

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	29 th June 2023
Application Number	PL/2023/02118
Site Address	Land at Netherhampton Farm, Netherhampton, Salisbury, SP2 8PU
Proposal	Demolition of the existing building (unit 3) and erection of a detached 5-bedroom dwelling with associated landscaping
Applicant	Hibberd Development Company
Town/Parish Council	Netherhampton Parish Council
Electoral Division	Cllr. P. Church
Grid Ref	
Type of application	Full
Case Officer	Mrs. Becky Jones

Reason for the application being considered by Committee

Cllr Church has asked for the Committee to determine the application if officers recommend the application for refusal.

1. Purpose of Report

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

2. Report Summary

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

1. Principle for development and site history for approved scheme
2. Evolution of the scheme and the impact on the character and setting of the Conservation Area
3. Other material planning considerations affecting the site
4. The planning balance

The application generated no response from the Parish Council and one letter of objection from the Salisbury Conservation area Panel.

3. Site description, site constraints and the proposals

The site was formerly a model farm and there were a number of historic buildings within the complex which have been converted and/or rebuilt for residential purposes. Unit 3 is the last remaining original C19th model farm building, which sits towards the north-western corner of the Netherhampton Farm development site. The site for Plot 3 is part of an ongoing development for 20 houses and lies within the Netherhampton Conservation Area.

There are also four existing semi-detached dwellings to the south of the site. The Victoria and Albert PH, Rest Harrow and St Catherine's Church lie to the south east of Netherhampton Farm and are grade II listed buildings. Old Netherhampton Road is an unclassified highway and runs to the south of the site.

This application seeks full planning permission for the demolition of the existing building and erection of a detached 5-bedroom dwelling with associated landscaping instead of the proposed conversion approved under 20/04743/FUL. The application has been submitted in response to ground investigations that were undertaken across the site. These investigations (Ground Investigation Report prepared by Ground Investigation Ltd) have apparently revealed a running sand condition which has resulted in the collapse of unit 11 during the hand demolition of sections approved for demolition under application 20/04743/FUL. The ground condition also affected units 4, 5, 9 and 10 of the originally approved scheme and therefore, permission was granted under application PL/2021/06457 for these units to be re-erected as new builds rather than conversions.

Vehicular and pedestrian access to the plot would be provided from the wider site's main entrance onto the highway. Parking space for the new dwelling would be provided on-site, on the driveway positioned in front of the house. The driveway incorporates a turning head at its westernmost point, to enable vehicles to enter and exit the plot in a forward gear. No other aspect of the development on the wider site is affected by this proposal.



Proposed Elevation

4. Planning Policy

The following planning policies are considered to be relevant to the determination of this application:

National Planning Policy Framework (NPPF 2021) and the PPG

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Neighbourhood Plan status – area undesignated

Adopted Wiltshire Core Strategy

CP1 Settlement Strategy

CP2 Delivery Strategy

CP33 Spatial Strategy for Wilton Community Area

CP48 Supporting Rural Life

CP50 Biodiversity and Geodiversity

CP51 Landscape conservation

CP58 Conservation of the Historic Environment

CP57 Ensuring High Quality Design and Place Shaping

CP60 and 61 Transport and new developments

CP69 Protection of the River Avon SAC

Saved Policy C6 Special Landscape Area (Annex D of WCS)

Other:

- Wiltshire Local Transport Plan – Car Parking Strategy: Chapter 7: Parking Standards
- Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019
- The Community Infrastructure Levy Regulations 2010
- National Model Design Code July 2021
- Building for a Healthy Life - A Design Code for neighbourhoods, streets, homes, and public spaces (Homes England June 2020).
- The Community Infrastructure Levy Regulations 2010

5. Relevant Planning History:

18/00510/FUL 20 residential dwellings comprising the conversion of existing agricultural buildings and new build units; demolition of existing buildings; associated access, car parking and landscaping (Resubmission of 17/05945/FUL) AC

20/04743/FUL 20 residential dwellings comprising the re-erection of former farm buildings (units 7, 8 and 16-20), in addition to the other new builds and conversions. AC

PL/2021/06457 Variation of condition 1 of 20/04743/FUL to allow alterations to the approved drawings. (Replace 9410.114 Rev A with 9410.114 Rev B and 9410.115 Rev B with 9410.115 Rev C) AC

PL/2021/10665 Application to vary condition 1 of PL/2021/06457 (which varied 20/04743/FUL) by replacing the Proposed Site Plan (and approved red line for the site) ref 9410 104 Rev E with Proposed Site Plan 9410 104 Rev G. and to remove Condition 2. The amendment seeks planning permission for the attenuation pond and associated works only. *Undetermined - under consideration*

6. Consultations

Conservation – Objection

Highways – No objection

Public Protection – No objection subject to hours of construction condition. Cleanliness Certificate (asbestos) acceptable.

7. Publicity

The application was publicised by site notice and neighbour letters. Salisbury CAP objected.

Salisbury Conservation Area Panel - Object

I would like to register a strong objection to the application for demolition and rebuild of Unit 3 at Netherhampton Farm, on behalf of the Salisbury Conservation Advisory Panel. This body brings together representatives from various local and national organisations in order to give advice to Wiltshire Council on matters affecting the historic built environment.

The Panel is aware of the unfortunate way in which the main range of C19th farm buildings at Netherhampton Farm has been demolished and replaced by replicas, resulting in the effective loss of a major part of the Netherhampton conservation area. At its meeting on April 25th, the Panel considered the application for the further demolition, and rebuilding in replica form, of the one remaining part of the original complex, the farm office building now described as Unit 3.

The Panel is not aware of any adequate justification for this further loss to the farm complex, for which no reason appears to be advanced in the 'supplementary ground investigation report' included in the application. The Panel therefore takes the view that the removal of the first floor of the building, which has already taken place, should be remedied by re-using the

original stonework, and the reinstated building converted to residential use, in line with the approved application 20/04743.

The Panel does not believe that the regrettable loss of most of the original buildings on the site should be further compounded by the taking down of the one surviving C19th building, and therefore objects strongly to the current application.

Netherhampton Parish Council – None received

8. Main Planning Considerations

Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework

The NPPF 2021 confirms in para 11 that plans and decisions should apply a presumption in favour of sustainable. For decision making, that means approving development proposals that accord with an up-to-date development plan without delay. The NPPF also states that the policies in the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.

The Council can demonstrate 4.6 years of housing land supply against Local Housing Need and therefore the tilted balance would normally be engaged under para 11 of the NPPF. However, the presumption in favour of sustainable development would not automatically apply to this site under footnote 7, as the site lies within the Conservation Area.

8.1 Principle for development and site history for approved scheme

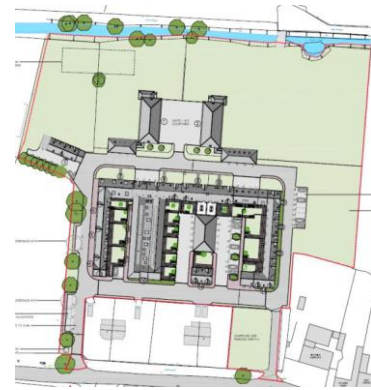
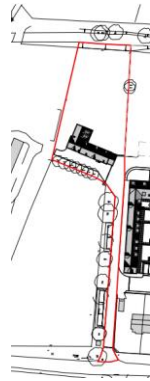
The principle for residential development on this site, which lies outside any settlement boundary, was established by the 2018 consent for the *conversion* of the existing model farm units. This consent has evolved through subsequent planning permissions granted on the site but the overall number and siting for the units has not changed. The *degree* of conversion and rebuilding taking place on the site has however changed significantly through the evolution of the scheme and the development is no longer considered to fully represent a *conversion* of the original model farm buildings and is more akin to fresh build with only some minor elements of conversion remaining:

18/00510/FUL:

This application secured consent for 20 residential dwellings comprising the conversion of existing agricultural buildings and new build units with the demolition of existing buildings.

20/04743/FUL:

In April 2021, planning permission was granted for 20 residential dwellings comprising the re-erection of former farm buildings (units 7, 8 and 16-20), in addition to the other new builds and conversions. The application was a resubmission of application 18/00510/FUL for 20 residential dwellings comprising the conversion of existing agricultural buildings and new build units; demolition of existing buildings; associated access, car parking and landscaping. The development proposed differed from the approved scheme as demolition had taken place on site and some of the existing units were to be re-erected instead of converted.



PL/2021/06457:

In June 2021, planning permission was granted to vary the previously approved development to allow for the demolition and re-building of previously consented units 4, 5, 9 and 10. These units had apparently been affected by the running sand ground condition which adversely prejudiced the retention of the affected existing buildings.

PL2021/10665:

In November 2021, an application seeking to vary the previously approved scheme was submitted to the LPA. The application sought permission for the creation of an attenuation pond and associated works. This application is currently live and undetermined, awaiting final drainage comments on the built scheme.

The permissions outlined above (PL2021/10665 is ongoing but the principle for residential use by *conversion* under CP48 is still accepted) have established the principles for residential development on the site. However, CP48 provides the main policy plank for the conversion of the existing historic rural buildings to residential use and Members will note that as the development no longer seeks to convert or even *partially* convert and rebuild Unit 3, the development cannot be considered as a conversion for the purposes of Core Policy 48. The proposal is effectively a new build in the countryside. The advanced stage of the residential development at Netherhampton Farm is also noteworthy.

The main issue for this application is the impact of the demolition and rebuilding of Unit 3 on the character and setting of the Conservation Area.

8.2 Evolution of the scheme and the impact on the character and setting of the Conservation Area

Core Policy 48 provides the policy principles for the conversion of rural buildings for residential purposes in the countryside. Core Policy 57 sets out the criteria for the design of new development in Wiltshire. CP51 seeks to enhance the landscape and ensure that development protects, conserves and where possible enhances landscape character and does not have a harmful impact upon landscape character, while any negative impacts are mitigated as far as possible through sensitive design and landscape measures.

Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. Development should protect, conserve and where possible enhance the historic environment.

Heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

72 (1) In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the planning Acts...

The revised NPPF states:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.

This application site is considered to be unique given that the site forms a large proportion of the Conservation Area designation. Redundant and dilapidated farm buildings cannot reasonably be argued to be a positive and enhancing feature of the conservation area and there is a strong planning policy drive within CP58 and the NPPF to support the enhancement of heritage assets and Conservation Areas. CP48 further supported conversion of buildings to residential use where the conversion or re-use of a heritage asset would lead to its viable long term safeguarding.

Whilst supporting the removal of modern farm structures to enhance the conservation area and supporting *conversion* of surviving historic buildings, the Conservation officer has consistently and clearly objected to the demolition of the *original* building fabric on the site.

2020

Following the apparent ground stability issues, the conservation officer assessed the revised scheme to rebuild the damaged buildings and provide new, and replacement buildings for the model farm under PL/2021/06457. He objected further:

Unit 3. The latest drawing has blue-shaded sections that raise new concerns about proposed (but unexplained) demolition. I remain thoroughly concerned with the proposed alterations to this fine building that damage its fabric and its appearance with oversized and unnecessary extensions.

Unit 3 was amended to simplify its appearance. Reclaimed stone from the original buildings would also be retained for reuse on the development. At that time, Unit 3 was to be largely retained and the applicant clarified:

Only the area marked on the front elevation of Unit 3 is proposed to be removed and rebuilt. The gable will be left as per the drawing. In terms of stone to be re-used, all demolition was undertaken carefully by hand. All stone which was still serviceable was stacked on pallets in one of the large barns on site to be reused in the reconstruction. Decorative stonework, such as the gothic arch in the southern elevation of unit 16 has also been retained and will be used in the rebuild.

2021

The Conservation officer further objected to the changes proposed under PL/2021/06457:

The proposal to amend the previously approved scheme is largely retrospective and most of the historic structures on the site have been completely demolished, those still remaining have been largely demolished with the exception of unit 3, which has had its roof removed leaving it rapidly deteriorating. The Planning statement states that frontage of the rebuilt elevation of the middle southern block (fig 4) 'utilising the existing stone creates high quality building', but the stone in the image is not salvaged and certainly does not match what was there previously. Bar a statement that a 'running sand' situation has made demolition inevitable, no explanation or detailed advice from a suitable professional has been provided. There was no obvious issue of movement with the existing standing buildings, and a number of previously involved professionals have raised no such concerns.

I object without reservation to the additional demolition, but it has already been done and so I have referred this to the enforcement team. The demolition elements of the application should not be approved as it would risk legitimising the unacceptable unauthorised works.

In approving the 2021 application for the scheme changes, the case officer concluded at that time that whilst it was highly regrettable that unauthorised demolition had taken place within the conservation area to the detriment of its character, the proposed rebuilding would reinstate the model farm within the Conservation Area and restore some of the character of the undesignated heritage assets.

2023 - present

The current 2023 scheme now seeks to completely demolish and rebuild Unit 3 and the Conservation officer has stated:

Unit 3, the former farm office building, stands between the former model farm and the farmhouse, and is the last remaining building of the site for which consent was given for conversion. All of the other buildings have been demolished and rebuilt. The basis for proposing demolition rather than conversion is that there is a running sand ground condition that makes it impossible to retain. The report submitted does not support the notion that the building is incapable of conversion, nor that it is suffering from significant movement or other issues. I have discussed this ground condition with others more familiar with such matters and no-one considers it at all likely to warrant demolition and rebuilding.

The building makes a positive contribution to the character of the CA and consent is required for its demolition. The LPA is required to pay special attention to the desirability of preserving or enhancing conservation areas by s72 of the PLBCA Act 1990, while the NPPF advises that all heritage harm should be avoided where possible. Where harm to a designated heritage asset is considered to be 'less than substantial', which I would say is the case here, public benefits may be weighed against the harm. Given that no justification has been offered for the harmful work, and that there are no benefits offered that weren't provided by the approved scheme, I can see nothing that supports the proposal. I am strongly of the view that the existing building (parts of which have already been removed without consent) should be repaired from its existing state to its original form using the stone salvaged and stored on site and repaired/extended as previously approved.

The design of the proposed replacement building has previously been considered unacceptable and revised to the approved version, but the total demolition of the existing building would render the whole site of no heritage interest other than as a poor pastiche of the original and amending this aspect of the scheme would not render it acceptable.

The applicant then submitted:

- Structural Report on Existing Stone Walls dated 2020 and
- Statement from HBPW Consulting Engineers dated May 2023 which stated:

We have reviewed the information provided comprising of photographs as well as the existing structural and ground investigation reports and outline the following conclusions:

Ground Conditions:

The trial hole dug along the north western end of Unit 3 confirms the ground conditions described in the ground investigation report (ref P1401.1.0 revision 0, dated 13th October 2020). These are typically described as soft brown slightly sandy slightly gravelly silty CLAY overlaying light brown and light grey to off-white slightly silty/clayey sandy angular to subrounded fine to coarse flint and rare chalk GRAVEL. Ground water was encountered around 1.5m depth. Based on the above, the recommendations in section 5.2.2 of the ground investigation report would apply along with the conclusions contained in the Craddys structural report (ref: 1179w0004) of Units 4 to 14. The nature of the ground conditions has dictated the requirement of an engineered foundation solution for the rest of the development. Units 4-14 have been constructed on a 'stiff' reinforced raft foundation in order to mitigate against soft spots or potential dissolution features in the ground. It is concluded that the existing foundations are not suitable.

Masonry:

Based on the photographs of the existing structure it is visible that the existing masonry is generally in poor condition. Extensive weathering, damp and staining is visible to the existing stone face. Although these are items that could generally be rectified, it is the extremely poor

bonding of the existing mortar on the existing brickwork inner leaf that is concerning. A video of the remediation of the brickwork indicated that these could simply be detached by hand and that the mortar did not key to the surface of the brickwork. This indicates that the structural integrity of the wall is questionable and cannot be relied upon.

It is therefore our conclusion that the reasons and conclusions highlighted in the Craddys report extend to this existing building (unit 3) also. It is also our view that due to the poor nature and bonding of the inner masonry that we propose that the existing structure be demolished and rebuilt. We suggest that the existing stone could be reused as part of the rebuild however allowing for a more modern cavity wall construction with the inclusion of wall insulation.

The Conservation Officer considered these documents and concluded:

I have seen the submission from structural engineers, which is a review of work by others and did not involve a site inspection. I note that this post-dates the extensive work to the building earlier this year, which was apparently based on the same argument. The authors consider that the conclusions of the Craddys report would equally apply to unit 3. The Craddy's conclusions were NOT that the buildings were incapable of retention, but that it would be difficult to carry out the approved scheme AND to provide guarantees for the new houses. I note that they refer to the condition of the stonework of unit 3, I have viewed it several times and the majority was clearly stable and sound - the only part that was not, the stone above the garage door, had been given consent for repairs as previously requested. I remain wholly unconvinced that it is not possible to restore the building from its current state without destroying it. Approval of demolition would cause significant harm to the character of the Netherhampton CA.



Conservation Area in context

In conclusion, Unit 3 is the last remaining C19th building on the site and the only surviving building from the model farm, from which the Conservation Area derives a significant proportion of its character in this part of Netherhampton. The harm arising from the loss is considered to be 'less than substantial' and a balancing exercise is required by the NPPF and the public benefits may be weighed against the harm. Given that no clear justification has been offered for the harmful work as required by the NPPF, and that there are no benefits offered by this proposal that weren't provided by the approved scheme, the harm is not considered to be outweighed.

Officers conclude that the existing building (parts of which have already been removed without consent) should be repaired from its existing state back to its original form using the stone salvaged and stored on site and repaired/extended as previously approved. The complete loss and demolition of this original building and its replacement with a modern structure would be detrimental to the character and setting of the Conservation Area, contrary to the NPPF, CP48 and CP58.

8.3 Other material planning considerations affecting the site

Highway safety: The highways officer has stated:

The proposal is to replace the conversion of an agricultural building known as unit 3, approved under planning ref: 20/04743, with a new build dwelling. The size of the proposed dwelling is comparable with the previous approved layout and from a highways perspective the amendment does not raise any concerns. I am aware that the roads, footways and junctions have been constructed and this application is just for the new dwelling, rather than the wider scheme. The dwelling will include parking provision in an integral double garage together with a driveway across the frontage, the proposed parking is satisfactory. There is no highway objection to this proposal.

Therefore, no highway safety or rights of way objections are raised under Core Policies CP57, 60 and 61.

Neighbouring and future amenities:

No new material planning considerations would arise in terms of neighbouring amenities and previous conditions to control hours of construction could be attached to any approval. The public protection team is satisfied that any contamination has been dealt with appropriately. No objection is raised under CP57.

Drainage, Flood Risk, Ecology and Biodiversity:

Matters relating to ecology, the watercourse, biodiversity, River Avon SAC and nutrients, drainage and flood risk have been appropriately considered under the previous applications and conditions would be reapplied appropriately to any permission to secure the agreed biodiversity enhancements. The development of the wider site is at an advanced stage and the built systems for the access roads and surface water disposal are still under consideration under PL/2021/10665. Any permission for Unit 3 would be subject to the completion of the drainage provisions being made for the wider site. No objection is raised under CP50, CP67 and CP69.

Community Infrastructure Levy:

The Community Infrastructure Levy (CIL) is a charge that local authorities in England and Wales can put on new development in their area to raise funds to help deliver the infrastructure necessary to support this development. All development containing at least 100 square metres of new build is chargeable, although residential extensions which are built by 'self builders' are exempt from CIL. An informative would be placed on any permission to advise the developer regarding CIL.

8.4 Conclusion and Planning Balance

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions. Planning decisions should apply a presumption in favour of sustainable development and this means approving development proposals that accord with an up-to-date development plan without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

However, the tilted balance envisaged by para 11 of the NPPF would not be engaged by this proposal as the application of policies in the NPPF that protect areas or assets of particular importance (the Conservation Area) provides a clear reason for refusing the development.

Only very modest weight can be attached to the provision of one additional housing unit on this site, particularly given the extant consent for a conversion of the existing structure to provide the unit.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Great weight must be attached to the heritage asset's conservation by the NPPF. CP48 further supports the conversion of existing rural buildings where this would safeguard heritage assets.

Unit 3 is the last remaining C19th building on the site and the only surviving building from the model farm, from which the Conservation Area derives a significant proportion of its character in this part of Netherhampton. The harm arising from the loss is considered to be 'less than substantial', and a balancing exercise is required by the NPPF and the public benefits may be weighed against the harm.

Given that no clear justification has been offered for the harmful work as required by the NPPF, and that there are no benefits offered by this proposal that weren't provided by the approved scheme, the harm arising from the loss of the last remaining original building is not considered to be outweighed.

On balancing all the material planning issues, this matter is considered to assume supremacy over other considerations. Officers conclude that the existing building (parts of which have already been removed without consent) should be repaired from its existing state back to its original form using the stone salvaged and stored on site and repaired/extended as previously approved.

For this reason, the application should be refused as the potential harm identified to areas and assets of particular importance (the Conservation Area) provides a clear reason for refusing the development as proposed.

The complete loss and demolition of this original building and its replacement with a modern structure would be detrimental to the significance, character and setting of the Conservation Area, contrary to the NPPF, CP48 and CP58.

9. RECOMMENDATION: REFUSE

For the following reasons:

Unit 3 is the last remaining C19th building on the site and the only surviving building from the model farm, from which the Conservation Area derives a significant proportion of its character in this part of Netherhampton. The harm arising from the loss and demolition of Unit 3 is considered to be 'less than substantial'. Given that no clear justification has been offered for the harmful work, and that there are no benefits offered by this proposal that weren't provided by the approved scheme, the harm arising from the loss of the last remaining original building is not outweighed. The complete loss and demolition of this original building and its replacement with a modern, new build structure would result in the loss of a heritage asset that would be detrimental to the significance, character and setting of the Conservation Area, contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework paras 200, 202 and 206 and Wiltshire Core Strategy Core Policies 48 and 58.