lies within the conservation area and the settlement boundary for Tisbury which is listed in the Wiltshire Core Strategy as a local service centre. The adjacent neighbouring dwellings of the proposed residential plot are Phoenix Cottage to the northwest and 17/17B High Street to the southeast.

3. Planning History

None

4. The Proposal

Planning permission is sought for the following development proposal:

Carry out alterations to existing access, erect single storey dwelling and provision of parking to serve new and existing properties.

5. Planning Policy

National Planning Policy Framework

- 2. Achieving Sustainable Development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

Wiltshire Core Strategy

- Core Policy 1 Settlement Strategy
- Core Policy 2 Delivery Strategy
- Core Policy 27 Spatial Strategy for the Tisbury Community Area
- Core Policy 50 Ecology
- Core Policy 57 Ensuring high quality design and place shaping
- Core Policy 58 Ensuring the Conservation of the Historic Environment
- Core Policies 60, 61, 62, 63, 64 Transport/ demand management
- Core Policy 69 River Avon SAC

6. Summary of consultation responses

Tisbury Parish Council - Objection

Initial comments:

Parish Councillors wish to object to the amended plans that now provide more detailed information for the following reasons:

- i. loss of amenity – light in particular to neighbouring properties 17/17a due to the slope of the land,*
- ii. loss of heritage value – removal of a section of the ancient wall,*
- iii. structural impact on party walls from water run-off and structural supports, and*
- iv. disproportionate roof height to height of the ground floor living accommodation.)*

Final comments following latest consultation:

Noting the address by the applicant before the discussion began, councillors re-considered the objection made in January 2020, but decided that the plans still failed to represent the impact on local amenity value, and would be overdevelopment for the area of land allocated for the dwelling being constructed.

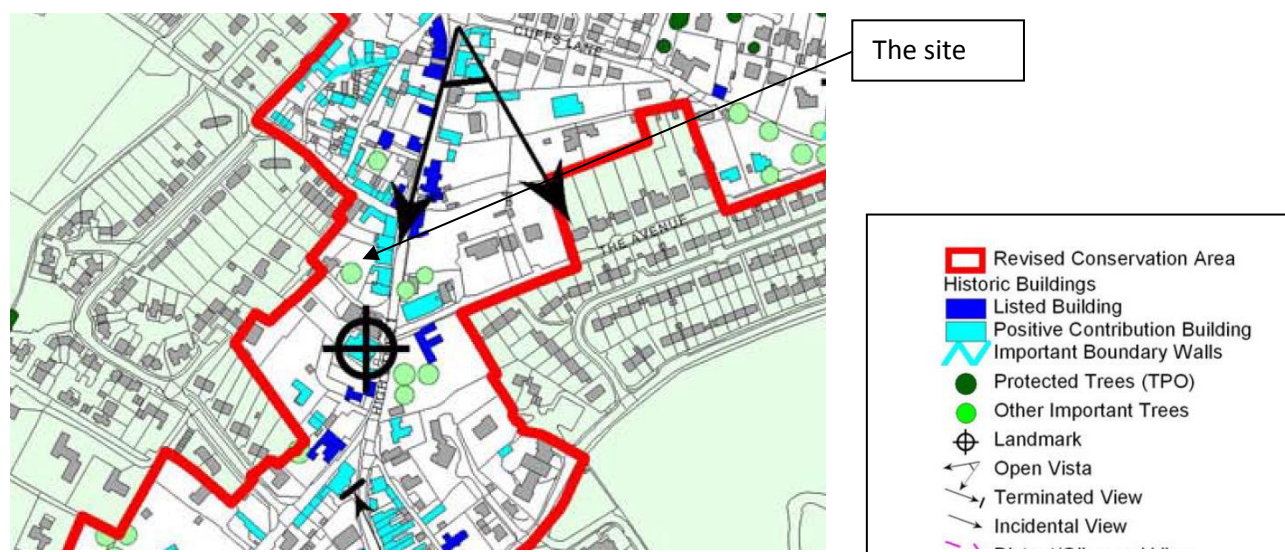
Councillors also felt that there was little in the way of biodiversity gain, especially as that has recently become a factor for consideration by the parish councillors in determining a view.

Councillors also resolved that the application should be called in if the Officer was minded to approve the application.

WC Conservation – No objection subject to conditions

The proposals were the subject of pre-application consultations (19/07321/preapp), in respect of which I said the following:

'The site is within the Tisbury Conservation Area for which there is an adopted appraisal. The following is snipped from the townscape map:



As you will see, the adopted appraisal notes the existence of a significant tree on the site. The tree makes a positive contribution to the character of the CA – hence being identified in the appraisal. However when I went out to site, I couldn't see a tree in this location but there was a lovely copper beech tree slightly further to the north west (behind the adjacent brick and stone house) so I suspect the 'dot' refers to this (unless a tree has been cut down in the past 10 years).

The site is also bordered by an attractive stone wall. I would not support the loss of this wall although the pre-app drawings suggest only a small element is removed.

I have no objection in principle to a single storey new dwelling on the plot, however, I am concerned that:

The new development would be overly cramped, occupying most of the plot;
The potential impact on the stone wall bordering the lane.'

My recollection is that the agent confirmed that the proposals would not impact on any significant trees and the drawings suggest this.

The statement accompanying the application says that they have responded to our pre-application comments by reducing the floorplan of the proposed dwelling; pulling it closer to the lane and excavating the site so it sits lower (this is implied I think rather than stated).

*I have no objection to the proposals subject to conditions covering materials, particularly the roof tiles and the stone (which should be Chilmark, random sized blocks tumbled and laid to course. A sample panel should be constructed for our approval).
In terms of the parking area, I would hope that we could have setts rather than tarmac.*

On balance, I consider the proposals would not harm the character of the Tisbury CA providing that high quality traditional materials are used – hence the requirement for conditions covering these elements.

WC Highways - No objection subject to conditions

I note the proposal seeks to provide a new two bedroom dwelling within the curtilage of the existing property, along with parking and access alterations/ arrangements for both units. Firstly, I note the application red line site boundary does not abut the public highway, which I understand to be an essential requirement. The site is accessed from what appears to be a private road and the applicant should consider whether access rights are required from the landowner(s). Notwithstanding this, I am satisfied that the information provided demonstrates that adequate parking provision is provided on site and that there will not be a detrimental impact to the public highway as a result of these proposals. Therefore, I recommend that no Highway objection is raised, subject to the following condition being attached to any permission granted;

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

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

Wessex Water – No objection

We are satisfied there will be no surface water connections into the foul sewer network. The use of a soakaway is subject to building control approval.

Neighbour/third parties - 17 letters of objection

Material planning concerns cited include:

- Impact on surrounding properties
- Impact on the historic wall and on the conservation area
- Visual impact, height of the roof, lack of detail on materials, rainwater goods
- Overdevelopment, loss of garden area, footprint too big for plot
- Impact on amenity, loss of light, loss of privacy, overlooking, noise
- Highway safety, parking
- Structural stability of neighbouring properties, historical wall, party wall
- Drainage, sewage disposal
- Loss of tree

7. Publicity

The application was advertised by site notice and notification letters. The application was received in January 2020 and held up by the covid-19 pandemic. Consultations occurred in January 2020 and April 2020 and more recently for a period of 14 days until the 24th September 2021 during which time notification letters were sent out.

8. 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.

In this case the material considerations are as follows:

- Principle of development
- Scale, siting, design and impact on the character of the conservation area
- Impact on amenity
- Highway safety/ Parking/ Drainage
- Ecology/River Avon SAC

9. Assessment

Principle of development

Core Policy CP1 of the Wiltshire Core Strategy sets out a settlement strategy for Wiltshire and guides where development may be acceptable. The application site is situated within the settlement boundary for Tisbury.

Core Policy CP2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. Tisbury is listed as a local service centre in the Wiltshire Core Strategy and within the list of settlements where sustainable development is considered acceptable.

The proposed residential development at the site is considered acceptable in principle, provided the development is appropriate in terms of the relevant material considerations.

Scale, siting, design and impact on the character of the conservation area

Core Policy CP57 states - a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

Core Policy CP58 states that - designation of a conservation area or listed building does not preclude the possibility of new development. In considering applications for new development, the council will seek to ensure that the form, scale, design and materials of new buildings are complementary to the historic context.

The proposed dwelling is single storey with an I-shape footprint that would have a depth of 10.9m and a max width of 14.6m. The building height would be approx. 2.6m to the eaves and approx. 5.5m to the roof ridge.



The gable end facing the lane would be approx. 5m in height and would set back from the front wall by 1.5m. The front facing gable end projection would have a width of 5.9m and would project 3.9m from the main section of the dwelling. The separation distance to the two storey dwelling to the northwest Phoenix Cottage would be approx. 6.5m from the porch on the northwest facing elevation.



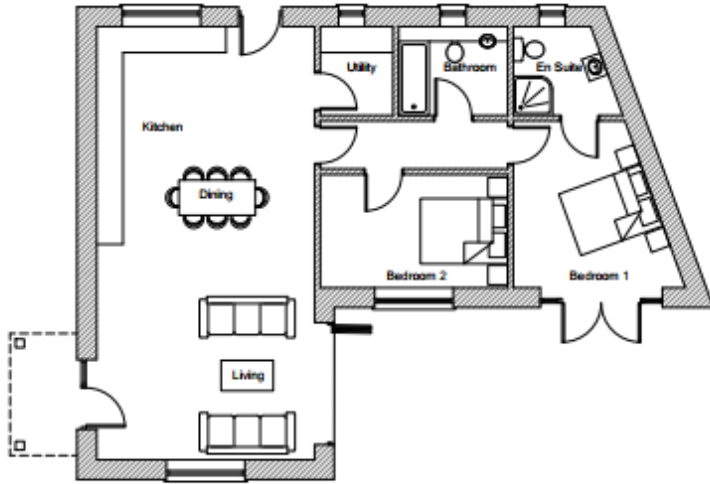
The southeast side elevation would be sited at a gap of 1.5m to the boundary to 17/17B High Street and would comprise a hipped roof. The northeast rear elevation would be sited at a max distance of 9m from the new shared boundary with the host dwelling tapering to approx. 3m opposite the northern corner of the proposed dwelling.

Exterior materials would consist of local natural stone walls with brick quoins, plain roof tiles and timber windows and doors. The choice of traditional materials are considered acceptable in the context of the conservation area.

The proposal single storey dwelling was subject to a pre-application enquiry at which point the conservation officer had raised concerns regards the footprint being cramped into the site. The footprint shown in the plans submitted with the application represent a reduction of 10% to that presented at pre-application.

Officers had looked into reducing the roof height with the applicants however the roof has been designed to reflect the roof pitch of the neighbouring dwellings and any lowering of the roof pitch would distort the traditional design of the dwelling and without having any significant benefit on neighbouring amenity.

The floorarea of the proposed single storey dwelling amounts to approx. 116sq.m which would provide an open-plan living area, 2no bedrooms, en-suite, bathroom and utility room.



Floor Plan

The overall plot size is approx. 346sq.m. The footprint of the proposed dwelling therefore occupies just over 1/3 of the total site area. This is on balance considered not to represent overdevelopment and in officers view the available garden and curtilage are of a suitable size for a small dwelling located sustainably within the centre of Tisbury.



In the immediate area along the lane there is no prevailing development pattern and the sizes of residential curtilages in Tisbury in general are mixed. It is however notable that there are tightly grouped dwellings within the locality for example directly north in the area around The Quarry.

The proposal does require removal of a small section of the stone wall along the frontage to provide access to the parking area however the main section of the stone wall fronting the lane would be retained along with the side retaining wall. The parking area would be surfaced with permeable paviers/ setts.

The Conservation Area Appraisal mentions a tree within the site that is noted for its positive contribution to the conservation area however having visited the site it is unclear whether the tree remains in existence as there doesn't appear to be a high grade tree at the location shown in the Conservation Area Appraisal. The revised site plan submitted includes new hedge planting in the front garden behind the existing wall. The erection of new 1.8m high fencing above a low wall is proposed on the north boundary. The eastern boundary wall would be retained as existing.

Having visited the site it is noted that the road rises steeply from High Street. Whilst the site is reasonably flat it appears some ground works would be required to provide a level floor up to 0.5m lower than the existing ground levels.

The applicants have submitted a letter from a structural engineer which states the proposal wouldn't impact on neighbouring properties. The structural engineer recommends setting back the parking area for the host dwelling further away from the boundary wall, which is reflected in the revised site plan, and has made recommendations regarding the depth of the foundations on the south east flank wall, which would be dealt with at building control stage.

Overall in officers view the proposal is a small scale residential development within the settlement boundary and would not result in any significant impact on the conservation area to warrant refusal.

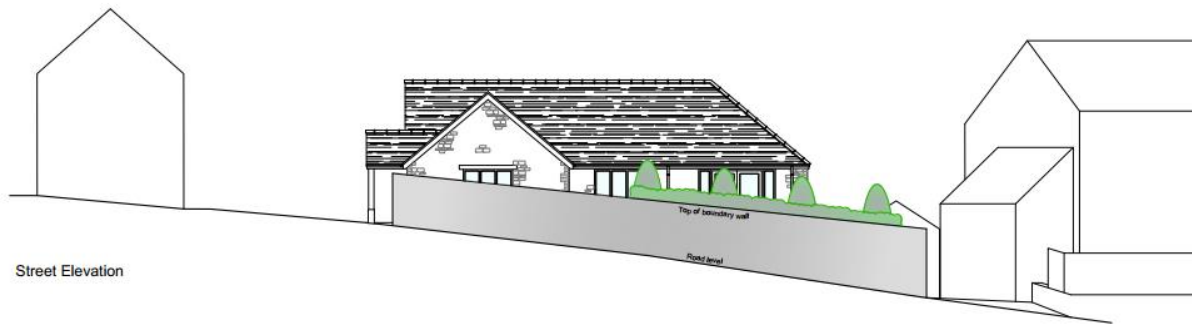
Impact on amenity

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 130f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The separation distances to the dwelling to the northwest (Phoenix Cottage) would be approx. 6.5m and whilst there is a window next to the entrance door that would face the neighbour, being single storey and separated by the parking area, the window would not unduly harmful on the neighbours amenities.

The neighbour Phoenix Cottage has first floor windows in the southeast elevation however views to the rear garden of the proposal site would only be oblique and view to the front garden area would be partially screened by the pitched roof form of the proposal dwelling.

The neighbour 17/17B High Street has a two and a half storey rear projection with upper floor windows however these would face directly toward the hipped roof on the side elevation of the proposal dwelling and away from the proposal garden/ amenity areas. As such the amenity levels of the proposal dwelling would be satisfactory.



Whilst the ground levels of the proposal site are higher than 17/17B High Street, in this case, the single storey dwelling would be set away from the boundary with 17/17B High Street and with no side facing windows there wouldn't be any overlooking of their garden area. It is also noted the neighbours garage is sited alongside the retained southwest boundary wall therefore there are already built elements visible to the neighbour 17/17B High Street. The roof would also be hipped on the southeast elevation with the roof sloping away from the neighbour which would soften the visual aspect.

The building height of the proposed dwelling would be set 1.4m below the ridge height of the neighbour 17/17B High Street and below the eaves height of the neighbour Phoenix Cottage. As such due to the limited scale of the proposal and being sited at a suitable distance away from the neighbouring dwellings, it is considered the proposal would not be overbearing on neighbouring properties.

The proposal dwelling would be sited to the northwest of 17/17B High Street and due to the trajectory of the sun which rises in the east, circles south and sets in the west, the dwelling which is 5.5m in building height and set away from the boundary with a hipped roof wouldn't unduly shadow the garden area of 17/17B High Street.

Overall having visited the site and assessed the impact of the proposal on the neighbouring properties, taking into consideration the limited scale of the dwelling and its siting within the settlement boundary, the proposal is not considered to unduly impact on amenity to warrant refusal.

Highway safety/ Parking/ Drainage

It is noted that vehicles used in association with host dwelling currently park on the existing hardstanding adjacent to the southeast elevation of the neighbour Phoenix Cottage and a further 2no existing parking spaces are available a short distance to the south west along the lane.

The site plan indicates the formation of a new parking and turning area which would be accessed via the existing hardstanding which would be extended into the rear garden area of the host dwelling. The site plan has been revised taking the new parking area for the host dwelling away from the northwest boundary. The new parking area for the host dwelling would provide 2no spaces.



The new dwelling will be provided with 2no parking spaces adjacent to this access drive, which is sufficient parking provision in accordance with WC adopted parking standards.

WC Highways have been consulted and do not raise an objection subject to a condition requiring the access, turning and parking to be carried out before occupation of the dwelling.

Concerns have been raised by third parties regards drainage and a drainage plan, drainage construction details, percolation test and soakaway calculations have been submitted by the applicants. The site appears capable of being suitably drained however this matter would be dealt with under building regulations.

Wessex Water are satisfied there will be no surface water connections into the foul sewer network and that the use of a soakaway is subject to building control approval.

Ecology/River Avon SAC

Core policy CP50 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.

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.

The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorous mitigation strategy to offset all planned residential development, both sewered and non sewered, permitted during this period. The strategy also covers non-residential development with the following exceptions:

- Development which generates wastewater as part of its commercial processes other than those associated directly with employees (e.g. vehicle wash, agricultural buildings for livestock, fish farms, laundries etc)
- Development which provides overnight accommodation for people whose main address is outside the catchment (e.g. tourist, business or student accommodation, etc)

Following the cabinets resolution on 5th January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This was endorsed by Natural England on 7 January 2021. As this application falls within the scope of the mitigation strategy and generic appropriate assessment, I conclude it will not lead to adverse impacts alone and in-combination with other plans and projects on the River Avon SAC.

The comments made by the parish council regards the biodiversity of the site are noted however the application site is an existing residential garden area within the settlement boundary where development is considered acceptable, and both the proposed new dwelling and the host dwelling would retain sufficient garden areas, therefore in officers view a refusal on this point would be difficult to justify.

10. Conclusion

The proposal would provide a single storey dwelling within the settlement boundary of Tisbury where sustainable residential development is supported by policies in the Wiltshire Core Strategy. The proposed dwelling would not harm the appearance and character of the conservation area or impact on neighbour amenity. The proposal would provide sufficient parking in accordance with adopted parking standards.

The matters raised regards drainage and structural stability are noted and these matters would be dealt with by building regulations. Conditions are attached to ensure the development is carried out in a satisfactory manner in accordance with the submitted drainage details and the structural engineers recommendations.

The site lies within the River Avon SAC catchment however the proposal would fall within the scope of the generic Appropriate Assessment.

The proposed development accords with the objectives of core policies 1, 2, 27, 50, 57, 58, 60, 61, 62, 63, 64 and 69 of the Wiltshire Core Strategy and the aims of the NPPF. Therefore, the Local Planning Authority considers that planning permission should be granted.

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:

Drg. No. 18192-2/F Proposed Site Plan (Revised) Date rec. 08/09/2021

Drg. No. 18192-3/D Proposed Plan, Elevation and Site Section (Revised) Date rec. 06/04/2020

Drg. No. 18192-4/B Location plan (Revised) Date rec. 06/04/2020

Drg. No. 2021/62/01 Proposed drainage layout Date rec. 20/08/2021

Drg. No. 2021/62/02 Private drainage construction details Date rec. 20/08/2021

Soakaway Calculations, 13/07/2021, MD Civil Engineering Services Date rec. 20/08/2021

Percolation Test, 29/04/2021, Dorset Drainage Services, Date rec. 20/08/2021

Structural Engineers Letter, Andrew Warring Associates, Date rec. 08/09/2021

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

3 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The stone to be used for the exterior walls should be Chilmark, random sized blocks tumbled and laid to course and a sample panel would be required to be submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details.

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

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

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

5 The development shall not be first occupied until the drainage scheme has been constructed in accordance with the approved details.

REASON: In order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

6 The development shall be carried out in accordance with the recommendations made in the Structural Engineers Letter.

REASON: In order to ensure that the development can be carried out in a satisfactory manner.

7 No development shall commence on site until details of the boundary treatment works have been submitted to and approved in writing by the Local Planning Authority.

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

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

INFORMATIVE

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	11/11/2021
Application Number	PL/2021/07309
Site Address	Land adjacent Holy Trinity Dean Road East Grimstead SP5 3SB
Proposal	Change of use from agriculture to dog exercise grounds
Applicant	Mr J. C Read
Town/Parish Council	Grimstead
Electoral Division	Alderbury & Whiteparish - Councillor Richard Britton
Grid Ref	422507 127130
Type of application	Full Planning
Case Officer	Christos Chrysanthou

Reason for the application being considered by Committee

The application has been called in by Councillor Britton citing concerns regarding the relationship to adjoining properties, environment highway impact, car parking, public car usage of restricted byway, local need, vehicular movements and access.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Site Description

The application site is a parcel of agricultural land located on the southern outskirts of East Grimstead which is listed in the Wiltshire Core Strategy as a small village that does not have boundary. In planning policy terms the site is located in the open countryside and within the special landscape area.

The site would be accessed off Dean Road via a short section of the restricted byway GRIM13 which is well surfaced. The area of the change of use is 3 acres.

3. Planning History

None

4. The Proposal

The application proposal description is : Change of use from agriculture to dog exercise grounds.

5. Planning Policy

National Planning Policy Framework

- 2. Achieving Sustainable Development
- 4. Decision-making
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Wiltshire Core Strategy

- Core Policy 1 Settlement Strategy
- Core Policy 2 Delivery Strategy
- Core Policy 48 Supporting rural life
- Core Policy 49 Protection of rural services and community facilities
- Core Policy 50 Biodiversity
- Core Policy 57 Ensuring high quality design and place shaping
- Core Policy 58 Historic Environment
- Core Policies 60, 61, 64 Transport/ demand management
- Saved policy C6 Special landscape area

6. Summary of consultation responses

Grimstead Parish Council - Objection

The Parish Council unanimously opposes this application having assessed it against the three following development objectives (from National Planning Policy Framework, Achieving Sustainable Development, paragraphs 8-10):

1. Economic – although it understands there may be a need, per se, for a dog exercise ground, Councillors do not believe this to be a local need as there are many areas in and around the village (including nearby Bentley Wood) where residents exercise their dogs in relative isolation. The application proposes to change prime agricultural land from agricultural production to a dog exercise area. In our view this is not utilising the right type of land, in the right place and so believe the application fails to meet the economic objective.
2. Social – the objective is around fostering well-designed, beautiful, and safe places with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

The proposed exercise area is adjacent to the village church and also adjacent to two local rights of way (a footpath and a restricted byway), both heavily used by local dog walkers and horse riders. The exercise area will provide a strong distraction for local walkers/riders their dogs/horses and for people using the church – both of these activities are important to social and cultural well-being and so the Council believes the application fails to meet the social objective.

3. Environmental – as discussed earlier, the Council believes there is little local need for the exercise ground and so the main users are going to be travelling to the site, down narrow

country roads, from further afield, increasing pollution from more cars travelling to the site and adding to climate problems.

The proposed area is accessed from a national cycle route (#24), making that route more hazardous to cyclists. Gay's Drove, the restricted byway immediately used to access the exercise area, is a local hotspot for fly-tipping (a constant problem for the Council and cause of great distress to local residents) and is being made increasingly inaccessible to walkers and cyclists due to churn from vehicles illegally using the byway for tipping, off-roading and as a short cut. If this application was approved the Parish Council are concerned that car travelling to the site could come from either end of Gays Drove and it is already difficult to police. Also, there was worries raised that users of the field may park outside the gates and block or severely restrict Gays Drove access.

With increased numbers of dogs there also could potentially lead to an increase in livestock worrying incidents which are already a big problem in the countryside if there were escapees from the site, let along the increase in risk to trains running adjacent to the site

In addition, the operating hours appear excessive and there is real concern that in the winter months the owners will put up flood light which would certainly not be in keeping with the countryside

The Council believes that allowing the exercise area to be established in the proposed location will severely detract from use of Gay's Drove by the leisure community (a social issue) and will undoubtably lead to increased litter and dog poo bags in this pollution hotspot. As a result, the Council feels that the environmental objective is not met by the application.

In summary, the Parish Council believes that the location of the exercise area and lack of local need result in the application failing to meet all three sustainable development objectives and so should be refused.

WC Conservation – No objection

Initial comments:

I have been consulted because whilst the site is not in a conservation area, it is near to two listed structures: the bridge (listed grade II) and Holy Trinity Church (also listed grade II).

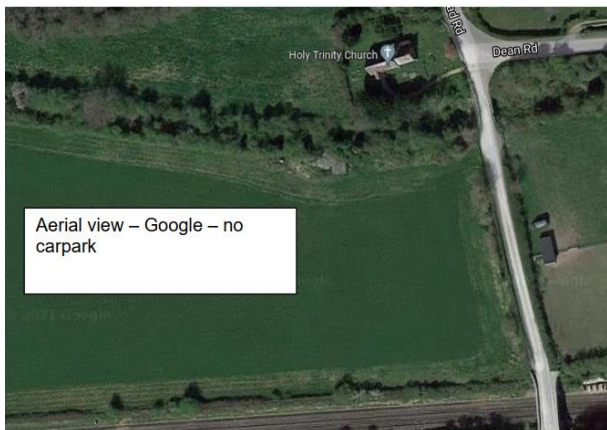


Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local planning authorities shall 'in considering whether to grant planning permission for development which affects a listed building or its setting' have 'special regard to the desirability of preserving the building or its setting....'.

Whilst the agent has identified that there are no listed buildings within the site boundary, no mention is made of either of these two structures which are very close to the site and arguably within their setting. As a consequence, it is reasonable to assume (since no mention is made) that there is no assessment of the impact of the proposals on their settings.

It is not clear from the application documentation what facilities or features are required to enable this change of use. I note the reference to a deer proof fence already having being erected. If such a fence required planning permission (in future when agricultural PD rights were removed), then we would be reasonably assessing whether the fencing impacted negatively on the setting of the church and bridge.

Similarly, I note the existing parking area. Was the formation of this PD or does it require consent? The question is important as a gravelled area with an open-sided shed, as shown in fig 3 of the D&A statement, may erode the rural character of this site and which may, in turn, have an adverse impact on the setting of the church or bridge.



As it stands, in the absence of the applicant's assessment of the impact on the setting of the listed structures, I cannot say with certainty that the works would not have a harmful impact on the setting of the listed structures.

As the proposals relate to setting issues, I would anticipate that any harm would be 'less than substantial' to use NPPF terms.

Further comments:

Irrespective of the nature of the application, it is for the applicant to consider how the proposals impact on the setting of any nearby designated heritage assets in accordance with the requirements of the NPPF.

Having visited the site this morning, I noted the fencing, gate and gravel surfacing that is currently present. I do not consider these elements harm the setting of the church or bridge.

Were the car parking area to be extended, or more structures to be erected such that the rural character of the site was eroded, then I would likely have reservations.

WC Highways – Support

Initial comments:

Dog exercise grounds are a relatively new concept which are becoming more popular. By their very nature they are likely to be located in rural or remote settings to allow the exercise space necessary and to prevent noise disturbance to the neighbours. This proposal is located on the edge of East Grimstead and is likely to attract visitors from further afield in the surrounding towns and villages who will arrive by car. There are no separate footways from East Grimstead to the site so even those who live locally are likely to consider driving. It is noted that there would be a maximum of 2 cars per session, over a 12 hour period. These would be new trips on the surrounding road network and, on that basis, it could be argued that the site is unsustainable in transport terms, contrary to CP60 & CP61. However, I will be guided by your view taking all aspects into consideration whether this is the type of use that one would expect to find in the countryside.

Notwithstanding the above, I note the comments from the ROW officer and that it is considered an acceptable use of the restricted byway. The 10-minute buffer period will help to prevent an overlap of vehicles entering and leaving the site and in theory the car park should be empty before the next session cars arrive. However, there will undoubtedly be occasions when the next session visitors arrive too early to enter the site and, in these situations, the public highway should not be used as a 'holding bay'. Should the proposal proceed then I am of the view that an additional parking space within the confines of the site would remove any need for vehicles to have to wait on the public highway or byway should there be an overlap, I therefore request that a minimum of 3 parking spaces are provided. I am aware that forward visibility for the right turn manoeuvre into the byway from Dean Road is slightly restricted, this is mainly due to overgrowing vegetation on the adjacent verge. When turning right it is possible to position your vehicle at a point where forward visibility is maximised. I also note the low traffic volume, 30mph limit and general lowering of speed of vehicles approaching the bend. I consider access to the site is acceptable for the use proposed.

Final comments following consideration of the site plan submitted:

Thank you for forwarding the revised plan showing an additional parking space. I note that the parking space is located between the main gate from the byway and the secure gate to the site, this is to enable the site to remain secure for each session. I am satisfied that this addresses my concern regarding the need for vehicles to wait on the byway.

Notwithstanding the sustainability comments raised, I am now in a position to support the proposal.

WC Public Protection – No objection subject to conditions

I think based on what the applicant has stated, we would be fine to recommend conditions restricting the hours of use and number of dogs on site at any one time if possible to ensure there will be no negative affect on amenity for those local residents.

WC Rights of Way – No objection

Initial comments:

The site is accessed by a very short section of restricted byway (GRIM13) which is well surfaced and is also subject to an application to record it as a byway open to all traffic. However, in order to drive a vehicle along here, the applicant would require a demonstrable private right of vehicular access. Without this private right they would be committing an offence under Section 34 of the Road Traffic Act 1988. The granting of planning permission does not give the applicant a vehicular right of access over the path. The applicant is advised to take private legal advice to ensure they have a right of access.

I understand that users of the site will have to pull up outside the gate before gaining access. If this was only one vehicle at a time I do not see it causing a problem as there appears to be adequate width available for vehicles to pull in closer to the gate. However, from the information in the application regarding the number of visits I do not feel that the current arrangements are adequate. I would request that the gate adjacent to the restricted byway be set further back into the site to prevent the need for vehicles to stop on GRIM13. I would also require the applicant to provide enough parking on the site to meet the maximum capacity to prevent the need for vehicles to park on the restricted byway.

Final comments following consideration of the site plan submitted:

From a rights of way perspective this addresses my concerns regarding the impact of the access on the restricted byway. I therefore have no objection to the proposal.

7. Publicity

Neighbour / Third party representations

The application was advertised by neighbour notification letters and the posting of a site notice outside the site.

The proposal has generated 31 letters of support which cite the following positive comments:

- Peace of mind and security provided by the secure paddock area which allows dogs to exercise off-lead;
- The convenient location of the facility which is the only one in the area and located closer than other facilities;
- That the facility is a valuable resource for dog owners as other public open spaces are not suitable for exercising dogs off-lead;
- The facility is much needed.

In addition 2 letters of objections from local residents have been received which cite the following concerns:

- Regards traffic generation/ vehicle movements, parking and highway safety;
- Fly-tipping and litter;
- External lighting;
- Illegal use of the restricted byway;
- Unsuitable rural location and lack of local need.

8. Planning Considerations

- Principle of development
- Impact on the character of the area and setting of nearby listed buildings
- Impact on amenity
- Highways/ Rights of Way

9. Assessment

Principle of development

The Core Strategy does not have a policy that directly relates to this proposal. However, the adopted Core Strategy at its very heart seeks to promote and deliver sustainable forms of development that extends to supporting existing businesses; protecting the natural, built and historic environment as well as protecting neighbouring amenity.

The proposed sui-generis use for dog exercise grounds is clearly a non-urban use, requiring an area of green space to enable its use. The aim of the proposed use is to allow safe exercise of dogs that would otherwise not be able to use public open spaces for reasons relating to behaviour particularly with competing users of those spaces.

The use does not lend itself to an urban or suburban site due to the need for a fairly large area of open space, and potential detrimental effects upon nearby residents due to noise and disturbance associated with exercising dogs. The exercising of dogs is akin to a recreational use which is an acceptable use in the open countryside with minimal impacts upon the character and appearance of the countryside.

The proposed development at the site is considered acceptable in principle, provided the development is appropriate in terms of the character of the area, and provided other interests including the impact on the character of the area and setting of nearby listed buildings, amenity and highways/rights of way are addressed.

Impact on the character of the area and setting of nearby listed buildings

Saved policy C6 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;

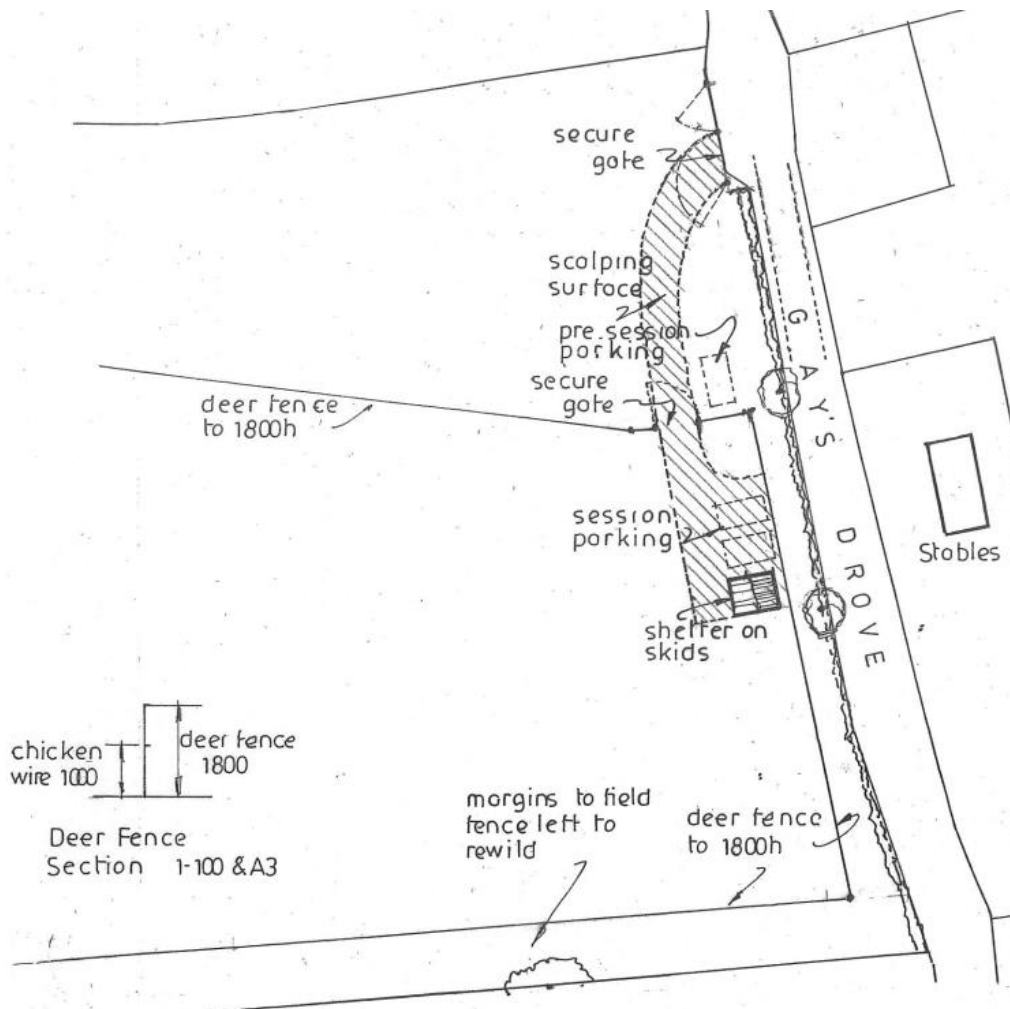
- (i) siting and scale of development to be sympathetic with the landscape; and
- (ii) high standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area.

Core Policy CP57 states a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is

expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.

The dog exercise field has been designed to retain the green and open character of the area whilst providing a secure area for dogs to run off lead. The dog exercise field has been enclosed by 6' high deer fencing and metal mesh gates which are secured to posts and set back from the main access gates.



The style of fencing is typical 'deer style' fencing and does not require planning permission as it is boundary perimeter fencing below the height limits that would need permission and not adjacent to the highway.

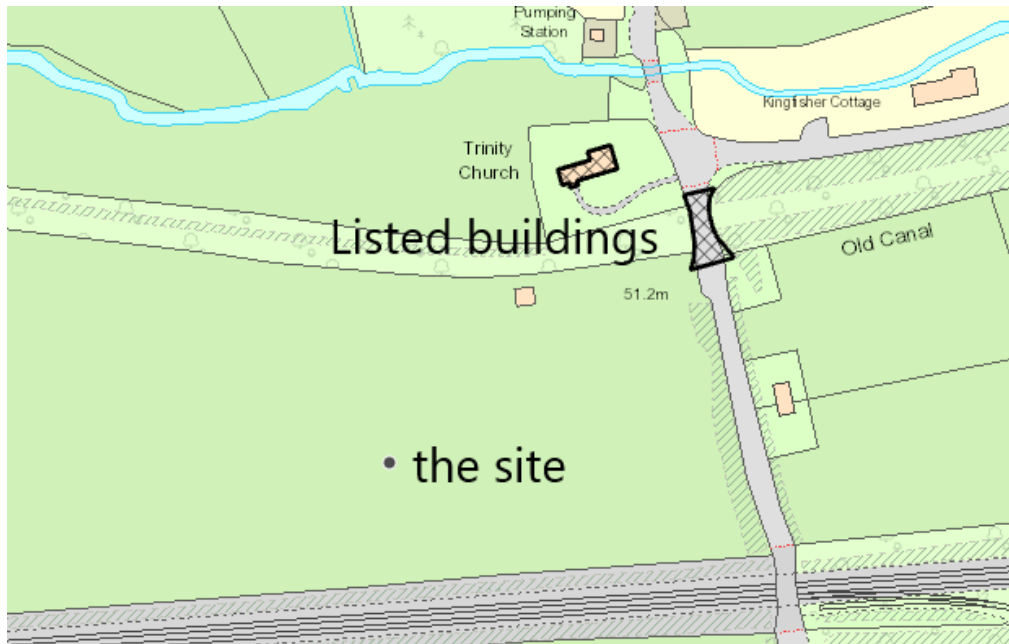
The scheme incorporates a field shelter however the shelter is understood to be mobile therefore this element also does not require planning permission along with the fencing and driveway surfacing which are permitted development, These elements therefore do not form part of the application which relates to the change of use only.

The site is well screened with existing trees and the mobile shelter, deer fencing, gates and driveway and parking surfaces are fairly limited and are not considered to result in any

significant urbanisation of the site or have a significant and detrimental impact on the landscape character of the area.

As such, in this instance, it is considered that the use is compatible with the surrounding countryside and not in conflict with the requirements of Core Policy 51 and saved policy C6 which seek to protect, conserve and where possible enhance the landscape character.

There are listed buildings close to the site, namely the Grade II listed Church of Holy Trinity directly north of the site at a distance of approx. 50m and the Grade II listed Canal bridge directly north and adjacent to the access.



The Council's Conservation officer has been consulted and officers note they have requested a heritage assessment from the applicant which the applicant disputes is necessary as the existing works were undertaken under permitted development rights and the application relates to the change of use of the land only. Obviously even a change of use of land can have a significant effect on heritage assets including listed buildings by changing the nature and character of an area adjacent to those heritage assets and their setting through intensification of use. However following their initial comments the conservation officer has visited the site and does not consider the application to change the use of the site would significantly harm the adjacent heritage assets such that it would warrant refusal of a this planning application.

Impact on amenity

Core Policy CP57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 130f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The operation hours are proposed to be daily between the hours of 07:00am to 20:00pm (13 hour period) during summer months, and daily between the hours of 08:00am to 16:00pm during winter months (8 hour period).

The dog exercise field would be available for use during daylight hours only. As such no external lighting would be required and this could be restricted by condition to ensure the area retains a peaceful rural character and the proposal does not impact on amenity or biodiversity.

It is unclear to officers whether there is a pre-existing issue regards litter/fly-tipping however this matter would not be material to this application. Similarly livestock safety is not material to the application.

Due to the separation distances to residential dwellings in the village, the nearest dwelling being located 100m away to the north, it is considered the proposal would not unduly impact on neighbour amenity. That being said, officers would consider a condition requiring approval of a noise management plan would be reasonable in the interests of amenities of the area.

WC Public protection have been consulted and do not raise an objection subject to conditions defining the hours of operation along with a maximum number of dogs permitted to enter the site at any one time. In officers view a condition restricting the number of dogs permitted to enter the site would be difficult to enforce therefore would fail the relevant tests.

Highways/ Rights of Way

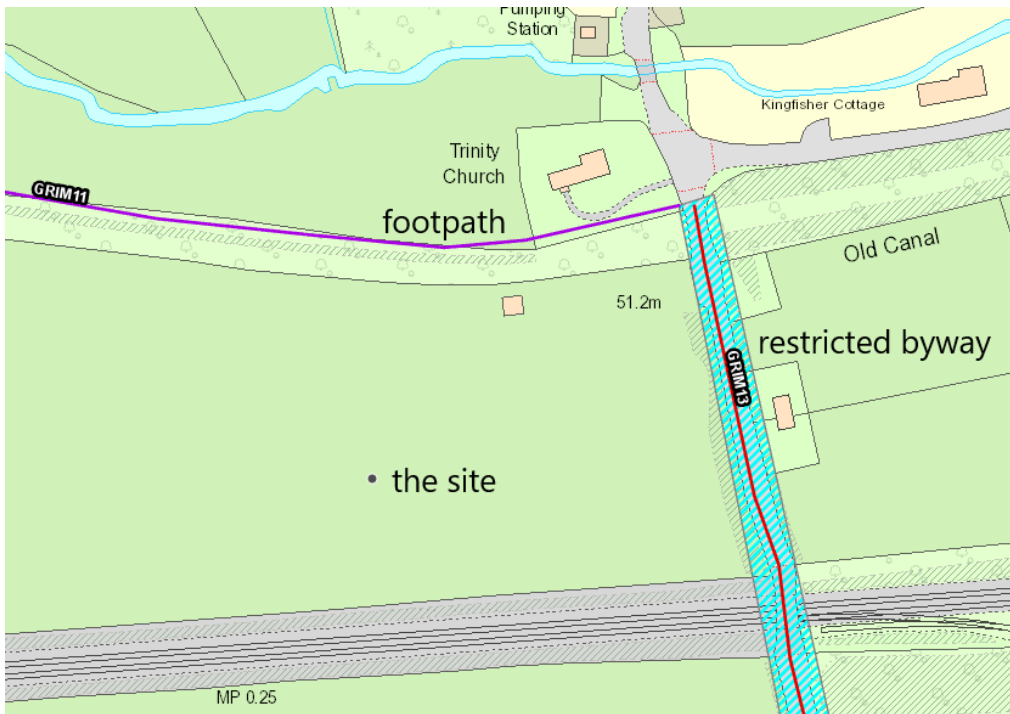
Core policy CP57 ix. states that proposals should ensure that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible.

The information submitted states that the users of the site make an appointment on an hourly basis and the number of dogs allowed entry into the field is restricted to six dogs per hour. One booking only is allowed per hour, and sessions are offered for 30 minute and 50 minute durations.

In both cases, there will only be one booking per hour. This allows a minimum of a 10 minute buffer to allow users of the dog exercise field time to exit the site before the next users arrive. This is to ensure the dog exercise field remains secure whilst in use and would also minimise traffic congestion in and out of the site.

Concerns were raised by WC Highways and WC Rights of Way regarding access and parking. At the request of WC Highways the applicant has submitted a site plan which demonstrates adequate access and the provision of 3no parking spaces within the site. Following consideration of the site plan, WC Highways do not raise an objection.

The concerns raised regards the illegal use of the restricted byway are noted. WC Rights of Way have advised that to drive along the restricted byway users would need to demonstrate private rights of access. It appears there may be an existing issue regards illegal use of the restricted byway however this would not be material to the application and any reports of illegal use would be a matter for the police.



Vehicles visiting the site will only have to drive over a short distance of the restricted byway (approx. 34metres). The current surfacing of this section of the restricted byway is in good repair.

There is good forward visibility and enough width available for vehicles and other users to pass each other by using the “pull in” in front of the existing gateway to the site. The additional parking space between the restricted byway and the main parking area should prevent the need for vehicles to wait on the restricted byway if arriving early or leaving late from their booked session.

Overall officers along with WC Rights of Way do not therefore consider that the proposal will have a detrimental effect on the users of the restricted byway or the adjacent footpath.

Officers note the letters of support have been submitted by residents of Alderbury/Whaddon, Amesbury, Farley, Fordingbridge, Grimstead, Lopcombe corner, Old Sarum, Salisbury, West Dean, West Tytherley, Whiteparish, Wilton, Winterslow.

Whilst the proposed use of the site would inevitably generate limited car traffic likely starting outside of East Grimstead, the majority of the users of the dog exercise field would be travelling from the surrounding areas and the level of vehicle movements associated with the proposed dog exercise use would be relatively low.

10. Conclusion (The Planning Balance)

The objections made by the parish council and local residents are noted and the matters raised have been taken into full consideration. Conversely, the proposal has also generated numerous letters of support from residents of the surrounding areas which suggests there is a need for this facility which would allow dogs to run safely off-lead.

The edge of village location would inevitably result in car travel to and from the site however traffic movements resulting from the proposal are likely to be quite low. In the absence of an objection from WC Highways or WC Rights of Way, the Local Planning Authority considers a refusal on highway/rights of way grounds would be difficult to justify.

The proposed dog exercise area would provide a safe/secure environment for dogs to exercise freely. The fencing, gate and gravel surfacing is not considered to impact on the setting of the nearby listed buildings or on the rural character of the area.

The proposal would appear to be a viable use for the site however in the interests of preserving the landscape character of the site, a condition is suggested that when the field is no longer required for the dog exercise use, all structures and surfaces are to be removed and the land restored to its previous condition.

Officers have considered conditions to restrict dog numbers allowed within the site and to restrict number of cars, however in practice these conditions would be difficult to enforce and would therefore fail the relevant tests.

Conditions are suggested to restrict external lighting, and to specify the operational hours of the dog exercise field during daylight hours only. It is also considered reasonable in the interests of amenity to condition approval of a noise management plan.

Subject to the above conditions, the proposed development is considered to accord with the objectives of saved policy C6 and core policies 48, 49, 50, 57, 58, 60, 61 and 64 of the Wiltshire Core Strategy and the aims of the NPPF. Therefore, the Local Planning Authority considers that planning permission should be granted.

RECOMMENDATION:

Approve subject to the following conditions:

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

Site Plan and Block Plan (revised) Date rec. 11 October 2021

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

2 Within 3 calendar months of the date of this decision notice, a noise management plan shall be submitted for approval to the Local Planning Authority. The approved noise management plan shall be maintained in accordance with the approved details at all times thereafter.

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

3 There shall be no operational use of the dog exercise field outside the hours of 07:00am to 20:00pm between April and August, and outside the hours of 08:00am to 16:00pm between September and March.

REASON: In the interests of the amenity of the area and to protect the living conditions of nearby residents.

4 There shall be no external lighting installed on site.

REASON: In the interests of the amenities of the area and to avoid harm to biodiversity.

5 Upon cessation of the dog exercise use, all structures and surfaces shall be removed in their entirety and the field shall be returned to its previous condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

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

6 Within 3 calendar months of the date of this decision notice, the parking spaces shown on the approved plans shall be provided and remain available for this use at all times thereafter.

REASON: In the interests of highway safety.

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