

AGENDA

Meeting: Southern Area Planning Committee
Place: Coroners Court, 26 Endless St, Salisbury SP1 1DR
Date: Thursday 7 April 2016
Time: 6.00 pm

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

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

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Membership:

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

Substitutes:

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

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AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

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

To approve and sign as a correct record the minutes of the meeting held on 25 February 2016.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Corporate

Director) no later than 5pm on Thursday 31 March 2016. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Appeals** (*Pages 21 - 24*)

To receive details of completed and pending appeals.

7 **Planning Applications**

To consider and determine planning applications as follows:

7a **15/09465/FUL: Land Adjoining the Old Manor Hospital, Wilton Road, Salisbury, SP2 7EP** (*Pages 25 - 54*)

7b **15/09519/LBC: Land Adjoining the Old Manor Hospital, Wilton Road, Salisbury, SP2 7EP** (*Pages 55 - 68*)

7c **16/00831/FUL: Paddock View, The Street, Teffont, Wiltshire, SP3 5QP** (*Pages 69 - 96*)

7d **15/11244/FUL: Local Centre, Old Sarum, Salisbury, SP4 6BY** (*Pages 97 - 112*)

7e **15/10727/FUL: Emmotts Farm, Grimstead Road, West Grimstead, SP5 3RQ** (*Pages 113 - 138*)

7f **15/11944/FUL: Co-op Food, 65 Bulford Road, Durrington, SP4 8DL** (*Pages 139 - 144*)

7g **15/10868/FUL: Emmotts Farm, Grimstead Road, West Grimstead, SP5 3RQ** (*Pages 145 - 156*)

7h **15/12231/ADV: Co-op Food, 65 Bulford Road, Durrington, SP4 8DL** (*Pages 157 - 164*)

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 25 FEBRUARY 2016 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

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

9 **Minutes**

The minutes of the meeting held on Thursday 14 January 2016 were presented.

Resolved:

To approve as a correct record and sign the minutes of the 14 January 2016, subject to:

- **Cllr Dalton to be recorded as 'also in attendance' as he was there to speak on one item, as the Unitary Division Member.**

10 **Declarations of Interest**

11 **Chairman's Announcements**

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

12 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

13 **Planning Appeals**

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

14 **Planning Applications**

15 **15/10963/FUL: Land at Bourne Close and High Street Corner, Porton, SP4 OLL**

Members of the public registered to speak on this application were:

Mrs Valarie Creswell in objection to the application.

Dr A Appleyard in objection to the application.

Mr Wesley Bright in objection to the application

Mr Roly Grimshaw in Support of the application

Rita Pope (Agent) in support of the application

Mr Wayne Maher in support of the application

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application for a Proposed bungalow (resubmission of 15/04079/FUL). The application was recommended for refusal. The site was located within a Conservation Area, a Special Landscape Area and was immediately adjacent to a grade II listed property to the east of the site. Conservation had noted that the proposed dwelling on the site would remove an open space from the middle of the conservation area and affect the setting of the adjacent listed building.

Rights of Way (RoW) were in objection to the application, as the council had received an application for a Definitive Map Modification Order (DMMO) to record a public footpath along the east boundary of the proposed site, the application being supported by evidence that a public footpath exists, and that evidence was still being considered by RoW. They had recommended that the application for the development was either refused or a decision deferred until such time as the outcome of the DMMO application was known.

Cllr Hewitt had requested additional plans to be shown, detailing Box Hedge Cottage and new dwelling to the south of the proposed site.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that RoW was still considering the evidence and it could be several months before a decision was expected. As the applicant had requested the application be put forward for consideration, despite there being no decision from the RoW Officer. The Legal Officer explained that this application must be refused or deferred for legal/technical reasons until after a decision had been made by RoW. To approve an application on a site with a registered footpath running through was contrary to law.

The Chairman stated that the Committee would hear from the public registered to speak, once the RoW issue had been resolved, and the application returned to the Committee to consider the merits of the development at a future date.

Members of the Public were not invited to present their views at this time.

The Unitary Division Member, Councillor Hewitt asked for the application to be deferred until the RoW decision had been received.

A motion for refusal in accordance with Officer's recommendation had already been passed by Cllr Ian McLennan, and seconded, the Committee then voted.

Cllr Richard Clewer abstained from voting on this application.

Decision

The planning permission be REFUSED for the following reasons:

(1) Wiltshire Council has a duty under Section 130 of the Highways Act 1980 to protect and assert the rights of the public to the use and enjoyment of any highway for which it is the highway authority. The council is also required to prevent, as far as possible, the stopping up or obstruction of (a) the highways for which they are the highway authority, and (b) any highway for which they are not the highway authority, if, in its opinion, the stopping up or obstruction of that highway would be prejudicial to the interests of its area.

Public footpaths are highways, and the duty is therefore clear where the Definitive Map and Statement (the conclusive legal record of public rights of way) shows a footpath, bridleway, restricted byway or byway open to all traffic. However, if a highway authority is aware of a public right of way that is not shown in the Definitive Map and Statement (DMS), the authority still has the duty to protect it in the ways described above.

Core Policy 52 also seeks to protect and enhance the green infrastructure network (which includes pedestrian paths and rights of way) in Wiltshire. The policy requires development to make provision for the retention and enhancement of Wiltshire's Green Infrastructure network, and ensure that suitable links to the network are provided and maintained.

The council has received an application for a Definitive Map Modification Order (DMMO) to record a public footpath along the east boundary of the proposed site, the application being supported by evidence that a public footpath exists, and that evidence is still being considered by Rights of Way (ROW).

The footpath width of 1.54m is the used width of the claimed route, although the ROW officer has advised that additional width evidence may be brought to the attention of the Council as the claim is processed and the width of the footpath may increase.

If the claimed route were a footpath already recorded on the definitive map, then ROW would object to the planning application on the grounds that the development would obstruct the footpath; although based on the evidence before them at the moment (21 user evidence forms) and until their investigations are completed they are treating the claimed route as if it were already recorded.

The block plan proposes the dwelling to be sited 0.7m from the east boundary of the site and the proposed dwelling would therefore obstruct the claimed right of way for the public on foot along the east boundary of

the site, contrary to policy 52 of the Wiltshire Core Strategy and section 130 of the Highways Act 1980.

(2) The Planning (Listed Building and Conservation Areas) Act 1990 (sections 16 & 66) places a statutory duty on the local planning authority for '*special regard*' to be given to the desirability of preserving the special interest of listed buildings and their settings. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a statutory duty on the local planning authority that '*special attention*' shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The conservation officer has advised that the scale of the development would sit more comfortably with neighbouring properties (compared to the earlier withdrawn schemes) but the scheme stills remove an open space from the middle of the conservation area and will affect the setting of the adjacent listed building. The character of the High St is primarily one of two-storeyed houses and one-and-a-half storeyed thatched cottages; the proposed bungalow bears no reflection of the character of the Conservation Area and would appear cramped against the boundary with Rose Cottage, intruding into all views of the latter.

The proposal will have an adverse setting on the listed building (Rose Cottage) and the character and appearance of the conservation area with no public benefits arising from the proposal which outweigh this harm (including that as the Council also has a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirements; the provision of housing is not a material consideration which outweighs the adverse impact to the setting of the listed building and character and appearance of the conservation area). It is considered that the proposal is contrary to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 12 of the NPPF (paragraph 134 in particular), policies 57 and 58 of the Wiltshire Core Strategy and Objective 16 of the Council's Design Guide 'Creating Places'.

16 **15/08510/OUT: Scotts House, Salisbury Road, Downton, Salisbury, SP5 3HZ**

Public Participation

Mr Tony Allen (Agent) spoke in Support of the application.

Cllr David Mace spoke in Support of the application on behalf of Downton Parish Council.

The Area Development Manager introduced Outline Planning Application for residential development with all matters reserved except for means of access (17 dwellings). The site was just outside the settlement boundary for Downton.

The application was recommended for approval subject to Downton Primary School gaining planning approval for its proposed extension and the satisfactory completion of a Section 106 Agreement, and conditions. It was noted that the School had since gained planning approval, so the only outstanding condition was that of a 106 Agreement.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the existing building on the site 'Scott's House' would be demolished as part of the development. Although there was no continuous pathway from the site to the local shops, the inclusion of a pedestrian refuge as part of the proposal would enable pedestrians to cross over to the pavement on the other side of the A338.

There were concerns relating to the route the site traffic would take on entering and exiting the site. It was explained that site vehicles would be guided by the Environmental Management Plan as set out in condition 13 of the report.

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

The Unitary Division Member Cllr Julian Johnson then spoke in support of the application, with Officers conditions, noting that as the development would become the new gateway to Downton, it was important that the design and layout took note of that. He also pointed out that the development would bring Downton up to the required 190 new dwellings for the area as stated in the Core Strategy.

The Committee discussed the application, where there was disappointment that a left turn only sign was not part of the conditions for traffic leaving the site, as it was felt that this section of the road was already congested and any further vehicles leaving the site may turn right across the highway, to avoid queuing around the roundabout in the opposite direction.

The option of having 6 or more of the 17 dwellings listed as affordable homes was discussed, however the Committee was advised that this would go against policy CP43 of the Wiltshire Core Strategy.

Resolved

That the Area Development Manager (South) be given delegated authority to grant planning permission provided –

- 1) All interested parties enter into a 'Section 106 agreement' under the Town and Country Planning Act 1990 to deliver the following –**

- **30% affordable housing provision on-site in accordance with demonstrated size/mix requirements;**
- **A financial contribution towards the provision of primary education facilities at Downton CE Primary School;**
- **A financial contribution towards 'Early Years' education facilities in Downton;**
- **A financial contribution towards community facilities in Downton;**
- **A financial contribution towards refuse/recycling collection 'bins';**
- **A financial contribution towards measures to safeguard the New Forest Special Protection Area;**
- **A financial contribution towards off-site adult and youth recreation facilities;**
- **A financial contribution towards the provision and maintenance of on-site open space / play equipment, if necessary.**

And subject to the following planning conditions –

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**
 - (a)The scale of the development;**
 - (b)The layout of the development;**
 - (c)The external appearance of the development;**
 - (d)The landscaping of the site;****The development shall be carried out in accordance with the approved details.**

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 4 The 'layout' shall make provision for open space in accordance with saved Policy R2 of the Salisbury District Local Plan and its**

associated 'Standards for the Provision of Public Open Space in Association with New Residential Development' and no more than 17 dwellings.

REASON: To clarify the terms of the planning permission and to accord with saved Policy R2 of the Salisbury District Local Plan which seeks adequate infrastructure in new developments.

- 5 Prior to the commencement of the development hereby approved a programme for the delivery of the highways works (comprising the vehicular and pedestrian accesses to the site, the frontage 'footway' (pavement) and the pedestrian refuge island, and the stopping-up of the existing northern access to Scott's House) (all as shown on drawing no. 020.0111.100-P5 dated 21/08/15) shall be submitted to the local planning authority for approval in writing. The highways works shall be completed in accordance with the approved programme.

REASON: To ensure the highways works are completed in accordance with the approved 'access' details.

- 6 No dwelling hereby approved shall be occupied until the visibility splays shown on the approved plan no. 020.0111.100-P5 dated 21/08/15 have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 7 No dwelling on the development hereby approved shall be occupied until sufficient space for the parking of vehicles in accordance with adopted standards together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said spaces shall not be used other than for the parking of vehicles or for the purpose of access.

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

- 8 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

- 9 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. 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.

- 10 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.

- 11 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and ...

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years].

REASON: To safeguard the amenities of the area.

- 12 No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of 'biodiversity protection zones'
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The location and timing of sensitive works to avoid harm to biodiversity features
 - e) The times during construction when specialists ecologists need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 13 No development shall commence 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

viii. Pile driving (If it is to be within 200m of residential properties)
The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: In the interests of residential amenity.

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

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

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

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

REASON: The application contained insufficient information to enable this matter to be considered at this stage.

15 Prior to commencement of the development hereby approved a surface water 'drainage strategy' shall be submitted to the local planning authority for approval in writing. The drainage strategy shall provide details of the depth of the water table beneath the site based on site specific survey data. The drainage strategy shall additionally provide a detailed scheme for the drainage of surface water, informed by the water table data and ensuring a separation of at least 1m between the water table at its highest

level and any soakaway systems proposed in the scheme. The drainage strategy will specify ground level changes made necessary to accommodate the scheme. The development shall be carried out strictly in accordance with the approved scheme and shall be completed prior to the first occupation of any dwelling on the site or in accordance with a programme to be first approved in writing by the local planning authority.

REASON: To ensure satisfactory surface water drainage from the site.

- 16 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and drainage.

- 17 There shall be no surface water drainage connections to the existing foul water drainage system.

REASON: To avoid overloading of the foul water drainage system in an area where flooding and surcharging has previously occurred.

- 18 No development shall commence on site until a scheme for the discharge of foul water from the site, including any improvements on or off site required to provide capacity in the public sewerage system to enable the site to be served, has been submitted to and approved in writing by the Local Planning Authority.

- 19 The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme, including any required improvements to the public system.

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

No development shall commence on site until a scheme for protecting the future occupants at the proposed houses against noise from road traffic and the nearby commercial/industrial businesses has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the any house is first occupied and maintained at all times thereafter.

REASON: In the interests of residential amenity.

INFORMATIVE: In discharging this condition the applicant should engage an acoustic consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233:2014 and BS4142:2014. They should then demonstrate that internal and external noise levels will not

- exceed the guideline noise levels contained in Section 7.7 of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23.00 and 07.00. For the BS4142:2014 assessment the rating level should not exceed the existing background levels. The applicant should then specify what construction/glazing/ventilation requirements will be needed to achieve the appropriate levels. Additionally, the noise impact assessment should demonstrate that appropriate noise levels can be achieved for external amenity spaces. The noise assessment should inform the design of the layout and houses.
- 20 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.
REASON: In the interests of residential amenity.
- 21 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.
REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.
- 22 The development shall be carried out strictly in accordance with the discussions and recommendations set out in the Preliminary Ecological Appraisal Survey Report (August 2015) and Bat Survey Report (September 2015) by Wessex Ecology.
REASONS: To ensure wildlife is safeguarded.
- 23 The development hereby permitted shall be carried out in accordance with the following approved plans:
Red-edged site plan;
Drawing no. 020.0111.100-P5 dated 21/08/15.
REASON: For the avoidance of doubt and in the interests of proper planning.
- 23 INFORMATIVE: The application is accompanied by an illustrative layout plan which shows an unacceptable layout. This is because it presents in some areas houses too close to the boundaries of the site, too close to mature trees and with substandard gardens. It also presents a play area of inadequate size. In preparing a final layout the applicant is advised to have regard to these points; the applicant is also advised to ensure the final layout is informed by the drainage strategy and noise impact assessment required by conditions set out above.
- 24 INFORMATIVE: The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further

information with regards to CIL please refer to the Council's Website

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

17 **15/11589/FUL: Mobile Home Site at Lime Kiln Farm, Dinton, Wiltshire**

Public Participation

Mr Tony Allen (Agent) spoke in Support of the application.

Cllr Justin Fry spoke in Objection to the application on behalf of Dinton Parish Council.

The Area Development Manager introduced the application for full planning permission for the demolition of the existing mobile home style dwelling that currently sits on the site and the replacement with a new two storey 3 bedroomed dwelling incorporating a tiled/slate roof with wood clad walls and a brick base. This was a small site just off the C road that runs between the villages of Dinton and Wylde in the Cranbourne Chase Area of Outstanding Natural Beauty. The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that there was no requirement to tie the development to the farm.

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

After declaring an interest as a member of the AONB Partnership Panel, The Unitary Division Member, Councillor Bridget Wayman then spoke in objection to the application, noting the scale of the development was seven times larger than the existing dwelling. Cllr Wayman asked the Committee to give consideration to the conservation and enhancement of the natural surroundings, within the AONB. Highlighting that one end of the dwelling would virtually be completely made of glass. The light spillage from that glass would cause light pollution in a rural dark landscape. Cllr Wayman urged the Committee to refuse the application, however if the Committee was mindful to approve it, then she asked for an additional condition to be included which would not permit any external lighting on the property, and for condition 4 to be adapted to require the hedgerow to be retained.

The Committee discussed the application noting that other areas such as the Brecon Beacons had planning policy in place which protected areas with dark

skies; it was suggested that Wiltshire should have something similar. The proposed development was significantly larger than the existing dwelling, and building something of such a massive scale in an area which was never meant to receive it would be in conflict with H30.

Resolved

The application be REFUSED for the following reasons:

The application site lies within the countryside and an Area of Outstanding Natural Beauty. Within the countryside saved Policy HC30 of the Salisbury District Local Plan allows replacement dwellings provided that they are not significantly larger than the dwelling they are to replace, and Policy CP51 of the Wiltshire Core Strategy requires new development to protect, conserve and, where possible, enhance the character of the landscape, particularly within the Areas of Outstanding Natural Beauty.

In this case the proposal is to demolish the existing modest single storey dwelling on the site and erect a significantly larger two storey house – over seven times larger in terms of its floor area. An increase of this magnitude is not considered to amount to ‘replacement’ in terms of Policy HC30, and so the proposal conflicts with this policy per se. And additionally as a consequence of the size increase (in terms of both the floor area and height) and resulting prominence in views, the proposed new house would have a harmful impact on the character and appearance of the landscape in the area. This would be to the detriment of the landscape in the wider area, neither conserving nor enhancing its status as an Area of Outstanding Natural Beauty, contrary to Policy CP51.

18 **Apologies for Absence**

There were no apologies.

19 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.30pm – 8.18pm)

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

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

Wiltshire Council
Southern Area Planning Committee
7th April 2016

There are no Forthcoming Hearings and Public Inquiries between 21/03/2016 and 30/09/2016

Planning Appeals Received between 26/01/2016 and 21/03/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
14/12175/FUL	Land between the junction of A36 (Southampton Road) and New Petersfinger Road, Salisbury, Wilts	SALISBURY CITY	65 bed hotel with drive thru restaurant with associated parking, access and landscaping	COMM	Hearing	Approve	01/03/2016	Yes
15/05639/VAR	Spitfire Road Old Sarum Wiltshire SP4 6EB	LAVERSTOCK	Vary condition 2 of S/2000/1029 to extend the hours of operation from Monday to Friday from 07:30-18:00 to 07:00 to 23:00	DEL	Written Representations	Refuse	01/03/2016	No
15/07491/FUL	Dinton Village Hall Bratch Lane Dinton Wiltshire SP3 5EB	DINTON	Remove existing 2m high bund and replace with 2m high acoustic fence, level area and seed to grass	DEL	Written Representations	Refuse	25/02/2016	No
15/10958/FUL	Claremont Romsey Road Whiteparish, Wilts, SP5 2SA	WHITEPARISH	Re-Positioning of Existing Vehicular and Pedestrian Access (Revision of 15/04253/FUL)	DEL	Written Representations	Refuse	03/03/2016	No
15/10995/PNCOU	Land Opposite to Snell Farm Livery Road Winterslow Salisbury Wiltshire SP5 1RJ	WINTERSLOW	Prior notification under class Q - for change of use of existing agricultural building to form a single dwelling and associated works.	DEL	Written Representations	Prior Approval Refused	28/01/2016	No
15/11736/FUL	Zeals Garage Chapel Lane Zeals BA12 6NL	ZEALS	Proposed change of use from petrol station to car wash.	DEL	Written Representations	Refuse	10/02/2016	No
15/12044/FUL	4 Main Road Boscombe Down Wiltshire SP4 7JZ	AMESBURY	Proposed ground floor and first floor rear extensions	DEL	House Holder Appeal	Refuse	26/02/2016	No

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Agenda Item 6

Planning Appeals Decided between 26/01/2016 and 21/03/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
14/08025/FUL	Penruddock Arms, Hindon Road, Dinton, Salisbury, SP3 5EL	DINTON	Proposed two storey building to include 5no. additional units of accommodation and additional car parking	DEL	Written Reps	Refuse	Dismissed	13/02/2016	No
14/10095/FUL	Land to the rear of 33 Bedwin St & Belle Vue Road Salisbury SP1 3YF	SALISBURY CITY	Erection of 4 (1 x 5 bed and 3 x 4 bed) dwellings with associated car parking and landscaping and demolition of existing garages	COMM	Written Reps	Refuse	Allowed with Conditions	19/02/2016	No
14/11810/FUL	Swallowcliffe Manor Swallowcliffe SP3 5PB	SWALLOWCLIFFE	Installation of 42 solar panels (ground mounted)	COMM	Written Reps	Approve	Allowed with Conditions	22/02/2016	No
15/00474/FUL	The Baron of Beef 6 Endless Street Salisbury SP1 1DL	SALISBURY CITY	Conversion of one 4 bed dwelling (flat) to two x 2 bed dwellings (flats)	DEL	Written Reps	Refuse	Dismissed	26/01/2016	No
15/01278/FUL	14 North Street Wilton Wiltshire SP2 0HE	WILTON	Replacement of windows with upvc windows	DEL	Written Reps	Refuse	Split Decision	04/03/2016	No
15/01851/FUL	Brickworth Service Station Brickworth Road Whiteparish Salisbury Wiltshire SP5 2QE	WHITEPARISH	Change of use and conversion of part of the existing building to use for residential purposes ancillary to the existing employment use of the site including new windows to side elevation	DEL	Written Reps	Refuse	Dismissed	01/02/2016	No
15/03766/FUL	14 Harnham Road Harnham, Salisbury Wiltshire, SP2 8JG	SALISBURY CITY	Single storey flat roof extension to north elevation	DEL	Written Reps	Refuse	Dismissed	16/03/2016	No
15/03798/LBC	14 Harnham Road Harnham, Salisbury Wiltshire, SP2 8JG	SALISBURY CITY	Single storey flat roof extension to north elevation	DEL	Written Reps	Refuse	Dismissed	16/03/2016	No
15/04378/FUL	Land adjacent 4A/B The Crescent Hillview Road Salisbury, Wiltshire SP1 1HY	SALISBURY CITY	Detached three bedroom dwelling	COMM	Written Reps	Refuse	Dismissed	10/03/2016	No
15/04531/VAR	42 Salisbury Street Amesbury Wiltshire SP4 7HD	AMESBURY	Vary condition 6 of 14/07857/FUL to amend the details on the street elevation (from Salisbury Street)	DEL	Written Reps	Refuse	Dismissed	12/02/2016	No
15/06916/FUL	120 Fisherton Street Salisbury Wiltshire SP2 7QT	SALISBURY CITY	Change of use of part of existing shop to bedsit. Install 2 rooflights to rear	DEL	Written Reps	Approve	Dismissed	04/03/2016	No

15/07081/FUL	Avon Barn Shute End Alderbury Wiltshire SP5 3DJ	CLARENDON PARK	New boundary wall, electric gate & fence (retrospective)	DEL	House Holder Appeal	Refuse	Dismissed	15/02/2016	No
15/09713/FUL	3 Ailesbury Cottages Church Street Collingbourne Ducis Wiltshire SN8 3FN	COLLINGBOU RNE DUCIS	Car Port over existing car parking spaces	DEL	House Holder Appeal	Refuse	Dismissed	16/03/2016	No

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 1

Date of Meeting	7 th April 2016
Application Number	15/09465/FUL
Site Address	Land Adjoining the Old Manor Hospital Wilton Road Salisbury Wiltshire SP2 7EP
Proposal	Demolition of Foxley Green, Porters Lodge and single storey rear extensions to Finch House. Construction of 71 assisted living extra care units (C2 use class) with associated communal facilities, bin stores and landscaping. Construction of new convenience store. Construction of new vehicle entrance off Wilton Road and works to boundary walling
Applicant	Mr Julian Shaffer
Town/Parish Council	SALISBURY CITY
Electoral Division	SALISBURY ST PAULS – Councillor Richard Clewer
Grid Ref	413395 130409
Type of application	Full Planning
Case Officer	Richard Hughes

Reason for the application being considered by Committee

Cllr Clewer considers that this proposal needs to be considered by the Committee given the scale of the project and the likely impact of the works on the character of the area and the highway system, and the need to ensure the scheme is part of a wider enhancement of the site.

1. Purpose of Report

To recommend to Members that the scheme be APPROVED, subject to a suitable S106 legal Agreement, and conditions

2. Report Summary

- a) Principle of development and policy context

- b) Design, and Impact on heritage assets including listed buildings and the wider conservation area/archaeology
- c) Impact on highway safety/A36 corridor/parking
- d) Affordable housing/extra care facilities
- e) Drainage/flooding
- f) Noise and disturbance and impact on amenity
- g) Ecology
- h) S106 and conditions

3. Site Description

The red line of this application site covers a modest part of the southern section of a much larger site known locally as the Old Manor Hospital site, which extended to the north and south of the A36. This wider area is defined by the limits of the Conservation Area.

The southern part of the wider site in which the application site sits consists of two grade ii listed buildings Avon House, and Finch House. These formed part of a wider complex of buildings which operated as a hospital up until 2000, when the use ceased. Much of the former hospital related buildings which were located between and adjacent to the listed buildings on the site have since been removed. This southern part of the site is bounded by a high boundary wall which bounds the A36, and there are a number of mature trees adjacent to this wall within the larger site.

The current application site covers extensions and additions to Finch House, and includes a modern gate house, which is located adjacent the existing vehicular access onto the A36. The site also includes part of the brick boundary wall of the larger site, and a building known as Foxley Green, a modern single storey building which was up until recent years used for health services, but is now empty.

In the last 15 years, a complex of modern health related buildings have been erected along the southern edge of the wider site, including the recently completed surgery complex adjacent Finch House. Furthermore, the listed Kennet House, to the east of the new surgery complex, was in recent years refurbished as a religious meeting hall.

Along the southern edge of this wider, larger southern site lines the main railway line and ancillary buildings, and to the east and west, a mixture of residential and industrial buildings (including the Ashley Road industrial estate to the south west).

To the northern side of the A36, the Conservation Area now encompasses the Courts, with Orchard House (residential move-on centre for young people) to the rear, and abut Manor Fields primary school. Also to the north east is the recently built nursing home complex (formerly Llangarren), as well a number residential properties, two of which are listed (The Paragon). There is also the former (unlisted) entrance gate house which originally served Llangarren manor.

4. Planning History

The wider historic site has been the subject of a number of applications for works over recent years, some of which are listed below.

15/09519/LBC	Demolition of existing extension to Finch House & erection of new extension. Works to existing boundary wall
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S/2012/0017	Demolition of Downton House, refurbishment and conversion of the Ballroom and erection of new building to provide a primary health care centre (Use Class D1), retail pharmacy (Use Class A 1), associated car parking, cycle parking, ambulance drop off zone, landscaping and boundary treatment.
S/2012/0018	Demolition of Downton House
S/2006/0433	demolition of two timber framed buildings (former nightingale ward and contractors' site office)
S/2000/1035	demolition of garages and part of existing boundary wall reduction of height of retained wall
S/2002/1571	demolition of lindford and shear water wards buildings within old manor hospital site
S/2002/1572	demolition of brooks house and crane ward buildings within old manor hospital site
S/2006/1647	alteration of planning consent s/05/1842 to include additional parking, new store to the old manor social club, new access to montague house and changes to fenestration
S/2005/1842	demolition of existing structures including tree removal and erection of 3 storey combined courts centre and creation of new vehicular access car parking and associated works
S/2005/1839	demolition of existing structures including tree removal and erection of 3 storey combined courts centre and creation of new vehicular access car parking and associated works

5.The Proposal

It is proposed to demolish the existing extensions to listed building Finch House and also remove the existing detached buildings in the vicinity (including Foxley Green previous occupied by the NHS Mental Health Partnership), and construct 71 assisted living extra care units. The scheme would also include associated landscaping, ancillary buildings and uses such as a cafe and communal uses and rooms, including a new convenience store of 422sqm.

This proposal also includes works to alter the existing vehicular access onto the adjacent A36, which would involve works to the existing boundary walling, including stopping up the existing access, creating a new vehicular access, and creating a pedestrian access.

At this time, it is intended that this proposal would form Phase 1 of part of a much larger development of the surrounding Old Manor site (a total of 5 Phases), including future works to the adjacent Finch House itself (Phase 2). As currently indicated by the suggested masterplan and phasing, Phase 5 would facilitate the creation of a cycle and pedestrian route with the adjacent Windsor Road.

5. Local Planning Policy

Wiltshire Core Strategy

Saved plan polices H3 & E6 – Old Manor site
Saved plan policy – D8 Public Art
Saved plan policy S3 (retail)

Core Policy 1: Settlement strategy
Core Policy 3: Infrastructure requirements
Core Policy 20: Strategy for the Salisbury Community Area
Core Policy 21: Retail and city centre
Core Policy 36: Economic regeneration
Core Policy 38: Retail and leisure
Core Policy 41: Sustainable construction
Core Policy 43 & 45, 46: Affordable Housing/Meeting housing needs
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 55: Air Quality
Core Policy 57: Ensuring high quality design and place shaping/amenity/art
Core Policy 58 : Ensuring the Conservation of the Historic Environment
Core Policy 61 – transport and new development
Core Policy 62 – development impacts on the transport network

Wiltshire Waste Core Strategy policy WCS 6

National Planning Policy Framework (March 2012), in particular Section 7 (requiring good design), Section 11 (conserving and enhancing the natural environment).

National Planning Practice Guidance (March 2014)

Old Manor Conservation Area Appraisal

Old Manor Development Brief

6. Summary of consultation responses

WC Spatial Planning – Development accords with adopted and saved policies of the WCS, and with wider national planning policies.

WC Highways – No objection subject to conditions

WC Open space - There is adequate open and communal space provided on the site, which will be maintained by a management company. Therefore I would not wish to make comment on this application

WC Archaeology - I would recommend that a phased programme of archaeological works should be conditioned on any planning permission. The first phase of these works would be likely to include a combination of watching brief and evaluation. Conditions suggested.

WC Education – Do not wish to comment given the housing is for elderly

WC Housing - Core Policy 43 of the Wiltshire Core Strategy sets out a requirement for 40% on site affordable housing provision with a net gain of 5+ dwellings within Salisbury.

With this in mind, a 40% affordable housing provision applied to the above proposals would equate to 28 affordable units. However, in conjunction with the above application an affordable housing viability assessment report was also submitted.

The viability assessment has been examined by the Council's Strategic Projects Development Manager, after much consideration and discussion with the applicant having particular regard to the substantial abnormal development costs and the purchase price of the site, it has subsequently been advised by the Development Manager and a third party independent Quantity Surveyor who appraised the submitted evidence, that there is not sufficient capital raised by the scheme to afford the on-site affordable housing provision. An off-site affordable housing contribution has therefore been agreed, in lieu of any on-site affordable housing provision.

It must be noted that the Core Policy 43 compliant affordable housing commuted sum for the said scheme is £862,809, however from the viability conclusions reached, it is evident that the scheme is not able to afford the full amount.

Therefore, the sum agreed is £3,250 per unit which is to be made on the sale of each unit, or in total for the 71 phase units by 30 months after the first sale (phase specific), which on this occasion equates to £230,750. It must however be noted that the scheme is likely to provide 128 additional units which will also be subject to the said sum of £3,250 per assisted or retirement living units.

Further, should any future General Needs Open Market units proposed, the Core Policy 43 affordable housing provision will be endeavoured to be sought as necessary in the first instance. The affordable housing commuted sum is to be secured by means of s106 agreement, and on receipt of the funding it will be used to assist the delivery of off-site affordable housing schemes in Wiltshire.

WC Urban Design – Objection to original plans due to various architectural details and treatments

WC Ecology -The Ecological Appraisal and Phase 1 and 2 Bat surveys Report (Lindsay Carrington Ecological Services Ltd, updated August 2015) is adequate to support this application. Site holds low potential for protected species and no bats were found during the phase 2 surveys. I believe this development is taken account of in the Nutrient Management Plan for the River Avon SAC. I have no further comments to make.

WC Drainage – No objections to amended plans subject to conditions

WC Waste and recycling – No objections subject to a financial contribution in line with adopted policy

Highways England – No objections to the proposal subject to certain conditions being imposed on any consent, including a condition which relates to works and traffic restrictions being in place prior to commencement and occupation which restrict and improve traffic movements with respect to the A36 and the proposed access.

Environment Agency – No objection subject to conditions

Wessex Water – General response related to arranging drainage matters

Historic England - This proposal is for the redevelopment of a brown field site that forms part of the land that is designated as the Old Manor Conservation Area. Within the site are a number of Grade II listed buildings and other buildings and structures, some of which are curtilage listed. Whilst Historic England welcomes the opportunity to consider a proposal for the redevelopment of this long-neglected site, we are concerned about the lack of a rigorous evidence base to inform the masterplan and with the phasing of the development that leaves the heritage assets potentially vulnerable. However, we also believe that there may be scope to redesign a scheme on this site that is less harmful and would, therefore, be happy to look at any revisions that come out of any negotiations.

Salisbury City Council - support this application with the following comments:

- The impact on conservation interests, particularly the fabric and setting of the listed buildings, needs careful consideration.
- Existing trees make an important contribution to the Old Manor Conservation Area and every effort should be made both to retain existing mature trees and also to plant appropriate larger species wherever possible.
- Given the air quality issues on Wilton Road there needs to be an assessment of the air quality impact of the development, and steps to mitigate any impact need to be taken.
- The installation of PV panels to help reduce the CO2 emissions from the site is supported.
- A Travel Plan is referred to in the Transport Assessment. This should cover staff and visitors to the site as well as residents.
- The proposal for an on-site car share scheme is supported. Consideration should be given to electric car charging points for some of the car share and other parking bays. These would make some contribution towards mitigating air quality impacts.

7. Publicity

826 letters and other communications have been received, (largely generic letters supporting the scheme), and also raising the following points:

- Scheme will enhance the dilapidated site
- Scheme will improve the economy of the area
- Will bring much needed investment
- Development seems very high
- Provide much needed elderly housing
- Welcome new shopping facilities
- Will bring footfall to Fisherton Street and enhance the economy
- Will improve Wilton Road
- Will improve listed buildings on the site
- Concern about traffic impacts
- Concern regards impact of future phases and any community buildings
- Will landscaping be delivered and of quality
- We need hotel as well as housing
- Will additional elderly impact on existing surgery workload

Ministry of Justice – Concern about the impact of construction works on the operation of the adjacent crown courts. Some form of construction plan is required to be agreed in this respect.

Avon and Wiltshire NHS Trust – Foxley Green building will be removed and we have already relocated the facilities, so this will have no detriment on our clinical activities. Welcome the redevelopment generally as the derelict nature of the site raises Health and Safety issues. Development would appear to respect our service users privacy. There may be a synergy between the planned housing and the NHS facilities, including use of the planned group rooms. Also, the development may lead to improvement along the Fountain Way private road system which currently has parking and security issues.

Salisbury Conservation Advisory Panel – Design of phase 1 not of a standard appropriate for the Conservation Area and the much needed regeneration of the site.

Salisbury Civic Society – The Society has no objection to the overall principle of developing the site for the proposed use, but it feels there are major opportunities for improving the details of the scheme. Overall, the Society accepts that the price paid for the site, coupled with the considerable expense of rescuing its long-neglected listed buildings, dictates a high density development a long way removed from the former mental hospital character. Nevertheless, within these constraints there is scope for a less heavy-handed approach, as demonstrated by one relatively small part of the scheme itself. A further demonstration comes with the indication in the application documentation of the likely design of the final phase of the Quantum scheme, the Station Courtyard in the SE corner of the whole Old Manor site, which again uses a refreshingly simple approach. Detailed comments regards the details of the landscaping and planting.

Salisbury BID - confirm the support of the BID Board for the long awaited and much needed redevelopment of the Old Manor Site on the Wilton Road. We have been shown the plans as they have developed over the last 6 months and feel the redevelopment of this site, which is on one of the key gateways to the City, which has sadly been allowed to fall in to chronic decline over the years, can only be good for the City. Any developments that increase the affluence of Salisbury, delivers much needed local housing solutions and provides additional customers for existing local businesses can only be viewed as a positive move. The location of the site gives easy access into the City for the walker as well as excellent transport links – all of this will bring additional business and footfall for local businesses. We also trust that as part of this development, the developers will take into consideration feedback from organisations such as the Salisbury Civic Society & Salisbury Conservation Advisory Panel.

Salisbury Chamber of Commerce - the development proposed has been sympathetically designed, without overdevelopment, supporting Salisbury's need for housing for the over 55 age group whilst providing a small element of additional jobs through the creation of new convenience shops. The design and layout also helps the site retain its heritage and this is not over compromised within the scheme. We feel that this development will create an increase in the daily footfall of the Fisherton Street gateway to Salisbury, which will help support the local economy there. We are pleased to endorse and support this application, however as this is one of five phases we would like to recommend that a program of protection/refurbishment and/or stability of the existing listed properties is implemented immediately through planning conditions to ensure that any further deterioration on the site is

prevented and would like to see a commitment from the developer to work with regeneration partners and commute a sum of money towards improvements of the street scene of the Wilton Road and Fisherton street areas.

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. 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. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9.1 Principle of development of the site

The site is highlighted within the strategic sites map associated with Core Policy 20 of the WCS as a strategic mixed use site. The site remains covered by saved policies E6 & H3 of the previous Salisbury District Local Plan, which indicate that:

“E6 Office development will be permitted at Old Manor Hospital as part of a mixed development.

H3 Residential development will be permitted at Old Manor Hospital. A planning obligation will be sought in respect of educational, recreational and community facilities, together with any other on and off-site infrastructure and facilities where they are necessary, relevant to planning and directly related to the proposed development.”

The site also remains covered by the Old Manor Hospital Development Brief (adopted in 2000), which reiterates the above policy stance, and also sets some parameters for demolition and new works on the site. The Development Brief, which envisages the removal of much of the modern additions to Finch House, and the development of the surrounding area with modern buildings.

More recently, the site has also been the subject of an adopted Conservation Area Appraisal in 2013. This analyses and explains the historic importance of the buildings and the wider site, and highlights that the wider site contains two listed buildings and three unlisted buildings considered to be “at risk”. It also highlights the need for a masterplan, the removal of the modern buildings on the site, and improvements to boundaries and access.

It is therefore apparent from the various policies connected directly with the site that its redevelopment is acceptable in principle, and that residential development as part of any such redevelopment scheme would also be acceptable.

However, the overall policy stance also refers to the site being utilised other non residential uses, namely employment uses such as offices. This first phase of the development is however solely residential in nature, save for some associated and ancillary uses, plus a small convenience store. The submitted draft master plan shows that the site and the wider Old Manor site are clearly earmarked by the applicant for a largely housing development, in line with their operations as extra care assisted living housing providers.

It is there arguable that this scheme may not fully accord with the historic policy stance related to the site. However, officers would argue in this particular instance that the planned regeneration of the site for assisted living/extra care accommodation may have economic regeneration benefits and accords with policy CP46 of the WCS. The site has laid derelict for some 15 years, and therefore has not played a positive role in the economy of the area, and indeed, may have had a negative impact due to its visual appearance on a main gateway to Salisbury. The assisted living/extra care proposals would at least result in initial economic benefits via construction works, but may also result in some additional employment related to the residential use in terms of on site staffing. The small convenience store will also have some modest economic benefits.

It is also the case that the site identified in the Core Strategy covers a much wider area than just the existing application site, and encompasses the buildings to the east and south of the application site, which have already been developed for health, religious and commercial uses. As a consequence, it may be difficult to argue that a scheme for housing on only part of the allocated site would be contrary to the policies as a whole.

The NPPF (which post dates the relevant local plan policies E6 & H3 and the Development Brief for the site), indicates clearly that:

“22. Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

And , at para 51 of the NPPF:

“51. Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.”

As a consequence, and in principle, the redevelopment of the application site for housing related development would appear to accord with the aims of national and local plan policies.

Impact of proposed retail store and other facilities

The NPPF indicates that large retail proposals outside the main town and city centres should be subject of an impact test. Policy CP38 of the WCS reflects this national guidance and indicates that proposals above 200 sqm will be expected to provide information regards the likely impact on the main centre, and CP21 seeks to safeguard existing and proposed retail in the city centre. The applicants have submitted a retail impact assessment . In this case, the proposal involves the provision of a small convenience store (approx 422sqm), intended to serve the residents of the future development, but also serve as a local store for the area. From the various third party letters, there is clear support for such a facility. Whilst the proposed store would exceed the 200sqm referred to in WCS policy, it is well below the 2500sqm limit referred to by the NPPF. Furthermore, whilst outside the main part of the city centre, Wilton Road and its surrounding hinterland serves a large urban area, which extends well outside the city centre edge. The area already contains various local convenience stores and other business which help support the local population, and also reduce the need for residents to travel to and from the main city centre for modest shopping needs. In this context, and given that the application site is a short walk from the main city centre, it is considered that the impact of the planned store in this particular instance is unlikely to be significant enough to have any significant impact on the vitality and viability of the main city centre stores.

The scheme (Phase 1) also includes modest facilities which are intended to primarily be ancillary to the proposed residential units, including external space and seating areas, a cafe, a health hub, a salon and treatment rooms. Given the modest scale of these facilities, it is unlikely that they would attract a large amount of customer even if they were open to all members of the public, and therefore the proposals are unlikely to have a significant impact on the adjacent city centre. It does however appear that some of the meeting rooms in the residential complex may be made available to users of the adjacent existing healthcare facilities. This is considered to be appositive synergy of such uses, and unlikely to have any negative planning impacts. Indeed the inclusion of such ancillary uses meets the requirements of the saved local plan policies related to the site in terms of the overall Old Manor Hospital site being for a mixed use.

9.2 Design, and Impact on Heritage assets and wider Conservation Area

The site is located within the Old Manor Hospital Conservation Area, within which is included the listed Finch House and Avon House, as well as Kennet House, and the residential buildings known as The Paragon, on the northern side of the A36. The now converted Langarren complex and the derelict lodge building, whilst not listed, are considered to be important unlisted heritage assets.

This phase of the proposal involves substantial demolition and removal of existing buildings, including existing extensions/additions attached to the listed Finch House. The planned development would then be within immediate proximity of the original structure of Finch House, and connected to it along the western facade of the listed building. (A separate application for listed building consent in relation to the works proposed directly affecting Finch House and the walling has also been submitted.)

The proposals envisage a group of three storey buildings, arranged around landscaped court yards and ancillary public areas, together with some vehicular circulation and parking areas. Some of this development would be attached to the western facade of Finch House. Works are also proposed to the brick walling which bounds the site to the immediate north.

The National Planning Policy Framework indicates that:

“133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and*
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- the harm or loss is outweighed by the benefit of bringing the site back into use.*

134. 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 securing its optimum viable use.”

Notwithstanding the above, policy CP58 of the adopted WCS indicates that:

“Development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:

- i. Nationally significant archaeological remains*
- ii. World Heritage Sites within and adjacent to Wiltshire*
- iii. Buildings and structures of special architectural or historic interest*
- iv. The special character or appearance of conservation areas*
- v. Historic parks and gardens*
- vi. Important landscapes, including registered battlefields and townscapes.*

Distinctive elements of Wiltshire’s historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced. The potential contribution of these heritage assets towards wider social, cultural, economic and environmental benefits will also be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Core Policy 57.”

Whilst the two listed buildings on the site are grade II, Historic England has been consulted on the application due to the scale of the site within a Conservation Area. It has voiced concerns regards a number of matters, and concluded that:

“..In its current form we seek major amendments to allow greater harmony with the historic context as we consider that the harm caused to the setting of the listed buildings and to the character and appearance of the conservation area currently outweighs any public benefits achieved by the redevelopment. Should this not come forward we advise that the scheme should be determined against Paragraphs 61, 64, 134 and 137 of the NPPF.”

The Council's Conservation Officer has had significant discussions with the applicants regards the impact and details of the scheme, and also in the context of the Heritage England comments. Whilst she concludes that the scheme as proposed may cause "less than substantial harm" to the heritage assets and is concerned that the scheme may have adverse impact on the setting of Finch House and Avon House, and therefore the wider conservation area, she also acknowledges that the existing site is in a very poor state and that the proposed scheme may result public benefits which may outweigh the harm likely to be caused, particularly any scheme leads to the enhancement of the adjacent Listed Buildings.

Salisbury Civic Society has also voiced concerns regards the impact of the current scheme, although it is also noted that there appears to be significant public support for the redevelopment and enhancement of this site, and it would appear from the third party responses that the current scheme, its design, and therefore its impacts, have significant public support. It can therefore be argued that there appears to be some public/social benefits to the proposals. In particular, the positive responses from Salisbury BID and the Chamber of Commerce indicate that there may well be economic benefits to the scheme.

The comments and concerns of Heritage England and other parties are of course noted. The planned buildings are of a large scale, and it seems likely that once constructed, they will be prominent features in the Conservation Area, and may well challenge the dominance of the existing listed building, Finch House, although other listed buildings in the wider area will be less affected due to the comparative distance with these building and other buildings in between. Notwithstanding this, this site has deteriorated significantly since the previous use ceased in the early 2000's, and the scheme subject of this application is the only significant scheme for redevelopment to be put forward in the last 15 years. Whilst this is in itself not a reason to approve the scheme, it seems likely that unless works are undertaken on the site, the site and its listed buildings will continue to deteriorate rapidly, and remain an eyesore for a number of years into the future. Whilst again, this is not a reason to approve unacceptable development, officers somewhat disagree with Historic England's stance and consider that at the moment, it could be argued that substantial harm is being caused to the listed buildings and the wider heritage assets by the state of dereliction and dilapidation of the site and the buildings, and this can only get worse. In contrast, even though there may be disagreements regards the scale of the works, the current scheme would at least lead to a general enhancement of the heritage assets and the wider area, and hopefully involve the reversal of the decline in the listed buildings and the wider heritage asset. It would appear that this is the view expressed by the significant majority of the third party letters received.

In officers opinion, (which is at odds on this occasion with the conservation bodies who have commented on this application), the scheme presented has a quite pleasing Georgian/early Victoria aesthetic which reflects the overall character and proportions of the surrounding more historic buildings. Whilst it is agreed that buildings of a more modest subservient scale would perhaps be more acceptable, it seems unlikely that any alternative scheme would come forward which would significantly adjust the scale of the proposed scheme, due to the economics of developing this site and repairing the listed buildings. Indeed, the adopted development brief encourages three storey buildings, and indicates that any new buildings on the site should echo the style of the existing buildings, but should be "...essentially modern in their approach whilst respecting the historic setting..". The Brief also allows for the removal of the modern extensions to Finch House, and replacement with modern buildings, and indeed indicates that the removal of the modern extensions would be "...beneficial in helping to restore the original character of the building".

It is considered that the proposed scheme adheres to the Brief in these respects.

Consequently, subject to suitable quality materials and details of openings and other features, officers are of the opinion that the scheme, whilst dominant in scale terms, is likely to result in a general enhancement of the area. A refusal of the scheme may therefore be difficult to justify.

It is therefore considered that subject to details secured via conditions, the scheme can offer an overall enhancement of the visual appearance of the wider area, including the Conservation Area, and of the listed buildings. There is also a general economic case to be made that the works would enhance the overall appearance of the area, which is one of the main arteries serving the city of Salisbury. In officers view, this is a public benefit which could outweigh the likely impact on the scale of the development on the setting of the adjacent listed buildings, particularly in this case, Finch House. The future protection and enhancement of the listed buildings could also be considered a significant public and heritage benefit.

The scheme would result in the removal of a number of mature trees on the site. Whilst this is regrettable, the scheme proposes significant replacement planting with semi mature specimens which over time which soften the development and give the conservation area a greenery appearance. Existing mature trees along the A36 adjacent to the existing boundary walling will be retained as part of the planned access and walling works. Some new trees will be planted adjacent the boundary walling and Finch House, thus over time, providing an additional avenue of trees along the A36.

Future of Finch House and Avon House

Both Finch House and Avon House are considered to be in an advanced state of dilapidation and “at risk”. This is confirmed by the applicants own assessments, and has been caused by many years of water ingress, coupled with anti-social behaviour/vandalism and break ins, and general lack of normal maintenance that would have otherwise have occurred if the buildings and surrounding site had been in use.

However, the above redevelopment as proposed is predicated on the retention and the enhancement and reuse of Finch House, which is shown to be retained on the submitted “master plan”, as is Avon House. The wider development as shown on the indicative master plan submitted within this application also indicates that currently proposed development would wish to retain the other listed building, Avon House. However, Members should note that whilst the applicant’s intentions are welcomed, this does not by itself ensure that the listed buildings would be retained or enhanced and there is no guarantee that any such applications for enhancement will be submitted in future. The current application before the Council does not involve enhancement works to either listed building directly, although it is currently intended that an application may be submitted shortly to the Council (as Phase 2), which would include the redevelopment/enhancement of Finch House. Even if this future application is submitted, the Council currently has no control over when it may be submitted, or whether it will indeed relate to Finch House or offer enhancements. The “worst case” scenario is that parcel’s of development come forward as individual applications which do not include any works to either Finch House or Avon House, which would result in the buildings being isolated by surrounding development and deteriorating to the point that no future use can be found.

Without the retention of these important heritage assets, and without any adequate justification for the removal of the buildings, the development would be unacceptable, and contrary to the aims of WCS policy CP58, and the similar guidance within the NPPF. The loss of the listed buildings entirely would also be contrary to the aims of the Conservation Area Appraisal, and the Development Brief associated with the site.

Whilst the submitted phasing and master plans indicate how the site may be developed there is no associated timing of applications. As a consequence, it is considered that as part of any S106 Agreement related to this current Phase 1 development, certain clauses could be included within any agreement which help ensure that Finch House and Avon House are protected during the course of any adjacent and surrounding development, and also that a scheme for enhancement of both buildings is submitted and implemented as part of the wider development of the site in a timely fashion.

9.3 Impact on highway system/parking

The scheme is designed with a new vehicular access off the A36, with the existing access closed up. An internal roadway leading off this access then serves the development, and is also intended to serve the planned future development of the remainder of the Old Manor site. Works are proposed to the existing boundary walling to provide an adequate visibility splay, with some works within the highway itself. Within Phase 1, 67 parking spaces are planned, including 10 spaces for the retail store. A car share scheme with 4 vehicles available will be implemented, and bike storage areas are to be provided. The scheme also involves new turning lanes on the A36.

The NPPF advice reflects Policies CP60 to CP66 of the WCS, which relate to transport impacts and promotion of sustainable travel options, and in particular, CP66 which relates to the Strategic Transport Network indicates that:

“..Work will be undertaken in conjunction with the Highways Agency, Network Rail, transport operators, neighbouring authorities and other agencies, that will seek to develop and improve the strategic transport network to support the objectives and policies in the Core Strategy and Local Transport Plan.

The strategic transport network is shown on the key diagram and includes:

- 1) The national primary route network (including the strategic road network)*
- 2) The strategic advisory freight route network*
- 3) The rail network*
- 4) The strategic bus network “*

Following significant discussions between the applicants, the Council’s highways officers, and Highways England (formerly Highways Agency), and the submission of a revised transport assessment and removal of a planned traffic island feature. The suggested scheme and works now include:

- Adjustments to the planned access onto the A36 to ensure visibility (whilst retaining the walling and major trees)
- A new right hand turn lane within the centre of the A36 into the new vehicular access
- A left turn lane off the westbound lane of the A36 into the site
- Sufficient parking spaces within the site for residents, staff, and the planned convenience store
- Adjustment to the existing bus stop and parking area on A36
- A pedestrian access through the existing wall off the A36 to improve pedestrian access to the development.

However, notwithstanding a general agreement regards the details of the planned works, the applicants, officers, and Highways England have also discussed at length how such works should be conditioned, and when such works should take place, in order to minimise the harm to the A36 road system. The applicant has confirmed that it would route all construction traffic via the existing Fountain Way and thus access the development site from the rear. The applicant has also confirmed that the proposed new vehicular access onto the A36 would not be created/made operational until after the construction period, and that any large vehicles associated with the proposed retail use would have to use the Fountain Way access. This would mean that the new access, and the planned new turning lanes off the A36 would only tend to be used by smaller vehicles associated with the residential and retail uses. It appears that the HE is happy with this approach.

At the time of writing, officers continue to liaise with both the applicant and the HE in order to try and agree a suitable suite of conditions which will be acceptable to both parties. Officers will report further at the meeting. (Members should however note that should the recommendation be contrary to the advice of Highways England, and should Members be minded to approve the scheme with conditions, the matter must be referred to the Secretary of State for Transport.)

Consequently, officers are of the opinion that the existing site and access points have been effectively disused for over 15 years. Thus any future use of the site will naturally result in significant additional traffic in the surrounding highway systems. Given that both Highways England and the Council own highways officers do not object to the proposal or suggested highways mitigation (subject to suitable conditions), it is considered that whilst there is inevitably going to be additional traffic on the surrounding highway systems, a refusal of the scheme on this basis would be difficult to justify. In this particular situation, it is considered that there may be a number of ways to condition this proposal, so that the harm caused to the A36 system is limited. Officers have therefore decided to recommend the scheme for approval, and suggested a number of conditions which officer consider will mitigate any harm. These are being discussed with the HE and the applicant, and officers will report further at the meeting. Members should also note that the applicant would still have to enter into a separate process with Highways England in order to agree and undertake any works within the public highway.

Linkage with Windsor Road

The larger Old Manor site abuts Windsor Road along its eastern boundary. As part of the suggested scheme for Phase 5 of the development, a pedestrian and cycle linkages is planned. Such a link is desirable as it would allow easy access for future residents of the site to the adjacent railway station, and also, such a link would allow residents in the Windsor Road area to access the development and facilities on the Old Manor site. The adopted Development Brief for the wider site also refers to such a link being desirable. However, unless otherwise conditioned as part of this current phase of development or other phases, this link would only be provided at some point in the future, if and when secured as part of the development of the land currently shown as part of Phase 5 (known as the Old Laundry site).

As such a link would benefit any occupiers of Phase 1 (and other Phases) approval (and existing residents of the area), and because construction of this later phase 5 may be some years away, it is considered necessary, desirable, and reasonable to try and secure such a

link as soon as is practicable. A condition related to this matter is suggested as part of this report.

9.4 Impact on general amenity

Core Policy 57 of the WCS relates to this matter, as does guidance with the NPPG. Developments should seek to minimise and mitigate impacts, and where possible, enhance amenity.

This current application is somewhat divorced from any surrounding residential development, although it would be located adjacent to the existing surgery complex to the east, located directly opposite the existing magistrates courts, adjacent the busy A36 road system, and nearby the railway to the south, and a small industrial estate and dwellings to the south west (Ashley Road). There are also residential properties opposite the site along Wilton Road.

There is therefore the potential for an interaction between the development, its future occupiers, and these adjacent receptors.

The NHS Trust which runs the adjacent health uses appears to support the enhancement of the current derelict site, and also the removal of the Foxley Green building, and also considers that there may be synergies between the development and its health facilities and users. Whilst the overall height of the new buildings would result in new windows facing towards adjacent health related buildings, it appears from the responses received that this does not appear to be an issue with existing adjacent users.

The Council's Environmental Health officers have looked at the scheme closely, and have highlighted such potential conflicts, but have raised no objections, subject a number of conditions, which will resolve potential noise, fumes, and air quality issues. They have also raised some concerns regards the impact of the operation of the planned retail store on future occupiers, as well as the impact of the operation of the planned communal facilities on future occupiers of the development. The applicant has explained that the retail store may be operated by a third party, and hence has accepted some restrictive conditions on this retail operation which would limit its impacts. However, whilst they have acknowledged that the planned communal facilities would sometimes be used and made available to external third parties and non residents, they are concerned that specific and restrictive conditions on these communal facilities may restrict their ordinary use by residents of the planned development. Officers are sympathetic to this issue, and have suggested that rather than restrict the hours of operation and types of uses which could happen within the planned communal facilities, the communal facilities and any impacts which may result would be likely to be self-policed by residents and the managers of the complex, particularly if the communal facilities were not operated by third parties. This can be achieved via a S106 agreement which ensures the communal facilities remain within the control of the operators of the residential complex and not operated by third parties.

There has been no response from Network Rail. However, this development is some distance from the main line and the Council's EHO has not made specific comments or concerns related to the railway impacts. Whilst residents will undoubtedly hear the operation of the railway, other existing dwellings within the surrounding area are in much closer proximity to the main line and railway facilities.

The Ministry of Justice raised initial issues related to the possible impact of any construction works on the operation of the crown courts. However, the applicants have now agreed with

the MoJ that a scheme to mitigate any impacts of said construction works would be agreed between the parties, but that a planning condition would also be acceptable in this regard.

This first phase of the project is likely to be readily visible from Wilton Road, and the dwellings along Wilton Road nearest the site. Whilst there may be some inter-visibility between existing and proposed windows that does not currently exist, this relationship would be across the busy arterial road, and therefore at some distance. In this particular context, a refusal of the scheme in terms of the impact of the new dwellings on the amenity of the existing dwellings is unlikely to be successful at appeal in officers opinion.

Other dwellings are situated some distance to the west along the Ashley Road area. Whilst the development is likely to be readily visible from some of those dwellings, the distance involved is unlikely to result in such a detrimental impact in terms of overlooking and loss of privacy as to warrant refusal. Similarly, the dwellings adjacent Kennet Lodge along the eastern edge of the Old Manor site should remain similarly unaffected.

As this is a very urban situation, some interaction and relationship between the proposal, its future occupiers, and surrounding activities will occur, and therefore to refuse the scheme on this basis given the proactive plan policies related to it would be difficult to defend at appeal, particularly given the positive consultation responses. Consequently, subject to a number of suitable planning conditions, it is considered that the proposal would be likely to have a limited impact, and that future residents of the development would not be significantly affected by being within close proximity to noise/pollution generating uses.

A series of conditions has been suggested as part of this report to mitigate any impacts on amenity.

9.5 Drainage/flooding/ecology

Policies CP50, 57 & 67 of the WCS relate to these matters, and national planning policy is clear that such matters must be considered as part of large applications, in order to assess the significant impacts of the development on sensitive areas.

The site contains a number of derelict buildings, and is situated in an area of Ground Water Protection. The applicant has submitted various reports related to the above matters. Given the urban nature of the site, the scheme has not raised significant ecology issues. The Council relevant drainage and ecology officers have raised no objections subject to certain conditions, and the Environment Agency has not objected. With the planned replacement planting scheme, it also appears that the general ecological situation on site will somewhat improve from its current state.

10.S106 contributions and requirements

Adopted WCS policy CP3 allows for infrastructure improvements to be secured as part of development works. It is also noted that saved policy H3 refers to the need for certain contributions to be secured as part of any redevelopment of this particular site via a S106. However, this H3 policy was compiled a number of years ago, prior to the CIL regulations and the CIL charging regime coming into force in recent years, and the Council's recently

adopted Planning Obligations SPD, and policy CP3. Following consultee responses, the application will need to be subject to the following S106 contributions:

Affordable Housing

In line with policy CP43, 45 & 46, a scheme similar to that proposed would normally require 40 percent affordable housing provision on site. However, following a detailed discussion between the Council's Housing and Strategic projects officers, and the applicants, and an assessment of the viability of the scheme, it has been indicated that on this occasion, an off site contribution towards affordable housing can be accepted (see Housing officer comments outlined elsewhere in this report). The general reasoning behind this decision is that given some abnormal costs associated with the specialist form of housing, it would appear that the viability of the scheme may be marginal.

Notwithstanding this, the type of scheme being proposed does not engender itself very well to the integration of affordable housing, given that the scheme has private areas and facilities. It is also understood that even if a standalone affordable housing scheme could be located on the larger Old Manor site (ie on the Old Laundry site), there may be abnormal costs or issues such as contamination and disturbance issues from the adjacent railway, that make the provision of on site affordable housing complicated.

Waste and Recycling

In line with policy CP3 of the WCS, and policy WSC 6 of the adopted waste core strategy, a contribution towards the provision of waste and recycling bins has been requested via a S106 by the Council relevant department.

Air Quality

The site lies adjacent to the Air Quality Management Area of the city, and in line with Core Policy 55 of the WCS and the Obligations SPD, the Council's Public Protection officer has agreed a financial contribution with the applicants.

Public Art

In accordance with saved local plan policy D8 and Core Policy 57, a contribution towards and the provision of a scheme of public art on the site is required.

Secure the future of the listed buildings

Neither listed building on the Old Manor site is included within the red line of the application site. To ensure that these buildings are enhanced as part of the overall development and in conjunction with the proposed new –build works, a scheme needs to be secured which achieves this goal via the S106.

Restricting residential occupations

The scheme submitted has been considered acceptable on the basis of the impacts of its particularly type of residential accommodation, and this has also affected the S106 contributions needed. Consequently, it is considered that the type of residential use permitted on this site can and should be restricted to that applied for. Officers have discussed this matter with the applicants, who have indicated that other similar developments they have built have also been restricted via S106 agreements.

Restricting operation of community uses

The development would operate a number of community related uses, which may be available to third parties not living on the site. This arrangement has the potential to cause disturbance to future residents, if an external party operates a use/event. Rather than heavily restrict the proposed uses which may be unmanageable, it is simpler to ensure that the communal facilities are operated by the operators of the wider housing site. This will ensure that any uses will be self policing.

11. Conclusion (The Planning Balance)

Whilst the scheme presented is of a large scale and may have impacts on the setting of the adjacent listed buildings, particularly Finch House in this case, this is considered to be outweighed in this instance by the wider public, social and economic benefit of generally enhancing a larger site, which has become a significant visual eyesore over the last 15 years or so, thus enhancing generally the wider conservation area, the arterial route into the city, and the general environment, which could act as a catalyst to the enhancement of this area of the city, both visually and economically. Furthermore, whilst the scheme may have some highways and other impacts, these can largely be mitigated to a degree by relevant conditions. As a consequence, the harm caused by this significant development is in officers opinion outweighed by the improvements likely to result, and hence, the scheme is considered acceptable, and in accordance with national and local plan policies, provided any scheme includes the future retention and enhancement of the listed buildings, Finch House and Avon House. A S106 and conditions are therefore required to ensure that this mitigation and enhancement can be achieved. The proposal is therefore considered to accord with national and local plan policies and guidance, and is considered to be acceptable subject to conditions.

RECOMMENDATION SUBJECT TO A SUITABLE S106 LEGAL AGREEMENT WHICH SECURES THE FOLLOWING:

- I) Financial contribution towards the off site provision of affordable housing**
- II) Financial contribution towards waste and recycling provision on site**
- III) Financial contribution towards air quality management in Wilton Road area**
- IV) Financial contribution and provision towards public art on the site**
- V) Submission of a scheme including timing and phasing, for the future enhancement of both listed buildings (Finch House and Avon House) as part of the wider development of the site.**
- vi) Restrict the occupation of the development to assisted living extra care apartments/residential units as defined in the application details,**

vii) Restrict the operation of the communal facilities on site (excluding the retail shop) so that they are not operated independently from the residential use of the site

THEN THE SCHEME BE APPROVED BY THE AREA DEVELOPMENT MANAGER, subject to the following conditions:

01 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.

02 Before development commences, full large scale details and samples of the materials to be used for the development, including walls, roofing, architectural details, doors and windows, chimneys, boundary treatments, and hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built out in accordance with the approved details.

REASON: To ensure that the scheme preserves and enhances the Conservation Area and the adjacent heritage assets

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

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

PLANS

04 The development shall be carried out in accordance with the following plans:

Existing Location Plan 883-100

Existing Topographical Survey 883-101

Existing Site Sections (Sheet 1) 883-102

Existing Site Sections (Sheet 2) 883-103

Existing Photomontage (Phase 1 Areas) 883-104

Proposed Demolition Plan 883-300A

Proposed Location Plan 883-301A

Proposed Landscape Plan 883-302B

Detailed Demolition Plan 883-303

Detailed Demolition Plan 883-304
Detailed Demolition Plan 883-305
Detailed Demolition Plan 883-306
Detailed Demolition Plan 883-307
Boundary Wall Demolition Plan 883-308
Proposed Ground Floor Plan 883-400A
Proposed First Floor Plan 883-401A
Proposed Second Floor Plan 883-402A
Proposed Third Floor Plan 883-403A
Proposed Roof Plan 883-404A
Proposed Site Section (Sheet 1) 883-500
Proposed site Section (Sheet 2) 883-501
Proposed North and East Elevations (Block A&B) 883-502A
Proposed South and West Elevations (Block A&B) 883-503A
Proposed Sections B-B & C-C (Block A&B) 883-504A
Proposed Sections A-A (Block A&B) 883-505A
Proposed Elevations (Block C) 883-506A
Proposed Elevations (Block D) 883-507A
Proposed Elevations (Block C&D) 883-508A
Proposed Façade Details (Block A&B) 883-509A
Proposed Façade Details (Block C) 883-510A
Proposed Façade Details (Block D) 883-511A
Block C and Finch House Junction 883-512A
Existing Finch House Floor Plan 883-600
Existing Finch House Elevations 883-601
Proposed Foul Drainage Strategy 883-700
Proposed Surface Water Drainage 883-706
Proposed entrance gateway adjacent Finch House 883-801

General arrangement Right Turn Lane 4676/001 Rev G

Visibility splay extent – boundary wall demolition - 883-702

REASON: For the avoidance of doubt

Planting/landscaping

05 The new landscaping/planting scheme shall be in accordance with the approved planting/landscaping plan 'Proposed Landscape Plan' 883-302B (listed above) and all the planting shall be carried out and completed within 2 years of the commencement of the development, unless otherwise agreed in writing by the Local Planning Authority.

Any trees that are subsequently removed or die within ten years of the date of planting shall be replaced by trees of a species and size indicated on the approved plan, or to as otherwise agreed as part of a replacement planting scheme in writing with the Local Planning Authority.

REASON: To ensure that replacement planting occurs with a suitable timescale in order to soften this and any other development on this site and enhance the wider Conservation Area.

Retention and protection of Finch House during construction

06 Before any demolition works commence, a detailed scheme of how the remaining part of Finch House is to be retained and protected and made structural stable/secure during and following demolition and construction works, shall be submitted to and approved in writing by the Local Planning Authority. Demolition and construction works, and the agreed remedial works to the remainder of Finch House shall be carried out in accordance with the agreed scheme.

REASON: To ensure that the historic asset is protected during and after demolition and construction works

Drainage

07 Before the development hereby approved in occupied, the foul/storm drainage as shown on the approved plans 883-706 Rev A & 883-700 Rev B shall be constructed and made available for use, and an ownership and maintenance regime for the drainage shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development has suitable drainage facilities

CEMP

08 No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and

agreed timetable.

REASON: To prevent pollution of the water environment

Transport/Highways

09. Before development commences, a scheme for the works within the A36T highway system, including traffic management measures within the vicinity of the site and the location and extent of parking restrictions related to the proposed new access and Fountain Way, shall be submitted to the Local Planning Authority (and Highways England). The development shall not be occupied or brought into use until the submitted scheme has been agreed in writing by the Local Planning Authority in consultation with Highways England, and has been implemented in full.

REASON: In the interest of highway safety

10. Prior to the commencement of the development (excluding demolition works), details of the internal access road and associated paths including its connection with the existing Fountain Way shall be submitted to and approved in writing by the Local Planning Authority, and the road shall be constructed in accordance with those details.

REASON: To ensure that the access road is constructed in a manner consistent with its future use by other parts of the Old manor Hospital complex.

11. Before the dwellings hereby approved are first occupied, all the associated vehicular parking and turning areas, and bicycle storage/parking areas shall be made available for use, and such facilities shall be retained for those purposes in perpetuity.

REASON: To ensure there is sufficient on site residential parking facilities and cycle storage facilities to encourage sustainable travel, and to limit the impact of traffic on the adjacent A36 highway system.

Works to boundary wall and new vehicular access

12. Notwithstanding the details shown on the approved plans, and prior to the commencement of any works on site in respect of the new vehicular access adjacent Porters Lodge, and the proposed pedestrian access in the boundary walling adjacent Finch House, a construction method statement for the demolition and reconstruction of the site boundary wall and new access and visibility splays and associated works, together with tree protection works, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: In interest of the safe operation of the A36 road system and the character of the conservation area and the integrity of the heritage asset.

13. Before the development is first brought into use, the area between the nearside carriageway edge and lines drawn between a point 4.5m back from the carriageway edge along the centre line of the access and points on the carriageway edge 90m from and on both sides of the centre line of the access, shall be cleared of obstruction

to visibility at and above a height of 0.6m above the nearside carriageway level, and thereafter maintained free of obstruction at all times

REASON: To ensure that the proposed vehicular access has adequate visibility in the interests of highway safety

Stopping up of existing vehicular access onto A36

14. The proposed development shall not be brought into use until the existing vehicular access adjacent Porters Lodge has been stopped up and its use permanently abandoned, and the footway crossing reinstated, in accordance with a detailed scheme to be agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: In the interest of the heritage asset and character of area, and in the interest of highway safety

CMP FOR COMPOUND

15. No development, including site preparation works, shall commence on site, until a construction traffic management plan has been submitted to and agreed in writing by the Local Planning Authority to include the provision of a temporary site access and compound, to provide a parking area for site operatives and construction traffic and for the storage of plant, equipment and materials to be used in the development hereby permitted. Such temporary access and site compound shall be provided on site in strict accordance with the approved details and shall thereafter be maintained during the course of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the safe operation of the A36 road network and to protect surrounding amenity and the heritage assets on the site

Linkage with Windsor Road

16. Within 3 months of the first occupation of any of the residential units forming part of this development, a scheme for the provision and timing of a pedestrian and cycle linkage with Windsor Road along the eastern boundary of the wider Old Manor site, as indicative by the adopted Development Brief via the planned Phase 5 development site (known as the old laundry) shall have been submitted to the Local Planning Authority. A link as approved in writing by the Local Planning Authority shall thereafter be provided and maintained in accordance with the agreed scheme and timing.

REASON: In order to enhance the sustainability of the approved scheme and any subsequent development, and to allow access to the facilities on the Old Manor site to adjacent residents, in accordance with the adopted Development Brief.

Retail shop and associated parking

17. The retail use hereby permitted (the convenience store) shall only take place (open for trading to the public) between the hours of 0700hrs and 2200hrs. No

deliveries shall be made to, or collections made from, the retail unit hereby approved except between the hours of 0730hrs and 1800hrs Monday to Saturdays, with no deliveries or collections on Sundays or Bank/ Public Holidays.

REASON: In the interest of amenity

18. Before the retail use hereby approved first comes into operation (opens to the public), all the associated vehicular parking and turning areas, and bicycle storage/parking areas shall be made available for use, and such facilities shall be retained for those purposes in perpetuity.

REASON: The retail element of the development will increase demand for car parking in the vicinity of the main vehicular access serving the development site. Without adequate controls to prevent inappropriate parking on the A36T, the safe and efficient movement of goods and people along the Strategic Road Network would be compromised.

19. No development shall commence on site until a scheme of acoustic insulation and noise and odour/fume control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise and odour/fumes from the development including noise from ventilation/ extract fans/ refrigeration units/ generators/ deliveries to or from commercial units or communal uses. The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.

REASON: In the interest of amenity

Construction impacts on amenity

20. Notwithstanding the hours stated in the submitted Noise Survey and the submitted Construction Management Plan, no construction or demolition work shall take place on Sundays or Public/ Bank Holidays or outside the hours of 0730hrs to 1800hrs Monday to Friday and 0800hrs to 1300hrs on Saturdays. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interest of amenity

21. No development approved by this permission shall be commenced until an additional Construction Management Plan, which limits the impact of construction works on the operations of surrounding uses including the adjacent Magistrate/Crown Court use on Wilton Road, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To limit the impact of construction works on an adjacent use.

22. Unless otherwise agreed as part of the measures to be agreed as part of the Additional Construction Management Plan, dust management shall be carried out fully in accordance with the submitted Construction Management Plan submitted to the Local Planning Authority on 2nd November 2015.

REASON: In the interest of amenity

Protection of dwellings adjacent main road

23. The development shall not be first brought into use until a scheme for the mechanical ventilation and extraction for residential properties within 15m from the edge of the A36 carriageway has been submitted to and approved in writing by the Local Planning Authority. The ventilation and extraction equipment shall thereafter be maintained in accordance with the approved details. No changes to the ventilation and extraction equipment and flue(s) shall take place, and no other ventilation or extraction equipment shall be installed, without prior written approval from the Planning Authority.

REASON: In order to limit the impact of pollutants from the adjacent A36 road, in the interest of residential amenity

General protection of dwellings

24. Before occupation of the residential accommodation hereby approved, the noise attenuation measures as detailed in Section 5 (Mitigation) of the submitted Hayes McKenzie Partnership Noise Survey dated 26th August 2015 shall be implemented in full.

REASON: In the interest of amenity

Contaminated Land

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

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

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

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

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

INFORMATIVES

Highways matters

The developer should note that the details pursuant to a number of the above conditions will be discussed with Highways England.

Notwithstanding and in addition to this consent, the proposed development will require separate Highway England approval for the construction of the proposed vehicular access and lining and signing on Highways England highway land and the reinstatement of footway which will be subject to entering in to the relevant legal agreement with Highways England. The Applicant is required to obtain this approval **before works commence** and is therefore recommended to contact Highways England in this respect as soon as possible.

Notwithstanding all other restrictions or regulations, Highways England has indicated that any construction related traffic or works no site works shall avoid the hours of 07:30-09:00 and 16:30-18:00 which corresponds with peak traffic times along the A36. The submission of further details pursuant to the above conditions should therefore reflect this request.

Environmental health matters

With regards the above conditions, the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at least 5dB below the background noise level. All building services plant associated with the development (including air conditioning units, ventilation grilles, extraction systems or other air handling plant etc) shall be so sited and designed in order to achieve a Rating Level (BS4142:2014) of -5dB below the lowest measured background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

At the request of the Local Planning Authority (LPA), the plant operator shall, at their own expense, employ a suitably competent and qualified person to measure and assess, whether noise from the plant meets the specified level. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the LPA.

We recommend the applicant ensures that the ventilation system discharges vertically at a height of at least 1m above the height of any nearby sensitive buildings or uses and not less than 1m above the eaves. We recommend the applicant consults the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA 2005.)

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Application Number	15/09465/FUL
Site Address	Land Adjoining the Old Manor Hospital, Wilton Road, Salisbury, Wiltshire, SP2 7EP
Proposal	Demolition of Foxley Green, Porters Lodge and single storey rear extensions to Finch House. Construction of 71 assisted living extra care units (C2 use class) with associated communal facilities, bin stores and landscaping. Construction of new convenience store. Construction of new vehicle entrance off Wilton Road and works to boundary walling.
Case Officer	Richard Hughes



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 2

Date of Meeting	7 th April 2016
Application Number	15/09519/LBC
Site Address	Land Adjoining the Old Manor Hospital Wilton Road Salisbury Wiltshire SP2 7EP
Proposal	Demolition of existing extension to Finch House & erection of new extension. Works to existing boundary wall.
Applicant	Mr Julian Shaffer
Town/Parish Council	SALISBURY CITY
Electoral Division	ST PAULS – Cllr Clewer
Grid Ref	413395 130409
Type of application	Listed Building Consent
Case Officer	Richard Hughes

Reason for the application being considered by Committee

Cllr Clewer considers that this proposal needs to be considered by the Committee given the scale of the project and the likely impact of the works on the character of the area and the highway system, and the need to ensure the scheme is part of a masterplan.

1. Purpose of Report

To recommend to Members that the scheme be APPROVED, subject to conditions

2. Report Summary

- a) Principle of development and policy context
- b) Design, and Impact on heritage assets including listed buildings and the wider conservation area

3. Site Description

The red line of this application site covers a modest part of the southern section of a much larger site known locally as the Old Manor Hospital site, which extended to the north and south of the A36. This wider area is defined by the limits of the Conservation Area.

The southern part of the wider site in which the application site sits consists of two grade II listed buildings Avon House, and Finch House. These formed part of a wider complex of buildings which operated as a hospital up until 2000, when the use ceased. Much of the former hospital related buildings which were located between and adjacent to the listed buildings on the site have since been removed. This southern part of the site is bounded by a high boundary wall which bounds the A36, and there are a number of mature trees adjacent to this wall within the larger site.

The current application site covers extensions and additions to Finch House, and includes a modern gate house (Porters Lodge), which is located adjacent the existing vehicular access onto the A36. The site also includes part of the brick boundary wall of the larger site, and a building known as Foxley Green, a modern single storey building which was up until recent years used for health services, but is now empty.

In the last 15 years, a complex of modern health related buildings have been erected along the southern edge of the wider site abutting Fountain Way, including the recently completed surgery complex adjacent Finch House. Furthermore, the listed Kennet House, to the east of the new surgery complex, was in recent years refurbished as a religious meeting hall.

Along the southern edge of this wider, larger site lies the main railway line and ancillary buildings, and to the east and west, a mixture of residential and industrial buildings (including the Ashley Road industrial estate to the south west).

To the northern side of the A36, the Conservation Area now encompasses the Courts, with Orchard House (residential move-on centre for young people) to the rear, and abuts Manor Fields primary school. Also to the north east is the recently built nursing home complex (formerly Llangarren), as well a number residential properties, two of which are listed (The Paragon). There is also the former (unlisted) entrance gate house which originally served Llangarren manor.

4. Planning History

The wider historic site has been the subject of a number of applications for works over recent years, some of which are listed below.

15/09465/FUL	Demolition of Foxley Green, Porters Lodge and single storey rear extensions to Finch House. Construction of 71 assisted living extra care units (C2 use class) with associated communal facilities, bin stores and landscaping. Construction of new convenience store. Construction of new vehicle entrance off Wilton Road and works to boundary walling
S/2012/0017	Demolition of Downton House, refurbishment and conversion of the Ballroom and erection of new building to provide a primary health care centre (Use Class D1), retail pharmacy (Use Class A 1), associated car parking, cycle parking, ambulance drop off zone, landscaping and boundary treatment.
S/2012/0018	Demolition of Downton House
S/2006/0433	demolition of two timber framed buildings (former nightingale ward and

contractors' site office)

S/2000/1035	demolition of garages and part of existing boundary wall reduction of height of retained wall
S/2002/1571	demolition of lindford and shear water wards buildings within old manor hospital site
S/2002/1572	demolition of brooks house and crane ward buildings within old manor hospital site
S/2006/1647	alteration of planning consent s/05/1842 to include additional parking, new store to the old manor social club, new access to montague house and changes to fenestration
S/2005/1842	demolition of existing structures including tree removal and erection of 3 storey combined courts centre and creation of new vehicular access car parking and associated works
S/2005/1839	demolition of existing structures including tree removal and erection of 3 storey combined courts centre and creation of new vehicular access car parking and associated works

5. The Proposal

This LBC application forms a companion application with application 15/09465/FUL. This LBC application covers the works to remove parts of Finch House and also includes works to alter the existing vehicular access onto the adjacent A36, and create new pedestrian and vehicular access points, including the stopping up of the existing vehicular access, which would involve works to the existing boundary walling which is curtilage listed.

The accompanying planning application proposes to demolish the existing extensions to listed building Finch House and also remove the existing detached buildings in the vicinity (including Foxley Green previously occupied by the NHS Mental Health Partnership), and construct 71 assisted living extra care units. The scheme would also include associated landscaping, ancillary buildings and uses such as a cafe and communal uses and rooms, including a new convenience store of 422sqm. Whilst this is not for consideration as part of this LBC application, the development scheme forms the reasoning and justification for the works proposed.

6. Local Planning Policy

Wiltshire Core Strategy

Saved plan policies H3 & E6 – Old Manor site

Core Policy 57: Ensuring high quality design and place shaping/amenity/art
Core Policy 58 : Ensuring the Conservation of the Historic Environment

National Planning Policy Framework (March 2012), in particular Section 7 (requiring good design), Section 11 (conserving and enhancing the natural environment).

National Planning Practice Guidance (March 2014)

Old Manor Conservation Area Appraisal

Old Manor Development Brief

7. Summary of consultation responses

Historic England - This proposal is for the redevelopment of a brown field site that forms part of the land that is designated as the Old Manor Conservation Area. Within the site are a number of Grade II listed buildings and other buildings and structures, some of which are curtilage listed. Whilst Historic England welcomes the opportunity to consider a proposal for the redevelopment of this long-neglected site, we are concerned about the lack of a rigorous evidence base to inform the masterplan and with the phasing of the development that leaves the heritage assets potentially vulnerable. However, we also believe that there may be scope to redesign a scheme on this site that is less harmful and would, therefore, be happy to look at any revisions that come out of any negotiations.

Salisbury City Council - support this application with the following comments:

- The impact on conservation interests, particularly the fabric and setting of the listed buildings, needs careful consideration.
- Existing trees make an important contribution to the Old Manor Conservation Area and every effort should be made both to retain existing mature trees and also to plant appropriate larger species wherever possible.
- Given the air quality issues on Wilton Road there needs to be an assessment of the air quality impact of the development, and steps to mitigate any impact need to be taken.
- The installation of PV panels to help reduce the CO2 emissions from the site is supported.
- A Travel Plan is referred to in the Transport Assessment. This should cover staff and visitors to the site as well as residents.
- The proposal for an on-site car share scheme is supported. Consideration should be given to electric car charging points for some of the car share and other parking bays. These would make some contribution towards mitigating air quality impacts.

WC Conservation – Do not object to removal of modern extensions to Finch House. Would object to loss of walling for new access unless tied into the proposed redevelopment scheme. New pedestrian access is acceptable in principle subject to details, as is the planned stopping up of the access to match existing walling.

8. Publicity

826 letters (main related to the non listed building issues) and other communications have been received, (largely generic letters supporting the scheme), and also raising the following points:

- Scheme will enhance the dilapidated site
- Scheme will improve the economy of the area
- Will bring much needed investment
- Development seems very high
- Provide much needed elderly housing
- Welcome new shopping facilities
- Will bring footfall to Fisherton Street and enhance the economy
- Will improve Wilton Road
- Will improve listed buildings on the site
- Concern about traffic impacts
- Concern regards impact of future phases and any community buildings
- Will landscaping be delivered and of quality
- We need hotel as well as housing
- Will additional elderly impact on existing surgery workload

Salisbury Conservation Advisory Panel – Design of phase 1 not of a standard appropriate for the Conservation Area and the much needed regeneration of the site.

Salisbury Civic Society – The Society has no objection to the overall principle of developing the site for the proposed use, but it feels there are major opportunities for improving the details of the scheme. Overall, the Society accepts that the price paid for the site, coupled with the considerable expense of rescuing its long-neglected listed buildings, dictates a high density development a long way removed from the former mental hospital character. Nevertheless, within these constraints there is scope for a less heavy-handed approach, as demonstrated by one relatively small part of the scheme itself. A further demonstration comes with the indication in the application documentation of the likely design of the final phase of the Quantum scheme, the Station Courtyard in the SE corner of the whole Old Manor site, which again uses a refreshingly simple approach. Detailed comments regards the details of the landscaping and planting.

Salisbury BID - confirm the support of the BID Board for the long awaited and much needed redevelopment of the Old Manor Site on the Wilton Road. We have been shown the plans as they have developed over the last 6 months and feel the redevelopment of this site, which is on one of the key gateways to the City, which has sadly been allowed to fall in to chronic decline over the years, can only be good for the City. Any developments that increase the affluence of Salisbury, delivers much needed local housing solutions and provides additional customers for existing local businesses can only be viewed as a positive move. The location of the site gives easy access into the City for the walker as well as excellent transport links – all of this will bring additional business and footfall for local businesses. We also trust that as part of this development, the developers will take into consideration feedback from organisations such as the Salisbury Civic Society & Salisbury Conservation Advisory Panel.

Salisbury Chamber of Commerce - the development proposed has been sympathetically designed, without overdevelopment, supporting Salisbury's need for housing for the over 55 age group whilst providing a small element of additional jobs through the creation of new convenience shops. The design and layout also helps the site retain its heritage and this is not over compromised within the scheme. We feel that this development will create an increase in the daily footfall of the Fisherton Street gateway to Salisbury, which will help support the local economy there. We are pleased to endorse and support this application,

however as this is one of five phases we would like to recommend that a program of protection/refurbishment and/or stability of the existing listed properties is implemented immediately through planning conditions to ensure that any further deterioration on the site is prevented and would like to see a commitment from the developer to work with regeneration partners and commute a sum of money towards improvements of the street scene of the Wilton Road and Fisherton street areas.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. 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. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9.1 Principle of demolition and development of the site

This LBC application relates solely to the demolition/removal of a large part of Finch House, and works to part of the boundary wall to the Old Manor site. However, the justification for the removal/demolition of these features is part explained by the matters referred to within the following paragraphs, and helps explain the ethos behind the works. Officers have therefore chosen to include these matters to provide a context to the works. A more detailed justification and reasoning/consideration is offered by the officer report associated with the full application for the intended works.

The site is highlighted within the strategic sites map associated with Core Policy 20 of the WCS as a strategic mixed use site. The site remains covered by saved policies E6 & H3 of the previous Salisbury District Local Plan, which indicate that:

“E6 Office development will be permitted at Old Manor Hospital as part of a mixed development.

H3 Residential development will be permitted at Old Manor Hospital. A planning obligation will be sought in respect of educational, recreational and community facilities, together with any other on and off-site infrastructure and facilities where they are necessary, relevant to planning and directly related to the proposed development.”

The site also remains covered by the Old Manor Hospital Development Brief (adopted in 2000), which reiterates the above policy stance, and also sets some parameters for demolition and new works on the site. The Development Brief, which envisages the removal of much of the modern additions to Finch House, and the development of the surrounding area with modern buildings.

More recently, the site has also been the subject of an adopted Conservation Area Appraisal in 2013. This analyses and explains the historic importance of the buildings and the wider site, and highlights that the wider site contains two listed buildings and three unlisted buildings considered to be “at risk”. It also highlights the need for a masterplan, the removal of the modern buildings on the site, and improvements to boundaries and access.

It is therefore apparent from the various policies connected directly with the site that its redevelopment is acceptable in principle. Similarly, some loss of historic fabric appears to have been accepted by the above policy documents.

9.2 Impact on Heritage assets and wider Conservation Area

The site is located within the Old Manor Hospital Conservation Area, within which is included the listed Finch House and Avon House, as well as Kennet House, and the residential buildings known as The Paragon, on the northern side of the A36. The now converted Langarren complex and the derelict lodge building, whilst not listed, are considered to be important unlisted heritage assets.

Both Finch House and Avon House are considered to be in an advanced state of dilapidation and “at risk”. This is confirmed by the applicants own assessments, and has been caused by many years of water ingress, coupled with anti-social behaviour/vandalism and break ins, and general lack of normal maintenance that would have otherwise have occurred if the buildings and surrounding site had been in use.

This proposal involves substantial demolition and removal of existing buildings, including existing extensions/additions attached to the listed Finch House. It would also involve the removal of part of the existing boundary walling which is curtilage listed, and which bounds the A36. Listed building consent is also required for the works associated with the proposed pedestrian access in the boundary walling adjacent Finch House, and the stopping up of the existing vehicular access adjacent the Porters Lodge.

The planned development would then be within immediate proximity of the original structure of Finch House, and connected to it along the western and northern (remaining) facades of the listed building.

The National Planning Policy Framework indicates that:

“133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and*
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- the harm or loss is outweighed by the benefit of bringing the site back into use.*

134. 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 securing its optimum viable use.”

Notwithstanding the above, policy CP58 of the adopted WCS indicates that:

“Development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:

- i. Nationally significant archaeological remains*
- ii. World Heritage Sites within and adjacent to Wiltshire*
- iii. Buildings and structures of special architectural or historic interest*
- iv. The special character or appearance of conservation areas*
- v. Historic parks and gardens*
- vi. Important landscapes, including registered battlefields and townscapes.*

Distinctive elements of Wiltshire’s historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced. The potential contribution of these heritage assets towards wider social, cultural, economic and environmental benefits will also be utilised where this can be delivered in a sensitive and appropriate manner in accordance with Core Policy 57.”

Whilst the two listed buildings on the site are grade II, Historic England has been consulted on the application due to the scale of the site within a Conservation Area. It has voiced concerns regards a number of matters related to the planning application, and concluded that:

“..In its current form we seek major amendments to allow greater harmony with the historic context as we consider that the harm caused to the setting of the listed buildings and to the character and appearance of the conservation area currently outweighs any public benefits achieved by the redevelopment. Should this not come forward we advise that the scheme should be determined against Paragraphs 61, 64, 134 and 137 of the NPPF.”

The Council’s Conservation Officer has had significant discussions with the applicants regards the impact and details of the scheme, and also in the context of the Heritage England comments. Whilst she concludes that the development scheme as proposed may cause “less than substantial harm” to the heritage assets and is concerned that the scheme may have adverse impact on the setting of Finch House and Avon House, and therefore the wider conservation area, she also acknowledges that the existing site is in a very poor state and that the proposed scheme may result public benefits which may outweigh the harm likely to be caused, particularly any scheme leads to the enhancement of the adjacent Listed Buildings. However, in terms of the LB works being proposed, she welcomes the loss of the rear extensions to Finch House, and accepts the works to the boundary walling provided such works are carried out as part of the larger development proposals and not in isolation.

The comments and concerns of Historic England and other parties are of course noted, although it is noted that most of the comments and concerns received relate in particular to the planned development of the site, and not the demolition of the rear additions to Finch House or the impacts on the existing boundary walling, which are the only matters for consideration forming part of this LBC application.

With regards to the removal of the existing boundary walling, the walling is of historic merit and is listed as a curtilage structure to the associated listed Finch and Avon House. The walling forms part of the character of the site, and reflects the history of the site as a former mental asylum. Therefore the removal of a large proportion of the walling would not

otherwise be acceptable, unless justified as part of a wider acceptable development scheme. Consequently, it is recommended to Members that any LBC consent needs to prohibit the removal of the portion of boundary walling, until the associated development subject of separate full application ref 15/09465/FUL is commenced.

With regards the removal of the rear sections of Finch House, these additions are poor quality modern additions to the listed building, and whilst part of the history of the building and the site, are of limited historic value or architectural merit. It is considered that even if a planned redevelopment of the site were not being mooted, the removal of these parts of the listed building would still be acceptable. However, during demolition and following removal works, the main part of the listed Finch House will need to be secured and made safe. A condition is suggested in this regard.

Notwithstanding this, this site has deteriorated significantly since the previous use ceased in the early 2000's, and it could be argued that substantial harm is being caused to the listed buildings and the wider heritage assets by the state of dereliction and dilapidation of the site and the buildings, and this can only get worse. The removal of the rear portions of Finch House will be a visual improvement.

The Development Brief also allows for the removal of the modern extensions to Finch House, and replacement with modern buildings, and indeed indicates that the removal of the modern extensions would be "...beneficial in helping to restore the original character of the building". It is considered that the proposed scheme adheres to the Brief in these respects.

The stopping up of the existing vehicular access adjacent the Porters Lodge is not considered contentious, and current plans show new walling of the same height and design bridging the gap between the retained sections of walling. However, larger scale details of how this additional walling is to be achieved are needed to ensure visual continuity with existing retained walling.

The proposed redevelopment proposal also requires a new pedestrian access inserted into the boundary walling adjacent. The works would breach the existing walling, but the entrance itself is of a modest scale and of an attractive design. The Conservation Officer has raised no objection to the insertion subject to fuller large scale details.

A refusal of the scheme based on the harm to the historic fabric/character and setting of the Listed buildings may therefore be difficult to justify.

10. Conclusion (The Planning Balance)

The existing rear extensions to Finch house are of little historic or architectural merit, and therefore the removal of these parts of the building may bring an improvement to the overall character and setting of Finch House (and to Avon House and other surrounding heritage assets to a lesser extent). Suitably conditioned so that the resultant demolition works make good any impact on Finch House, the removal of these extensions is welcomed, and accord with national and local planning policies regards enhancing of heritage assets.

The removal of a substantial part of the boundary walling, together with the stopping/blocking up of the existing access and the opening of a new pedestrian access will have an impact on the setting of the listed buildings on the site, and result in the loss of a feature which is part of the historic fabric and character of the wider Old Manor Hospital site. The works are only acceptable in the context of the works being required to provide a

suitable access to the redevelopment Old Manor site, subject of a separate application. Consequently, the various works to the walling are therefore only acceptable subject to a suitable condition prohibiting the works occurring unless development has been commenced on the wider redevelopment of the site. Similarly, although the proposed demolition works are acceptable, such works will have significant environmental impacts which need to be considered and mitigated. Thus, a suitable restrictive condition is suggested below.

RECOMMENDATION: APPROVED, subject to the following conditions:

01 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

PLANS

02 The development shall be carried out in accordance with the following plans:

Existing Location Plan 883-100

Existing Topographical Survey 883-101

Existing Site Sections (Sheet 1) 883-102

Existing Site Sections (Sheet 2) 883-103

Proposed Demolition Plan 883-300A

Proposed Location Plan 883-301A

Detailed Demolition Plan 883-303

Detailed Demolition Plan 883-304

Detailed Demolition Plan 883-305

Detailed Demolition Plan 883-306

Detailed Demolition Plan 883-307

Boundary Wall Demolition Plan 883-308

Proposed entrance gateway adjacent Finch House 883-801

REASON: For the avoidance of doubt

Retention and protection of Finch House during construction

03 Before any demolition works commence, a detailed scheme of how the remaining part of Finch House is to be retained and protected and made structural stable/secure during and following demolition and construction works, shall be submitted to and

approved in writing by the Local Planning Authority. Demolition and construction works, and the agreed remedial works to the remainder of Finch House shall be carried out in accordance with the agreed scheme.

REASON: To ensure that the historic asset is protected during and after demolition and construction works

Works to boundary wall and access points

04 Before any works associated with the matters listed below are commenced, large scale details and details of the materials and works associated with the matters shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details:

- a) the removal of part of the boundary walling to create the new vehicular access adjacent Porters Lodge, and
- b) the works associated with the proposed pedestrian access in the boundary walling adjacent Finch House, and
- c) the stopping up of the existing vehicular access adjacent the Porters Lodge

Reason: In interest of the character of the conservation area and the integrity of the heritage asset.

05 No works authorised by this consent shall commence until planning permission for the redevelopment scheme subject of planning application 15/09465/ful has been formally approved and formally commenced.

REASON: The works subject of this listed building consent are also integral to the redevelopment scheme subject of a separate planning application, and as part of this separate process, the large scale of the demolition works would have wider highway, environmental health, environmental, and heritage impacts, and may therefore require mitigation before development commences.

INFORMATIVES

Separate Highways and planning consent matters

Notwithstanding and in addition to this LBC consent, the proposed redevelopment of the wider site will require planning permission and the separate Highway England approval for the construction of the proposed vehicular access and lining and signing on Highways England highway land and the reinstatement of footway which will be subject to entering in to the relevant legal agreement with Highways England.

The Applicant is required to obtain these approvals **before works commence** and is therefore recommended to contact Highways England in this respect as soon as possible.

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Application Number	15/09519/LBC
Site Address	Land Adjoining the Old Manor Hospital, Wilton Road, Salisbury, Wiltshire, SP2 7EP
Proposal	Demolition of existing extension to Finch House & erection of new extension. Works to existing boundary wall.
Case Officer	Richard Hughes



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 3

Date of Meeting	7 th April 2016
Application Number	16/00831/FUL
Site Address	Paddock View, The Street, Teffont, Wiltshire, SP3 5QP
Proposal	Demolition of existing bungalow and construction of a replacement dwelling with associated works
Applicant	Miss Rebecca Smith
Town/Parish Council	TEFFONT
Ward	NADDER AND EAST KNOYLE
Grid Ref	399012 131770
Type of application	Full Planning
Case Officer	Lucy Minting

Reason for the application being considered by Committee

Councillor Wayman has called in the application for the following reasons:

- Scale of development
- Design- bulk, height, general appearance
- Relationship to adjoining properties
- Car parking
- Matters raised by the Parish Council

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission should be APPROVED.

2. Report Summary

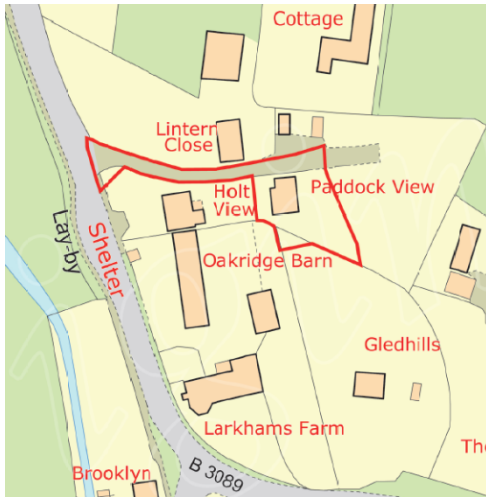
The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Scale, design, impact to character and appearance of Conservation Area, Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty
- Residential amenity/living conditions
- Highway safety/parking
- Sustainable construction and low carbon energy
- CIL

The application has generated an Objection from Teffont Parish Council and 6 letters of objection.

3. Site Description

The site is within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), and Teffont conservation area (a designated heritage asset).



The site is accessed off a shared driveway leading from the B3089 (The Street) which runs through the village. A public footpath also extends along the shared driveway along the northern boundary of the site before continuing in a northerly direction away from the site.

There is an existing single storey dwelling occupying the site with vehicular access and parking area to the west of the site. The existing dwelling is of rendered elevations above a red brick plinth and plain tile roof.

A new dwelling is currently under construction to the east of the site.

4. Planning History

None relevant to the red line of the application site, but the following applications are relevant to the adjacent site for the dwelling currently under construction:

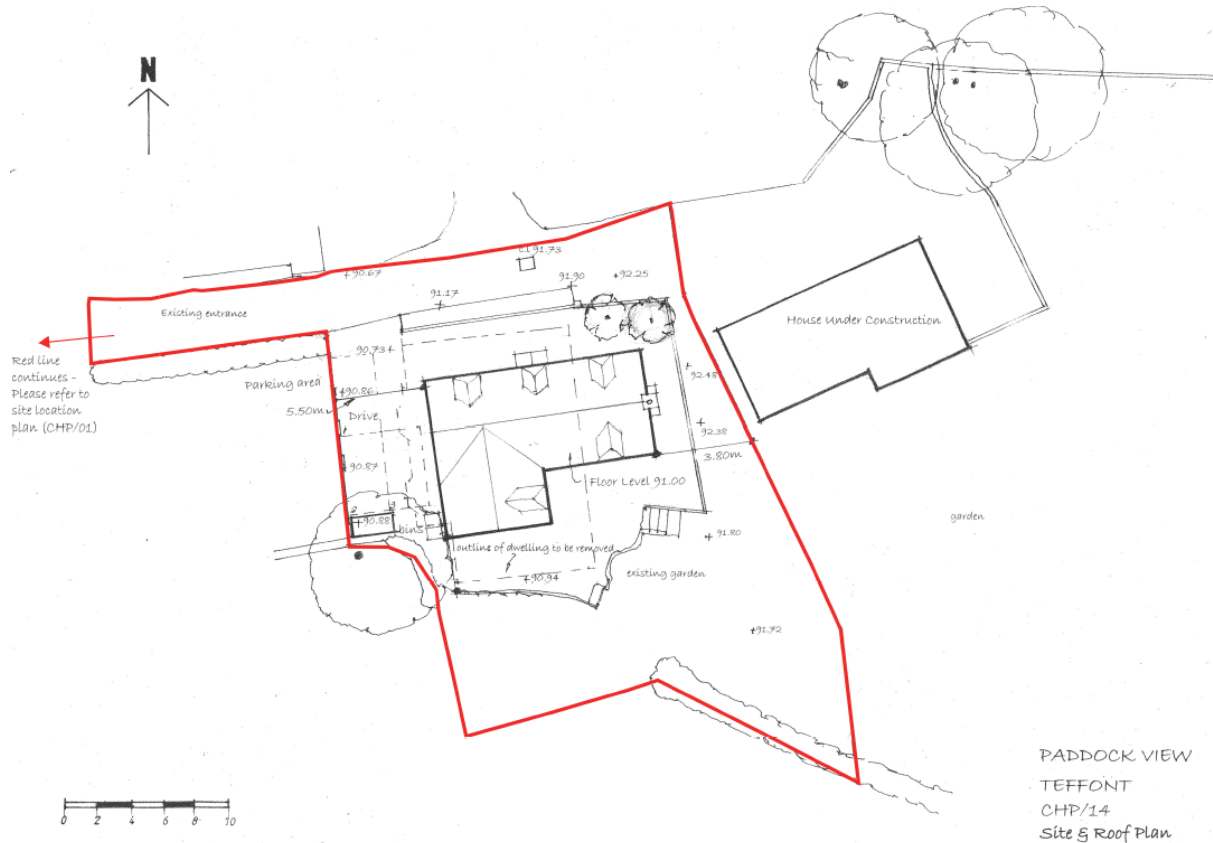
Application Ref	Proposal	Decision
15/07470/VAR	Vary condition 2 of 14/02238/FUL to amend the plans to replace 2 Velux windows with 2 dormer windows on north elevation, and raise ridge and eaves of new dwelling by 600mm	Refused 16.10.2015
15/02941/VAR	Vary condition 2 of approved application 14/02238/FUL to amend the plans to replace 2 Velux windows with 2 dormer windows on north elevation	Approved with Conditions – 01.06.2015
14/02238/FUL	Demolition of garage and stables and erection of a 4 bed dwelling, associated works and hard and soft landscaping and improved access to The Street. Refused	Refused – 09.06.2015. Appeal Allowed – 20.01.2015
13/03417/FUL	Demolition of stables and erection of a 4 bed dwelling, detached car port, associated works and hard and soft landscaping and improved access to 'The Street'	Refused – 05.11.2015

5. The Proposal

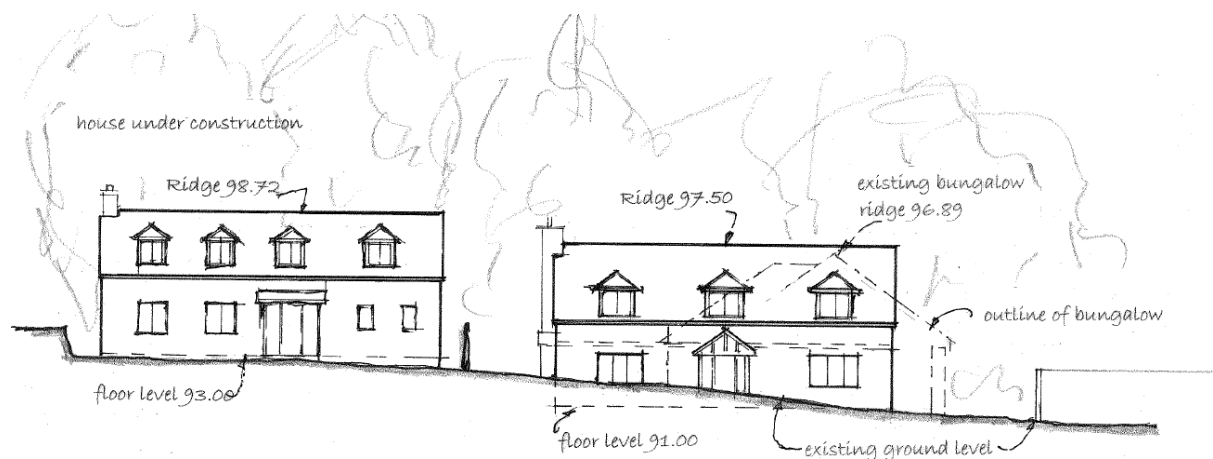
It is proposed to demolish the existing single storey bungalow and replace this with a one ½ storey dwelling (with first floor rooms set within the roof space and dormer windows).

The proposed plans show the outline of the existing dwelling (to be demolished) and also the outline of the approved dwelling on the adjacent site currently under construction.

The ridgeline of the replacement dwelling is proposed to be 610mm higher than the existing.



Extract from proposed site plan showing outline of proposed replacement dwelling and existing (in dashed lines)



Extract from proposed elevation plan showing outline of existing dwelling and new dwelling under construction

The replacement dwelling is proposed to be built of natural stone walls under a clay tile roof with timber windows.

6. Planning Policy

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

Core Policy 1 (Settlement Strategy)

Core Policy 2 (Delivery Strategy)

Core Policy 33 (Spatial Strategy for the Wilton Community Area)

Core Policy 41 (Sustainable Construction)

Core Policy 43 (Providing affordable homes)

Core Policy 50 (Biodiversity and Geodiversity)

Core Policy 51 (Landscape)

Core Policy 57 (Ensuring high Quality Design and Place Shaping)

Core Policy 58 (Ensuring the Conservation of the Historic Environment)

Core Policy 61 (Transport and New Development)

Core Policy 64 (Demand Management)

Saved policies of the Salisbury District Local Plan:

H30 (Replacement dwellings)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012

NPPG

Supplementary Planning Guidance:

Adopted Supplementary Planning Document 'Creating Places Design Guide' Adopted April 2006

Teffont Village Design Statement Adopted 24/01/2015

Planning (Listed Building and Conservation Areas) Act 1990

7. Summary of consultation response

Conservation: No objections

Paddock View is within the conservation area but makes a neutral contribution to its character. The proposal to demolish is acceptable without a requirement for replacement. The proposed replacement is very similar to the new dwelling approved to the east of this site, and would have a lower ridge. Due to its level and distance from the street, it is considered the proposal would at least preserve the character of the CA, if not enhance it (depending on the final details and materials). There would be no adverse impact on the setting of the listed building to the south.

Highways: No objections subject to condition and informative

It is considered the proposed replacement dwelling will not detrimentally affect highway safety, subject to condition (construction method statement) and informative that all public rights must be safeguarded in respect of Public Footpath Teffont 7 which runs along the site access road.

Rights of Way: No objections subject to informative

A public footpath (TEFF7) runs along the access road and past the front of the property. I note this is included within the applicant's ownership. This has a definitive width of up to 2

metres and should be kept clear and accessible to members of the public at all times during and after development.

AONB: Comments

The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation's heritage assets and environmental capital. This AONB's Management Plan is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities' Objectives and Policies for this nationally important area. The national Planning Practice Guidance [Natural Environment paragraph 004] confirms that the AONB and its Management Plan are material considerations in planning.

The National Planning Policy Framework states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes which include AONBs. Furthermore it should be recognised that the 'presumption in favour of sustainable development' does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.

The location is in the Donhead – Fovant Hills landscape character area. Greater details of the landscape, buildings and settlement characteristics can be found in the Landscape Character Assessment 2003.

More detailed information in connection with AONB matters can be found on the AONB web site. In particular when considering construction within the AONB I would draw attention to our Good Practice Note on Colour in the Countryside. I note that the proposal is for a substantial four bedroomed dwelling within the Conservation Area. The documentation indicates that the proposed building would be more than ½ m higher on the ridgeline and the ridge appears to be somewhat more extensive than that of the existing building. Ensuring that any proposal does fit in with the existing development and does not stand up and create an irregularity does seem to be important within a Conservation Area.

Regarding materials and detailed design the AONB is quite happy to be guided by your Conservation Architect. Nevertheless, the AONB would be concerned about any external lighting and any lighting should comply with the AONB's Position Statement on Light Pollution. Clearly matters of solar energy capture and utilisation have to take into account the Conservation Area. However, the AONB Management Plan indicates that affordable housing is the priority within the AONB. I note that in the documentation from the agent passing comment is made about the AONB but the requirement of the Wiltshire Core Strategy Policy 51 does not seem to have been acted upon.

Teffont Parish Council: Object

- a) The impact of the proposed building on the privacy of its neighbours.
- b) The two stories and proposed roof line.
- c) The dormer windows.

TPC does not object in principle to a replacement building on this site. However, the

proposed building is not a bungalow as stated on the plans. Any such new building should be set back on the plot and be no higher than the existing bungalow. TPC would like the proposed building to be orientated and positioned so it does not overlook neighbouring properties.

The dormer windows are not in line with the Village Design Statement.

Wiltshire Fire & Rescue: No objections

Comments relating to fire safety measures which could be added as an informative

8. Publicity

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

6 representations have been received objecting to the scheme, summarised as follows:

- Existing bungalow relatively inconspicuous
- Overdevelopment of the site, area of residential curtilage small, insufficient open space remaining around proposed dwelling (2 storey height).
- Fails to integrate well with its surroundings. Will appear cramped against the new dwelling under construction and visually appear as one dwelling leaving no views of the landscape (to Holt woods) between and beyond them
- Floor plan increase over existing dwelling of over 20%
- Addition of first floor - Higher than existing bungalow and increase in scale - far more prominent in street scene
- Will dominate views from public footpaths to the north and west in raised position in landscape
- Proposal is too similar to adjacent dwelling under construction. Would diminish local character of this part of Teffont which is epitomised by unpredictable juxtaposition of different architectural styles, sizes and orientation of dwellings and traditional buildings of simple proportions (occasional more modern buildings)
- Design, character, size and cramped appearance of dwelling is not in accordance with the Adopted Village Design Statement (VDS)
- Dormer windows contrary to VDS. 4 dormers already on north roofslope of adjacent dwelling under construction. Will add a further 3 regimented large dormers incongruous to village character in extended expanse and repetitious form. Prominent and intrusive to longstanding and established neighbouring dwellings
- Contrary to NPPF as scheme will not contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes
- Dormers proposed on both sides of building – overlooking, loss of privacy and overshadowing (also from increased ridge height) to neighbouring dwellings and gardens, contrary to Core Strategy 57
- Do not object in principle to replacement dwelling of similar modest scale, size, proportion, rectangular plan with simple detailing and quality finishes in accordance with the guidelines in the VDS
- Recommend ridge height should remain as existing, dormers should be replaced with conservation flush rooflights
- Roofs have a visual impact on the landscape particularly in Teffont with many thatched roofs. Tiles should be muted colour and material which gathers patina over time (natural clay or slate)
- Disagree with Inspector's decision on adjacent site which gave clear reasons for granting the appeal including 'its limited footprint and scale would give it a modest appearance'
- Concerns that development may not be built in accordance with the approved plans
- Concerns that scheme would set a precedent for further similar development

- No acceptable means of access to the site - concerns over damage and obstruction to shared driveway and properties/boundary fencing/hedging from construction/delivery vehicles and how construction will be managed

9. Planning Considerations

9.1 Principle of development

The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and makes it clear that planning law (Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF confirms that the 'NPPF does not change the statutory status of the development plan as the starting point for decision making' and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) which sets out Central Government's planning policies, and the adopted Wiltshire Core Strategy (WCS) which also includes some saved policies of the Salisbury District Local Plan (SDLP).

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles and the Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability.

This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 33 confirms that development in the Wilton Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1 and growth in the Amesbury Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Within the Settlement Strategy, Teffont is identified as a small village which do not have limits of development/settlement boundaries.

The proposed site is therefore outside the limits of development as defined on the policies map and is therefore considered to be open countryside where there is a general presumption against development. However Core Policy 1 explains that some very modest development may be appropriate at Small Villages which will be carefully managed by Core Policy 2 (which states that limited development within the built area is acceptable) and the other relevant policies of the development plan.

Saved policy H30 of the Salisbury District Local Plan is specifically relevant to replacement dwellings and the proposal to demolish and replace the existing dwelling is acceptable in principle, subject to the criteria in saved policy H30 of the Salisbury District Local Plan:

H30 The replacement of an existing dwelling in the countryside will be permitted provided that:

- (i) the proposed replacement dwelling is not significantly larger and has no greater impact than the existing dwelling;*
- (ii) the design of the new dwelling is of a high standard and is appropriate to the rural surroundings;*
- (iii) the siting of the replacement dwelling is closely related to that of the existing;*
- (iv) current parking and access standards can be met; and*
- (v) the existing dwelling has not been abandoned.*

Where the residential use of the existing dwelling is the result of a temporary or a series of temporary permission, any permanent replacement dwelling will only be permitted in exceptional circumstances.

In addition to considering the acceptability of the proposals in principle; it is also necessary to consider the other relevant planning policies and the normal range of material considerations that have to be taken into account when determining a planning application and a judgement is necessary in terms of all the development impacts also considered below.

9.2 Scale, design, impact to character and appearance of the Conservation Area, Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty

The NPPF sets out Central Government's planning policies. It states the purpose of the planning system is to contribute to the achievement of sustainable development. It defines core planning principles which include that planning should always seek to secure high quality design. Paragraph 58 of the NPPF in particular states that development should respond to local character and history, and reflect the identity of local surroundings and materials and paragraph 132 requires development to enhance heritage assets and make a positive contribution to their setting.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty to require that '*special attention*' shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In paying '*special attention*' an assessment must be made as to whether the proposals cause '*substantial harm*', '*less than substantial harm*' or no harm to the asset, which in this case is the Conservation Area.

Core Policy 57 of the WCS requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses (including in terms of ensuring residential amenity is safeguarded).

Core Policy 58 *'Ensuring the conservation of the historic environment'* requires that *'designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance.'*

Objective 16 of the Councils Design Guide states (page 67) also refers to the need for new development proposals to exhibit *'How the new dwelling(s) will relate to the context and to each other to create a particular place'*.

The NPPF states the planning system should protect and enhance valued landscapes and paragraph 115 explains that great weight should be given to conserving landscape and scenic beauty in AONBs which alongside National Parks and the Broads have the highest status protection in relation to landscape and scenic beauty.

Development proposed in AONB should demonstrate particular regard to the character and appearance of the landscape setting. The AONB is characterised by a diversity of landscapes and these variations and differences are represented by 8 landscape types in the AONB Landscape Character Assessment (LCA) 2003. The application site is in the Donhead- Fovant Hills landscape character area. The LCA explains that villages such as Teffont are sited at the heads of shallower valleys which drain through the greensand to the valley below and although these villages are hardly visible within the wider landscape they do have a particular character, reflecting their unusual valley-head location and the use of local building materials (such as the local Chilmark stone) and styles and clay tiles and thatch are the dominant roof materials. The LCA includes a management objective that built development should respond to the villages' character and avoid the use of standard suburban designs and details.

Objections raised to the application (summarised above) include that the proposed dwelling is too close to the dwelling currently under construction; is too similar in design and includes dormer windows (contrary to the Teffont Village Design Statement); is too high and will be unduly prominent/incongruous within the street scene and conservation area.

The Village Design Statement refers to dormer windows helping to keep the overall height of a building lower, but that they are not traditional in the village except where thatch is 'swept' over attic floor windows and that if used they are more discreet when placed on the backs of buildings. The VDS refers to piecemeal development along the eastern side of the B3089 and concerns that further development would compromise important gaps and open views of the countryside and the intrinsic character and special charm of the village. The VDS guidelines for new development include that it should sit comfortably within its immediate surroundings; use natural materials (with natural stone being the preferred material for walls of new dwellings and tiles should be good quality handmade or hand finished clay peg tiles in muted colours); respect the traditional and vernacular feel of the village with high quality design and sensitive scale and proportions to not overwhelm neighbouring dwellings; include ample ground to the sides and rear so the sense of space is maintained along with views into and beyond the plot; enclosure by natural boundaries and building heights limited to single or two storeys with a mix of roof heights and levels adding character.

The design of the proposed replacement dwelling is similar to the dwelling currently under construction on the adjacent site, which was refused planning permission but was allowed at appeal. The Inspector's full appeal decision is attached at Appendix A.

The approved dwelling under construction on the adjacent site is of stone and slate roof construction; of cottage style design; and includes dormer windows on its front façade. The Appeal Inspector considered that the *'Although the proposed dwelling would result in an increase in mass as compared to the existing garage and stables, its limited footprint and scale would give it a modest appearance, not out of character with properties in the CA'*. A

condition was however imposed to remove the property's permitted development rights as this would '*prevent extensions or additions that might mean that the dwelling is enlarged excessively in its context*'.

The ridge line of the replacement dwelling will be 610mm higher than the existing dwelling, but is set down from the level of the adjacent dwelling currently under construction and is at an angle, and has different dormer windows, such that it is not considered that the dwellings will read as one within the street scene.

The application documentation includes photographs of the site from The Street and artist's impressions of the proposed development:



The design and access statement explains that it is proposed that the replacement dwelling will be built of natural stone elevations under a clay peg tile roof to accord with the preferred material choices within the VDS and that windows will be of timber painted in a muted colour.

The conservation officer has advised that the existing dwelling makes a neutral contribution to the character of the conservation area. The replacement is very similar in design to the new dwelling under construction but is set at a lower level with corresponding lower ridge height. Due to its level and distance from The Street, the conservation officer considers that the replacement dwelling would at least preserve the character of the conservation area, if not enhance it (depending on the final details and materials) and that there would be no adverse impact on the setting of the listed building to the south of the site.

The design and access statement explains that as emphasised in the VDS a natural boundary hedge will be added to the front boundary to protect the rural feel of the village. Details of the soft and hard landscaping of the site can be agreed via condition.

The AONB have raised concerns about any external lighting and that this should comply with the AONB's Position Statement on Light Pollution. As an existing dwelling, external lights could be added without requiring planning permission. As such it is considered unreasonable to condition that external lighting should be controlled via condition on any planning approval for the replacement dwelling. However, it is considered that an informative can be included advising the applicants of the AONB's Position Statement on Lighting.

It is considered that the proposal will cause no harm to the character or significance of the Conservation Area or have a significant impact on the visual amenities or character of the area or AONB.

It will be appropriate to add conditions requiring materials to be agreed; sample stonework panel and large scale details of the dormer windows and to also remove permitted development rights for further extensions.

9.3 Impact on residential amenity

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's Core Planning Principles (paragraph 17) includes that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'

Residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions.

Objective 16 of the Councils Design Guide states (page 67) also refers to the need for new development proposals to exhibit 'How the new dwelling(s) will relate to the context and to each other to create a particular place'.

Objections to the application include that the footprint of the replacement dwelling is different to the existing bungalow and due to the relocation of the position of the dwelling within the site compared to the existing property, combined with the fact that the windows on the existing dwelling face west and east with only one small ground floor window on the north elevation, whilst the replacement dwelling proposes the majority of the windows facing north; that these will overlook dwellings and gardens to the north (Orchard Cottage and Lintern Close).

The extract from the proposed site plan showing the outline of the proposed replacement dwelling and the existing (attached above) show that the replacement dwelling will project further east within the plot, but is also set back further in the plot than the existing dwelling. Whilst dormer windows face north, taking into account the distances between the proposed replacement dwelling and Orchard House and as the footprint is off set from Lintern Close, it is not considered that the replacement dwelling would result in a significant adverse impact upon residential amenity.

It is considered that the dwelling has been designed to avoid unacceptable overlooking/overshadowing impacts in terms of layout of the development and position of windows and habitable rooms between both proposed and existing dwellings and it is not considered that the proposal will unduly impact on residential amenity.

It will be appropriate to remove permitted development rights for further windows/dormer windows being added to the replacement dwelling.

9.4 Highway safety & parking

The supporting text to Wiltshire Core Strategy Policy 64 refers to a parking study, commissioned by the council in January 2010, which included a comprehensive review of parking standards, charges and policy within both the plan area and neighbouring areas.

The resulting LTP3 Car Parking Strategy (the third evolution of the Wiltshire Local Transport Plan) was adopted by the council in February 2011 and includes policy PS6 – Residential parking standards. The parking standards for new dwellings are set out in the Wiltshire Local Transport Plan 2011-2026 – car parking strategy:

Table 7.1 Minimum parking standards (allocated parking)

Bedrooms	Minimum spaces
1	1 space
2 to 3	2 spaces
4+	3 spaces
Visitor parking	0.2 spaces per dwelling (unallocated)

Vehicular access onto the site and the existing space for 3 parking spaces will be retained, in accordance with the parking standards.

The highways authority has raised no objections to the proposal but has recommended a condition for a construction method statement to be submitted and agreed pre-commencement of development.

Public Footpath Teffont 7 runs along the site access road and both the highways and rights of way teams recommend an informative is included that all public rights must be safeguarded.

9.5 Sustainable construction and low carbon energy

The Wiltshire Core Strategy's key strategic objective is to address climate change. It requires developers to meet this objective under Core Policy 41- Sustainable Construction.

For new build residential development this is achieved through Level 4 of the Code for Sustainable Homes (CSH4) which seeks a 19% reduction in Green House Gas (GHG) emissions over the benchmark set in Part L of the 2013 Building Regulations.

CP 41 - New homes (excluding extensions and conversions) will be required to achieve at least Level 4 (in full) of the Code for Sustainable Homes⁶⁶.

86. For residential development post-construction Code for Sustainable Homes assessments will be required which must be undertaken by an accredited assessor. For conversions and for non-residential development an appropriate post-construction BREEAM assessment will be required which must also be undertaken by an accredited assessor. Replacements for the BREEAM standards are being developed and this policy will apply the equivalent replacement standards. The policy will also apply to any future replacements to the Code for Sustainable Homes.

<http://www.wiltshire.gov.uk/wiltshire-core-strategy-web-version-new-june.pdf> (p238)

The Planning Inspector for the Wiltshire Core Strategy (WCS) endorsed and made specific reference to the above position in his final report of December 2014:

137. Secondly, the policy addresses the notion of sustainable construction. Once again the Council has proposed changes to the policy to reflect the passage of time and to clarify that the Code for Sustainable Homes Level 4 will need to be secured for new homes and BREEAM76 'Very Good' standards in other circumstances. I am satisfied that the evidence base, particularly Topic Paper 1, establishes a sound basis for local policy to supplement national aspirations with regard to sustainable construction.

<http://www.wiltshire.gov.uk/wiltshire-core-strategy-inspectors-report.pdf>

The local planning authority have been adding the following standard condition to planning consents for new build residential development in Wiltshire:

The dwellings hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

REASON: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

Wiltshire Council has received challenges from developers seeking not to apply CSH4 to new developments. These challenges have argued that Section 43 of the Deregulation Act 2015 and a Ministerial Statement dated March 2015 brought CSH4 into question.

Legal advice has confirmed that:

a) The Department for Communities and Local Government, through the then Secretary of State, The Right Honourable Eric Pickles, delivered on the 25/03/2015 in the House of Commons a policy statement specifically dealing with energy efficiency in buildings and Planning system:

'the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code level 4 equivalent. This statement does not modify the National Planning Policy Framework policy allowing the connection of new housing development to low carbon infrastructure such as district heating networks.'

<https://www.gov.uk/government/speeches/planning-update-march-2015>

b) Section 43 of the Deregulation Act is still not in force and has, accordingly, altered neither the Planning nor Energy Act 2008, nor the policy led approach under CP41 of the WCS that Wiltshire Council can and should apply to any new application for new build residential development.

c) The Government's intention (set out at 4(a) above) to retain higher energy standards in the move towards sustainable homes is consistent with WCS Core Policy 41 which requires CSH4. By only requiring up to the pre-existing level 4 of the Code for Sustainable Homes, Wiltshire Council has not set the bar above what was envisaged by the Minister or Government at paragraph 4(a) above.

In view of planned changes to national policy, and following a recent appeal decision in Salisbury (14/10442/FUL), Wiltshire Council's standard condition relating to Code for Sustainable Homes for new build residential development has been replaced by the following:

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

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

The Inspector's appeal decision explains *'At the Hearing the parties indicated that there was not agreement about the Council's requirement for the dwellings to comply with Code 4 of the Code for Sustainable Homes. The relevant development plan policy, CS Policy CP41, creates a need to achieve at least level 4 of the Code for Sustainable Homes and, until amendments are made to the Planning Energy Act 2008, it is accepted that this may continue to be applied by condition, but limited to achieving equivalent energy standards.'*

The key difference is that the local planning authority is now seeking energy performance at "or equivalent to" Level 4 of the Code for Sustainable Homes. Evidence of achievement is still required prior to occupation.

9.6 CIL

The Community Infrastructure Levy (CIL) came into effect on the 18th May 2015. CIL is a new levy charged that local authorities can choose to charge on development in their area, and which Wiltshire Council has taken the decision to implement on all liable development. CIL will contribute towards the “funding gap” between the total cost of infrastructure necessary to deliver new development and the amount of funding available from other sources.

The Wiltshire Community Infrastructure Levy Charging Schedule charge for residential development in this area (Charging Zone 1) is £85 per sq. m payable upon commencement of development and is non-negotiable, although there are exemptions including ‘self-build’ relief.

CIL is charged on commencement of development and is separate from the planning decision process, being administered by a separate department. A separate Community Infrastructure Levy Liability Notice would be issued only if planning permission is granted.

The comments from the AONB include that affordable housing is the priority within the AONB Management Plan. Core Policy 43 of the Wiltshire Core Strategy also sets out a requirement for 40% on site affordable housing provision with a net gain of 5+ dwellings, as this replacement dwelling scheme will result in no net gain of dwellings, no affordable housing provision would be sought.

10. Conclusion

It is considered that the proposed re-development of the site will maintain the character and appearance of the area and avoid adverse impact upon the character and appearance of the conservation area, landscape (also designated as an AONB), setting of the listed building to the south west of the site and will not unduly impact upon residential amenity.

RECOMMENDATION: Approve subject to the following conditions:

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

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

2) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3) No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

4) No development shall commence on site (including any works of demolition) until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The statement shall include details of the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) measures for the protection of the natural environment;
- i) hours of construction, including deliveries

The approved Statement shall be adhered to throughout the construction period.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

5) 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;
- 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 to ensure a satisfactory landscaped setting for the development, in the interests of visual amenity and the character and appearance of the area.

6) 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.

7) No development shall commence until large scale detailed elevation and section plans of the dormer windows 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, to ensure that the development is appropriately detailed due to its location within the conservation area.

8) All windows shall be of timber. No paint or stain finish shall be applied to external timber until details of the paint or stain to be applied 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 first occupied.

REASON: In the interests of visual amenity and the character and appearance of the area, to ensure that the development is appropriately detailed due to its location within the conservation area.

9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes or gable ends of the development hereby permitted.

REASON: To safeguard the character and appearance of the area and in the interests of residential amenity.

11) The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

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

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

Plan Ref: CHP/01 1:1250 Site Location Plan, received by this office 10/02/2016

Plan Ref: CHP/14 Site & Roof Plan, received by this office 10/02/2016

Plan Ref: CHP/15 North & West Elevation, received by this office 10/02/2016

Plan Ref: CHP/16 Side & Rear elevations, Ground floor and first floor plan, received by this office 27/01/2016

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

INFORMATIVE: Material samples

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

INFORMATIVE: External lighting

In considering any proposed external lighting, the applicant should comply with the Cranborne Chase and West Wiltshire Downs AONB position statement on Light Pollution available from: http://www.cwwdaonb.org.uk/projects/pub_other.htm

INFORMATIVE: Public right of Way

A public footpath (TEFF7) runs along the access road and past the front of the property. This has a definitive width of up to 2 metres and all public rights must be safeguarded. The footpath should be kept clear and accessible to members of the public at all times during and after development.

INFORMATIVE: Wiltshire Fire & Rescue

The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on fire safety measures. This letter can be found on the application file which can be viewed on the council's website against the relevant application record.

INFORMATIVE: CIL

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.

Appendix A Inspectors Appeal decision to dwelling currently under construction on adjacent site



Appeal Decision

Site visit made on 15 September 2014

by Veronica Bond LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 October 2014

Appeal Ref: APP/Y3940/A/14/2220743

Land adjacent to Paddock View, The Street, Teffont, Salisbury SP3 5QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nigel Weir against the decision of Wiltshire Council.
 - The application Ref 14/02238/FUL, dated 25 February 2014, was refused by notice dated 9 June 2014.
 - The development proposed is demolition of garage and stables and erection of a 4 bed dwelling, associated works and hard and soft landscaping and improved access to 'The Street'.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of garage and stables and erection of a 4 bed dwelling, associated works and hard and soft landscaping and improved access to 'The Street' at Land adjacent to Paddock View, The Street, Teffont, Salisbury, SP3 5QP in accordance with the terms of the application, Ref 14/02238/FUL, dated 25 February 2014, subject to the conditions at Schedule 1.

Application for costs

2. An application for costs was made by Mr Nigel Weir against Wiltshire Council. This application is the subject of a separate Decision.

Procedural Matters

3. The original applicant was Miss Julie Spence but written confirmation was received from Miss Spence for the appeal to proceed in the name of Mr Nigel Weir. Accordingly, Mr Weir was accepted as a substitute appellant and I have referred to Mr Weir as the appellant in my banner heading above.
4. The appellant has submitted a planning obligation in connection with the Council's third reason for refusal, relating to the provision of public open space.

Main Issues

5. The main issues are:
 - the effect on the character and appearance of the area, bearing in mind the location of the site within a Housing Restraint Area and the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty and whether the proposed development would preserve or enhance the character or appearance of the Teffont Conservation Area; and

- the effect of the proposal on highway safety.

Reasons

Character and appearance/Conservation Area/AONB

6. The appeal site is in the Teffont Conservation Area (CA) and also within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB) and a Housing Restraint Area (HRA). The site is the plot of an existing dwelling being 'Paddock View', together with a stables and substantial garage, with much of the site comprising an area of grass described as 'the paddock'. It is reached by what is apparently a private road (also being a public footpath).
7. Some of the characterising features of the Conservation Area include properties of a traditional appearance, a number of which have thatched roofs and a cottage-like appearance and scale. The buildings within the CA form a linear pattern with clusters of dwellings following the road and stream. Open spaces alongside the road or easily visible between gaps in the houses are also defining features of the CA and HRA, adding a sense of rural character.
8. The appeal proposal would introduce a new dwelling onto the site, with a footprint broadly over the area currently covered by the garage and stables. Although the proposed dwelling would result in an increase in mass as compared to the existing garage and stables, its limited footprint and scale would give it a modest appearance, not out of character with properties in the CA. Further, the proposed dwelling would replace a substantial double garage of modern appearance with a dwelling of a more traditional design and materials, which would be more in keeping with other buildings within the CA. The stables appear from the private road and footpath as a generic outbuilding and so the loss of the stables of itself would not be contrary to the character of the area.
9. Although the proposed development would be visible to users of the private road and public footpath, passing views from the main road are very limited, notwithstanding the prevailing topography. This is due to the set back from the main road, curvature of the private road and existing screening. Views from the public footpath on approach to the village from the north are also restricted due to the angle of the approach and existing tree screening. The proposed dwelling and its residential curtilage and parking area, like the existing garage, would only be easily visible once fairly close, and would be seen as part of the cluster of surrounding dwellings, with the dwelling at Orchard Cottage marking the entrance into the village.
10. On approach up the private road from the direction of the village, the paddock area is not a prominent open rural view as it appears almost as part of the curtilage of Paddock View, being adjacent to substantial garages. Further, the presence of trees along its boundaries draw the eye and detracts from open views. Given the surrounding trees and shrubs and that the site is not a prominent open space, further hedge or tree screening of any domestic paraphernalia would not be out of character with the surroundings. Visible parked vehicles and a turning area would not be contrary to the established setting on the private access road. As such, and given the appeal site's position close to a number of surrounding properties, I also do not consider

that the proposed development would be incompatible with the conservation of the natural beauty of the AONB, within which the site lies.

11. The proposed dwelling would be positioned reasonably close to the property at Paddock View but would increase the distance from this dwelling, as compared to the existing double garage and would not be so close as to appear cramped. A condition restricting permitted development rights would prevent extensions or additions which might mean that the dwelling is enlarged excessively in its context. I have taken into account also the requirements of the Teffont Village Design Statement (VDS) but have in any event found that the proposal would not, in view of the context above, affect views of the countryside and would harmonise with the existing properties. It would not appear as backfill development, given that it has a frontage to the private road and also would not harm the linear pattern of the village, appearing as part of an existing cluster of development.
12. I have noted that in a previous appeal (Ref: T/APP/T3915/A/99/1027133/P7) the Inspector indicated that a scheme on a site to the north of the appeal site was not acceptable due to the loss of open space. However, the site in that appeal appears to have been immediately adjacent to The Street and thus a more prominent area of open space than the appeal site. That proposal also did not appear to entail the demolition of a substantial existing building. It can thus be distinguished in these respects.
13. I therefore conclude on the first main issue that the proposal would preserve the character and appearance of the area, bearing in mind the location of the site within the HRA and the AONB and would also preserve the character and appearance of the CA in accordance with the expectations of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such, it would accord with saved Policies G1 (iii), G2 (iv) and (v), D1 of the of the Adopted Salisbury District Local Plan (June 2003) (LP), which have amongst their aims the conservation of the natural environment and heritage of the district, respect for the existing landscape, the avoidance of the loss of important open spaces and development which is compatible with its surroundings.
14. I also find no conflict with saved Policies H19, C4 and C5 of the LP, which seek, amongst other things, to avoid development which would have an adverse impact on the character of a Housing Restraint Area, or which would harm the natural beauty of the AONB landscape. It would also accord with the guidance contained within the VDS, which includes similar aims and with saved Policy CN10 of the LP which seeks to avoid the loss of important open spaces where this would detract from the special character of the Conservation Area.

Highway Safety

15. The private access road leading to the appeal site currently serves 3 dwellings. Although wider at its entrance, its width for much of its length allows only for the passing of a vehicle and pedestrian, rather than for two vehicles to pass. For vehicles exiting the private road, visibility in a southerly direction is reasonable whereas visibility to the north is impeded by the presence of a mature hedge on the boundary of the property at Lintern Close.
16. The proposal would result in the occupants of one additional dwelling using the already established access. There remains at least a degree of doubt on the evidence before me that the full visibility required by the Council in a northerly

direction could be achieved in view of the presence of the hedge on the Lintern Close boundary and ownership issues surrounding this. However, this is an existing operational access serving the adjacent dwellings, and the increase in traffic arising from the appeal proposal (even taking account of visitors and other occasional vehicles) would be very modest, and cars would be able to enter and exit the access road in forward gear. Similarly the increased risk of two cars meeting at the entrance, causing cars to brake on the main road would also be very slight.

17. As such, given that the proposal should not be required to remedy existing deficiencies, I consider that the adequate improvements could be made to mitigate against the very modest increase in use by widening the private road entrance to the south. Such a conclusion also accords with that of the highways officer supported in the delegated officer report presented in the appeal questionnaire. Although I note that service vehicles currently need to reverse up the private road and construction vehicles would most likely need to do the same, I consider that these could be accommodated under the current proposal and these would in any event not be permanent or very regular occurrences. Although the proposal would see a reduction in parking spaces given the loss of the garage, and whilst I accept that parking in the area is limited, the car parking proposed and the spaces which would remain for the Paddock View property would appear to be adequate for the needs of the respective occupants, bearing in mind the Council's standards.
18. With respect to the second main issue, I therefore find that the proposal would, if appropriately conditioned, to secure an acceptable remodelling of the access, not have any materially adverse effect upon highway safety. It would accord in this regard with saved Policy G2(i) of the LP, which seeks a satisfactory means of access and turning space within the site, where appropriate, together with parking spaces in accordance with parking spaces in accordance with the LP guidance.

Other matters

19. Concerns have been raised in relation to the effect of the proposal on the living conditions of nearby residents including in terms of overlooking, overbearing impact and noise arising from increased use of the access road. Given the separation distances and intervening landscaping, I do not consider that any loss of privacy or overbearing impact would be caused and, in view of the very modest increase in the use of the access, no undue noise and disturbance would result. Although the proposal would reduce the garden available to occupants of Paddock View, I consider that a reasonably sized and usable outdoor amenity space would remain for the occupants of that property. The reduction in size would not harm the character or appearance of the area, bearing in mind the limited views available. On this basis I conclude no material harm to the living conditions of adjacent occupiers would result.
20. I have noted that a previous scheme was refused on site but I consider that the appeal proposal has overcome past concerns. As planning proposals fall to be considered on their own merits, concerns as to precedent are due only very limited weight. Legal issues in connection with continued arrangements for the delivery of oil to dwellings on the private road, bearing in mind the proposed pipework position, are not for me in determining this appeal.

Planning Obligation

21. The Council has indicated that it considers that a financial contribution is required towards the provision of open space in accordance with saved Policy R2 of the LP, which states that new residential development will be required to make provision for recreational open space to the stated standard. Appendix 4 to the LP indicates that on smaller developments, a commuted payment should be provided in place of open space provision, in accordance with the Council's scale. The appellant has not disputed the requirement and has provided, during the course of the appeal process, a certified copy of a completed Unilateral Undertaking.
22. The Council has identified a deficiency of public open space provision in the vicinity of the appeal site and has noted the effect that the proposal might have on that provision. As such, on the evidence before me, I consider that the contribution sought is necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind. A contribution has also been sought towards fire and rescue facilities but I have no evidence that a planning obligation is the only means of securing such payment. The contribution sought in respect of public open space provision would though, for the reasons above, comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the proposal would not result in any conflict with Policy R2 of the LP. I am therefore able to take it into account.

Conclusion and Conditions

23. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should succeed. I have imposed conditions based upon those contained in the Officer's Report, slightly modified in the interests of clarity and enforceability. I have imposed the standard time limit condition and specified approved plans in the interests of proper planning. Conditions in relation to materials samples and hard and soft landscaping are imposed in the interests of the character and appearance of the area. A condition has been imposed requiring the widening of the access road entrance in the interests of highway safety.
24. Construction hours are controlled by condition in the interests of the living conditions of nearby residents and a condition is imposed requiring a construction method statement to be approved and adhered to in the interests of highway safety. A drainage condition has been imposed in the interests of ensuring that the site can be adequately drained. A requirement for compliance with the Ecology survey recommendations is imposed by condition in the interests of preventing harm to protected species. I have imposed a condition restricting permitted development rights in the interests of the character and appearance of the area, given the sensitive context. I have not though imposed a condition requiring sustainability in construction in the absence of a policy basis for this.
25. For all the reasons set out above, and having considered all matters raised, I conclude the appeal should be allowed.

Veronica Bond

INSPECTOR

Schedule 1 – Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No's: 2014/981/1, 2014/981/2, 2014/981/3, 2014/981/4 and AJB/2.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include
 - (a) details of trees and hedgerows to be retained, together with measures for their protection during the course of development;
 - (b) details of any new trees and hedgerows to be planted, including species;
 - (c) means of enclosure;
 - (d) car parking layouts
 - (e) hard surfacing materials; and
 - (f) minor artefacts and structures (e.g. refuse and other storage units, oil tanks).
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become (in the reasonable opinion of the local planning authority) seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation. All hard landscaping comprised in the approved details shall be carried out prior to the occupation of any part of the development, unless the local planning authority gives written approval to any variation.
- 6) No development shall commence until details of the proposed widening of the site access bellmouth have been submitted to and approved in writing by the local planning authority. Such works shall be carried out in accordance with the approved details and to a programme to be agreed and approved, in writing, by the local planning authority.
- 7) No development shall be commenced until drainage details including a scheme for the discharge of surface water and incorporating sustainable drainage details, have been approved in writing by the local planning authority. The approved drainage works shall be carried out prior to the occupation of the dwelling hereby approved.

- 8) No development shall take place, including any works of demolition, until a Construction Method Statement, detailing how construction traffic will be managed, has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.
- 9) No development shall take place until there has been submitted to and approved in writing by the local planning authority measures in respect of the protection of reptiles and nesting birds during the course of demolition and construction in accordance with the recommendations of the extended phase 1 survey by Ahern Ecology dated 9 September 2013.
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development within Part 1, Classes A – F (i.e. extensions, outbuildings, hard surfaces) shall be erected or constructed on the appeal site.
- 11) No demolition or construction works shall take place outside the following times: 0730 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank or Public Holidays.

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Application Number	16/00831/FUL
Site Address	Paddock View, The Street, Teffont, Wiltshire, SP3 5QP
Proposal	Demolition of existing bungalow and construction of a replacement dwelling with associated works
Case Officer	Lucy Minting



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 4

Date of Meeting	7 th April 2016
Application Number	15/11244/FUL
Site Address	Local Centre Old Sarum Salisbury SP4 6BY
Proposal	Erection of three storey building comprising of 21 affordable housing apartments with parking, bin & cycle stores, associated infrastructure (alterations to S/2012/1829).
Applicant	Mr Christopher Minors
Town/Parish Council	LAVERSTOCK
Electoral Division	LAVERSTOCK, FORD AND OLD SARUM – Councillor Ian Mclennan
Grid Ref	415224 133602
Type of application	Full Planning
Case Officer	Richard Hughes

Reason for the application being considered by Committee

Councillor Ian Mclennan has called the matter to Committee due to the loss of the proposed doctors surgery and community use and the local opposition to this proposal.

1. Purpose of Report

To recommend to Members that the scheme be APPROVED, subject to suitable conditions and a S106 legal agreement.

2. Report Summary

- a) Principal of affordable housing use instead of doctors surgery or community use
- b) Design and impact on area
- c) Impact on parking and highways
- d) Impact on amenity
- e) Ecology/archaeology/drainage
- f) S106 and conditions matters

City Council - Object

Laverstock and Ford PC - Object

Winterbourne PC – Object

5 Third party responses raising concerns and objections

3. Site Description

The site is located at the entrance to the developing Old Sarum housing development, adjacent to The Portway, to the south west of Partridge Way, and to the south east of the existing school and the apartments off Sherbourne Drive. The site is currently being developed for a local centre subject of consent ref S/2012/1829. There are mature trees along the northern boundary of the site with the Partridge Way housing area. The application site forms part of a 39 hectare mixed use development permitted by outline planning permission S/05/211. The development is served off the Portway.

4. Planning History

14/05553/VAR	Variation of Conditions 02 and 08 of Reserved Matters application S/2012/1829, to allow one of the units to be used as a hot food takeaway (Class A5) and changes to design to include extraction chimney
S/2012/1829	Reserved matters application for 3 retail units, a doctors surgery and 30 apartments including parking, landscaping and recycling centre (following approval of outline application S/2005/0211)
S/2005/0211	MIXED USE DEVELOPMENT COMPRISING NEW RESIDENTIAL, EMPLOYMENT USES AND COMMUNITY FACILITIES AND ASSOCIATED INFRASTRUCTURE

5. The Proposal

The reserved matters application scheme ref S/2012/1829 which is currently being constructed on site relates to the construction of 3 retail units and a doctors surgery at ground floor level, with 30 apartments above, 40 percent of which would be affordable housing (14 flats above the doctors surgery element). The proposal included associated parking for the uses, and a community square. The site will be accessed via the existing pavements, with vehicles and servicing using a partly constructed access adjacent existing apartment development (Sherbourne House). There will also be a pedestrian and cycle linkage to the adjacent Partridge Way housing estate, utilising an existing informal path and gap which already exists.

This application relates only to the north eastern portion of the approved building (Block C), and proposes replacing the intended doctors surgery space at ground floor level with 7 additional affordable units. Changes are also proposed to reorder the approved parking area, with external adjustments to the approved building. Block A & B and associated parking area remain as approved by permission S/2012/1829. As a result, the overall scheme would contain a total of 37 flats, 21 of which would be affordable, and 16 private market.

6. Local Planning Policy

Wiltshire Core Strategy:

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 3: Infrastructure Requirements
Core Policy 41: Sustainable construction and low carbon energy
Core Policy 43: Affordable Housing
Core Policy 49: Protection of services and community facilities
Core Policy 50: Biodiversity and geodiversity
Core Policy 51: Landscape
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Ensuring the conservation of the historic environment
Core Policy 60: Sustainable transport
Core Policy 61: Transport and development
Core Policy 62: Development impacts on the transport network
Core Policy 64: Demand management

Policy WCS 6 of the Waste Core Strategy

Saved SDLP Policies: H2D, R2, PS1, PS5

National Planning Policy Framework

National Planning Practice Guidance (March 2014)

Adopted Supplementary Planning Guidance "Creating Places"

7. Summary of consultation responses

Laverstock & Ford Parish Council:

The applicant refers to the S106 agreement dated 21 November 2013, which specifically refers to the development of the Local Centre. This agreement refers to the original S106 agreement dated 19 June 2007 that was quoted in this Council's original objection to this application. Paragraph 7.14 of the new S106 acknowledges that the original S106 is now superseded or expended with the exception of Part VI paragraphs 3.2 and 3.3 that refer to the marketing of the Doctors' Surgery Land. The objection of this Council is therefore still valid.

Furthermore, although the applicant has produced modest evidence of attempts to market the Doctors' Surgery Land for a GPs surgery, they have produced no evidence at all of a revised Doctors' Surgery Land Marketing Scheme, approved by Wiltshire Council, for another community use. A letter from one RSL (Appendix 3 to the Planning Statement) does not constitute evidence. This Council is adamant that a community use must be found for these premises and its original OBJECTION remains in place.

City Council - strongly objects to this application and supports the views of Laverstock Parish council that the site should be developed as per the agreed use.

Winterbourne PC - OBJECT to the application - the Parish Council is concerned that the applicant appears to have dismissed the obligation to seek an alternative community use and so the Parish Council wishes to retain an S106 provision for a doctor's surgery or other community use as part of the application.

WC Public Protection: Vibration - We previously raised concerns that re radiated noise from Equinox could adversely impact on future occupants of the proposed properties. However, given the history of this site and having reviewed the recent report and previous reports including the mentioned Proof of Evidence 12/3230/PoE (which relates to the application appeal S/2012/1829) we do not have any grounds to support an objection. Noise - An assessment of noise from deliveries/plant/equipment associated with the retail units and traffic has also been made. In relation to noise from traffic the consultant has identified that standard, thermally sealed double glazing should provide adequate sound reduction to achieve suitable internal levels. In order for the windows that face The Portway to remain closed (to maintain the internal levels), it is expected that an alternative means of ventilation will be required. We would therefore recommend that a condition is attached to any planning permission granted requiring the applicant/agent to submit details of acoustic glazing and ventilation.

WC Highways: No objection to revised parking layout. No contribution required towards Salisbury Transport scheme as covered by CIL.

WC Housing: I confirm that given the planning history of the site and the need to retain separate accesses to the Affordable Rented units and the Shared Ownership units, a tenure split of 70% Affordable Rent and 30% Shared Ownership is acceptable on this occasion. The 15 flats for Affordable Rent and 6 flats for Shared Ownership which are proposed would meet this criteria.

WC Drainage – Raise concern that the scheme could be adequately served by drainage facilities and recommended conditions

WC Waste and recycling – No objection subject to a financial contribution towards waste and recycling facilities

WC Ecology – No objections. No contribution towards stone curlew protection needed as covered by CIL

WC Open Space – Based on increase of 7 dwelling compared to approved scheme, and given the significant areas of open space secured as part of the wider Old Sarum development, no additional open space contribution required. Do not considered that any additional financial contribution is needed as Community Centre now provided.

WC Education – No financial contribution needed as now CIL. However, previous scheme S106 secured additional land for the adjacent school. This is due to be provided shortly, but has yet to be provided. Thus, the previous S106 requirement for the land should be retained.

WC Archaeology – Condition recommended as per previous applications

Wilts Fire and Rescue – General comments

Historic England – No objection

Southern Water – General comments

Wessex Water – General comments

8. Publicity

Old Sarum Residents Association- 1. This application implies that this is a new request, when in fact the initial outline planning was for a building containing a Doctors Surgery on the ground floor and flats above. This was part of the "community gain" for the residents of Old Sarum and specifically written into the Section 106 agreement for the area. This application means that there is now a potential "community loss" if the planned facility is replaced by flats. Surely legally the application should state that it is a change of use?

2. The Residents Association were contacted by Persimmon in email format, and appraised of their intention to build flats instead of a surgery. Persimmon gave their reason for this as being that the Doctors surgery was not feasible as there was no doctor or Trust willing to run it. The Residents Association responded strongly with concerns about the loss of a specific community facility and asked who in particular had been approached via the NHS and how widely the "net" had been thrown. There was no response to these queries.

3. The Residents Association are not aware that any far reaching community consultation has been made about the doctors surgery potential, or other community opportunities. Neither has significant local community consultation occurred in relation to this as far as they are aware. There has not been, we therefore feel, adequate publicity and chance for organisations to respond to the potential.

4. The Residents Association notes that the Section 106 document made it very clear that if the Surgery area could not be used as a "surgery" as planned it could be used by community groups or other organisations. To that end the Residents Association sent a list of suggestions for potential community use of the area namely a community cafe, a children's ball park, a youth centre, a church centre or similar. We did not have a response to our suggestions or replies to our questions. This has led us to believe that the builders do not wish to honour the 106 agreement and would prefer to press for further flats instead of a community resource.

5. A further 21 flats would put more pressure on what is a growing estate with very little in the way of promised community facilities as agreed in the Section 106 document. The playgrounds, a climbing wall and football pitch have still still to be erected by Persimmon, and the delays in building the Local Centre with much needed shops has meant progress has been woefully slow. Now we find another facility is to be "lost" in favour of 21 flats.

6. The Residents Association wish to object to this application as the initial Section 106 document has not been adhered to and a local "community gain" will be lost in the desire to build flats rather than facilities.

5 letters representation have been received. Main points raised: -

- Developer should comply with the S106
- Other suggestions for community uses have been ignored
- No clear community consultation by the applicant
- Developer should redo their community consultation
- What is the community gain if surgery is lost
- Dont need more affordable housing
- Cycle store appears small compared to number of apartments and contrary to Council policy
- Money from the scheme should be put towards the expansion of other medical facilities in the area (run by Salisbury Medical Practice at Bishopdown Farm).

9. Planning Considerations

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

9.1 Background and principle of the development and the S106 clauses

In 2005, a Development Brief for the site was adopted, which sought to provide more specific guidance for the future development of the site. In 2005, an outline application (S/2005/0211) was approved for mixed development on the allocated land. As part of the outline planning permission, a condition was attached to that consent which essentially required all future development to be carried out in accordance with the details pursuant to the design code, unless otherwise agreed. Following the grant of outline planning permission, the details of the Local Centre were approved under the recent Approval of Reserved Matters (S/2012/1829). This included space for three shop units and doctors surgery at ground floor and residential units above. The principle and details of a mixed use local centre on the site have therefore been long established through the above.

The above consents are also subject to a S106 legal agreement as part of the original outline consent, which secured various planning gains and mitigation, and also included clauses related directly to the doctors surgery. This original S106 has been adjusted twice, firstly as part of reserved matters application S/2012/1829, and then again as part of 14/05553/VAR. This latter S106 adjusted clauses within the original outline S106 which had been deemed to surplus to requirements.

However, the clauses within the S106 related to the Doctors surgery remain extant. These relate to the marketing of the Surgery Land, and also go on to relate to what happens if no suitable offer is received for the Land. A suitable marketing scheme was submitted to the Council around 2007, and it appears that suitable marketing has been carried out by the applicants up until recent times. Notwithstanding the marketing, the Old Sarum development and the Local centre in particular has been the subject of a number of application proposals, and hence, the availability of the retail units and the doctors surgery unit has been in the public domain for many years.

The S106 indicates that the applicant is "entitled to submit" a revised marketing scheme which allows for a community use other than a doctors surgery to operate from the site. The S106 then contains a further clause that should all marketing exercises be unsuccessful, then the applicant be permitted subject to a planning application to develop the doctors surgery site for another use.

Officers are not aware that an alternative "revised" marketing scheme was previously submitted, and it appears that the applicant intends this application to address this clause. There appears to be nothing preventing such a submission in this form with the S106, and indeed, the wording of the clause within the S106 does not appear to force the applicant to submit such a revised marketing scheme. It is therefore considered that the lack of the submission of a revised marketing scheme for a community use prior to the submission of this application cannot in itself be used as a reason to refuse this current application. Instead, the planning impacts of the proposal needs to be fully considered, as per the following sections.

Replacement of doctors surgery use

With regards to community facilities, the NPPF indicates that planning policies should:

“.....promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship..” and “...plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services that enhance the sustainability of communities and residential environments..” and “...guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs...”

WCS contains policy CP49 which reflects NPPF guidance, and seeks to retain community uses within villages and other settlements outside the city. This indicates that:

Proposals involving the loss of a community service or facility will only be supported where it can be demonstrated that the site/building is no longer economically viable for an alternative community use. Preference will be given to retaining the existing use in the first instance, then for an alternative community use. Where this is not possible, a mixed use, which still retains a substantial portion of the community facility/service, will be supported. Redevelopment for non-community service/ facility use will only be permitted as a last resort and where all other options have been exhausted.

In order for such proposals to be supported, a comprehensive marketing plan will need to be undertaken and the details submitted with any planning application. Only where it can be demonstrated that all preferable options have been exhausted will a change of use to a non- community use be considered. This marketing plan will, at the very minimum:

- i. Be undertaken for at least 6 months*
- ii. Be as open and as flexible as possible with respect to alternative community use*
- iii. Establish appropriate prices, reflecting local market value, for the sale or lease of the site or building, which reflect the current or new community use, condition of the premises and the location of the site*
- iv. Demonstrate the marketing has taken into account the hierarchy of preferred uses stated above*
- v. Clearly record all the marketing undertaken and details of respondents, in a manner capable of verification*
- vi. Provide details of any advertisements including date of publication and periods of advertisement*
- vii. Offer the lease of the site without restrictive rent review and tenancy conditions, or other restrictions which would prejudice the reuse as a community facility and*
- viii. Demonstrate contact with previously interested parties, whose interest may have been discouraged by onerous conditions previously set out.*

Similarly, policy PS1 has been saved within the WCS, and this states that:

The development of health, social services, places of worship and community facilities will be permitted within or adjoining the settlements. Proposals to redevelop or enlarge existing facilities which are located outside settlements will be permitted where the proposed development would take place within the existing boundaries of the site.

Whilst the S106 makes it clear that prior to the completion of the S106 in 2007 there may have been a perceived need for a doctors surgery as part of this development, since that time, and to the best of officers knowledge there has been little if any interest from relevant parties in creating a doctors surgery at the old sarum housing development. The developers submission seems to confirm this, and a submitted letter from a local property agents states that:

“...The marketing of the whole Local Centre Site commenced in January 2008 and during that year we wrote to the doctors' practices in Salisbury and Amesbury. At that stage we received some interest from one or two practices who wanted to have further information once the development of houses was well underway.

The Local Centre Site continued to be marketed and in March 2011 a further letter was sent out to all the medical practices to see whether there was now interest as the housing development was taking place. By that stage the PCT was no longer offering any support to doctors' practices in terms of funding and the one or two responses we did receive was that no one could see a viable GP surgery opening at the development due to the lack of financial support. The only interest came from one practice offering a pharmacy facility within a retail unit...

...The Local Centre Site including the Doctor's Surgery continued to be marketed throughout 2012, 2013 and 2014. We have now received several offers from developers for the retail part of the site but there continues to be no interest in the Doctor's Surgery.”

Whilst it is clear from the third party letters submitted as part of the application that there is understandably a desire to have a surgery or community facility at the site, no third party evidence has been forthcoming which indicates that there is an actual need for a doctors surgery at this location, or that any party wishes to operate such a facility.

In contrast, the applicant has supported its application by submitting a letter from NHS estates which appears to clearly indicate that there is no need for a doctors surgery at this location. In particular, the submitted letter indicates thus:

“.....NHS England has recently approached obvious practices in the Salisbury area regarding this potential proposal to develop an approx. 500m2 doctors practice scheme within the 'district centre' on commercial terms. Whilst there are concerns that the new patient numbers generated by your development will impact on local surgeries (in particular Bishopdown which is the closest) there does not seem to be a requirement from the GP community for a new surgery in this particular location. The practice that operates the Bishopdown surgery does not have any plans to relocate as they feel it serves their existing population well..”

The contents of the above letter are considered by officers to carry significant weight, given that they are the comments of professionals separate from the developers, and who would be the most likely third parties to ordinarily support the establishment of a medical facility. Similarly, officers note that the separate third party submission by Salisbury Medical Practice (to which the NHS estates letter refers) which run a small medical facility at Bishopdown Farm estate, does not explicitly object to the replacement of a doctors surgery space/facility at the Old Sarum estate, and does not make any case that one is feasible in that location.

On the basis of the above evidence, it would appear that there is little if any demand for a doctors surgery use within the local centre building or at the old sarum site, and hence, a refusal of this application on the basis of the loss of this potential use would seem difficult to justify based on currently available evidence.

Alternative community use

The S106 makes it clear that if there appears to be no demand for a doctors surgery, then an alternative community facility should be considered. It is understood that the developer undertook liaison with the local community regards this issue prior to submitting the application, and that this exercise may not have raised any strong objections to an affordable housing use, or highlighted any significant support for an alternative community use. However, these results are countered by the concerns expressed by the Old Sarum Residents association, and the Parish Councils.

However, whilst the current application has been the subject of a number of third party comments, there has not been a significant amount of response from residents of the local area or other parties in relation to establishing a community use, and therefore it is difficult to assess how much support there is within the area for either a doctors surgery or an alternative community facility or whether any alternative use would actually be realistic or feasible.

Notwithstanding this lack of response, the Old Sarum development is currently served by a school (and associated hall), as well as by a community hall, and an adjacent religious hall, which are located close to the application site. Whilst these uses would not of course be suitable for hosting all types of community uses and facilities, it is equally the case that the doctors surgery space would also be less able to accommodate certain types of community uses and activities, given the approved housing on the upper floors.

Need for affordable housing

The provision of affordable housing is also a key priority of national and local planning policy, and Wiltshire Council. The WC Housing officer supports the proposal.

The NPPF indicates that the planning system should play a social role by “.....*supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being..*”.

Policy CP43 of the WCS indicates that:

On sites of 5 or more dwellings, affordable housing provision of at least 30% (net) will be provided within the 30% affordable housing zone and at least 40% (net) will be provided on sites within the 40% affordable housing zone. Only in exceptional circumstances, where it can be proven that on-site delivery is not possible, will a commuted sum be considered.

The provision of affordable housing may vary on a site-by-site basis taking into account evidence of local need, mix of affordable housing proposed and where appropriate, the viability of the development. All affordable housing will be subject to an appropriate legal agreement with the council.

This level of provision should be delivered with nil public subsidy, unless otherwise agreed by the council.

Tenure will be negotiated on a site-by-site basis to reflect the nature of the development and local needs as set out in Core Policy 45 (Meeting Wiltshire's housing needs).

Affordable housing units will be dispersed throughout a development and designed to a high quality, so as to be indistinguishable from other development. In determining the level of integration that can be achieved consideration will be given to the practicalities of management and maintenance associated with the proposal whilst still ensuring affordability, particularly in developments of flats.

The applicants have submitted a letter from Selwood Housing, which indicates that as a result of their concerns about affordable housing being built above the doctors surgery (due to long term leasehold and maintenance arrangements, and possible conflict between residential and future non residential uses), the firm did not submit an offer to handle the affordable housing element of this scheme. It is therefore presumed from their comments that they would support the current proposal for affordable housing within the doctors surgery unit, although this is not explicitly stated in the submitted letter. It is also unclear what other housing associations considered bidding for the accommodation, and whether the location of the flats above a potential non residential use would have been a factor in not applying for the site. Consequently, in officers opinion, limited weight can apply to this particular matter, particularly as a restriction on the change of use of the doctors surgery to a more harmful commercial use could be imposed if necessary.

It is therefore clear that national planning policy sees both the provision of housing and community facilities as an important goal, and that local planning policy also sees the provision of both types of development as desirable and needed. There appears to be little current demand for a doctors surgery at this location, and at this time, limited explicit evidence that the space would be utilised by an alternative community use. There is however policy support for the provision of affordable housing, including the backing of the WC Housing officer. Consequently, a refusal of this scheme for affordable housing may be difficult to justify on current evidence and policy grounds.

9.2 Design & Scale

The scheme is very similar to that already granted approval and being implemented on site, subject to modest elevational changes to accommodate the planned housing, and adjustments to parking layout. The impact of these changes in visual terms on the surrounding area is considered to be negligible, and thus acceptable.

9.3 Residential Amenity

The proposal would be in proximity of other approved dwellings and the retail uses in blocks A & B, and therefore the impact on the amenities of the occupiers of those properties is a material consideration. However, the Council Environmental Health officers have discussed matters at length with the applicant regards this and the previous consent on this site, and the impact of the planned commercial units and adjacent parking and loading areas on residential amenity has been fully considered. Subject to a suitable condition, the EHO has indicated that they could not justify an objection to the scheme.

Notwithstanding this particular consent, Members should note that conditions/restrictions on the adjacent retail use/uses are already imposed on the approved scheme, and therefore there is no need to impose on this current application.

9.4 Highways & Parking/waste

The parking layout related to this application has been adjusted compared to the approved parking layout subject of application S/2012/1829. The revised layout proposed 40 allocated parking spaces for the apartments and 5 visitors spaces. This is 5 spaces above the required WCS policy. The Council's highways officer has raised no objections to the proposal. Similarly, the Council's waste officer has confirmed that they have no objections to the parking and turning adjustments.

The previous Agreements contain provision across the Old Sarum site for residential travel plans to be submitted in an effort to encourage sustainable transport options. Such a provision will need to be repeated in any subsequent legal agreement. However, it is understood that the previously required Sustainable Transport contribution is now secured via the CIL regime.

9.5 Ecology/drainage/archaeology

- i) The previously required Ecology contribution is now secured via the CIL regime and therefore a further payment is not required as part of any new S106 related to this application.
- ii) The Council's drainage officer has suggested conditions. However, the Local Centre already has consent and the building works have commenced on site, and therefore any drainage is therefore likely to have been provided in advance as part of the wider development. As a result, additional drainage conditions are not required as part of this consent.
- iii) The Council's Archaeology officer has suggested a suitable condition.

9.6 Section 106 Matters

A supplemental / new Section 106 Agreement is required (to vary the Section 106 Agreement dated 21st November 2013 attached to Approval of Reserved Matters S/2012/1829 & 14/05554/var). These earlier Agreements secured the following:

- Provision of Affordable Housing
- Community Centre Contribution
- Ecology Contribution
- Primary School Expansion Land
- Primary and Secondary Education Contribution
- Sustainable Transport Contribution
- Travel Planning
- Waste Facilities Contribution
- Youth and Adult off-site open space contribution
- Relevant clauses of the Section 106 Agreement dated 19th June 2007 relating to the Local Centre land

With regards the above, and as indicated in the Consultation responses section of this report, several of these contributions are no longer relevant. In particular, the Transport Contribution is now secured by the CIL Charging Regime, as is the Ecology contribution, the Education contributions, and the open space contributions. The Community centre is now built out, and hence, the relevant contribution is also no longer required. However, at the time of writing, the additional land related to the adjacent school has yet to be formally provided.

As a result, and subject to any further advice of the Council's legal officer prior to the meeting, the revised S106 Agreement needs to relate to the following only:

- Provision of Affordable Housing
- Provision of Primary School Expansion Land
- Travel Planning
- Waste Facilities Contribution

10. Conclusion

The removal of the intended Doctors Surgery use/space is regrettable. However, the S106 only requires land to be provided for this or another community use. The Developer does not itself have to provide the actual use, nor are they able to do so as a house builder.

Whilst strong concerns have been expressed by certain third parties and consultees, during the lifetime of the construction of the Old Sarum development, and the lifetime of this application, officers are not aware that many third parties have expressly come forward to operate either a doctors surgery or another viable community use from this building. Furthermore, changes in the provision and funding of surgeries over the years has made it less likely that a party would seek to operate a small surgery from this site, and the Old Sarum estate is now served by a community centre and a school, thus making it less likely that a further community space is needed or viable. Thus a refusal of the scheme on the basis of the loss of a potential community facility/space would be difficult to justify.

Notwithstanding the above, the proposed replacement use for affordable housing is in line with national and local planning policy, as there is a need for such housing. Consequently, a refusal of a scheme for affordable housing would be difficult to justify in policy terms.

Consequently, given that the various consultees have not offered any significant concerns regards the affordable housing scheme, the proposed additional affordable housing scheme is considered acceptable in planning terms, subject to a revised S106 Agreement.

RECOMMENDATION: SUBJECT TO A S106 AGREEMENT (DEED OF VARIATION) WHICH SECURES THE FOLLOWING:

- Provision of Affordable Housing
- Provision of Primary School Expansion Land
- Residential Travel Plan
- Waste Facilities Financial Contribution

FOR THE AREA DEVELOPMENT MANAGER TO APPROVE, SUBJECT TO THE FOLLOWING CONDITIONS:

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

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

- 2 No development shall commence on site with regards to building C hereby approved until details and samples of the materials to be used for the external walls, roofs,

hardsurfacing and a landscaping scheme 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: To protect the character and appearance of the area.

- 3 No development shall commence with regards to building C and the associated car parking area until the existing trees and hedging adjacent to the site boundary with Partridge Way to the north east (as shown on the approved plan) have been protected by means of a scheme submitted to and approved in writing by the Local Planning Authority.

REASON: For the avoidance of doubt and to comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction. The protection scheme shall be in accordance with the provisions of Condition 23 of the outline planning permission which required the approval of an Arboricultural Method Statement.

- 4 No more than 10 residential units shall be occupied until the pedestrian and cycle path across the site allowing access to Partridge Way (as shown on drawing 149-100-01) has been provided and made available for safe use. The pathway shall thereafter remain available for public use.

REASON: In order to ensure that access from and to Partridge Way and the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to facilities and services.

- 5 No dwellings within block C hereby shall be occupied until all car parking (and associated turning and access arrangements) shown on the approved plans to serve the dwellings in that block has been provided and made available for use, and the parking shall be thereafter retained for the use of the dwellings in that block.

REASON: In order that sufficient parking is available for occupiers of the dwellings, visitors, and users of the planned local centre facilities and to avoid the obstruction of the highway.

- 6 The development shall be carried out only in accordance with the following approved plans:

149-100-001 - Location Plan

149-100-01 - Planning layout

149-AptC-01 Rev A – Floor plans

149-AptC-02 Rev A - Elevations

149-AptC-03 - Street Scene

149 -100-BCS - Bin & cycle store

149-100-02 Materials layout

REASON: For the avoidance of doubt as to what is approved.

- 7 No development shall commence on site until a scheme of acoustic insulation, to include details of acoustic glazing and ventilation has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved scheme in respect of that dwelling has been implemented in accordance with the approved details and the measures shall thereafter be retained.

REASON: To reduce the risk of noise disturbance to the occupiers of the residential units and neighbouring residential properties arising from use of the ground floor premises in Block A.

8. No development shall commence within the area indicated (proposed development site) until:

- A written programme of phased archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

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

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

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

Informatives:

Archaeological work should be conducted by a professional archaeological contractor in accordance with a Written Scheme of Investigation agreed by this office. There will be a financial implication for the applicant.

Application Number	15/11244/FUL
Site Address	Local Centre, Old Sarum, Salisbury, SP4 6BY
Proposal	Erection of three storey building comprising of 21 affordable housing apartments with parking, bin & cycle stores, associated infrastructure (alterations to S/2012/1829).
Case Officer	Richard Hughes



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 5

Date of Meeting	7 th April 2016
Application Number	15/10727/FUL
Site Address	Emmotts Farm Grimstead Road West Grimstead SP5 3RQ
Proposal	Alterations, extensions, and conversion of existing Staddle Stone barn and attached stable to form three bedroom dwelling with creation of associated garden. Alterations and extension of Victorian barn to create stables, garaging and workshop. Associated works including removal of lean-to structures within yard area
Applicant	Miss Hayley Clark
Town/Parish Council	GRIMSTEAD
Electoral Division	ALDERBURY AND WHITEPARISH – Cllr. Richard Britton
Grid Ref	420803 126698
Type of application	Full Planning
Case Officer	Becky Jones

Reason for the application being considered by Committee:

Officers do not have delegated powers to determine the application which has been made by a member of planning staff and where an objection has been received.

1. Purpose of Report

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

2. Report Summary

The main planning issues to consider are:

- Principle of development
- Scale, design and impact on the character of the Grade II listed Staddle Stone Barn and other designated heritage assets
- Impact on the Special Landscape Area
- Ecology, archaeology and drainage
- Impact on highway safety and public right of way

- Impact on neighbouring amenities and public protection
- Community Infrastructure Levy

The application has generated 1 letter of no objection from Grimstead Parish Council and 2 letters of support. One letter of objection was received under the accompanying listed building application which raises issues to be considered as part of this planning application regarding the impact on the Staddle Stone barn. There are no proposed alterations to the existing means of access through an existing gateway into the farmyard.

3. Site Description

The site comprises three barns at Emmotts Farm, West Grimstead which are centred around a main farmyard and the farmhouse known as Emmotts Farm. Two of the barns are Grade II listed (Hay Barn and Staddle Stone Barn) and the other barn (Victorian Barn) is curtilage listed as part of the Grade II listed Emmotts Farm. The site is not located within a Conservation Area. The farm is currently used for the keeping and riding of horses and other small scale farming activities.

The Staddle Stone barn is currently used for general storage and a chicken house. To the east and north of the barn are unstable lean to structures and an attached, modern structure used as stables and a workshop.

The Hay Barn is used for this purpose and is not affected by the proposals.

The Victorian Barn comprises storage and workshop areas and was originally the dairy. It has an attached lean to structure adjacent to the Hay Barn. To the south is a garage which would continue to serve the farmhouse.

The farm is accessed at the end of a short length of track which is a public footpath known as Macks Lane (GRIM21) heading north from Grimstead Road. It passes the site to the east and links Grimstead Road with Crockford Road to the north.

4. Planning History

15/10868/LBC	Alterations, extensions and conversion of existing staddle stone barn and attached stable to form three bedroom dwelling with creation of associated garden. Alterations and extension of Victorian barn to create stables, garaging and workshop. Associated works including removal of lean-to structures within yard area
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5. The Proposal

The applicant is proposing to alter, extend and convert the existing Staddle Stone barn and attached stable to form a three bedroom dwelling with a garden area. The Victorian barn would also be altered and extended to create stables, garaging and a workshop, as part of the new residential curtilage. Associated works include removal of modern lean to structures in the yard. Access to the dwelling would be from the existing farm access, which has been used to access the farm for more than 20 years. Foul drainage would be to a package treatment plant, as the levels on the site require pumps and a pump chamber.

Materials include:

- Salvaged plain clay tiles for the Staddle Stone barn roof.
- Natural slate for lean to extension and stable conversion, proposed garage, stables and workshop
- Timber feather edge boarding for wall cladding.
- Handmade bricks to blend with yard wall for plinth walls.

- Painted hardwood timber windows. Unfinished green oak to breakfast room frames.
- Repairs to Victorian barn roof. Timber feather edge boarding to walls. Handmade bricks for plinth and panels. Retain east elevation cladding.

The following documents have been submitted:

- Planning, Design and Access Statements
- Heritage Statement
- Structural Viability Report
- Bat Survey with evening emergence and dawn return surveys.
- Additional ecological response.

6. Local Planning Policy

National Planning Policy Framework (NPPF) and NPPG

Conserving and enhancing the natural environment

Wiltshire Core Strategy (WCS):

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 48: Supporting Rural Life

Core Policy 50: Biodiversity and Geodiversity

Core policy 51: Landscape

Core Policy 57: Ensuring high quality design and place shaping

Core Policy 58: Ensuring the conservation of the historic environment

Salisbury District Local Plan (SDLP)

C6 Special Landscape Areas

This SDLP policies is a saved policy of the adopted Wiltshire Core Strategy (Appendix D)

Planning (Listed Building and Conservation Areas) Act 1990

Section 66: Special considerations affecting planning functions

**The Conservation of Habitats and Species Regulations 2010,
EC Habitats Directive when as prescribed by Regulation 3(4) of the Conservation
(Natural Habitats, &c.) Regulations 1994 (as amended).
Circular 06/2005**

7. Summary of consultation responses

Drainage – No objection subject to conditions

Rights of Way – Informatives required.

Contamination – no objection

Public Protection – no objection subject to occupancy condition

Archaeology – no objection subject to conditions

Conservation – no objection subject to conditions

Ecology – no objection subject to conditions

Highways – no objection

8. Publicity

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

2 letters of support were received:

- Support for using disused building and help fill a need for village housing.
- Satisfied with the proposed design and materials which will blend well with their surroundings and do much to enhance the village.

1 letter of objection was received (representing Wiltshire Archaeological & Natural History Society – WANHS and Agent for the Council of British Archaeology (CBA) under the accompanying listed building application which raises issues to be considered as part of this planning application. These issues are considered by the Conservation Officer under impact on the Grade II listed building.

9. Planning Considerations

Planning permission is required for the development. The 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. (Paragraph 215 at Annex 1).

Principle of development

The proposal seeks to convert a Grade II listed barn to a 3 bed dwelling. The site lies in the countryside of the Special Landscape Area, in an Area of Special Archaeological Significance, in the north of West Grimstead.

The *principle* for this development can be considered under *three* relevant strands of policy:

- Core Policy 2 and development within small villages
- Core Policy 48 conversion and reuse of redundant rural buildings, and
- NPPF policies in relation to designated heritage assets

i) Core Policy 2 and development within small villages:

The Settlement Strategy (Core Policy 1) identifies the settlements where sustainable development will take place to improve the lives of all those who live and work in Wiltshire. Core Policy 24 identifies West Grimstead as a small village where the settlement boundary has been removed. The settlement boundary (or defined limit of development) for West Grimstead has been removed and the Delivery Strategy set out in Policy CP2 specifically states:

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

However, West Grimstead is also defined as a small village and Core Policy 2 provides further detail in this respect:

At the Small Villages development will be limited to infill within the existing built area. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

- i) Respects the existing character and form of the settlement*
- ii) Does not elongate the village or impose development in sensitive landscape areas, and*
- iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.*

Whilst West Grimstead does not have a settlement boundary, the site does comprise an existing group of agricultural barns which are part of an existing farm. Whilst it could be debated whether or not Emmotts Farm itself lies within the “built area” of West Grimstead, officers consider that the proposed conversion of the *existing* barns would not result in a new building in the countryside and so would not be in conflict with the criteria of CP2, as the resultant conversion would respect the existing character and form of the existing settlement and would not elongate the village or impose development in a sensitive landscape area. For this reason, the proposal is not considered to be in conflict with CP2.

ii) Core Policy 48 conversion and reuse of redundant rural buildings:

Core Policy 48 seeks to support rural life and states:

Conversion and re-use of redundant rural buildings

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

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

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

CP48 would therefore be applicable to the application as the proposed residential conversion affects two Grade II listed barns and a curtilage listed Victorian barn. A structural report has been submitted in respect of criteria (i) and confirms that, “*The buildings can be converted to their proposed future usage with very little loss of historic fabric, and that there is considerable long term benefit to the fabric as it will be repaired and protected from further gradual deterioration that the current use inevitably allows.*”

In considering the residential use of the Staddle Stone barn, alternative employment, tourism or cultural uses on this site would need to be considered to be acceptable. There are a number of reasons why such uses would not be considered suitable for the site:

- Proximity to other residential dwellings, particularly Emmotts Farmhouse itself, neighbouring dwellings and potential for disturbance from noise and activity, contrary to criteria (ii).
- Other uses resulting in an increase in vehicles negotiating the highways junction would be likely to attract an adverse highway recommendation, contrary to criteria (iii).
- The farm is currently used for the keeping and riding of horses and other small scale farming activities. Any uses for the barns sited in such close proximity to the farm use would normally generate public protection issues under Core Policy 57. Provided the resultant residential use is tied to the existing farm and equestrian uses, public protection are satisfied with the proposed use (see amenity section). It would be unreasonable for a tourism, cultural or employment use could be tied in this way.

In conclusion, a residential use that is tied to the equestrian/farm use is considered to be the most suitable use for the listed barns under the terms of CP48.

iii) NPPF policies in relation to designated heritage assets

In considering designated heritage assets, the NPPF states:

129. 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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets

131. In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness, conservation and any aspect of the proposal.*

132. 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

134. 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 securing its optimum viable use.

In conclusion, the principle of the development is subject to the detailed considerations required by the above policies. However, subject to the details being satisfied, the proposed residential conversion of the Grade II listed barn subject to its occupancy being tied to the existing farm/equestrian use, being would be considered to be sustainable development in terms of the Wiltshire Core Strategy Policy CP2, CP48 and the NPPF policies for the conservation of heritage assets.

Scale, design and impact on the character of the Grade II listed barn and other designated heritage assets

Core Policy 57 sets out the design criteria for new development and 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. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire...

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Conservation policies of the Core Strategy and the NPPF seek to ensure that the existing character of the listed building and the settings of nearby listed buildings would not be harmed and the existing character of the Conservation Area would be preserved or enhanced. The NPPF states:

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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

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 securing its optimum viable use.

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. Heritage assets include Listed Buildings and Conservation Areas.

The Conservation Officer has responded and suggested some conditions. In summary:

We have reports including a heritage impact assessment table and an engineer's report. I

welcome the retention of the larger barn as storage, the conversion of this building would be problematic.

Conversion of staddle barn: I welcome the removal of the lean-to structure abutting the east elevation of the staddle barn and south elevation of the stables (see photo fig 5 of historic report). I concur with the assessment that it is of no significance.

Issue of repairs necessary to facilitate conversion: As is typical with such applications, we don't know the precise extent of repairs (or which timbers) until the building is gently picked apart (although Andrew Waring's report does say that the structural timbers are generally in good condition but joists are in poor condition). As with the barn next door, I recommend that we have a condition requiring a detailed examination of the timbers once there has been some limited opening up, with a schedule submitted to us for approval highlighting where timbers are to be replaced (and with what); where there are to be repairs (ie scarfed on resin or what?). Also I note that the section drawing talks about replacing the timber floor and floor joists. Mr Waring's report says that the grillage You might want to look at the condition attached to the application at Rowden's Farm 15/00153/FUL.

At the moment there is a combination of a brick plinth and staddle stones. The staddle stones will be reset on new concrete pads. I have no objection to this, as this is standard practice in relation to staddle barns undergoing a change of use. There is no impact on character or historic fabric (the staddle stones being retained and reset).

Conditions relating to the staddle barn are suggested, relating to a repairs schedule for timber framing, samples for timber cladding and clay roof tiles, further details of glazed balustrades (south and west elevation), clarification regarding rooflights and eaves detail (including guttering).

Garage/stable building: This is referred to as the Victorian barn in the historic report. It is of some interest as part of the group but little in its own right. I have no objection to the proposed changes although I would want a condition to cover any new timber cladding and new roofing materials.

One letter of objection was received to the accompanying listed building application as follows:

- The changes to all the buildings cannot be considered as there is no detailed historical context of the property as a whole by which to make an assessment.
- The proposed changes to the staddle stone barn are deceptive as it actually destroys the total concept a structure mounted on staddle stones.
- The proposal entails removing the staddle stones and re-positioning them so that they no longer support the barn but a positioned to be but a "visual memory" of the original.
- Previous work is evident where the staddle stones have been built into a wall to support the original timbers and it is unclear how this "modification" is to be treated.
- The installation of an under-croft further destroys the original concept of the staddle stone barn, few of which survive in Wiltshire of this size.
- With the potential loss of such a key listed structure, a detailed historic record of all the buildings and their relationship should be made.

- This application concerning the destruction of the staddle stone barn should not be approved.

In response, the Conservation officer noted:

1. Has the objector not seen the historic report and heritage impact assessment?
This is a very thorough document and more than sufficient to establish the historic interest and significance of the complex.
2. The proposals retain the staddle barn on staddle stones. The staddle stones are reset and the partial brick plinth, which already exists, rebuilt but not extended. The building will read as a staddle barn thereby retaining character and preserving its significance.
3. The staddle stones will be repositioned in appropriate locations following underpinning. This is standard when staddle barns are upgraded.
4. The drawings show that the brick plinth later modifications (surrounding the staddle stones) will be rebuilt to replace existing.
5. We have a great number of staddle stone barns. That is not to say they are not important – this is a grade II listed building.
6. The staddle stone barn is not being destroyed. It is being repaired and re-used and the quality of supporting information suggests in a sensitive way.

In conclusion, subject to conditions, it is considered that the development would lead to less than substantial harm to the significance of the Grade II listed buildings, the curtilage listed barn, their curtilages and their settings, including the setting of Emmotts Farmhouse. The proposal would comply with Policy CP58 and the NPPF.

Impact on the character of the Special Landscape Area

The site lies within the Special Landscape Area and the development affects two listed barns and a curtilage listed barn. When considering the impact of the development on the landscape and the character of the area, Policy C6 has been saved:

Within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality on the landscape are acceptable, they will be subject to the following criteria;

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

Core Policy 51 states that Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

The site plan below shows the extent of the works within the landscape. The site is well screened and there is a belt of existing trees and vegetation to the west of the site that would be retained. The removal of the lean to extension to the north of the Hay Barn is likely to improve the visual impact of the site from the north. Views from the west would be limited by the existing trees and planting on this boundary. Views from the south would be against the context of Emmotts Farmhouse and a significant belt of trees and planting on the south boundary of Crossways House.



Landscape setting



View from Grimstead Road looking north

In conclusion, the development is considered to comply with Policy C6 and CP51 as the siting and scale of development would be sympathetic with the landscape and the proposals demonstrate high standards of design, using materials which are appropriate to the locality and reflect the character of the area. There is unlikely to be any significant visual impact arising from the conversions on the character of the landscape or the immediate locality.

Ecology

Although protected species are not specifically mentioned in the NPPF, the NPPG sets out guidance and the ODPM circular 06/2005 still applies and is listed under current policy and guidance on the planning portal. Paragraph 99 states “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.

Core policy 50 states: Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services. All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

The ecologist initially objected on the grounds that the bat survey appeared to be insufficient for several reasons. Either a full justification for the methodology used or further surveys would need to be provided before determination. A full response to this objection and the reasons cited by the ecologist was received from Chalkhill Environmental Consultants, addressing each point and is attached at Appendix 1.

The ecologist responded: *I can confirm that the additional information from the applicant's ecologist is acceptable and overcomes my objections to the application with regard to roosting bats. However, I am still concerned about the lack of mitigation for the loss of a large number of swallow nests and I recommend that mitigation should be provided for approval **before determination** of this application (see birds section below).*

Bats: Details of lighting should be submitted for approval as a condition of planning consent to ensure that the Natterer's bats and Common pipistrelle bats using the hay barn can continue to use the site. Natterer's bats are particularly light sensitive.

I recommend that provision for roosting bats be provided within the converted buildings as a biodiversity enhancement (retention of existing potential for roosting bats) and conditioned as part of planning consent. This provision could be allowing access into the loft space or roof space of the converted buildings, by incorporating battens to allow bats access beneath the timber cladding or by incorporating integral bat tubes/bricks/boxes into the walls (retrofitting is possible). Details of bat roost provision can be provided as a condition of planning consent in this instance, as it would be an enhancement.

*Birds: In summary, the information on swallows from Gunnell, Murphy and Williams (2013) *Designing for Biodiversity – a technical guide for new and existing buildings* 2nd edition, RIBA Publishing is: Swallows require access to the interior of a building with a gap of at least 70mm (width) by 50mm (height) and a nesting platform of at least 260mm (width) by 100mm (depth). Precast nests are available or nesting platforms can be made. These should be placed on a ledge inside a building at least 2 metres above the ground where droppings will not be a nuisance. Swallow nests should not be placed close together. Nesting areas could be provided in garages, outbuildings or possibly under very deep eaves such as the Richard Green Ecology 'eaves/ridge overhang swallow nest box' example (see more details on <http://www.richardgreenecology.co.uk/news?blogEntry=35>).*

I recommend that in this instance, due to the high number of nests likely to be affected by the proposed development, that the mitigation for swallows be provided before determination of this application to ensure that an adequate level of mitigation (no. of nesting sites) can be achieved.

The applicant then submitted a further plan of elevations for the Victorian barn to show a proposed access for the Swallows via a louvered opening which replaces the clerestory window. This would be in addition to the open eaves which are currently used by Swallows when the barn doors are not open. The opening sizes accorded with the suggested dimensions from the ecologist. The ecologist concluded:

I am satisfied with the proposed provision for swallows in terms of access into the converted barn as shown on the plan submitted. I am also satisfied that swallows would be able to continue to access the roof space of the converted barn, as depicted in the plan submitted with photographs on 11th February 2016 by the agent, Simon Lock. Development must be carried out in accordance with these designs for swallows as a condition of planning consent.

No conservation objection was raised to the proposed mitigation for the Victorian barn.

In conclusion, there is a possibility of some impact on protected species arising from the development. However, the proposed mitigation measures would make any potential impact insignificant as a material consideration for refusal of the scheme. Conditions requiring provision for roosting bats within the converted buildings would be a biodiversity *enhancement*, with the retention of existing potential for roosting bats. Swallows would be able to continue to access the roof space of the converted barn, as depicted in the submitted details. No objection is raised to the proposed ecological mitigation, in accordance with Core Policies 48 and 50, the guidance in the NPPG and the ODPM circular 06/2005 and the EC Habitats Directive.

Archaeology

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. Heritage assets include Listed Buildings and Conservation Areas.

The Archaeologist stated:

This site is of archaeological interest. The Historic Environment Record (HER) describes the farmstead itself as of at least 17th century date and the field to the east is recorded as part of the historic core of West Grimstead, which dates back to at least the medieval period.

The National Planning and Policy Framework (NPPF) contains the following Policy: "128. 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. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

The heritage assessment which accompanies the application does not appear to specifically address the potential for below ground remains. However, the likely new footprint of impact appears to be small and so I consider its focus on the above ground heritage assets to be proportionate. I do not consider a field evaluation to be necessary.

The NPPF also says: 141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

It is therefore recommended that a programme of archaeological works in the form of an archaeological watching brief is carried out as part of any development. The applicant should be aware that, if archaeological remains are encountered, this may have an effect on their programme of works. If human remains are encountered during the works, they cannot be removed without the appropriate permissions.

Drainage

The NPPG states: *If there are concerns arising from a planning application about the capacity of wastewater infrastructure, applicants will be asked to provide information about how the proposed development will be drained and wastewater dealt with. Applications for developments relying on anything other than connection to a public sewage treatment plant should be supported by sufficient information to understand the potential implications for the water environment.*

The site is in Flood Zone 1 and according to Environment Agency maps, is not at risk of surface water flooding. The applicant has stated that although Emmotts Farmhouse is connected to the mains sewer, a treatment plant has been proposed due to the site levels requiring pumps and a pump chamber. The drainage officer has considered the proposals and raised no objection to the principle of the development.

Impact on highway safety and public right of way

The highways officer stated:

The access road serving Emmotts Farm is of restricted width, although it only appears to serve two other properties. The farm would have generated a level of vehicle movements which will be replaced by those associated with the proposed residential dwelling. I note from the comments made by Rights of Way that it is not certain whether vehicular rights exist for Emmotts Farm and this must be clarified by the applicant.

I do have some concern regarding the junction of the access road with Grimstead Road. Visibility from the right hand arm of the junction is poor. However, there is an alternative and the sight line is far better from the left hand arm. Any users of the junction would be likely to emerge using the safest route. On balance I would not wish to object on highway safety grounds.

The site is located outside of the village policy limits and is remote from facilities to meet the everyday needs of any future residents. The proposed development could therefore be considered as contrary to local and national sustainable transport policy guidance, in particular Core Policy 60 and Core Policy 61.

The proposed parking and turning arrangement is acceptable and if you are minded to approve the proposal, I would have no highway conditions to add.

The rights of way officer advised that the property would be accessed by a public footpath known as Macks Lane (GRIM21). This is not recorded as a public vehicular highway. The only recorded public rights along it are on foot. In order to drive a vehicle along Macks Lane, the new householder would need to have a demonstrable private right of vehicular access and it is an offence to drive along a public footpath without lawful authority.

The Wiltshire Council Rights of Way Team have received an application to upgrade the path to a byway which, when determined, could lead to the route being recorded as a restricted byway and accordingly the establishment of a private vehicular right.

The applicant has stated that Emmotts Farm has evidence of using the track for access to the farm in excess of 20 years. The Farm has been within the same family since 1901 and throughout this period, the track has been used for vehicular access to the farm, highlighting a long standing use of the right of way.

There are at least three existing vehicular accesses that can be seen along the length of the footpath, indicating use by cars. In some cases users may have a private vehicular right and in some not. Therefore an informative should be added to any permission to warn vehicular users that they do so at their own risk and to make them aware that if they do not have a vehicular right there is no guarantee that they will be able to continually access the property with vehicles. It should be added that the full width of the lane should be available at all times.

Officers have also discussed the sustainability of the site in highway policy terms and CP48. Consideration was given to the effect of the residential use being tied to the farm/equestrian business on the site and also possible alternative uses for the listed building (eg employment, community, tourism). Given the access restrictions to the site, officers concluded that that a dwelling tied to the farm business would be the preferred use of the building in highway policy terms and that any other use resulting in an increase in vehicles negotiating the junction would be likely to attract an adverse highway recommendation. In conclusion, having fully considered the issues relating to the sustainability of the site and the barn conversion in relation to policy, officers would recommend that no highway objection is raised to the proposal.

Impact on neighbouring amenities and public protection

Core Policy 57 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. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:

vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)

Given the separation of the development from neighbouring properties, the use of rooflights, and levels of screening around the site, the proposal is not considered to cause harm to neighbouring occupiers in terms of overlooking, overshadowing, dominance or loss of light.

The public protection officer considered:

I write with reference to the above planning application which proposes to extend and convert existing stables and barn at Emmotts Farm, West Grimstead.

Ordinarily we would have significant concerns that noise and odour from the farming/stable activities on site would have an adverse impact on future occupants of the proposed property. However, as stated in the planning statement the proposed property is to be occupied by the applicant (owner of the farm/stables). Therefore, we would recommend that the proposed property is tied to the farm/stable business to prevent occupants not associated with the business moving in.

We would also recommend that conditions relating to construction times and burning of waste are attached to any planning permission granted to minimise disturbance to nearby residents.

With reference to contamination, the building being replaced is a raised barn so had no contact with the ground. For this reason the risk of contamination low and its use is also low risk.

Therefore, subject to the conditions described above being attached to the proposed development, appropriate levels of amenity are achievable within the development itself and no objection is raised under Policy CP57.

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.

RECOMMENDATION: APPROVE subject to conditions:

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.

The equestrian and agricultural farm yard and buildings as shown on plan 784-20-21 (and hatched in red) shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling hereby approved, known as the Staddle Stone Barn, Emmotts Farm, Grimstead Road, West Grimstead SP5 3RQ. There shall be no subdivision of the planning unit.

Reason: To ensure that the residential property known as the Staddle Stone Barn is not occupied by anyone who is not associated with the existing farm and equestrian use at Emmotts Farm, in the interests of future amenities.

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

Planning Statement October 2015, Pegasus Group, received 28/10/15
Design and Access Statement, Favonius Architects, received 28/10/15
Heritage Statement August 2015, Elaine Milton, received 28/10/15
Structural Viability Report 7463:01 14/4/15 received 28/10/15
Chalkhill Environmental Consultants, Bat Survey 578-15 15/16 July 2015, received 28/10/15
Response from Jan Freeborn, Project Ecologist, Chalkhill Environmental Consultants, received 11/1/16
Photos of Victorian Barn (stables) roof received 11/2/16 from Mr. S Lock
Site Plan, 784-20-05 Jul 2015, received 28/10/15
Block Plan, 784-20-07 Jul 2015, received 28/10/15
Location Plan, 784-20-06A Jul 2015, received 3/11/15
Drainage Plan, 784-20-19 Aug 2015, received 28/10/15
Ground Floor Plan, 784-20-01A July 2015, received 9/2/16
First Floor Plan and Roof Plan, 784-20-02 Jul 2015, received 28/10/15
Sketch Sections, 784-20-08 July 2015, received 28/10/15
Sketch Section C-C, 784-20-22 Feb 16, received 2/2/16
Typical Window Detail and Rooflight Detail, 784-20-11A, received 2/2/16
Stable Elevations, 784-20-04B Jul 15, received 14/3/16
Proposed Elevations, 784-20-03 Jul 2015, received 28/10/15
Door Details Utility Door D04, 784-20-09 Jul 2015, received 28/10/15
Door Details D05, D06, 784-20-14 Jul 2015, received 28/10/15
Door Details Breakfast Room French Door D03, 784-20-10 Jul 15, received 28/10/15
Door Details D01, 784-20-13 Jul 15, received 28/10/15
Door Details D02, 784-20-12 Jul 15, received 28/10/15
Stable Doors, 784-20-15 Jul 2015, received 28/10/15
Staddle Stone Barn and Extent of Associated Equestrian/Farm Yard, Buildings and Garden Area, 784-20-21 Dec 2015, received 3/12/15

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

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

Reason: In the interests of neighbouring amenities

No development shall commence within the area indicated (proposed development site) until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

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

The development hereby approved shall be carried out in accordance with the recommendations made in section 7 of the Bat Survey report dated 15/16 July 2015

prepared by Chalkhill Environmental Consultants, as already submitted with the planning application and agreed in principle with the local planning authority before determination.

REASON: To ensure adequate protection and mitigation for protected species.

Only low-height, downward directional and passive infrared sensor lights shall be used on the east elevation of the barn conversion (Staddle Stone Barn) and the western elevation of the converted stables/garages/workshop building (Victorian Barn) and no external lighting shall be installed to the southern elevation of the adjacent Hay Barn, unless otherwise agreed in writing with the local planning authority. No other external lighting shall be installed on these elevations without the prior approval of the Council's Ecologist.

REASON: To maintain the farmyard as a dark corridor for foraging/commuting Natterer's and Common pipistrelle bats using the Hay Barn, and to limit the amount of light spillage into the site that may affect other foraging/commuting bats using the site, including Brown long-eared bats.

Before development takes place, details of the provision of bat roosting features into the converted buildings shall be submitted to the local planning authority for approval, including a plan showing the locations and types of features. The approved details shall be implemented before the dwelling hereby approved is first occupied.

REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework.

The development hereby approved shall be carried out in accordance with the designs for swallows depicted in the drawing 784-20-04B Stable Elevations and the photograph submitted on 11th February 2016 by Mr. S Lock showing that swallows would continue to be able to access the roof space in the converted barn.

REASON: To ensure adequate protection and mitigation for protected species.

INFORMATIVES:

Archaeological work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

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.

Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for advice on any special precautions before continuing (including the need for a derogation licence from Natural England). Please also be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

The applicant's attention is drawn to the comments on the website made by the drainage officer regarding foul and surface water drainage and the use of the treatment plant.

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way in the vicinity of the site Macks Lane (GRIM21) forms the east boundary to the site.

The property would be accessed by a public footpath known as Macks Lane (GRIM21). This is not recorded as a public vehicular highway. The only recorded public rights along it are on foot. In order to drive a vehicle along Macks Lane, the new householder would need to have a demonstrable private right of vehicular access and it is an offence to drive along a public footpath without lawful authority. Vehicular users are warned that they do so at their own risk and should be aware that if they do not have a vehicular right there is no guarantee that they will be able to continually access the property with vehicles.

The developer would be strongly encouraged to ensure that the converted buildings meet either the "very good" BREEAM standard or any such equivalent national measure of sustainable building which replaces that scheme. Please refer to Core Policy 41.

Appendix 1: Additional Report
Jan Freeborn, Project Ecologist, CHALKHILL ENVIRONMENTAL CONSULTANTS,
received 11/1/16

Point 1

No desk top study was carried out as part of the 2015 bat survey report by Chalkhill Environmental Consultants, but reference is made within the report of a Brown long-eared bat roost at the farmhouse of Emmotts Farm, West Grimstead. There are also other records for long-eared bats and Common pipistrelle bat roosts in the village.

Information about the roost of Brown Long-eared bats was provided by a family member who occupies the farmhouse. The loft space of this property which is outside the application area was surveyed by the ecologist for completeness and in order to take the opportunity of collecting more information about the status of bats within the immediate survey area. This daytime survey confirmed that what appeared to be a medium sized summer roost of Brown Long-eared bats (as judged by the appearance and quantity droppings) was present but no bats were seen during survey. The farmhouse may therefore be one of a number of roosts in the village familiar to the local population of Brown Long-eared bats. Since the farmhouse is in separate ownership and outside of the application area, it was not considered appropriate to include more detail about the survey of this roost in the report of July 2015.

Point 2

The buildings affected by the proposed development were assessed as having high potential for roosting bats in the report by Ahern Ecology dated 14th August 2014 (in the form of a letter to the applicant), which is provided as a separate appendix to the Chalkhill report (Appendix 5). For buildings assessed as having high potential for roosting bats, a combination of at least 3 separate surveys should be carried out, with at least two during the peak season between May and August, which were recommended in the 2014 report. No justification for only carrying out a single survey visit (a combined dusk emergence and dawn re-entry survey within 24 hours is considered to be one survey in the BCT guidelines, 2012) is provided in section 3 (limitations) of the report. No new assessment of the level of potential of the buildings was presented in the 2015 report, so it is not clear why only a single visit was deemed appropriate.

It is accepted that these buildings, unchanged since the previous survey, had features with a high potential for bats. However, it was considered that the finding of three bat droppings in this range of buildings during previous survey in August, a time of year when bats might be expected to be present in a summer roost, and the absence of any significant accumulations of bat droppings in these buildings on subsequent survey in July 2014 at a time of year when bats associated with buildings were likely to be present in summer roosts lessened this potential. However, it was because of these features that the July evening emergence/dawn return survey was carried out in order to make a preliminary assessment of the status of bats on the site which had not previously been carried out. This did reveal the presence of very low numbers of Natterer's and Pipistrelle bats, perhaps a few individuals only, in the hay barn on which no work is planned. The presence of these bats within the dark interior of this building was very obvious before dusk when exterior light levels were still very high. These bats were first heard on a bat detector by the surveying ecologist located within the yard and clearly seen flying within the building high up beneath the roof on a brief inspection while exterior light levels were still high. No similar activity was heard or seen within the other buildings assessed as having a high potential for bats on evening emergence survey and no bat echolocation calls were recorded on two Anabat bat detectors left running within the buildings 2 and 4 assessed as having a high potential for bats. No bats were seen returning to building 4 on dawn return survey. Very low levels of bat activity were observed in and around the yard on evening emergence survey and on dawn return survey. No bats were observed flying

at dusk or before dawn in numbers or in a way to suggest that these had recently emerged from or were returning to roosts in these buildings.

The July survey was carried out at a time of year and in conditions when bats were likely to have been active. Bats were observed flying and echolocating in the hay barn during this survey but there was no similar bat activity in the other buildings. No bats were seen emerging from these buildings, no significant accumulations of bat droppings were found, no overnight bat activity was recorded and no bats were seen returning at dawn. It was therefore considered that further survey effort would add little to the assessment of the status of bats on the site which had confirmed the presence of roosting bats in the hay barn.

Point 3

Any deviation from the BCT survey guidelines (Hundt, 2012) must be explained and fully justified in the report.

The preceding paragraphs explain and justify the deviation from the BCT survey guidelines.

Point 4

There is evidence of a Brown long-eared bat roost within the farmhouse at Emmotts Farm, which increases the likelihood of this species using other buildings within the farm complex and therefore the application site. Is one survey visit enough to ensure that roosts are not present in other buildings?

It is accepted that the presence of a Brown Long-eared bat roost within the farmhouse increases the likelihood of this species using other buildings within the application site. The presence of this roost during July survey was very evident from the accumulation of bat droppings on the loft floor, although no bats were observed during survey. The presence of Brown Long-eared bats which prefer to roost in voids is often initially detected because of the accumulations of bat droppings beneath their roosting location (as was the case within the loft space of the farmhouse). No such accumulation of bat droppings was found within the buildings surveyed. As a predominantly void roosting species when undisturbed Brown Long-eared bats, if present, can frequently be observed in their roosts.

Point 5

One surveyor carried out all the surveys, including the internal and external inspections of the buildings for evidence of bats and the emergence and re-entry activity surveys. A single surveyor would not have a sufficient view of all the buildings at any one time to ensure that emerging/returning bats were not missed, especially those that are difficult to hear using bat detectors, including Brown long-eared bats (which call very quietly or not at all). The surveyor was located in the centre of the courtyard surrounded by the buildings, so the rear elevations were not covered during the emergence survey (high potential for bats on the western elevation of building 4 would not have been seen) and bats could have been missed by the Anabat left in the roof space.

The dawn and dusk surveys of July 2014 were carried out as part of an initial assessment of the status of bats on the site. Further survey, if considered necessary, would have addressed these issues of methodology. The western elevation of building 4 was covered by the dawn return survey. The Anabats were tested at the beginning of deployment in the evening and before being switched off at dawn and the only activity recorded was these test recordings. These bat detectors were therefore working correctly and likely to have recorded any bats flying with the loft spaces of these buildings. Natterer's bats and Brown Long-eared bats (confirmed to be present within or near the application area) are known to fly within the buildings where these species roost before emerging. Quietly echolocating Brown Long-eared bats can usually be detected when flying in enclosed spaces within buildings. No bat echolocation calls were recorded on the Anabat bat detectors.

Point 6

Due to the fragility of the floors in buildings 2 and 4, these could not be fully assessed physically for signs of bats, so a thorough search for droppings and other evidence of roosting bats was not conducted. This should have meant that a more thorough activity survey was carried out to compensate, i.e. a higher number of dusk emergence and/or dawn re-entry activity surveys. This was not achieved.

Although the floors were fragile, survey with a powerful torch of these areas was possible from the top of the access stairs. No bats were seen flying or heard echolocating within buildings 2 and 4 on evening emergence survey during the times when Natterer's bats and Pipistrelle bats were very obviously active within the hay barn. No overnight activity was detected on the Anabat bat detectors in these buildings. No bats were seen emerging from these buildings. It was therefore considered that further survey would add little to information about the status of bats in these buildings.

Point 7

Natterer's bats and Common pipistrelle bats were found to be using buildings 2 and 3 within the complex of farm buildings.

This is an error. A few individuals only of Natterer's bats and Common pipistrelle bats were seen flying and heard echolocating within the hay barn which will not be affected by the proposed work. No bat activity was detected in buildings 2 and 3.

Point 8

The use of sites by bats, particularly brown long-eared bats, with several suitable buildings can be complex, with different buildings used for varying purposes at different times of year, and this has not been discussed.

Individual Brown Long-eared bats have been known to remain through part of the winter within the roosts occupied during the summer and this may be occurring within the farmhouse. No evidence of a summer roost of Brown Long-eared bats was found within the buildings surveyed and it is not considered that their structure would provide the cold and unfluctuating temperature gradients which hibernating bats require. The unlined corrugated metal sheet roof of the hay barn, the only building where the presence of roosting bats was confirmed, is likely to create a wide range of temperature gradients in winter. No remains of insect prey in the form of wings was found to suggest that bats, particularly Brown Long-eared bats, were using the buildings surveyed as feeding perches. No small accumulations of bat droppings were found to suggest that individual bats were using the buildings surveyed at night roosts.

Point 9

The site is approximately 5km west of the Mottisford Bats SAC and the potential for use by horseshoe bats has not been discussed.

*The Mottisfont woodland supports an important population of the rare barbastelle *Barbastella barbastellus*, an Annex II bat species, and this is the primary reason for the selection of this site as a SAC. Mottisfont contains a mix of woodland types including hazel coppice with standards, broadleaved plantation and coniferous plantation which the bats use for breeding, roosting, commuting and feeding. Although *Barbastella* bats will roost in barns, the habitat surrounding the application site is mainly pasture with poor connectivity to nearby small areas of woodland.*

It is accepted that horseshoe bats move long distances between roosts, often within a very short period of time and even during the same night. However, horseshoe bats, a void roosting species, are usually very apparent in summer as these species roost suspended from roof beams and deposits of bat droppings usually accumulate beneath these roost sites. No such accumulations of bat droppings were found during two summer surveys when horseshoe bats roosting in buildings are likely to be or to have recently been present and no accumulations of bat droppings consistent in appearance to those of horseshoe bats of either species were found. Horseshoe bats require flying access to buildings and it is accepted that flying access would be possible to several of the open fronted outbuildings, although these buildings would not provide the dark and sheltered conditions required by horseshoe bats in summer day roosts. Horseshoe bats will use unsheltered open fronted buildings at night roosts where deposits of droppings accumulate below the roost site. No droppings to suggest use by bats of any species of any of the buildings surveyed as a night roost were found. No horseshoe bats or accumulations of droppings consistent in appearances to those of horseshoe bats was found in any of the other buildings to which there was night time flying access. No echolocation calls of horseshoes bats were heard on survey or recorded on the Anabat bat detectors. None of the buildings surveyed were

assessed as being likely to provide the cold, undisturbed and fluctuating temperature conditions required by hibernating horseshoe bats in winter. In terms of buildings, these conditions are likely to be found in cellars and large and small stone buildings, none of which are present within the application area.

Point 10

The previous 2014 report by Ahern Ecology also found evidence of swifts and swallows nesting in the majority of the buildings, including those proposed for conversion (buildings 2, 4 and 5), but the Chalkhill Environmental report only recommends mitigation for swallows. Mitigation should be provided for both these species. An estimate of the number of nests would be useful in designing effective mitigation for these species, so that there is no net loss of nesting sites.

It is considered that the identification of nesting Swifts on the site during survey of August 2014 is an error. The photograph show in the August 2014 report as evidence that Swallows and Swifts were nesting on the site shows only Swallows. Swift nests are usually located in cavities in building walls or within enclosed voids at a height of at least 5 metres and usually much higher (eg church towers or multi-storey buildings). Swifts are a very aerial species and require height from which to drop from their nest sites in order to gather sufficient speed in order to fly to gain height. It is not considered that the buildings surveyed would provide sufficient height to be attractive to nesting Swifts. Swifts are a migrant species arriving relatively late in May and usually departing by early August. At the time of the August 2014 survey, any breeding Swifts on the site are likely to have already departed on their southern migration and any Swifts observed flying over the site during this time of year were likely to have been moving south during migration to their wintering areas. At the time of the mid-July survey, family groups of Swifts, including fledged young of the year which may have bred on the site were likely to have still been present and active at the time of the early evening survey. No such activity was observed. Swallows were seen entering the hay barn and a single roosting Swallow was encountered in the loft of building 2 when this building was inspected before emergence survey ended. Each pair of Swallows requires flying access through their own individual entrance which they will defend to the building where their nest is located. There is only a single entrance providing flying access to the hay barn and therefore it is likely that a single pair of Swallows only is nesting in this building. No alterations to this building are planned as part of the proposed development.

Point 11

No mitigation for nesting birds is currently shown on any of the elevations plans submitted with the application. The proposed wood store area on the eastern elevation and the porch on the northern elevation of the barn conversion would seem to offer opportunities for nesting swallows, depending on the number of nests that could be accommodated.

It is agreed that these structures may offer opportunities for nesting Swallows and, given the presence of at least one pair of breeding Swallows on the site, may be adopted as breeding locations by this species.

Point 12

Although it was observed that Natterer's and Common pipistrelle bats emerged from Building 3 during the emergence survey on 15th July 2015, it is not clear where these bats are roosting within the building (apart from a plan showing the location of bat droppings on page 25 of the 2014 Ahern Ecology report). Buildings 2 and 4 share walls with building 3, so works must take account of the likely presence of roosting bats, including the demolition of part of buildings 4 (northern end, 4B) and 6.

Buildings 2 and 4 are constructed against the wall of the hay barn (building 3) to which no alterations are planned. The precautionary recommendations outlined in the report of the July 2015 are aimed at avoiding disturbance and harm to the bats roosting in the hay barn. No concentrated accumulations of bat droppings were found within the hay barn during the surveys of August 2014 and July 2015, making it impossible to locate with any accuracy potential roost sites within this building. However, both Natterer's bats and Common pipistrelles are crevice roosting species, although Natterer's bats when roosting in buildings prefer to have dark undisturbed conditions in which to fly before emerging from the building

in which their roost is present. Common pipistrelles roosting within buildings will fly and feed in dark sheltered conditions within these buildings, particularly in adverse weather conditions. The roof frame of the hay barn, which supports an unlined corrugated metal roof, is constructed from combination of modern repair/replacement beams and substantial traditional timber beams with complex joints and junctions. This construction would provide the crevice roosting opportunities required by both Natterer's bats and Pipistrelle bats. At the start of evening emergence survey, these bats were observed flying and heard echolocating in the hay barn in the dark conditions high up beneath the roof while exterior light levels were still very high. These echolocation calls were detected by the surveying ecologists located in the centre of the adjacent yard and on a brief inspection of the interior the bats were seen flying. After feeding for a few minutes within the hay barn, a single Pipistrelle bat emerged from the entrance to the hay barn and flew swiftly away from the site. The dusk emergence of Pipistrelles from crevice roosts in buildings but not within their interiors can be spread over up to forty-five minutes in roosts where high numbers of bats are present with some individuals emerging at or shortly before dusk and some individuals emerging not until complete darkness. There is therefore some individual variability in times of emergence in this species.

The Natterer's bats continued to be heard echolocating within the barn whilst exterior light levels were still high. Because of the ongoing bat activity within the dark conditions of the hay barn, the surveying ecologist briefly inspected the interiors of buildings 2 and 4 for similar activity but none was heard or observed. During these inspections, exterior light levels remained high. Because of this behaviour which was consistent with that of Natterer's bats, it was concluded that these bats were roosting within the hay barn, likely in roosts located within complex junctions and joints of the substantial traditional timber roof frame, and had not entered the hay barn to fly within this building from roosts elsewhere within the building complex.

The surveying ecologist then returned to the survey point in the yard. The echolocation calls of Natterer's bats flying within the hay barn continued to be heard until exterior light levels fell although these bats were not observed emerging from the open front of the hay barn. Having confirmed that bats were likely to be roosting within the hay barn which will not be affected by the proposed work, the efforts of the surveying ecologists were concentrated on the other buildings with a high potential for the presence of bats within the application area.

Point 13

The submitted survey report by Chalkhill Environmental Consultants dated July 2015 is therefore considered to be insufficient and an amended report, including a justification for the methodology used that deviates from the BCT survey guidelines and the issues listed above, must be submitted before determination. If the justification cannot be provided or is considered to be insufficient, then further activity surveys for bats would be required during the next optimal season between May and August 2016.

The foregoing comments are designed to provide a sufficient justification for the deviation from the survey methodology suggested in the BCT survey guidelines.

Point 14

Provision for roosting bats should also be made within the barn conversion (Staddlestone barn or building 4) and the stables (Victorian Barn or building 2). This would retain the potential for roosting bats on site and would not result in a net loss of biodiversity. It could also be viewed as an enhancement of the site in accordance with paragraph 118 of the National Planning Policy Framework. For example, provision for roosting bats could be made within the roof space of the stables and above the first floor bedroom's ensuite in the barn conversion.

Consideration could be given to making provision for roosting bats in the building 4 and building 2.

Point 15

Provision for nesting birds and roosting bats must be designed to be in-keeping with the listed status of the buildings.

The listed status of the building makes this essential.

Point 16

The retention and protection of the hay barn used by Natterer's and Common pipistrelle bats must be secured as a planning condition.

Comment is not possible regarding securing the bat roost in this building through a planning condition. No alterations to the hay barn are planned as part of the proposed development or any change of use. The building will continue as now as an actively used working building within the yard complex. The bats and their roost within this building are already subject to and will continue to be subject to the legislation which protects all British bats and their roosts.

The precautionary recommendations included in the report of the survey of July 2015 take account of the presence of the bats in the hay barn and include measures to be taken through the use of methods and timings of work to avoid harm and disturbance to these bats during the proposed work and following its completion.

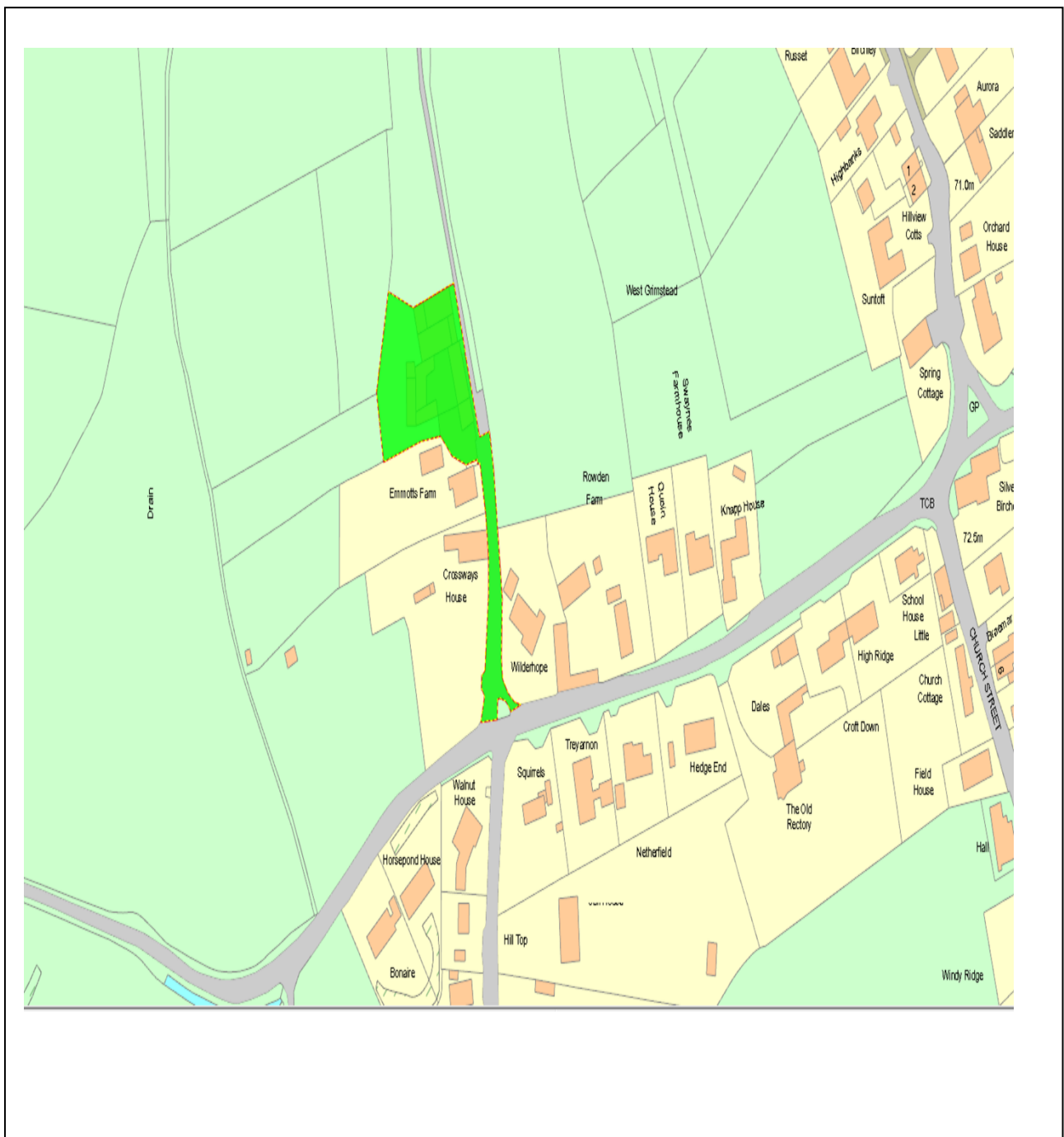
The report of the survey of July 2015 makes it clear that if a planning application regarding any change of use of this building is made in the future, further surveys will be necessary and a mitigation licence from Natural England is likely to be required.

Jan Freeborn

Project Ecologist

CHALKHILL ENVIRONMENTAL CONSULTANTS

Application Number	15/10727/FUL
Site Address	Emmotts Farm, Grimstead Road, West Grimstead, SP5 3RQ
Proposal	Alterations, extensions, and conversion of existing Staddle Stone barn and attached stable to form three bedroom dwelling with creation of associated garden. Alterations and extension of Victorian barn to create stables, garaging and workshop. Associated works including removal of lean-to structures within yard area
Case Officer	Becky Jones



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 7

Date of Meeting	7 th April 2016
Application Number	15/11944/FUL
Site Address	Co-op Food 65 Bulford Road Durrington SP4 8DL
Proposal	Proposed installation of an automated teller machine and non-illuminated top sign.
Applicant	Cardtronics UK Ltd
Town/Parish Council	DURRINGTON
Electoral Division	DURRINGTON AND LARKHILL (Cllr Graham Wright)
Grid Ref	416063 144265
Type of application	Full Planning
Case Officer	Laura Baker

Reason for the application being considered by Committee

Councillor Graham Wright wants this matter to be considered by Committee due to Highway Safety concerns.

1. Purpose of Report

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

2. Report Summary

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

- Visual impact and Design
- Highway considerations
- Impact on Neighbour Amenity

The application has raised objections from Durrington Parish Council, 1 letter of objection has been received.

3. Site Description

The application site lies on a corner plot on the northern side of the Bulford Road and New Road junction within the village of Durrington. The area is predominantly residential with retail units and a doctor's surgery neighbouring to the north of the site. Situated approximately 150m to the south off School Drive is the Durrington Junior School. The site

does not fall within a conservation area, nor are there any listed buildings within the vicinity. The site has its own car park to the rear that accommodates 14 spaces.

4. Planning History

S/2004/1067	Installation of Automatic Teller Machine	Approved with conditions – June 2004
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5. The Proposal

The application seeks planning permission for the installation of an Automatic Teller Machine (ATM) on the front elevation of the building facing onto Bulford Road. Permission was previously granted in 2004 but the works have not been implemented. The proposal also incorporates advertisements associated with the ATM which are subject to an accompanying Advertisement Consent Application (15/12231/ADV).

6. Local Planning Policy

National Planning Policy Framework (NPPF):

- Section 7: Requiring good design

The Wiltshire Core Strategy (WCS) – Adopted January 2015:

- CP57 (Ensuring high Quality Design and Place Shaping)
- CP61 (Highway Safety)

7. Summary of consultation responses

Local Highways Authority – No objections

Parish Council – Objections

8. Publicity

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

1 letter of representation have been received which objects to the proposal on the basis of harm to the community that would result from possible parking issues that may be associated with the scheme.

Bulford Parish Council – Object to the application

“We have concerns over road and pedestrian safety due to its location facing a controlled pedestrian crossing adjacent to a bus stop and next to a busy parking area for the Chemist and a Doctors surgery opposite. This section of road is frequently blocked by delivery vehicles gaining access to the rear of the shop and despite traffic restrictions

drivers illegally park on the crossing white lines directly adjacent to the proposed location. Whilst supplying a good service for pedestrians it will encourage some drivers to illegally park when using the facilities and only exacerbate the traffic problem in this area.”

Highway Officer – No objections to the application

“The ATM will be attached to an existing food / convenience store and whilst some users of the ATM may drive to the site solely to use the machine, many will combine it with a visit to the Co-op. It serves the local community, some of whom will walk and will benefit from a conveniently located ATM. The Co-op has a reasonable sized accessible car park to the rear of the store for the use of all customers. I also note that there are parking restrictions (double yellow lines) on New Road, adjacent to the Co-op and the location of the zebra crossing and zigzag markings should prevent parking directly to the front of the store, as it is an offence to park on zigzag markings.

I have considered the proposal and I note the concern of the local residents however I wish to raise no highway objection to the ATM or the associated signage.”

9. Planning Considerations

9.1 Visual impact and Design

In terms of the impact of the proposed ATM on visual amenity, it is not considered that there would be a significant impact. The site is already used as a local shop unit and an ATM is a common occurrence with this type of unit. It is not considered that an addition of this nature would have any detrimental impact on the visual amenity of the area.

The ATM is proposed to be sited on the front elevation of the unit facing on to the Bulford Road. It is not considered that any negative impact would result on visual amenity with the proposed location.

9.2 Impact on Highway Safety

As previously advised the site is located on the junction of the Bulford Road and New Road, there is also a pedestrian zebra crossing on the Bulford Road adjacent to the site. Concerns have been raised by the Parish and local residents with regards to the impact that the insertion of an ATM at this site may have on the Highway Safety of the area. Concerns relate to the potential for people stopping outside the site by the zebra crossing to get out and use the machine and the impact this may have on the safety of the crossing.

The Highway Officer has been consulted on the scheme and whilst acknowledging the concerns, do not raise any objections to the scheme. As stated within their comments, the site has a reasonably sized car park to the rear of the site for use by the Co-Op customers which holds 14 spaces. Furthermore, there are parking restrictions (double yellow lines) on New Road, adjacent to the Co-op and the location of the zebra crossing and zigzag markings should prevent parking directly to the front of the store, as it is an offence to park

on zigzag markings. This shows that there are prevention methods in place to stop people parking dangerously by the zebra crossing and site as a whole.

It is not considered that the works can be recommended for refusal on the grounds of highway safety given the existing parking restrictions that are in place and existing car park as it is not a planning consideration whether people choose to park safely.

9.3 Impact on Neighbour Amenity

It is not considered that the development will result in any negative impact on the amenity of the neighbouring residents. The site is an existing local convenience store and whilst some users of the ATM may visit the site solely for the purpose of using the machine, many visitors will combine it with a visit to the Co-op. It is not considered that the use of the ATM would result in an increase in footfall that would result in significant detriment being caused to neighbour amenity by way of an increase in noise or privacy.

10. Conclusion

The proposed development, by virtue of its siting, setting and scale, is considered to be acceptable with no resulting significant impact to neighbour amenity, visual amenity or the highway safety. It is therefore considered that the application be in accordance with Core Policy 57 and 58 of the adopted Wiltshire Core Strategy and government guidance contained within the NPPF and PPG.

Subject to conditions, it is not considered that the scheme will have an adverse impact upon highway safety or visual amenity and is therefore recommended for approval.

RECOMMENDATION: To grant planning permission subject to the following conditions:

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

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

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

- Site Location Plan
- Block Plan
- External Security Wall Construction Drawing
- Drawing No. E017970
- Drawing No. NW0187

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

Application Number	15/11944/FUL
Site Address	Co-op Food, 65 Bulford Road, Durrington, SP4 8DL
Proposal	Proposed installation of an automated teller machine and non-illuminated top sign.
Case Officer	Laura Baker



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 6

Date of Meeting	7 th April 2016
Application Number	15/10868/LBC
Site Address	Emmotts Farm Grimstead Road West Grimstead SP5 3RQ
Proposal	Alterations, extensions, and conversion of existing staddle stone barn and attached stable to form three bedroom dwelling with creation of associated garden. Alterations and extension of Victorian barn to create stables, garaging and workshop. Associated works including removal of lean-to structures within yard area
Applicant	Miss Hayley Clark
Town/Parish Council	GRIMSTEAD
Electoral Division	ALDERBURY AND WHITEPARISH – Cllr. Richard Britton
Grid Ref	420803 126698
Type of application	Listed Building Consent
Case Officer	Becky Jones

Reason for the application being considered by Committee:

Officers do not have delegated powers to determine the application which has been made by a member of planning staff and where an objection has been received.

1. Purpose of Report

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

2. Report Summary

The main planning issues to consider are:

- Impact on the historic character and fabric of the Grade II listed Staddle Stone Barn and the curtilage listed Victorian Barn

The application has generated 1 letter of no objection from Grimstead Parish Council and 2 letters of support. One letter of objection was received under this listed building application regarding the impact on the Staddle Stone barn.

3. Site Description

The site comprises three barns at Emmotts Farm, West Grimstead which are centred around a main farmyard and the farmhouse known as Emmotts Farm. Two of the barns are Grade II listed (Hay Barn and Staddle Stone Barn) and the other barn (Victorian Barn) is curtilage listed as part of the Grade II listed Emmotts Farm. The site is not located within a Conservation Area. The farm is currently used for the keeping and riding of horses and other small scale farming activities.

The Staddle Stone barn is currently used for general storage and a chicken house. To the east and north of the barn are unstable lean to structures and an attached, modern structure used as stables and a workshop.

The Hay Barn is used for this purpose and is not affected by the proposals.

The Victorian Barn comprises storage and workshop areas and was originally the dairy. It has an attached lean to structure adjacent to the Hay Barn. To the south is a garage which would continue to serve the farmhouse.

Should consent be granted, the converted barn would be used as the applicant's residence.

4. Planning History

15/10868/LBC	Alterations, extensions and conversion of existing staddle stone barn and attached stable to form three bedroom dwelling with creation of associated garden. Alterations and extension of Victorian barn to create stables, garaging and workshop. Associated works including removal of lean-to structures within yard area
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5. The Proposal

The applicant is proposing to alter, extend and convert the existing Staddle Stone barn and attached stable to form a three bedroom dwelling with a garden area. The Victorian barn would also be altered and extended to create stables, garaging and a workshop, as part of the new residential curtilage. Associated works include removal of modern lean to structures in the yard. Access to the dwelling would be from the existing farm access, which has been used to access the farm for more than 20 years. Foul drainage would be to a package treatment plant, as the levels on the site require pumps and a pump chamber.

Materials include:

- Salvaged plain clay tiles for the Staddle Stone barn roof.
- Natural slate for lean to extension and stable conversion, proposed garage, stables and workshop
- Timber feather edge boarding for wall cladding.
- Handmade bricks to blend with yard wall for plinth walls.
- Painted hardwood timber windows. Unfinished green oak to breakfast room frames.
- Repairs to Victorian barn roof. Timber feather edge boarding to walls. Handmade bricks for plinth and panels. Retain east elevation cladding.

The following documents have been submitted:

- Planning, Design and Access Statements
- Heritage Statement
- Structural Viability Report

- Bat Survey with evening emergence and dawn return surveys

6. Local Planning Policy

National Planning Policy Framework (NPPF) and NPPG

Conserving and enhancing the natural environment

Wiltshire Core Strategy (WCS):

Core Policy 58: Ensuring the conservation of the historic environment

Planning (Listed Building and Conservation Areas) Act 1990

Section 66: Special considerations affecting planning functions

7. Summary of consultation responses

Conservation – no objection subject to conditions

8. Publicity

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

2 letters of support were received:

- Support for using disused building and help fill a need for village housing.
- Satisfied with the proposed design and materials which will blend well with their surroundings and do much to enhance the village.

1 letter of objection was received (representing Wiltshire Archaeological & Natural History Society – WANHS and Agent for the Council of British Archaeology (CBA) under the accompanying listed building application which raises issues to be considered as part of this planning application. See Conservation section below. These issues are considered by the Conservation Officer under impact on the Grade II listed building.

9. Planning Considerations

Impact on the historic character and fabric of the Grade II listed Staddle Stone Barn and the curtilage listed Victorian Barn

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Conservation policies of the Core Strategy and the NPPF seek to ensure that the existing character of the listed building and the settings of nearby listed buildings would not

be harmed and the existing character of the Conservation Area would be preserved or enhanced. The NPPF states:

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 assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

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 securing its optimum viable use.

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. Heritage assets include Listed Buildings and Conservation Areas.

The Conservation Officer has responded and suggested some conditions:

We have reports including a heritage impact assessment table (see Elaine Milton's report) and an engineer's report. I welcome the retention of the larger barn as storage, the conversion of this building would be problematic.

Conversion of staddle barn:

I welcome the removal of the lean-to structure abutting the east elevation of the staddle barn and south elevation of the stables (see photo fig 5 of historic report). I concur with Elaine Milton's assessment that it is of no significance.

Issue of repairs necessary to facilitate conversion:

As is typical with such applications, we don't know the precise extent of repairs (or which timbers) until the building is gently picked apart (although Andrew Waring's report does say that the structural timbers are generally in good condition but joists are in poor condition). As with the barn next door, I recommend that we have a condition requiring a detailed examination of the timbers once there has been some limited opening up, with a schedule submitted to us for approval highlighting where timbers are to be replaced (and with what); where there are to be repairs (ie scarfed on resin or what?). Also I note that the section drawing talks about replacing the timber floor and floor joists. Mr Waring's report says that the grillage You might want to look at the condition attached to the application at Rowden's Farm 15/00153/FUL.

At the moment there is a combination of a brick plinth and staddle stones. The staddle

stones will be reset on new concrete pads. I have no objection to this, as this is standard practice in relation to staddle barns undergoing a change of use. There is no impact on character or historic fabric (the staddle stones being retained and reset).

Replacement brick plinth and new brick plinth to 'garden' room. No objection but would wish to approve a sample panel of bricks and mortar so could we condition please?

Can we have details of the new mezzanine timber floor? It says it is to be supported independently but I can't see a detail for this and the section (B-B) doesn't appear to show it as independent on the section drawing (784-20-08). Also can we have clarification that the existing collars are left unaltered. Officer note: These details have now been submitted and are satisfactory.

Re garden room – no objection to door details (drawing no 784-20-10). Assume they are timber though (the windows too). Perhaps we could have a condition making it clear windows and doors to be timber?

And I have no objection to the creation of an undercroft store (accessed through the floor internally) as this will be set in from the sides of the barn and therefore not visible.

No objection to the new steps up to the door.

New door – we have details (drawing 784-20-13). No objection on the basis that the door is timber, flagged by barn doors (fixed open) and that it is rebated within the opening (which appears to be the case – see section). The same goes for the new door on the corresponding side (west) – drawing 784-20-12.

Rooflights – 3 on west elevation and two on east elevation. Drawing 784-20-11 – can we be clear that the front elevation rooflight (with the vertical glazing bar) is for the east and west elevations (drawing 784-20-03 shows conservation-style rooflights).

New windows on the west elevation (drawing 784-20-11): I would prefer to see them more concealed ie less frame visible and concealed by the timber cladding but perhaps this inhibits the opening arrangement? Could we seek some clarification on this please?

Officer note: These details have now been clarified and are satisfactory.

No objection to new north elevation door (staddle barn) – as per drawing 784-20-90

Suggested conditions for the staddle barn:

Repairs schedule for timber framing – allowing them to open up but proceed no further with the works until we have approved a repair schedule and methodology

Timber cladding – could we condition a sample please (including treatment)?

Clay roof tiles – samples (unless we are talking about only a very small amount)

More details of glazed balustrades please (south and west elevation). Could be conditioned.

Clarification regarding rooflights.

Eaves detail (including guttering). I would want a condition requiring a section through the eaves please

Re the single storey attached to the east side of the staddle barn

No objection to proposed d/g timber doors (drawing no 784-20-14)

No objection to windows on rear (assume these are shown on drawing 784-20-03)

Suggested conditions for single storey extension to saddle barn (east)

Clarification regarding rooflights (conservation-style)

A section through the eaves to show the gutters and eaves detailing (1:10 section please)

Garage/stable building

This is referred to as the Victorian barn in the historic report. It is of some interest as part of the group but little in its own right. I have no objection to the proposed changes although I would want a condition to cover any new timber cladding and new roofing materials.

One letter of objection was received to the accompanying listed building application as follows:

- The changes to all the buildings cannot be considered as there is no detailed historical context of the property as a whole by which to make an assessment.
- The proposed changes to the staddle stone barn are deceptive as it actually destroys the total concept a structure mounted on staddle stones.
- The proposal entails removing the staddle stones and re-positioning them so that they no longer support the barn but a positioned to be but a “visual memory” of the original.
- Previous work is evident where the staddle stones have been built into a wall to support the original timbers and it is unclear how this “modification” is to be treated.
- The installation of an under-croft further destroys the original concept of the staddle stone barn, few of which survive in Wiltshire of this size.
- With the potential loss of such a key listed structure, a detailed historic record of all the buildings and their relationship should be made.
- This application concerning the destruction of the staddle stone barn should not be approved.

In response, the Conservation officer noted:

1. Has the objector not seen Elaine Milton’s historic report and heritage impact assessment? This is a very thorough document and more than sufficient to establish the historic interest and significance of the complex.
2. The proposals retain the staddle barn on staddle stones. The staddle stones are reset and the partial brick plinth, which already exists, rebuilt but not extended. The building will read as a staddle barn thereby retaining character and preserving its significance.
3. The staddle stones will be repositioned in appropriate locations following underpinning. This is standard when staddle barns are upgraded.
4. The drawings show that the brick plinth later modifications (surrounding the staddle stones) will be rebuilt to replace existing.
5. We have a great number of staddle stone barns. That is not to say they are not important – this is a grade II listed building.
6. The staddle stone barn is not being destroyed. It is being repaired and re-used and the quality of supporting information suggests in a sensitive way.

In conclusion, subject to conditions, it is considered that the development would lead to less than substantial harm to the significance of the Grade II listed barn and the curtilage listed barn. The proposal would comply with Policy CP58 and the NPPF.

RECOMMENDATION: APPROVE subject to conditions:

The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Planning Statement October 2015, Pegasus Group, received 28/10/15
Design and Access Statement, Favonius Architects, received 28/10/15
Heritage Statement August 2015, Elaine Milton, received 28/10/15
Structural Viability Report 7463:01 14/4/15 received 28/10/15
Chalkhill Environmental Consultants, Bat Survey 578-15 15/16 July 2015, received 28/10/15
Response from Jan Freeborn, Project Ecologist, Chalkhill Environmental Consultants, received 11/1/16
Photos of Victorian Barn (stables) roof received 11/2/16 from Mr. S Lock
Site Plan, 784-20-05 Jul 2015, received 28/10/15
Block Plan, 784-20-07 Jul 2015, received 28/10/15
Location Plan, 784-20-06A Jul 2015, received 3/11/15
Drainage Plan, 784-20-19 Aug 2015, received 28/10/15
Ground Floor Plan, 784-20-01A July 2015, received 9/2/16
First Floor Plan and Roof Plan, 784-20-02 Jul 2015, received 28/10/15
Sketch Sections, 784-20-08 July 2015, received 28/10/15
Sketch Section C-C, 784-20-22 Feb 16, received 2/2/16
Typical Window Detail and Rooflight Detail, 784-20-11A, received 2/2/16
Stable Elevations, 784-20-04B Jul 15, received 14/3/16
Proposed Elevations, 784-20-03 Jul 2015, received 28/10/15
Door Details Utility Door D04, 784-20-09 Jul 2015, received 28/10/15
Door Details D05, D06, 784-20-14 Jul 2015, received 28/10/15
Door Details Breakfast Room French Door D03, 784-20-10 Jul 15, received 28/10/15
Door Details D01, 784-20-13 Jul 15, received 28/10/15
Door Details D02, 784-20-12 Jul 15, received 28/10/15
Stable Doors, 784-20-15 Jul 2015, received 28/10/15
Staddle Stone Barn and Extent of Associated Equestrian/Farm Yard, Buildings and Garden Area, 784-20-21 Dec 2015, received 3/12/15

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

Notwithstanding the approved drawings, the building shall be stripped back to its frame and the roof tiles and weatherboarding shall be removed. No further works shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (i) A full photographic survey including analysis and photographic record of the existing frame (in situ and unrepaired) and floor and an accompanying schedule of works identifying those timbers to be either repaired, removed or scarfed. Evidence of overriding structural reasons will be required in the schedule to justify removal of historic timbers.
- (ii) A site visit with the Conservation officer shall be arranged, to agree the schedule of works, before any further works take place.

The works shall then be carried out in accordance with the details and schedule of works to be approved in writing.

REASON: The timber frame and floor is of historic interest in its own right. Their retention is in the interest of preserving the character and appearance of the listed building.

Notwithstanding the approved drawings, no works (including deconstruction) shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- i) Full details and samples of external materials including samples of the plain clay roof tiles, natural slate, handmade bricks and details of the timber cladding (including treatment) for the walls.
- ii) Full details of the glazed balustrades for the south and west elevations
- iii) A section through the eaves to show the gutters and eaves detailing (1:10 section)

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

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site showing the brick type and mortar joint, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: in the interests of visual amenity and the character of the listed building.

All new windows and doors hereby approved shall be timber, in accordance with the approved plans and details. Any rooflights shall be conservation style rooflights.

REASON: in the interests of visual amenity and the character of the listed building.

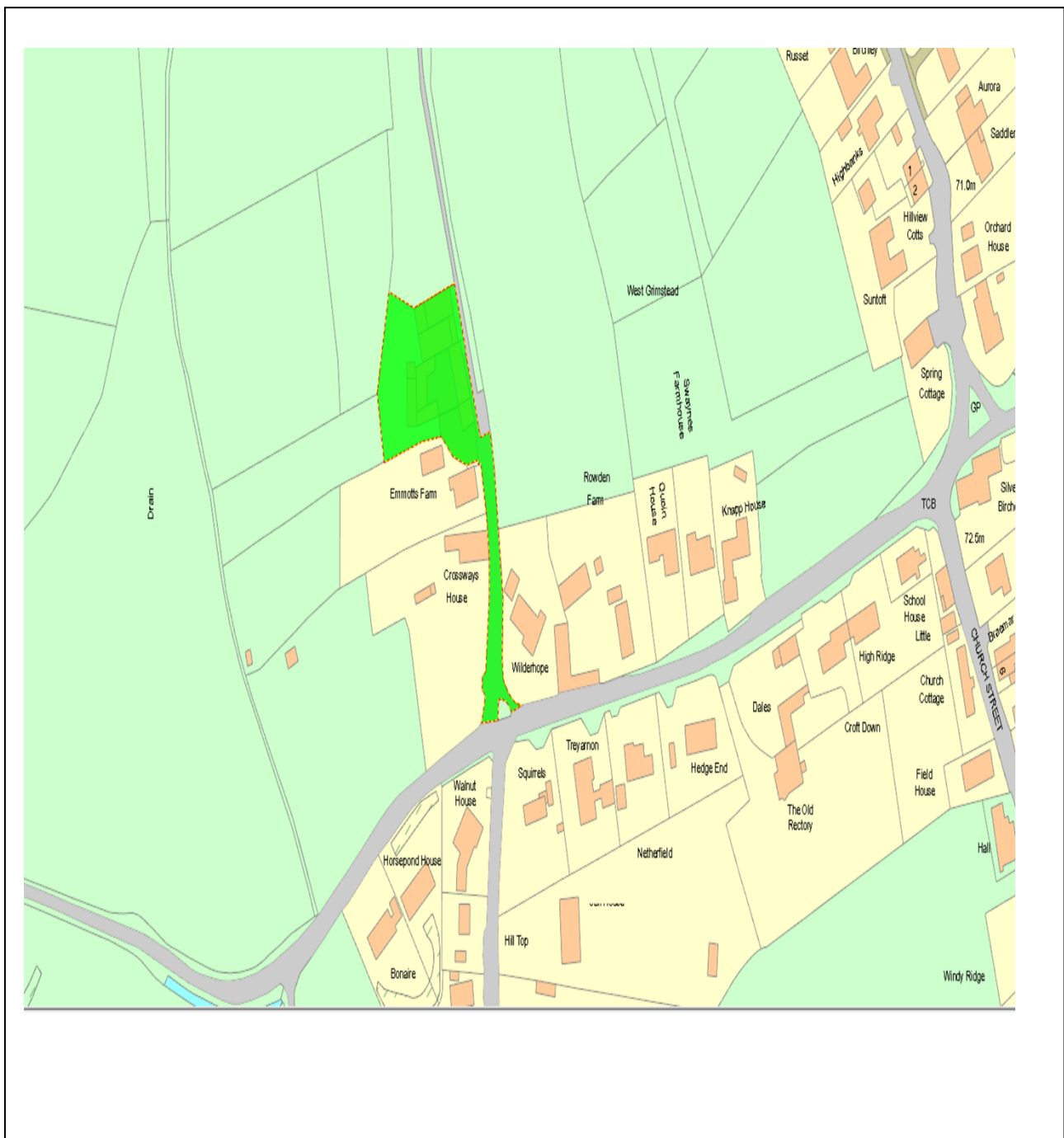
INFORMATIVES:

Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for advice on any special precautions before continuing (including the need for a derogation licence from Natural England). Please also be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be

undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

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Application Number	15/10868/LBC
Site Address	Emmotts Farm, Grimstead Road, West Grimstead, SP5 3RQ
Proposal	Alterations, extensions, and conversion of existing Staddle Stone barn and attached stable to form three bedroom dwelling with creation of associated garden. Alterations and extension of Victorian barn to create stables, garaging and workshop. Associated works including removal of lean-to structures within yard area
Case Officer	Becky Jones



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 8

Date of Meeting	7 th April 2016
Application Number	15/12231/ADV
Site Address	Co-op Food 65 Bulford Road Durrington SP4 8DL
Proposal	Proposed installation of an automated teller machine and non-illuminated top sign.
Applicant	Cardtronics UK Ltd
Town/Parish Council	DURRINGTON
Electoral Division	DURRINGTON AND LARKHILL (Cllr Graham Wright)
Grid Ref	416063 144265
Type of application	Advertisement Consent Application
Case Officer	Laura Baker

Reason for the application being considered by Committee

Councillor Graham Wright wants this matter to be considered by Committee due to Highway Safety concerns.

1. Purpose of Report

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

2. Report Summary

The application has raised objections from Durrington Parish Council, 1 letter of objection has been received regards to accompanying full application for the ATM.

3. Site Description

The application site lies on a corner plot on the northern side of the Bulford Road and New Road junction within the village of Durrington. The area is predominantly residential with retail units and a doctor's surgery neighbouring to the north of the site. Situated approximately 150m to the south off School Drive is the Durrington Junior School. The site does not fall within a conservation area, nor are there any listed buildings within the vicinity. The site has its own car park to the rear that accommodates 14 spaces.

4. Planning History

S/2004/1067	Installation of Automatic Teller Machine	Approved with conditions – June 2004
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5. The Proposal

The application seeks advertisement consent for signage associated with a full planning application that this application runs alongside for the installation of an Automatic Teller Machine (ATM) on the front elevation of the building facing onto Bulford Road (15/11944/FUL). Permission was previously granted in 2004 for an ATM on the site but the works have not been implemented.

6. Local Planning Policy

National Planning Policy Framework (NPPF):

- Section 7: Requiring good design
- Paragraph 67

Wiltshire Core Strategy (WCS):

- Core Policy 57: Ensuring high quality design and place shaping

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Shopfronts an Advertisement Design (Supplementary Planning Guidance)

7. Summary of consultation responses

Local Highways Authority – No objections

Parish Council – Objections

8. Publicity

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

1 letter of representation have been received which objects to the proposal on the basis of harm to the community that would result from possible parking issues that may be associated with the scheme.

Bulford Parish Council – Object to the application

“We have concerns over road and pedestrian safety due to its location facing a controlled pedestrian crossing adjacent to a bus stop and next to a busy parking area for the Chemist and a Doctors surgery opposite. This section of road is frequently blocked by

delivery vehicles gaining access to the rear of the shop and despite traffic restrictions drivers illegally park on the crossing white lines directly adjacent to the proposed location. Whilst supplying a good service for pedestrians it will encourage some drivers to illegally park when using the facilities and only exacerbate the traffic problem in this area.”

Highway Officer – No objections to the application

“The ATM will be attached to an existing food / convenience store and whilst some users of the ATM may drive to the site solely to use the machine, many will combine it with a visit to the Co-op. It serves the local community, some of whom will walk and will benefit from a conveniently located ATM. The Co-op has a reasonable sized accessible car park to the rear of the store for the use of all customers. I also note that there are parking restrictions (double yellow lines) on New Road, adjacent to the Co-op and the location of the zebra crossing and zigzag markings should prevent parking directly to the front of the store, as it is an offence to park on zigzag markings.

I have considered the proposal and I note the concern of the local residents however I wish to raise no highway objection to the ATM or the associated signage.”

9. Planning Considerations

9.1 Impact on the Amenity of the Area

The signage associated with the ATM is of a colour and design that are standard for the Co-operative and universal throughout their stores. The proposed signage includes a green and white sign advertising the ATM placed directly above the ATM and is not proposed to be illuminated. It is considered that the signage would sit comfortably on the unit. The site is already used as a local shop unit and an ATM is a common occurrence with this type of use, the addition of this signage would not give the appearance of the elevation being cluttered. It is not considered that an addition of this nature would have any detrimental impact on the amenity of the area.

The ATM and signage is proposed to be sited on the front elevation of the unit facing on to the Bulford Road. It is not considered that any negative impact would result on visual amenity with the proposed location.

9.2 Impact on Public Safety

It is not considered that there would be any increased risk to public safety with the replacement signage. The proposed sign, by reason of its size and positioning, would not project or overhang the public highway in a manner which would harm the safety of those using the public highway.

The proposed signs, by reason of their positioning, design and non-illumination, would not distract those using the highway. Wiltshire Highways have no highway safety concerns.

Consequently, it is considered that the proposal would not present a safety risk to the public.

10. Conclusion

The proposed sign is considered to be acceptable by virtue of public safety and its limited impact on amenity, and are therefore considered to be in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework.

Subject to conditions, it is not considered that the scheme will have an adverse impact upon the amenity of the area or public safety and is therefore recommended for approval.

RECOMMENDATION: To grant advertisement consent subject to the following conditions:

(1) This consent shall expire at the end of the period of 5 years from the date of this Notice.

REASON: To comply with Regulations 14 (7) and (8) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

(2) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to—

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON: To comply with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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

- Site Location Plan
- Drawing No. E017970
- Drawing No. N W0303

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

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Application Number	15/12231/ADV
Site Address	Co-op Food, 65 Bulford Road, Durrington, SP4 8DL
Proposal	Proposed installation of an automated teller machine and non-illuminated top sign.
Case Officer	Laura Baker



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