

# AGENDA

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**Meeting:** Southern Area Planning Committee  
**Place:** Sarum Academy, Westwood Road, Salisbury, Wiltshire, SP2 9HS  
**Date:** Thursday 9 June 2016  
**Time:** 6.00 pm

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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](mailto: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	

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## 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 5 - 20*)

To approve and sign as a correct record the minutes of the meeting held on 28 April 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 Wednesday 2<sup>nd</sup> June 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- 22*)

To receive details of completed and pending appeals.

7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

7a **16/03468/FUL: Oak View, High Post Road, Netton** (*Pages 23 - 34*)

Proposed construction of new detached dwelling and relocation of existing access to serve new dwelling. Creation of new access to serve existing dwelling. (resubmission of 15/09441/FUL)

7b **16/02517/FUL: Deems, Rolleston Road, Shrewton, Wiltshire, SP3 4HG** (*Pages 35 - 42*)

Proposed single storey side & rear extensions (amendment to 15/07754/FUL)

7c **16/02778/FUL: 22 Cholderton, Salisbury, SP4 0DL** (*Pages 43 - 66*)

Single storey rear extension.

7d **16/02547/DP3: Winterbourne Earls School, Winterbourne Earls, Salisbury, SP4 6HA** (*Pages 67 - 74*)

Proposed renewal of permission for two existing mobile classrooms.

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**

## **SOUTHERN AREA PLANNING COMMITTEE**

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**MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 28 APRIL 2016 AT SARUM ACADEMY, WESTWOOD ROAD, SALISBURY, WILTSHIRE, SP2 9HS.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Ian West, Cllr Peter Edge (Substitute - Part II), Cllr Ricky Rogers (Substitute - Part II) and Cllr John Smale (Substitute - Part II)

**Also Present:**

Cllr George Jeans, Cllr Bill Moss

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**28 Apologies for Absence**

Apologies for absence were received from:

- Cllr Brian Dalton who was substituted by Cllr Peter Edge
- Cllr Ian Tomes who was substituted by Cllr Ricky Rogers
- Cllr Jose Green who was substituted by Cllr John Smale

**29 Minutes**

The minutes of the meeting held on Thursday 7 April 2016 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes.**

**30 Declarations of Interest**

The following interests were declared:

- In relation to 7b 15/10824/FUL - Cllr Richard Clewer explained that as he was the Portfolio holder for Housing, he would not vote on this application.

- In relation to 7b 15/10824/FUL – Cllr Fred Westmoreland explained that he was on the Housing Board, but as this was not a disclosable pecuniary interest he would vote on the application.

31 **Chairman's Announcements**

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

32 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation. No formal questions had been received for this meeting.

33 **Planning Appeals**

The committee received details of planning appeals lodged and those determined for the period 21 March to 14 April 2016.

**Resolved: That the report be received and noted.**

34 **Planning Applications**

35 **16/00550/FUL - 23, Milford Street, Salisbury**

Public Participation

Mr Guy Macklin (Applicant) spoke in support of the application

Cllr Michael Pope of Salisbury City Council spoke in support of the application

Mrs Elaine Milton (Consultant) spoke in support of the application

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application which was a resubmission from an earlier application, for Change of use of site from public house (Class A3) and adult entertainment venue (sui generis) to form two commercial units (Classes A1, A2, B1 or D1) and 10 apartments including conversion, demolition and erection of buildings. A site visit had taken place earlier that day.

The applicant had submitted additional information following the previous decision, which addressed earlier issues of waste management and surface and foul water drainage. 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 would be glass doors at the front entrance which would be open during the day and closed in the evening. The night club next door to the site had since closed and would be taken on by the neighbouring gun shop.

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

The Unitary Division Member was not in attendance to speak.

The Committee discussed the application, noting that following the site visit, it was evident that the buildings were in a dilapidated state and required development urgently. The previous concerns over drainage had been addressed and the night club had closed. The design of the development did not appeal to all, however as the location of the dwellings at the rear was closed in, it was seen that large windows would permit more light..

Cllr Westmoreland moved Officers recommendation for Approval; this was seconded by Cllr Devine.

### **Resolved**

**That the application be APPROVED subject to the following conditions:**

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

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

- 2. No development shall commence within the area indicated (proposed development site) until:**

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority.**

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

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

- 3. No development shall commence on site until a scheme of acoustic glazing and mechanical ventilation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the standards set out in section 5.3 of the Environmental Noise Assessment (reference; 182\_150922\_WHITEROOMS, date; September 2015). The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.**

**REASON: In the interests of protecting residential amenity**

- 4. No development shall commence on site until a written scheme of noise attenuation for the room within the room construction of flats 6 and**

10 has been submitted to and approved in writing by the Local Planning Authority. The written scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.

**REASON:** In the interests of protecting residential amenity

5. No development shall commence on site until a written scheme for post-completion noise measuring has been submitted to and approved in writing by the local planning authority. The written scheme shall include details of the times at which noise measuring will take place and the equipment and noise descriptors to be used for the purposes of measuring the residual levels of noise caused by the licensed premises, Zoo. Where the post completion noise measurements identify that  $LA_{max}$  levels of noise from Zoo are in excess of Preferred Noise Criterion Curve 25 (PNC25), as shown in table 5.1 of the Environmental Noise Assessment (reference; 182\_150922\_WHITEROOMS, date; September 2015) in flats 6 and 10 those flat(s) shall not be occupied.

**REASON:** In the interests of protecting residential amenity

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

**REASON:** In the interests of protecting residential amenity

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

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

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

**REASON:** In the interests of protecting residential amenity

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

**REASON:** In the interests of protecting residential amenity



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

**REASON: In the interests of protecting residential amenity**

**10. No development shall commence on site until a scheme for the glazed doors has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the standards set out in the addendum to the Environmental Noise Assessment (reference; 182\_151129\_WHITE ROOMS, dated; 29<sup>th</sup> November 2015). The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.**

**REASON: In the interests of protecting residential amenity**

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

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

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

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

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

**REASON: In the interests of residential amenity and privacy.**

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

**REASON:** In the interests of residential amenity and privacy.

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

**REASON:** In the interests of maintain adequate waste collection.

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

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

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

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

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

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

**Proposed Ground Floor P14-001-02-03-001C**

**Proposed First Floor P14-001-02-03-002A**

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

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

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

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

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

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

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

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

Wall Types 1 & 2 P14-001-02-04-006  
Wall Types 3 & 4 P14-001-02-04-007  
Wall Types 5 & 6 P14-001-02-04-008  
Wall Build Up P14-001-02-04-010  
Elevation 01 P14-001-02-05-001B  
Elevation 02 P14-001-02-05-002A  
Elevation 03 & 04 P14-001-02-05-003A  
Elevation 05 P14-001-02-05-004B  
Elevation 06, 07 & 08 P14-001-02-05-005A  
Elevation 09 P14-001-02-05-006B  
Elevation 10 P14-001-02-05-007A  
Demolition Elevation on 01 P14-001-02-05-011A  
Demolition Elevation 02 P14-001-02-05-012B  
Demolition Elevation 03 & 04 P14-001-02-05-013A  
Demolition Elevation 05 P14-001-02-05-014A  
Demolition Elevation 06,07 & 08 P14-001-02-05-015A  
REASON: For the avoidance of doubt.

**INFORMATIVE:**

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

**INFORMATIVE:**

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

**INFORMATIVE:**

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

36 **15/10824/FUL - Land South of 1 Park Houses, East Knoyle, Wiltshire, SP3 6AN**

Public Participation

No one registered to speak.

The Senior Planning Officer introduced the application by Wiltshire Council for two single storey houses for elderly people, with associated access road and car parking. There was currently an existing drainage water issue on site; however a new scheme had been submitted which satisfied the drainage engineer. 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 during the ecological study, no crested newts had been present. A needs study had been carried out by the Housing Team, which had established that there were 8 under occupied properties in the village.

The Unitary Division Member was not in attendance; however she had circulated her support for the application by email to the Committee earlier that day, asking Cllr Edge to speak on her behalf.

Cllr Edge noted that the development of housing for older people on this site had been a project of the South West Wiltshire Area Board for several years. It had been hoped that there would be three properties, but due to surface water issues, much work had had to be carried out to devise a new drainage scheme, following this the number of properties had been reduced to two.

Cllr Edge moved Officer's recommendation for Approval; this was seconded by Cllr Hewitt.

The Committee discussed the application noting that rural areas needed more developments for older people to enable them to downsize and remain living in the community.

**Resolved**

**That the application be APPROVED 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 (including the solar panels) 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 scheme for the discharge of surface water from the access/driveway, incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.**

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

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

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- 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.**

**5) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

**REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.**

**6) No 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.

7) The dwellings 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.

8) No dwelling shall be first occupied until foul water and surface water drainage has been constructed in accordance with the approved scheme shown on the submitted and approved plans (Plan Ref: L-06602 D.01 Rev 3 Drainage Layout, dated 21/03/2016, received by this office 21/03/2016).

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

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) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, shall be inserted in the roofslopes or side gables (above first floor level) of the development hereby permitted.

**REASON:** In the interests of residential amenity and privacy.

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

Plan Ref: L-06602 D.01 Rev 3 Drainage Layout, dated 21/03/2016, received by this office 21/03/2016

**Plan Ref: 17014-DB3-B01-XX-DR-A-80-01 Existing Location Plan (Red Line), dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: L-06602 PC01 Rev 1 Preliminary Entrance Layout, dated 20/10/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-20-01 Proposed Floor Plan for House 1 and 2, dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-20-02 Proposed Front and Side Elevation 1, dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-20-03 Proposed Rear and Side Elevation 2, dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-90-02 Proposed Site Plan, dated 19/10/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-90-01 Proposed Context Site Plan showing neighbouring properties, dated 19/10/2015, received by this office 04/11/2015**

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

**INFORMATIVE: Highway licence**

The consent hereby granted shall not be construed as authority to carry out works on the highway. A licence will be required from the local highway authority before any works carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.

**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: Archaeological work**

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

**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](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

37 **Commons Act 2006 - Section 15(1) And (3) Application To Register Land As A Town Or Village Green - Browns Copse Field Winterslow**

Public Participation

Mrs Patricia Sheppard spoke in Objection to the application.

Mr David Read spoke in Objection to the application.

Mr Richard Sheppard spoke in Objection to the application.

Mr Glynn Paton spoke in Support of the application.

Mr Michael Morgan Jones spoke in Support of the application.

The Senior Solicitor introduced the application to register land as a Village Green, in relation to Brown Copse Field, Winterslow. It was explained that in November and December 2014 Wiltshire Council held a non-statutory public inquiry into an application to register land as a town or village green, under Sections 15(1) and (3) of the Commons Act 2006, in the parish of Winterslow.

At the inquiry, evidence was given orally by witnesses both in support and in objection to the application. This evidence was then tested through cross-examination and re-examination of the witnesses. Following the inquiry, the independent Inspector appointed by Wiltshire Council to preside over the inquiry produced a report of his findings and made a recommendation to Wiltshire Council.

At its meeting on 24 September 2015 the Committee decided against the Inspectors recommendation in part and turned down the application to register Browns Copse as a Village Green. The applicant then sought to challenge that decision and proceedings were filed in the High Court on 23 December 2015. Wiltshire Council sought legal advice from a Barrister. The Council could not defend those proceedings and the decision was quashed by the High Court in March 2016.

The Committee was required to re-determine the application but only concerning Brown's Copse and the Committee was asked to consider the Inspectors recommendation on the Village Green application again. 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 the Court had looked at the process in which the Committee had come to its decision. The decision had been quashed on grounds of pre-determination. It was not the role of the Court to look at the inspector's report but the decision making process. The Committee asked whether the correct advice had been provided at the original meeting, in relation to the options available to them. It was stated that the only test available to Committee was the legal test as set out in s.15 of the Commons Act 2006 that a significant number of inhabitants of any locality or of any neighbourhood within a locality, had indulged as of right in lawful sports or pastimes on the land for a period of at least 20 years.

If the application was approved, the ownership of the land would not change. The current owners could continue to work the land such as coppicing, as they had previously done as activities undertaken by the landowner such as the coppicing had been undertaken for the last 70 years and had co-existed with the village green activities. However the landowners would now no longer be able to prevent the public from entering the land.

The public as referred to above, then had the opportunity to present their views to the Committee.

The Unitary Division Member Councillor Chris Devine then spoke on the application noting that in April 2015 he had chaired the Committee meeting when this had come for decision. He had put forward the Inspector's recommendation to approve the application, but that it had not been seconded. As a representative for Winterslow he felt with a heavy heart that following guidance received by all on determining applications for Village Greens and the law, the Committee had no other choice than to support the recommendation. Councillor Devine also noted that if the matter went to Court again the Council would lose and risk incurring substantial costs. Councillor Devine also noted that a full 5 day inquiry took place with both parties having legal representation and the evidence was heard by an experienced Inspector.

Cllr Devine moved the Inspector's recommendation for approval; this was seconded by Cllr Westmoreland.

The Committee discussed the application noting that it had missed the opportunity to challenge the Inspector's findings at the first instance through asking questions of the Inspector before making their decision, and were now not in a position to query them as that time had passed. To go against the recommendation a second time would only result in a repeat of the High Court decision, costing the Council a considerable amount of tax payers' money.

It was felt that the term 'Village Green' was misleading and should be more appropriately named as a 'Village Amenity' or such. In addition it was noted that the original purpose of the Act was to secure village spaces for future

generations and not for the purpose of preventing development, which it was now often used for.

It was questioned that pre-determination was not a valid reason for quashing the original decision, and when the Committee had made the original decision, it asked whether they could legally go against the Inspector's recommendation, and had been advised that they could, if there was good reason to do so. Two reasons had then been presented by the Committee, however if the Committee had better understood the process then it could have invited the Inspector to review his findings, based on Committee's observations prior to making a decision.

The Chairman stated that the Committee had to accept that the Committee had got it wrong when they previously made their decision. The Chairman apologised to both the land owners for the turn of events which had now left the Committee's hands tied and the applicants for the delays in the decision making process.

Councillors West and Edge abstained from voting.

#### **Resolved**

**The Southern Area Planning Committee APPROVE the Inspector's recommendation and the application by Winterslow Opposed to Over Development (WOOD) under Section 15(3) of the Commons Act 2006 be approved but only to the extent that Browns Copse is registered as a town or village green in its entirety, other than the north-west corner of the Copse that is owned by Wiltshire Council.**

#### **38 Exclusion of the Press and Public**

##### **Resolved:**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute number 39 below because it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 5 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

**Paragraph 5 referred to above, relates to information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.**

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

The Committee received advice as referred to in Appendix 7 of the report considered under minute number 37 above.

**Resolved**

**That Appendix 7 of the report presented under minute number 37 above be received and noted.**

(Duration of meeting: 6.00 - 8.02 pm)

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](mailto:lisa.moore@wiltshire.gov.uk)

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

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**Wiltshire Council**  
**Southern Area Planning Committee**  
**9<sup>th</sup> June 2016**

**There are no Forthcoming Hearings and Public Inquiries between 27/05/2016 and 30/09/2016**

Planning Appeals Received between 21/03/2016 and 27/05/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
14/11277/FUL	Antrobus Arms Hotel 15 Church Street Amesbury, SP4 7EU	AMESBURY	Retrospective planning permission for a marquee in the hotel garden.	DEL	Written Representations	Refuse	23/03/2016	No
14/11359/LBC	Antrobus Arms Hotel 15 Church Street Amesbury, SP4 7EU	AMESBURY	Retrospective planning permission for a marquee in the hotel garden.	DEL	Written Representations	Refuse	23/03/2016	No
15/05839/FUL	Stonehenge Campsite Berwick St. James Salisbury, SP3 4TQ	WINTERBOURNE STOKE	Change of Use of Pitch 6 from touring caravan pitch to the standing for a caravan, motorhome or pod for occupation by warden between 1st February - 30 November in any year and as a touring caravan pitch between 1st December and 31st January in any year	DEL	Written Representations	Refuse	22/04/2016	No
15/06183/LBC	Manor House Farm Hanging Langford Salisbury SP3 4NW	STEEPLE LANGFORD	Rebuild 7m section of collapsed wall	DEL	Written Representations	Approve with Conditions	16/05/2016	No
15/06192/FUL	Land at Littledown Cottage, Great Durnford Salisbury, Wiltshire SP4 6AY	DURNFORD	New detached dwelling in garden of Littledown Cottage	DEL	Written Representations	Refuse	12/04/2016	No
16/00866/FUL	The Dovecote Moor Lane, Redlynch Salisbury, SP5 2JX	WHITEPARISH	Proposed single storey rear orangery extension	DEL	Written Representations	Refuse	26/04/2016	No
16/00867/LBC	The Dovecote Moor Lane, Redlynch Salisbury, SP5 2JX	WHITEPARISH	Proposed single storey rear orangery extension	DEL	Written Representations	Refuse	26/04/2016	No

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded ?
15/05334/FUL	Tennis Courts Rear of Grasmere Close, Harnham, Salisbury Wiltshire, SP2 8DG	SALISBURY CITY	Installation of floodlighting poles and luminaires to hard courts 1 and 2 at Salisbury lawn tennis club	DEL	Written Reps	Refuse	Allowed With Conditions	21/03/2016	No
15/10958/FUL	Claremont Romsey Road Whiteparish Wiltshire, SP5 2SA	WHITEPARISH	Re-Positioning of Existing Vehicular and Pedestrian Access (Revision of 15/04253/FUL)	DEL	Written Reps	Refuse	Dismissed	06/05/2016	No
15/12044/FUL	4 Main Road Boscombe Down Wiltshire, SP4 7JZ	AMESBURY	Proposed ground floor and first floor rear extensions	DEL	Householder Appeal	Refuse	Dismissed	17/05/2016	No

Report No. 1

<b>Date of Meeting</b>	9 <sup>th</sup> June 2016
<b>Application Number</b>	16/03468/FUL
<b>Site Address</b>	Oak View, High Post Road, Netton
<b>Proposal</b>	Proposed construction of new detached dwelling and relocation of existing access to serve new dwelling. Creation of new access to serve existing dwelling. (resubmission of 15/09441/FUL)
<b>Applicant</b>	Mr and Mrs A Bee
<b>Town/Parish Council</b>	Durnford Parish Council
<b>Electoral Division</b>	Bourne and Woodford Valley
<b>Grid Ref</b>	412973 136957
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Tom Wippell

## **Reason for the application being considered by Committee**

The application has been called to committee by the Division member Councillor Mike Hewitt if minded to approve, in view of the relationship to adjoining properties and the environmental/highway impacts.

### **1. Purpose of Report**

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

### **2. Report Summary**

The issues in this case are:

- The principle of residential development;
- Impact on visual amenity and character of the area;
- Impact on residential amenity;
- Other Issues

Publicity of the application has resulted in an objection from the Parish Council, 6 objection letters and 8 letters of support.

### **3. Site Description**

Oak View, High Post Road is a detached dwelling situated on the outskirts of Netton. The property has a large garden to its side, which backs onto a paddock to the rear and overlooking the Woodford Valley beyond. A grass verge is sited in front of the properties on High Post Road, which follow a linear pattern of development.

### **4. Planning History**

S/2013/0184- Demolition of existing dwelling and erect replacement dwelling with detached double garage with storage over and relocation of vehicle access  
APPROVED with conditions

15/09441/FUL- Proposed erection of detached dwelling and relocation of existing access to serve new dwelling. Creation of new access and erection of carport and studio to serve existing dwelling  
REFUSED

### **5. The Proposal**

The proposal seeks to create a detached dwelling to the side of the main property with a new access, two off-street parking spaces and a turning area in front. The access point for the original dwelling will also be resited.

### **6. Planning Policy**

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

Core Policy 51- Landscape

'Saved' Local Plan Policy C6- Special Landscape Area

NPPF

### **7. Consultations**

#### **Highways:**

The initial scheme attracted an adverse highway recommendation due to the lack of an on-site turning facility. The proposed layout is now considered to be satisfactory. The parking layout for the proposed dwelling is not ideal as some shunting will be necessary at times when the car in space 2 is blocked by the car in space 1, however this is not an uncommon arrangement and is accepted in this instance.

No objections subject to conditions

#### **Durnford Parish Council:**

Object to this application for the reasons given below.

- Concerns regarding the accuracy of the plans as submitted. For example:
  - a. The proposed building is shown on the plans to be 10m from the boundary of the adjacent property, 1 Brownways. It is in fact only 8.5m



- b. The proposed building appears to be too close to the highway, but it is difficult to decipher the exact measurements on the plan.
  - c. In supporting documents submitted, a car port is mentioned. There is no evidence of such on the plans, or additional vehicle access shown for such.
- It is of particular note that there are no windows in the west wall of the proposed building overlooking the appellant's property, but a large dormer window in the east wall which severely compromises the privacy of the adjacent property, 1 Brownways.
- In general terms, the Durnford Parish Council objects on the following grounds:
  - a. The footprint of the proposed building is too large for the site
  - b. There is insufficient parking space and no turning area for vehicles on site.

## 8. Publicity

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

The publicity has generated six letters of objection and eight letters of support.

The **letters of support** are summarised as follows:

- This size of build would be a good addition to the area. The previous property on the plot was not pleasant to look at, and there was a large mobile home on the plot which did nothing for the lovely feel of this part of the valley. The new proposal on the plot is a vast improvement to the previous dwelling.
- It is great to see that a smaller dwelling is being proposed, which is more in keeping with other houses on the street and would provide a lovely home for a small family or couple. Too often large houses are built in the country, which stop regular individuals or families living in rural areas due to being out priced.
- I am keen to move back to the area and this type of property being a small 3 bedroom one would be well within my budget. Every time i drive through the valley it is larger houses that i see being developed, this pushes people like myself out of the chance to live rurally again. Smaller properties like this which are developed with modern standards, are eco-friendly, and also make for more cost efficient living. I would love to move back to the countryside and this type of new development allows me that opportunity. I therefore fully support this application, and also want to suggest that more properties such as this are built.
- I would like to support the application for a small dwelling on this site. Small new builds in the Woodford Valley rarely if ever come to market, and the proposed new build would be a welcome addition to the area. This house

would allow for a small young family to experience village life. The revised plans look like they have addressed all the previous concerns over the build. It would also be good to see the removal of the eye sore of the old shed that sits in the centre of the plot.

- It seems fairly obvious that, sooner or later, the building line along this road will be filled in and I think this building plan fulfils that completion.
- I particularly support the size of the project. Having searched the area previously for a house of this size and situation without a large garden it is clear there is a dearth of such properties available.
- This building will provide an asset to the complete plan of the village and to its population.
- This new dwelling will be advantageous to the village by supplying much needed additional housing. It will blend in very well with the surrounding area and by building another dwelling will enable the Village to continue to thrive.
- The newly revised plans seem to be in a manner sympathetic to other homes in the area, both in terms of proposed materials and construction (Oak View was built in a sympathetic manner to the local area, and the plans replicate this)
- The overall street view will be significantly improved if the plans go ahead and I see this to be an improvement on the existing road as it stands (which I drive down frequently).

The **letters of objection** are summarised as follows:

- I feel a development like this is more in keeping with Archers Gate in Amesbury than the Woodfords.
- Squeezing homes into small plots takes away the light between the original houses and makes the village gloomier than it is. The village is starting to lose its character. This proposed development will only benefit the planner and contributes nothing to the community. It definitely doesn't benefit Brownway Cottages and does nothing to provide affordable housing to young local residents.
- I am still concerned about the detrimental effect on privacy and daylight this would have on 1 Brownway cottage. The East and South elevations on the plans show multiple large windows and doors facing directly into, and overlooking, 1 Brownway. Compared to no windows on the West side of the house. It would have a negative effect on their privacy, amount of direct light, and quality of life.
- The document 'proposed site plan' appears to indicate part of the historic sheep drove included within the boundary of the new site, which is misleading about the size of the plot available.
- The size of the proposed house is too large for the plot of land and would seem squeezed in between its neighbours, compared to the feel of houses in

the rest of the village.

- The scheme is over-development of the site. This site has only ever yielded one dwelling and the proposed dwelling sits within what was formally a vegetable garden/allotment. The existing bungalow has already been demolished and replaced with a far more substantial house which already dominates the site. The site is a natural break in the building line to allow a 'glimpse' view of the open countryside beyond, this is consistent with a semi-rural location such as Netton rather than urban locations or more densely developed village locations such as Alderbury or Winterslow.
- The development of this site would totally change the open street scene that currently exists and change the semi-rural appearance and 'feel' of the location. No matter how pretty the design the mass of the dwelling is still overbearing.
- I also note the design has, not only two sets of doors and windows overlooking Brownway Cottages, a huge set of doors and glazed section on the rear elevation that will overlook the garden of its neighbour.
- It is important that there is clear definition between Oak View and Brownway Cottages to maintain the semi-rural street scene. It should also be noted that Brownway Cottages were originally built for farm workers and therefore situated in a more isolated position, they should not be used as parameters for 'infill' development.
- The new drive would also create greater levels of traffic and compromise the existing drive of Brownway Cottages.
- The privacy and amount of direct light of Brownway Cottage will be hugely reduced due to the large windows and doors on the East and South side of the dwelling. There are also no windows overlooking Oak View.
- There is definitely insufficient space for an additional dwelling of the proposed size. A building of this size would be out of place compared to the rest of the village.
- The parking area will also have an impact on Brownway Cottage, obscuring vision and forcing the occupant to share a driveway. I feel that this application should be rejected as an additional dwelling will have a detrimental effect on this rural area
- The new development shows in the plans that all side windows are facing Brownway Cottages (None to Oak View). Brownway Cottages not only has a right to light but also privacy and in this case all privacy for Brownway Cottages will be lost. To sum it up there will be an Adverse effect on the residential amenity of neighbours, by reason of noise, disturbance, overlooking, loss of privacy, overshadowing etc.
- The road that this property will be built near is already used as a rat run and the added construction traffic could potentially cause additional safety issues and risks to pedestrians, the many horse riders and other road users. This issue will not pass following the construction of the property as you will be introducing substantial additional residential vehicles to an already

overcrowded and pressured road.

- The proposed development includes another driveway entrance to the property. If a future owner or visitor parked their car on that driveway and not within the curtilage, this would severely obscure our vision when exiting our drive. This kind of parking can be seen in 2.1 Site photos View 03 (proposer's car), View 05 (proposer's car) and View 07 (proposer's surveyor's car). In View 07; the surveyor's car is parked on the verge next to my driveway and demonstrates the problems of visibility when exiting my driveway. This is extremely dangerous as the majority of cars do not obey the 30mph speed limit when driving away from Netton village. In the past, the proposer has mentioned about him wanting to tarmac all the way along the edge of his property where the sheep drove verge is and this would only make the matter worse.
- At present, the electricity & telegraph pole supplying our property is on the sheep drove verge in the middle of the proposed driveway. The existing plan doesn't look big enough to be able to open the car doors hence more reason why they wouldn't park there.
- The plans submitted are very misleading as they do not show any windows on 1 Brownway Cottage but windows are shown on the Red House property re: P15-086. Red House is also more prominent in the design than 1 Brownway Cottage leading the reader to believe that it is of less an importance. When in fact, there are: one upper window, three lower windows, a rear door and a conservatory on the aspect facing the proposed development. In drawings 4.3, 4.4 & 4.5 Conceptual Images, they show what kind of impact on our privacy this development would have on the side of 1 Brownway Cottage. The side of Brownway cottage can be seen from the road so more will be seen from the proposed house. In 4.1 Proposed Scheme / Access, it says that 'We propose to relocate the existing site access and form an additional vehicular access for the new carport' A carport isn't on the plan drawings and is hardly conducive to 'retaining a more open feel to the boundary with Brownway Cottage' (4.1 Proposed Scheme / Proposals). Where are 'the septic tank, oil tank for the heating system, storage facilities for recyclable waste and rainwater butts' (4.1 Proposed Scheme / Sustainability) going to go? The septic tank can't go under the driveway due to the weight of the cars. Also in 4.1 Proposed Scheme / Proposals, it states 'The proposed dwelling is located in the middle of the plot, and is over 10 metres from the boundary with Brownway Cottage'. It is in fact 8.8 metres to the aspect of the build that has the Bedroom 2 window overlooking Brownway Cottage.
- The proposed development is attempting to fit too much in the plot available or is the proposer intending to use the agricultural land that he has purchased to the rear of the property for some of this development thereby changing its use? Effect of the level of daylight, trees and privacy. The proposed property will shield the afternoon sun from 1 Brownway Cottage and will severely impact on our privacy. There are; one upper bathroom window, three lower

windows, a rear door and a conservatory. We have tried growing our hedge at the edge of our garden to safeguard our privacy from the latest development (2 years ago) but this has cut down on the available sunlight in the garden. Any further development would severely decrease our privacy and daylight. I am very concerned about all the windows that will look over and into Brownway Cottage. The proposed development is very high and will cut out my evening sun to the side of my house where my kitchen is situated. The windows have been there for over 20 years. Also my front garden will be overshadowed by this development.

- The upstairs dormer window will still look into our conservatory, kitchen & garden. No windows on the proposed development will overlook the proposer's house at Oakview; it's all looking at Brownway Cottage. We were quite happy with a garage with no occupants (with conditions) as has been proposed in the past to be built there. Now with a house being proposed, we feel that any future owner would not like to be looking out onto 1 Brownway Cottage and would plant tall shrubs, Leylandii or erect a fence to obscure their view. This would severely reduce the daylight landing on 1 Brownway Cottage. Re: Conceptual Image 4.5. Our family has had over 59 years of unobscured daylight on this aspect of our house. Conservation of building, trees and open land
- The historic sheep drove verges from High Post to Netton need to be kept. Will the sheep drove verge be put back to as it was when the driveway is relocated? The sheep drove verges from High Post are presently maintained by the villagers until recently. Now they are falling into disrepair through cars being parked on it. Another development will not help its survival. Need to safeguard the countryside
- Barn owls frequently fly over the proposed property from trees in the field behind to the trees adjacent to the High Post road. More development reduces their patrol areas. Noise disturbance and smells. As Netton is in a valley bottom, more solid burning appliances are not wanted as in calm foggy winter conditions, the smoke from all the chimneys in the village create a smog effect. Adding more will not help this matter. The proposal also states that the vehicle access will be by gravel driveway, I am also concerned about the noise effect just outside my kitchen door. I hope you will take these objections into consideration and refuse planning permission for this inappropriate application.

## **9. Planning Considerations**

### **9.1 The Principle of Residential Development**

It should be noted that the previously allocated 'Housing Policy Boundary' for Netton, in which new residential development was deemed acceptable (under the former Local Plan Policy H16), has now been removed with the adoption of the Wiltshire

Core Strategy. This is because Netton has been deemed by the Inspectorate to be an unsustainable location for new residential units, within the settlement hierarchy.

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

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

Therefore, given that the proposed residential development is outside of the Settlement Boundary, without a proven agricultural/ other need, the application should be viewed as contrary to the key sustainability aims of Core Policy 2. Furthermore, approval may set an unwanted precedent for similar residential developments to occur outside of the settlement boundary elsewhere within the District, thereby undermining the sustainability objectives of the Core Strategy as a whole.

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

## **9.2 Impact on visual amenity and character of the area;**

The plot currently has a spacious and open setting, in an elevated position looking across the valley. The previous scheme (15/0944/FUL) for a new dwelling and detached garage was refused due to the harmful impact on visual amenity, and this current scheme therefore has to be considered in light of this previous application and the differences between them critically examined.

Officers consider that the revised siting of the dwelling will ensure that the relatively spacious character of the original garden will be retained. Sufficient gap will be left between the proposed dwelling and the neighbouring/original properties to avoid overdevelopment, and views of the landscape through the site will be visible from the road, and the semi-rural character of the area will be preserved.

The size, height, design, size of footprint, size of plot and materials of the proposed dwelling are considered acceptable in relation to nearby properties, and in visual terms no objections are raised.

The addition of an extra driveway across the grass verge is not considered to result in detrimentally harmful impacts on the streetscene, and sufficient levels of the grass bank will be retained between driveways to ensure that the overall character of the area will not be significantly altered.

The open paddock towards the rear will not be built on, and there will be no further erosion of the landscape outside of the existing defined garden area. Any subsequent applications to extend the garden area to the rear will be assessed on its own merits.

Officers have fully considered the size of the new dwelling, the site history/'fallback position' of the approved garage, the relationship with neighbouring properties, the character of the landscape, the impact on the character of the streetscene, the proposed design, siting and layout of the dwelling, the size of the plot, the siting of the new access/parking spaces and the proposed materials. Overall it is considered that visual amenity will be preserved, in accordance with Core Policy 51 and Core Policy 57 of the Wiltshire Core Strategy.

### **9.3 Impact on residential amenity**

Concerns have been raised that overlooking will occur from 3 first-floor windows on the eastern elevation. Officers have fully considered this concern, but judge that overlooking will not occur to a harmful degree.

Two of the windows serve a bathroom/ensuite, and can be obscure-glazed by condition to ensure that harmful loss of privacy will not occur.

The third window will serve a bedroom and will be visible from the neighbours driveway and front-facing windows. However, given the distance to the boundary (8.5 metres), its position between a neighbouring garage on the boundary (which will partially screen views from the neighbouring site), the angle of the window which will only afford oblique views towards neighbouring windows/rear garden, and the relatively small size of the window, Officers do not object to this scheme due to the impact on loss of privacy.

The ground-floor windows are not considered to result in any harmful overlooking due to boundary screening.

The new parking spaces adjoin the neighbouring boundary, but as this development relates to 1 dwelling only, no harmful intensification of use in terms of traffic/noise will occur over the existing use.

Unlike the previously refused scheme, the proposed dwelling is set away from the boundary, and no harmful overshadowing or overdominance will occur.

#### **9.4 Other Issues**

Highways have been consulted and raise no objections to the scheme, as there is sufficient parking/ turning space within the new plot to ensure that cars can enter and leave the site in forward gear. Visibility on this long straight road will not be compromised.

In regard to the impact of the development on protected species, it has been confirmed (in part 13 of the application form) that no protected species are present within the site. During the site visit, no visible evidence of protected species was observed. Therefore due to the relatively small size of the site, which is laid to grass, it is considered that a protected species survey is not required. This 'infill' plot would not cause significant harm to barn owls or other birds flying through the site.

The site is not in a flood risk area, and drainage/ septic tank details will be looked into at the Building Control stage of development. Officers considered that there is sufficient space within the new plot to accommodate a septic tank without causing harm to visual amenity.

Private views do not constitute material planning considerations.

'Notice' has been served on Wiltshire Council Property Services, as the new/ revised access points cross the grass verge owned and maintained by Wiltshire Council.

#### **Recommendation:**

**That planning permission be REFUSED for the following reasons:**

**1. The creation of a new dwelling in this location outside of the defined settlement boundaries, located remote from services and employment opportunities, without a proven agricultural or affordable housing need, would be contrary to the key sustainability aims of Local and National Planning Policy. The development would therefore be contrary to Wiltshire Core Strategy Core Policy 2, and the advice and guidance in regard to sustainable development contained within the NPPF.**

#### **INFORMATIVE:**

**In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.**





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**REPORT OUTLINE FOR AREA PLANNING COMMITTEES**

**Report No. 2**

<b>Date of Meeting</b>	09/06/16
<b>Application Number</b>	16/02517/FUL
<b>Site Address</b>	Deems, Rollestone Road, Shrewton, Wiltshire, SP3 4HG
<b>Proposal</b>	Proposed single storey side & rear extensions (amendment to 15/07754/FUL)
<b>Applicant</b>	Mr Adrian Hall
<b>Town/Parish Council</b>	SHREWTON
<b>Electoral Division</b>	TILL AND WYLYE VALLEY – Cllr West
<b>Grid Ref</b>	407118 143140
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Louise Porter

**Reason for the application being considered by Committee**

Cllr Ian West has called this application to committee due to the proposal's relationship to adjoining properties.

**1. Purpose of Report**

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

**2. Report Summary**

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

- Principle of development
- Visual Impact
- Impact on neighbour amenity

**3. Site Description**

Deems is a chalet style bungalow positioned on the south side of Rollestone Road, Shrewton in a mixed residential area. To its east side is another chalet style bungalow positioned on a similar building line to Deems. To the west side is a larger chalet style house, set slightly behind Deems and orientated with front elevation facing slightly towards Deems.

**4. Planning History**

- 13/01225/FUL      Loft conversion including side facing 4 roof lights and the removal of the chimney stack
- 15/07754/FUL      Proposed single storey side & rear extensions

**5. The Proposal**

Planning permission was granted in 2015 for a single-storey side extension and a single-storey rear extension. This current application seeks retrospective approval for amendments to this scheme. These amendments include changes to the following elements:

- Single-storey side extension –
  - Side and roof windows
  - Materials

- Single-storey rear extension –
  - Roof design
  - Flue
  - Patio doors

## **6. Planning Policy**

### Wiltshire Core Strategy (WCS):

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 4: Spatial Strategy: Amesbury Community Area
- Core Policy 57: Ensuring high quality design and place shaping

## **7. Summary of consultation responses**

Shrewton Parish Council – Object (safety issues and intrusion)

Wiltshire Highways – No objections

## **8. Publicity**

The application was advertised by Site Notice and Neighbour Notification Letters.

1x objection received from neighbouring property (overlooking, noise, odours, fire risk).

1x objection from South Wiltshire Campaign to Protect Rural England – (opening side windows contrary to the design guide and planning policy)

## **9. Planning Considerations**

### **9.1 Principle of Development**

Extant planning permission exists on the application site for single-storey side and rear extensions. Therefore the principle of the property being extended has already been established and that approved consent is a fall-back position should this current application be refused.

### **9.2 Visual Impact**

The roof design of the rear extension has been altered from the previous approval, now having a “green roof” contained within a parapet wall. This amendment results in a slightly larger bulk to the proposal, however this is not considered to cause any significant visual harm to the bungalow.

The design of the patio doors has been amended, however this is considered to have no adverse impacts.

A flue is proposed on the side elevation of the rear extension which will include a brick casing up to ground-floor ceiling height. This is minor in nature and will have no detrimental visual impacts.

The proposed side extension now includes 3 highlevel windows rather than 2 and the previously approved roof lights have been altered to 3 glazed roof panels. These changes are not considered to cause any visual harm.

The proposed extensions will be finished in a mix of brick and timber cladding which are considered to complement the existing bungalow.

The proposals are largely screened from public view points and therefore the proposals are not considered to detract from the appearance of the existing bungalow.

South Wiltshire CPRE have objected to the proposal stating that the opening side windows are contrary to the design guide and planning policy. The design guide that is being referred to is the "Development Services Householder Design Guide". This is not an adopted policy and therefore little weight can be given to it. In contrast Southern Wiltshire has an adopted Supplementary Planning Guidance Design Document "Creating Places". This document does not specifically restrict side windows.

### **9.3 Impact on neighbour amenity**

Whilst the proposed alterations slightly increase the bulk of the rear extension, these alterations are not considered to be significant enough to cause any detrimental impacts to the amenity of the neighbouring properties.

The issue raised by the neighbouring property, the Parish Council and the South Wiltshire CPRE relates to the high level side windows in the side extension. In the previous application, these windows were to be fixed shut, however the current application seeks consent to have openable windows. The objections have raised concerns that these windows will allow overlooking into the neighbouring property's bedroom window which is diagonally opposite these windows. The windows will still be obscure glazed and will still be high level. In terms of overlooking, the obscure glazing will restrict this whilst the windows are shut, and their positioning 1.7m above finished floor level results in overlooking not being possible. As such it is not considered that the windows will cause overlooking to the neighbouring property.

Issues have also been raised over the fire risk from having the two properties almost touching. This is a Building Regulations issue rather than a Planning issue, however the Case Officer has discussed the arrangement with a Building Control Officer who did not have any safety concerns with the proposed arrangement.

In terms of the issues raised around cooking odours, on a residential situation such as this, it is not expected that intense cooking odours will be present (i.e. in comparison to had this been a restaurant), but in any case this would be a Public Protection issue rather than a Planning issue. Similarly any noise issues would also be a Public Protection Issue.

It is useful to note, that permitted development rights allow ground-floor windows to be inserted into the side elevations of dwellings, including within side extensions. The side extension that is the subject of this application was not permitted development due to the use of timber cladding to the rear gable (i.e. not of a similar appearance to that of the existing dwelling), however had brick been used rather than timber cladding, the whole extension, including openable and clear-glazed side windows would not have required planning permission. These would also not be restricted to being high level windows. Therefore the fall-back position of what could be constructed under permitted development rights could have a much more significant impact on the amenity of the neighbouring property.

## 10. Conclusion

The proposed single-storey side and rear extensions are considered to be acceptable on balance, taking into consideration the impact on the amenity of the adjacent properties, and the visual impacts of the proposal, as well as the fall-back position of what could be done utilising permitted development rights. As such the proposal is considered to be in accordance with Core Policies 1, 2, 4 and 57 of the Wiltshire Core Strategy and the Creating Places Supplementary Planning Guidance.

### RECOMMENDATION

Approve subject to the following conditions

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

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

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

0128/PL/01 Rev C dated 05/05/16 received 05/05/16

0128/PL/02 Rev C dated 05/05/16 received 05/05/16

0128/Ex/01 dated 05/05/16 received 11/03/16

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





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## Report Outline For Area Planning Committees

Report No. 3

<b>Date of Meeting</b>	09 <sup>th</sup> June 2016
<b>Application Number</b>	16/02778/FUL
<b>Site Address</b>	22 Cholderton, Salisbury, SP4 0DL
<b>Proposal</b>	Single storey rear extension
<b>Applicant</b>	Mr & Mrs A Minting
<b>Town/Parish Council</b>	Cholderton
<b>Ward</b>	Bulford Allington and Figheldean
<b>Grid Ref</b>	422619 142223
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Matthew Legge

### Reason for the application being considered by Committee:

This is a private application made by a planning officer and objections have been received raising material planning considerations (Scheme of Delegation Specific to Planning, paragraph 1.2, (a)).

Additionally the application has been 'called-in' to the Area Planning Committee by the Local Division Member, Cllr John Smale for the following reason:

Scale of development, relationship to neighbours and design, scale and height

**Additional Note:** This application follows an earlier application for an identical development which was refused planning permission on 19 March 2015 and dismissed at appeal on 15 October 2015. Section 70A of the Town and Country Planning Act allows local planning authority's to 'decline to determine' a planning application where an identical application has been refused or dismissed within the preceding two years. The 'test' for declining is – 'no significant change in the relevant considerations'. Relevant considerations include 'any other material considerations'. In this case there has been a significant change to a material consideration – namely additional information in a Sun Study and British Research Establishment (BRE) compliance comments presented with the application. It is in view of these changes that the local planning authority is not entitled to decline to determine the application under Section 70A.

### Purpose of Report

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

## 1. Report Summary

The proposed single storey rear kitchen extension and link would not result in any demonstrable harm to the character or setting of the existing house which is a grade II listed building, nor would it have a harmful impact on the appearance of the wider Cholderton Conservation Area.

The application is accompanied by a Sun Study and BRE compliance statement which demonstrates that the proposed extension would not cause loss of light to the neighbouring property. The Sun Study has been independently scrutinised by another expert in this field and found to be sound.

## 2. Site Description

The application site supports a Grade II Listed end of terrace dwelling and is within the Cholderton Conservation Area. In terms of the Wiltshire Core Strategy 'Settlement Strategy' the site lies within the countryside.

The pair of dwellings have a cottage character and appearance. There is an existing small extension to the rear of the application house, and around this a small courtyard garden with an outhouse beyond. The common boundary with the attached neighbour is defined by a 1.8m high panel fence with a 1.8m trimmed hedge (on the side of Staddlestone Cottage) and 3m high established trimmed leylandii hedge. This boundary angles slightly away to the rear of the house.

## 3. Planning History

**14/11591/FUL & 14/11599/LBC:** Single storey rear extension. Refused and the appeal against 14/11591/FUL dismissed.

**S/2008/1451/LBC:** Internal alterations, addition of first floor window to rear (east) elevation, repairs to garden shed. Approved.

**S/2007/1262:** Residential extension and alterations. Withdrawn

**S/2007/1724/LBC:** Proposed internal alterations & extension to form 3 bedroom house with detached single garage. Approved.

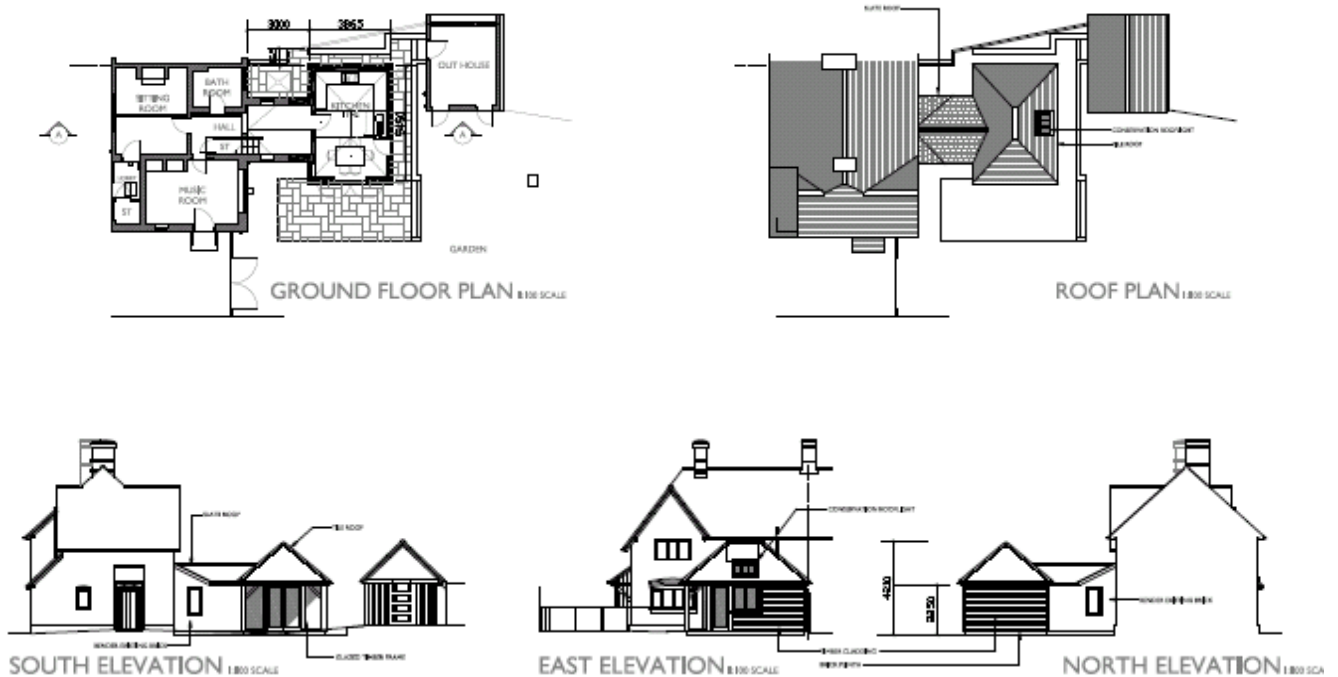
**S/2007/1723/FUL:** Proposed extension and single garage. Approved.

## 4. The Proposal

This application is a resubmission of refused application 14/11591/FUL. The application differs in that it is accompanied by an updated Planning Statement which incorporates a Sun Study. The purpose of the Sun Study is to demonstrate that the proposal will not have a harmful impact on the neighbouring property through loss of light.

The proposal is for a single storey rear extension, to largely replace the existing small addition. It would be effectively 'T'-shaped with a narrow link (formed from part

of the existing addition) leading to a wider kitchen/dining room element beyond. Both elements would be finished with pitched roofs, the link being approximately 3.2m high at the ridgeline and the kitchen/dining room 4.2m high at the ridgeline. Overall rear projection would be 6.865m. The courtyard would be remodelled to create a patio; the outhouse would not be affected. At its closest point the extension would be 0.85m from the common boundary with the attached neighbour.



## 5. Planning Policy

Adopted policies: C6 as saved within Appendix D of the adopted Wiltshire Core Strategy.

Wiltshire Core Strategy: CP1 (Settlement Boundary), CP2 (Delivery Strategy), CP51 (Landscape), CP57 (Design), CP58 (Conservation)

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

## 6. Summary of consultation responses

Parish Meeting – None received

WC Conservation – No objection

## 7. Publicity

Four letters raising objections (2 households and CPRE):

- “..It is clear that the proposed development will have (as it did when it was rejected by the Planning Inspector) a negative impact on the adjacent buildings...”
- “...The appellants have included an architects report showing the shadow impact of the proposed building on my house and in particular the kitchen window at breakfast time when the sun shines in. The drawing clearly shows that at breakfast time during the winter months, from September 21st through to March 21st, when light is at a premium, the new building will block out the morning sun. However, what the drawing fails to show is the loss of ambient light and the impact that this will have on my property....”
- “....although the Planning Inspector gave the loss of light as the principle reason for rejecting the appeal, she also stated that “Given the findings I have made it is not necessary for me to go on to consider other matters raised in third party correspondence.” It is clear that the proposed development will have a negative impact on the adjacent property that is just unacceptable....”.

## 8. Planning Considerations

The main issues to consider are:

- Impact on character of listed building and character of the Conservation Area
- Neighbour amenity
- Previous application and appeal decisions

## 9. Assessment

### Previous application and appeal

Application 14/11591/FUL was refused by the Southern Area Planning Committee and later the application was dismissed at appeal (the Appeal dismissal is contained in **Appendix A**)

The Planning Committee refusal reasons were twofold:

- 1 The proposed extension by reason of it's size and height in relation to the attached and adjoining listed buildings would constitute an overly large and tall addition to the rear of the property detracting from the special characteristics of the listed building contrary to core policy 57 and 58 of the Wiltshire Core strategy.
- 2 The proposed single storey extension by reason of it's height and proximity to the boundary with No 23/24 Cholderton (Staddlestone Cottage) would have an adverse impact on the amenities of No 23/24 Cholderton in particular overshadowing and loss of light contrary to core policy 57 (vii) of the Wiltshire Core strategy.

The Inspector's conclusions in relation to the appeal are considered below. This resubmitted application does not change the design or siting of the proposed rear extension but it does have an updated Planning Statement which includes an assessment of the proposal's compliance with the BRE guidelines and a Sun Study undertaken using Archicad 19 Sun Study software.



In considering the Sun Study and BRE compliance statement officers commissioned an independent assessment by Herrington Consultation Limited (HCL) (contained in **Appendix B**), who are well-experienced in undertaking daylight and sunlight assessments and in analysing assessments produced by others.

HCL have provided the following best practice guidance on assessing light:

In the absence of official national planning guidance / legislation on daylight and sunlight, the most recognised guidance document is published by the Building Research Establishment and entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice', Second Edition, 2011; herein referred to as the 'BRE Guidelines'.

The BRE Guidelines are not mandatory and themselves state that they should not be used as an instrument of planning policy, however in practice they are heavily relied upon as they provide a good guide to approach, methodology and evaluation of daylight and sunlight impacts.

In conjunction with the BRE Guidelines further guidance is given within the British Standard (BS) 8206-2:2008: 'Lighting for buildings - Part 2: Code of practice for daylighting'.

In this assessment the BRE Guidelines have been used to establish the extent to which the Proposed Development meets current best practice guidelines. In cases where the Development is likely to reduce light to key windows the study has compared results against the BRE criteria.

Whilst the BRE Guidelines provide numerical guidance for daylight, sunlight and overshadowing, these criteria should not be seen as absolute targets since, as the document states, the intention of the guide is to help rather than constrain the designer. The Guide is not an instrument of planning policy, therefore whilst the methods given are technically robust, it is acknowledged that some level of flexibility should be applied where appropriate.

Further comments from the HCL report will be discussed in the below sections:

### Impact on listed building and the Conservation Area

Refusal reason No.1 for application 14/11591/FUL was as follows:

- 1 The proposed extension by reason of it's size and height in relation to the attached and adjoining listed buildings would constitute an overly large and tall addition to the rear of the property detracting from the special characteristics of the listed building contrary to core policy 57 and 58 of the Wiltshire Core strategy.

In considering the application the WC Conservation Officer has provided much comment, concluding as follows:

*"In summary, the proposals will cause less than substantial harm to the significance of the property itself and have a neutral impact on its surroundings. Overall, the proposals should lead to an improvement in the accommodation and a positive benefit from the replacement of the existing poor quality and unattractive 1970s*

*garden room with a new structure in more appropriate traditional materials and form. The heritage assets will therefore be preserved as required by local and national policy and legislation and, on this basis, a positive outcome is recommended, subject to the usual controls over the detail of materials, joinery etc.”*

The Planning Inspector did not support refusal reason 1. The following comment from the Planning Inspector confirms:

8. In relation to this first issue I therefore conclude that the special architectural interest and setting of the listed buildings would be preserved as would the significance and character and appearance of the Cholderton Conservation Area. There would be no conflict with core policy 57 with the exception of (vii) or with core policy 58 of the Wiltshire Core Strategy (adopted 2015) 'CS'.

Given that refusal reason 1 was not upheld at appeal, officers consider that it would be unreasonable to refuse the current application for this reason, or a similar conservation related reason, now.

#### Impact on neighbour amenity - windows

Refusal reason No.2 for application 14/11591/FUL was as follows:

- 2 The proposed single storey extension by reason of it's height and proximity to the boundary with No 23/24 Cholderton (Staddlestone Cottage) would have an adverse impact on the amenities of No 23/24 Cholderton in particular overshadowing and loss of light contrary to core policy 57 (vii) of the Wiltshire Core strategy.

As stated already, this application does not propose any changes to the scheme which was previously refused by the Committee and later dismissed at appeal. Further justification has nevertheless been submitted with the following statement setting the scene:

Whilst rights to light are covered under separate legislation, the Building Research Establishment document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (2011) provides a test which determines whether or not, for extensions perpendicular to a window, further detailed daylight and sunlight tests are required. Providing that one of the 45 degree planes (i.e. elevation or plan) is unobstructed, daylight and sunlight levels are unlikely to be adversely affected because light will continue to be received either over the roof or beyond the end of the extension.

To apply this principle the application includes the Sun Study which models both the existing (or 'before') rear daylight/shadow situation and the 'after' daylight/shadow situation resulting from the creation of the proposed extension. The applicant states that the BRE guidelines on light levels in the above mentioned BRE 2011 document are met by this application, and the evidence in the Sun Study in the form of shadow diagrams confirms this – specifically, that the extension will not result in unacceptable loss of light and so will not have an adverse impact on residential amenity.

The independent HCL report gives further reassurance by scrutinising the applicant's submissions. It states:

### **Daylight Impacts**

There is a hierarchy of assessment methodologies used in quantifying the impact of development on neighbouring buildings set out within the BRE Guidelines. In this situation the applicant has used the '45 degree approach' as described in Paragraph 2.2.15 of the BRE Guidelines.

The rule that is applied in this instance is that if the centre of a main window of the next door property lies on the extension side of both of these 45 degree lines, i.e. the one drawn in plan and the one drawn in elevation, then the extension may well cause a significant reduction in the skylight received by the window. Reference to the figure provided by the applicant shows that the 45 degree test in elevation is passed and therefore it can be concluded that the development is unlikely to result in a significant or noticeable reduction in the daylight received by this window.

### **Sunlight Impacts**

In the case of sunlight, the BRE Guidelines set out a hierarchy of tests to determine whether the proposed development will have a significant impact. These are set out in order of complexity below:

Test 1 – Assess whether the windows to main living rooms and conservatories of the buildings surrounding the site are situated within 90° of due south. Obstruction to sunlight may become an issue if some part of the new development is situated within 90° of due south of a main window wall of an existing building.

Test 2 - Draw a section perpendicular from the centre of the window in any window walls identified by Test 1. If the angle subtended between the horizontal line drawn from the centre of the lowest window of the existing building and the proposed development is less than 25°, then the proposed development is unlikely to have a substantial effect on the direct sunlight enjoyed by the existing window.

Test 3 – If the window wall faces within 20° of due south and the reference point has a VSC of 27% or more, then the room is considered to receive sufficient sunlight.

Test 4 – If all of the above tests have been failed, then a more detailed analysis is required to determine the obstruction level to the existing building. In such cases, the BRE Guidance recommends the use of the Annual Probable Sunlight Hours (APSH) test to assess the impact on the availability of sunlight. To pass this test the centre point of the window will need to receive more than one quarter of APSH, including at least 5% APSH in the winter months between 21<sup>st</sup> September and the 21<sup>st</sup> March. The BRE Guidelines state that if 'post-development' the available sunlight hours are both less than the amount above and less than 0.8 times their 'pre-development' value, either over the whole year or just within the winter months, then the occupants of the existing building will notice the loss of sunlight. In addition, if the overall annual loss is greater than 4% of APSH, the room may appear colder and less pleasant.

The applicant has tried to demonstrate a negligible impact on the amount of direct sunlight received by the windows of the neighbouring building (Saddlestone Cottage) using 3D shadow simulations, however, this assessment methodology does not comply directly with any of the above tests. In this situation, a more simplistic approach could be taken in the application of Test 1. From the plan drawings it is evident that the rear elevation of Saddlestone Cottage faces within 90 degrees of due north and therefore based on the criteria of Test 1 it can be concluded that impacts will be negligible.

The BRE Guidelines do suggest that for main living rooms that have an additional window that faces within 90 degrees of due south, then the impact on the secondary window should be assessed. In this situation the window serves a kitchen, which is not deemed to be a main living room.

Notwithstanding this, when the overshadowing model outputs are reviewed, it can be seen that the obstruction caused by the proposed development only casts shadow on the neighbouring kitchen window for a brief period during the early morning. Assuming that the kitchen does have a window on the front elevation of the building, then if Test 4 were to be applied and the Annual Probable Sunlight Hours for the room are totalled, then it is our professional opinion that the assessment criteria for Test 4 would be met. Consequently, we would conclude that the impact of the development on the direct sunlight enjoyed by this room would be negligible.

As is evident, the independent assessment does not raise overriding concerns in relation to the outcomes of the applicant's Sun Study, and it further raises no overriding concerns in relation to the Committee's earlier objection based on loss of daylight or direct sunlight as a result of the proposed rear extension.

Officers also note that in considering the Appeal application the Planning Inspectorate provided the following comments:

about 2m. Staddlestone Cottage has a rear ground floor window close to the common boundary. I had access to the Cottage and its garden on my site visit. At its nearest point the proposal would be only about 0.8m away from the common boundary. At no.22, the proposed new link roof ridge would extend from just underneath the first floor window out to the proposed kitchen. The roof ridge of the rectangular structure would be about 4.2m high. Given that the proposal would be to the south of Staddlestone Cottage, I conclude that there would be an unacceptable loss of light to some of the windows and part of the garden to Staddlestone Cottage. The evidence before me does not convince me that the Building Research Establishment guidelines found in *Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice (2011)* are met but even if they were my concerns in relation to part of the adjacent garden being unduly overshadowed would not be overcome. I am also mindful of the importance of seeking to maintain natural light levels (and any sunlight) to the often limited fenestration of listed cottages.

The Inspector's comments are material considerations which need to be considered as part of this assessment. Without any physical alteration to the proposed scheme

the Committee is left to determine if the additional information now submitted would have led the Inspector to a different conclusion.

The Inspector expressly mentioned the BRE guidelines on Layout Planning for Daylight and Sunlight stating that "... The evidence before me does not convince me that the Building Research Establishment guidelines .... are met ...". However, the HCL report now confirms that the proposed development is in accordance with the BRE guidelines. Given the independent professional opinion that the application complies with the BRE guidelines, Officers have no reason to offer an alternative opinion on this. Officers consider that the Planning Inspector effectively accepted that if the BRE guidelines were met then the concern in relation to impact on windows would be addressed.

This then leaves the impact on light and sun in the garden, which is discussed below.

### Impact on garden

As set out in the quote above, the Inspector also expressed concerns over the impact of the proposed extension on light and sunshine levels in the garden of the neighbouring property.

The submitted Sun Study aims to address this, and the HCL report responds to this as follows:

#### **Overshadowing Impacts to Amenity Areas**

The BRE Guidelines recommend that for a garden or amenity area to appear adequately sunlit throughout the year, at least 50% of an amenity area should receive at least 2 hours of sunlight on 21st March. The BRE Guidelines also suggest that if, as a result of a new development, an existing garden or amenity area does not meet these guidelines, and the area which can receive some sun on the 21st March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

The applicant has provided shadow plots for both the equinox and solstice dates, however in adopting the standard assessment techniques, only the equinox date is used. Inspection of the shadow plots produced for the 21<sup>st</sup> March show that between 10am and 12pm well over 50% of the rear garden of Saddlestone Cottage receives direct sun on the ground. Whilst a detailed review of the overshadowing analysis has not been undertaken as part of this assessment, from the images that have been produced, it is evident that at least 50% of the garden will receive at least 2 hours of sunlight on 21st March. Consequently, when applying these results to the assessment criteria set out within the BRE Guidelines it can be concluded that any loss of direct sunlight that may occur as a result of the proposed rear extension is unlikely to be noticeable.

The independent assessment of the Applicant's additional Sun Study provides a professional opinion that the proposed development will be unlikely to result in any noticeable loss of direct sunlight to the rear garden/amenity area of Staddlestone Cottage. The neighbours' concerns about light and the comments from the Planning Inspectorate about the rear amenity area remain material, but both are considered to be outweighed by the Sun Study and its independent review, and the conclusions that there would not be unacceptable loss of light.

Given the additional information now submitted it is considered that refusal reason 2 and the Planning Inspector's comments/reasoning are addressed, and that the harm to the outdoor amenity area at the neighbouring house no longer amounts to a sustainable reason for refusing planning permission.

## **10. Conclusion**

The proposed single storey rear kitchen extension and link is not judged to result in any demonstrable harm to the character or setting of the listed building or the setting of the neighbouring listed buildings and so refusal reason 1 is considered to be overcome.

The HCL report concludes on the matter of impact on amenity:

### **Conclusions**

In summary, it is our professional opinion that the applicant has provided sufficient evidence to demonstrate that the proposed rear extension to No. 22 Grateley Road will not have an adverse impact on the daylight received by the windows of its neighbour (Saddlestone Cottage). The applicant has also undertaken an assessment of the impact on the direct sunlight received by the windows and garden of this property. Our review and interpretation of this analysis has allowed us to conclude that again, the proposed rear extension will not adversely impact this amenity.

The proposed development and further submitted evidence is considered to provide material justification which provides enough mitigation to overcome the comments of concerns as expressed in the Planning Inspector Appeal Decision, to a degree where refusal reason 2 of application 14/11591/FUL could not be reasonably maintained.

### **Recommendation**

#### **Approve subject to 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, door or other form of openings other than those shown on the approved plans, shall be inserted in the northern elevation (including roof) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy

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

DRG No. 813-20-01A (Nov 2014)	24/03/2016
DRG No. 813-20-03A (Nov 2014)	24/03/2016
DRG No. 813-20-04A (Nov 2014)	24/03/2016

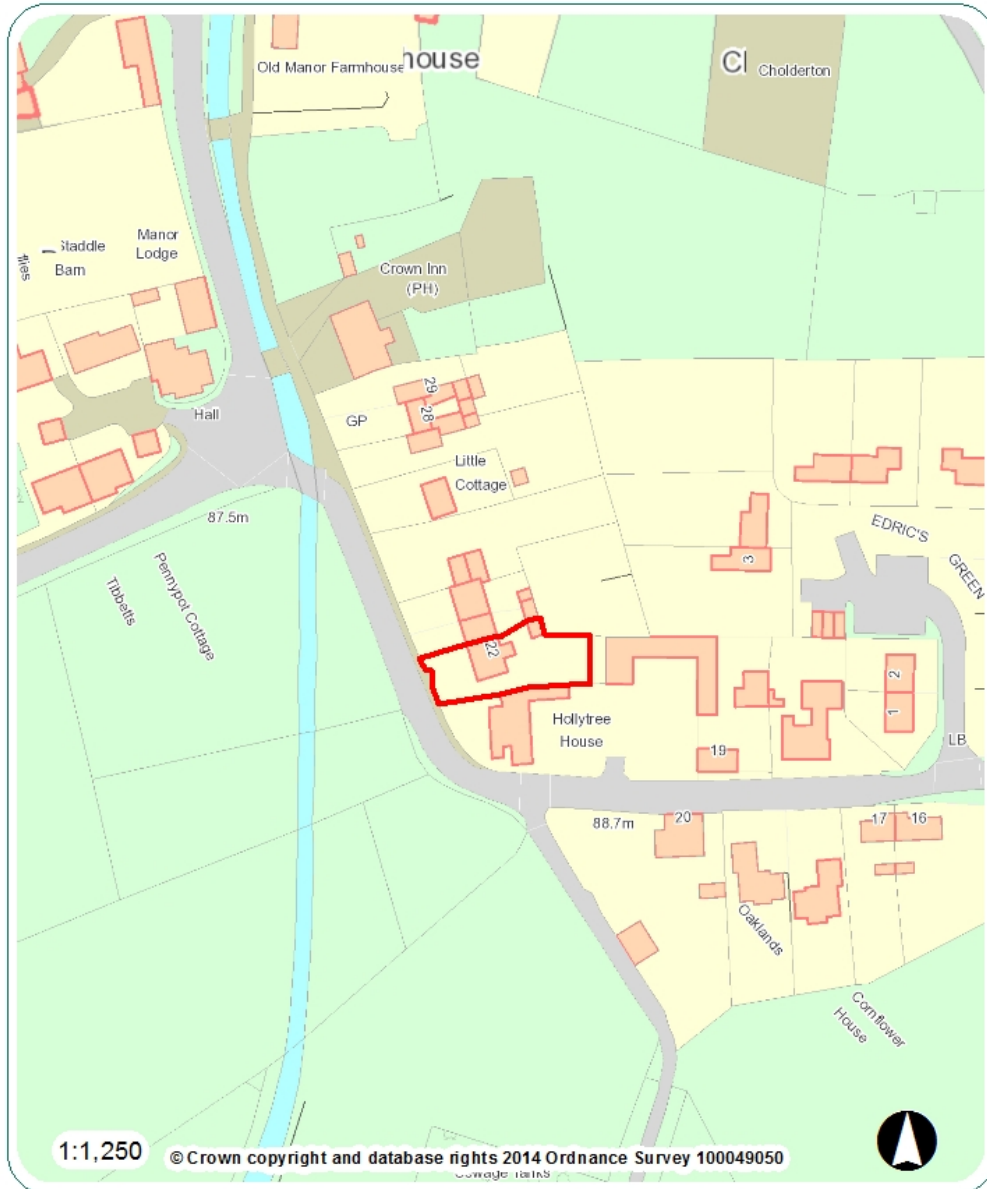
REASON: For the avoidance of doubt and in the interests of proper planning.

**Appendix A** – Appeal Decision

**Appendix B** – Independent Assessment by Herrington Consultation Limited

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## Appeal Decision

Site visit made on 21 September 2015

**by Megan Thomas BA(Hons) in Law, Barrister**

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

**Decision date: 15 October 2015**

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**Appeal Ref: APP/Y3940/D/15/3081163**  
**22 Cholderton, Salisbury SP4 0DL**

- 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 & Mrs A Minting against the decision of Wiltshire Council.
  - The application Ref 14/11591/FUL, dated 19 November 2014, was refused by notice dated 19 March 2015.
  - The development proposed is a single storey rear extension.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The proposal before me involves the partial demolition of the listed building and an alteration to it, in addition to the construction of a single storey extension. However, the appeal before me does not refer to or relate to a refusal of listed building consent. It is solely a s.78 appeal relating to the refusal of planning permission for proposed development and I proceed on that basis.

### Main Issues

3. The appeal site is a grade II listed building in a row of listed buildings and is located in the Cholderton Conservation Area 'CA'. The main issues in the appeal are the effect of the proposal on any features of special architectural interest possessed by the listed buildings, or on their settings, and on the character and appearance of the CA and the effect on the living conditions of the occupants of Staddlestone Cottage with particular regard to light.

### Reasons

#### *Listed buildings and conservation area issue*

4. The appeal site is situated in a row of cottages. The cottage at the northern end, Tuppney Cottage, has its own grade II listing entry. The remainder of the row has a grade II listing dating from at least 1987. Nos 23 and 24 Cholderton have been combined to form a single dwelling now known as Staddlestone Cottage. This is situated to the north of no.22 which is the southerly-most of the group and on the end of the terrace. The cottages face in a broadly westerly direction and there is a house to south of the appeal site known as
-

Hollytree House. Public views into the rear of the appeal site are limited. There is an outbuilding to the rear of no.22 and Staddlestone Cottage. About one third of it is situated in the garden of no.22 and about two thirds in the garden of Staddlestone Cottage.

5. No.22 is two storeys, brick with a tiled roof. To the rear of no.22 there is a single storey extension and a garden room. These appear to have been added in the late 70s and 1980s. The garden room would be demolished and the new extension would connect to the existing single storey rear extension. Only its walls would remain as there would be a new double pitched slate roof leading to the new hipped roof over the main part of the new extension. This latter roof would have a pitch of about 40 degrees. The extension would be timber framed with some full length glazing and a conservation rooflight. It would be rectangular, about 5.4m wide by about 3.8m deep and about 4.2m high to the roof ridge and about 2.2m to eaves. In total the rear element would protrude about 6.8m from the main rear elevation of no.22.
6. In coming to my decision I have borne in mind the statutory duty on me to have special regard to the desirability of preserving the listed buildings or their settings or any features of special architectural or historic interest which they possess. Similarly I have borne in mind the duty to pay special attention to preserving or enhancing the character or appearance of the Conservation Area.
7. The listed buildings play an important role in contributing to the historic and attractive designated Conservation Area in Cholderton. This row of cottages makes its principal contribution by maintaining a front façade of general uniformity with traditional fenestration and door openings. The proposed development would clearly affect the setting of no.22 and to a much lesser extent Staddlestone Cottage. However, it would not be too domineering or overwhelming. It would be difficult to see from public vantage points. The roof ridge would be a similar height to the roof ridge of the nearby outbuilding. The proposed use of full length glazing in parts of the extension would give it a rather more lightweight appearance than a fully timber clad building. The resulting mass and bulk would not in visual terms overwhelm the existing rear elevation of no.22 or Staddlestone Cottage and the overall design is reflective of the outbuilding. The proposal would not harm the special architectural interest of either properties. The area between the rear elevation and the outbuilding does not in my view need to be kept free of development for historic or conservation reasons but the fact that no.22 has a good-sized plot mitigates any potential cluttering or overdevelopment of the site as a whole.
8. In relation to this first issue I therefore conclude that the special architectural interest and setting of the listed buildings would be preserved as would the significance and character and appearance of the Cholderton Conservation Area. There would be no conflict with core policy 57 with the exception of (vii) or with core policy 58 of the Wiltshire Core Strategy (adopted 2015) 'CS'.

*Living conditions of neighbours issue*

9. The boundary between Staddlestone Cottage and the appeal site is staggered such that the northern boundary of no.22's land extends further northward the further east along the boundary from the rear elevations of the two properties. There is a close-boarded fence with open trellis work above to a total height of

about 2m. Staddlestone Cottage has a rear ground floor window close to the common boundary. I had access to the Cottage and its garden on my site visit. At its nearest point the proposal would be only about 0.8m away from the common boundary. At no.22, the proposed new link roof ridge would extend from just underneath the first floor window out to the proposed kitchen. The roof ridge of the rectangular structure would be about 4.2m high. Given that the proposal would be to the south of Staddlestone Cottage, I conclude that there would be an unacceptable loss of light to some of the windows and part of the garden to Staddlestone Cottage. The evidence before me does not convince me that the Building Research Establishment guidelines found in *Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice* (2011) are met but even if they were my concerns in relation to part of the adjacent garden being unduly overshadowed would not be overcome. I am also mindful of the importance of seeking to maintain natural light levels (and any sunlight) to the often limited fenestration of listed cottages.

10. I do not find comparisons with what might be obtained if permitted development rights were available or used very persuasive or of much weight. Whilst noting that care has been taken to attempt to design an extension sympathetic to neighbours and noting that some vegetation may be removed by the appellants to try to improve light levels for Staddlestone Cottage I am not convinced that the proposal is acceptable in residential amenity terms.
11. Consequently on this issue I conclude that the proposal would unduly harm the living conditions of the occupants of Staddlestone Cottage by reason of loss of light. It would contravene core policy 57(vii) of the CS.
12. Given the finding I have made it is not necessary for me to go on to consider other matters raised in third party correspondence.
13. Having taken into account all relevant material considerations, I dismiss the appeal.

*Megan Thomas*

INSPECTOR

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Matthew Legge  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Date: 17<sup>th</sup> May 2016  
Your Ref:  
Our Ref : sph/1510/5660  
email : simon@herringtonconsulting.co.uk

Dear Matthew

**Review of Daylight and Sunlight Assessment for 22 Grateley Road,  
Cholderton, Salisbury SP4 0DL**

Following refusal of planning permission and listed building consent for a single storey rear extension to the above property, an appeal was made against the planning refusal which was later dismissed at appeal.

The planning and listed building applications have been resubmitted and in relation to the planning application, additional information has been submitted to address the Inspector's concerns in relation to the effect on living conditions of the adjoining dwelling (Staddlestone Cottage) with particular regard to light.

The Inspector has raised concerns that the proposals, being located south of the neighbouring building (No. 23/24 Saddlestone Cottage), would cause an unacceptable loss of light to some of the windows and part of the garden.

Therefore, in order to address this issue and quantify the level of impact, a light study has been commissioned by the applicant. This shows the effect of sunlight on the rear elevation and patio area of the application site and its neighbours to the north on four representative days of the year, the equinoxes and solstices.

Herrington Consulting has been commissioned to review this study and provide a critique of the methodologies used and to provide a professional opinion of the conclusions drawn from the analysis included within the study.

Herrington Consulting Limited

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## **Best Practice Guidance**

In the absence of official national planning guidance / legislation on daylight and sunlight, the most recognised guidance document is published by the Building Research Establishment and entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice', Second Edition, 2011; herein referred to as the 'BRE Guidelines'.

The BRE Guidelines are not mandatory and themselves state that they should not be used as an instrument of planning policy, however in practice they are heavily relied upon as they provide a good guide to approach, methodology and evaluation of daylight and sunlight impacts.

In conjunction with the BRE Guidelines further guidance is given within the British Standard (BS) 8206-2:2008: 'Lighting for buildings - Part 2: Code of practice for daylighting'.

In this assessment the BRE Guidelines have been used to establish the extent to which the Proposed Development meets current best practice guidelines. In cases where the Development is likely to reduce light to key windows the study has compared results against the BRE criteria.

Whilst the BRE Guidelines provide numerical guidance for daylight, sunlight and overshadowing, these criteria should not be seen as absolute targets since, as the document states, the intention of the guide is to help rather than constrain the designer. The Guide is not an instrument of planning policy, therefore whilst the methods given are technically robust, it is acknowledged that some level of flexibility should be applied where appropriate.

## **Background**

Natural light refers to both daylight and sunlight. However, there is an important distinction between daylight and sunlight and when assessing the impact of new development, it is necessary to assess the two correctly. The term 'Daylight' is used for natural light where the source is the sky in overcast conditions, whilst 'Sunlight' refers specifically to the light coming directly from the sun.

The assessment methodologies set out within the BRE Guidelines clearly differentiate between the impact on daylight and sunlight and therefore in reviewing the assessment provided by the applicant this distinction is important. Typically, when undertaking a daylight and sunlight assessment, the impacts are broken down into three key elements as follows:

1. Reduction in daylight received by windows of neighbouring buildings.
2. Reductions in the amount of direct sunlight received by neighbouring windows.
3. Increase in the amount of overshadowing to neighbouring amenity areas (in this case, this would apply to rear gardens).

## **Daylight Impacts**

There is a hierarchy of assessment methodologies used in quantifying the impact of development on neighbouring buildings set out within the BRE Guidelines. In this situation the applicant has used the '45 degree approach' as described in Paragraph 2.2.15 of the BRE Guidelines.

The rule that is applied in this instance is that if the centre of a main window of the next door property lies on the extension side of both of these 45 degree lines, i.e. the one drawn in plan and the one drawn in elevation, then the extension may well cause a significant reduction in the skylight received by the window. Reference to the figure provided by the applicant shows that the 45 degree test in elevation is passed and therefore it can be concluded that the development is unlikely to result in a significant or noticeable reduction in the daylight received by this window.

### **Sunlight Impacts**

In the case of sunlight, the BRE Guidelines set out a hierarchy of tests to determine whether the proposed development will have a significant impact. These are set out in order of complexity below:

Test 1 – Assess whether the windows to main living rooms and conservatories of the buildings surrounding the site are situated within 90° of due south. Obstruction to sunlight may become an issue if some part of the new development is situated within 90° of due south of a main window wall of an existing building.

Test 2 - Draw a section perpendicular from the centre of the window in any window walls identified by Test 1. If the angle subtended between the horizontal line drawn from the centre of the lowest window of the existing building and the proposed development is less than 25°, then the proposed development is unlikely to have a substantial effect on the direct sunlight enjoyed by the existing window.

Test 3 – If the window wall faces within 20° of due south and the reference point has a VSC of 27% or more, then the room is considered to receive sufficient sunlight.

Test 4 – If all of the above tests have been failed, then a more detailed analysis is required to determine the obstruction level to the existing building. In such cases, the BRE Guidance recommends the use of the Annual Probable Sunlight Hours (APSH) test to assess the impact on the availability of sunlight. To pass this test the centre point of the window will need to receive more than one quarter of APSH, including at least 5% APSH in the winter months between 21<sup>st</sup> September and the 21<sup>st</sup> March. The BRE Guidelines state that if 'post-development' the available sunlight hours are both less than the amount above and less than 0.8 times their 'pre-development' value, either over the whole year or just within the winter months, then the occupants of the existing building will notice the loss of sunlight. In addition, if the overall annual loss is greater than 4% of APSH, the room may appear colder and less pleasant.

The applicant has tried to demonstrate a negligible impact on the amount of direct sunlight received by the windows of the neighbouring building (Saddlestone Cottage) using 3D shadow simulations, however, this assessment methodology does not comply directly with any of the above tests. In this situation, a more simplistic approach could be taken in the application of Test 1. From the plan drawings it is evident that the rear elevation of Saddlestone Cottage faces within 90 degrees of due north and therefore based on the criteria of Test 1 it can be concluded that impacts will be negligible.

The BRE Guidelines do suggest that for main living rooms that have an additional window that faces within 90 degrees of due south, then the impact on the secondary window should be assessed. In this situation the window serves a kitchen, which is not deemed to be a main living room.

Notwithstanding this, when the overshadowing model outputs are reviewed, it can be seen that the obstruction caused by the proposed development only casts shadow on the neighbouring kitchen window for a brief period during the early morning. Assuming that the kitchen does have a window on the front elevation of the building, then if Test 4 were to be applied and the Annual Probable Sunlight Hours for the room are totalled, then it is our professional opinion that the assessment criteria for Test 4 would be met. Consequently, we would conclude that the impact of the development on the direct sunlight enjoyed by this room would be negligible.

### **Overshadowing Impacts to Amenity Areas**

The BRE Guidelines recommend that for a garden or amenity area to appear adequately sunlit throughout the year, at least 50% of an amenity area should receive at least 2 hours of sunlight on 21st March. The BRE Guidelines also suggest that if, as a result of a new development, an existing garden or amenity area does not meet these guidelines, and the area which can receive some sun on the 21st March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

The applicant has provided shadow plots for both the equinox and solstice dates, however in adopting the standard assessment techniques, only the equinox date is used. Inspection of the shadow plots produced for the 21<sup>st</sup> March show that between 10am and 12pm well over 50% of the rear garden of Saddlestone Cottage receives direct sun on the ground. Whilst a detailed review of the overshadowing analysis has not been undertaken as part of this assessment, from the images that have been produced, it is evident that at least 50% of the garden will receive at least 2 hours of sunlight on 21st March. Consequently, when applying these results to the assessment criteria set out within the BRE Guidelines it can be concluded that any loss of direct sunlight that may occur as a result of the proposed rear extension is unlikely to be noticeable.

### **Conclusions**

In summary, it is our professional opinion that the applicant has provided sufficient evidence to demonstrate that the proposed rear extension to No. 22 Grateley Road will not have an adverse impact on the daylight received by the windows of its neighbour (Saddlestone Cottage). The applicant has also undertaken an assessment of the impact on the direct sunlight received by the windows and garden of this property. Our review and interpretation of this analysis has allowed us to conclude that again, the proposed rear extension will not adversely impact this amenity.

Yours sincerely



**Simon Herrington** BEng CEng MICE CWEM MCIWEM

Co Reg No 5418977  
VAT No 860 5179 20

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 4

<b>Date of Meeting</b>	09 June 2016
<b>Application Number</b>	16/02547/DP3
<b>Site Address</b>	Winterbourne Earls School, Winterbourne Earls, Salisbury, SP4 6HA
<b>Proposal</b>	Proposed renewal of permission for two existing mobile classrooms.
<b>Applicant</b>	Mr Peter Slatford
<b>Town/Parish Council</b>	WINTERBOURNE
<b>Electoral Division</b>	BOURNE AND WOODFORD VALLEY – Councillor Mike Hewitt
<b>Grid Ref</b>	417359 134239
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Laura Baker

### Reason for the application being considered by Committee

The application is being considered by committee because it is a council application and objections have been received by the Parish Council raising material planning considerations.

#### 1. Purpose of Report

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

#### 2. Report Summary

The issues to be taken into consideration are:

- a) Need for the building
- b) Design and Siting
- c) Highway Safety
- d) Neighbour Impact

#### 3. Site Description

The proposal relates to Winterbourne Earls Primary School which is located on the eastern edge of the village. The mobile building is located towards the south eastern edge of the school site. The site does not lie within a conservation area, nor are there any listed buildings within close proximity.

#### 4. Proposal

This application seeks planning permission for the retention of a double mobile building. The building is constructed of brown panels under a grey flat roof and is used as two classrooms for the school.

#### 5. Planning History

S/2011/0453	Retention of mobile units	Approved – May 2011
S/2009/0554	Single storey rear extension to improve staff facilities	Approved – June 2009
S/2005/8016	Retention of two single mobile classrooms with toilets	Approved - November 2005
S/2000/1898	Retention of two single mobile classrooms with toilets	No Objections – October 2000
S/2000/1166	Single classroom extension	No Objections – July 2000

#### 6. Local Planning Policy

National Planning Policy Framework (NPPF):

- Section 7: Requiring good design

Wiltshire Core Strategy (WCS):

- Core Policy 57: Ensuring high quality design and place shaping

#### 7. Summary of consultation responses

Parish Council: Objections - *“proposed renewal of permission for two existing mobile classrooms – Objection with reasons being that ongoing parking difficulties and obstruction of vehicles due to school parking have not been resolved”*

Third Party Representations: None received

#### 8. Publicity

The application was advertised by way of site notice and neighbour notification letter.

## 9. Planning Considerations

The principle issues to be taken into consideration in the determination of this application are the impact of the development on the character and appearance of the area, proposed siting of the work and highways impact.

### Need for the building

The renewal of temporary buildings should be discouraged in favour of permanent buildings. This being said, the statement supporting the application shows an overriding need to retain these classrooms in order for the school to operate sufficiently given the pupil numbers. The long term aim is to replace all temporary buildings with permanent buildings.

### Design and Siting

The mobile units are situated away from the road and set back into the site, the hedge planting at the front of the buildings aids to lessen the impact of the structures in the vicinity. The topography of the site allows for the fencing and hedging reduces the impact of the buildings on the streetscene.

The structure is single storey and although sited to the front of the school, does not appear to over dominate it or have a negative effect on its appearance.

The materials which the buildings are constructed from are sympathetic to the area and aid in blending the structure into its surroundings.

It is considered that the design, scale and siting of the unit is acceptable and would not cause any significant harm to the character of the area. As such the proposal is in accordance with Core Policy 57 of the Core Strategy.

### Highway Safety

The mobile units have been in position for over 15 years and as such, the school is not losing any existing car parking facilities via the classroom unit's retention. Although it is acknowledged that parking is an issue as it is with any school, it is not considered that this would outweigh the need for the space in order to accommodate and teach the pupils of the school.

Parking is the same as it has been for the past 15 years and this application is not proposing any changes to that.

### Neighbour Impact

The site is bounded to the south and west by residential properties. It is considered that the buildings are sited at a sufficient distance away from any neighbouring dwellings, that there would be no negative impact upon their neighbour amenity. It is not considered that the retention of the structure will result in any significant overshadowing or loss of privacy.

## 10. Conclusion

The mobile buildings by virtue of its design, scale and nature would not cause any significant harm to either the character or appearance of the area, or have any negative impact on the neighbour amenity of the area. It is therefore considered that the development would comply Government guidance contained within the NPPF and Core Policy 57 of the Wiltshire Core Strategy (2015).

## RECOMMENDATION

### To approve subject to the following conditions:

- 1 The building hereby permitted shall be removed and the land restored to its former condition on or before 09/06/2021 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority prior to that date.

REASON: The building is constructed out of materials which are likely to deteriorate to the detriment of the external appearance of the building and which would have an adverse effect upon the visual amenities of the area.

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

Application Forms

Site Location Plan

Drawing No. 1623/46 Rev O

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





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