

# AGENDA

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**Meeting:** Southern Area Planning Committee  
**Place:** Sarum Academy, Westwood Road, Salisbury, Wiltshire, SP2 9HS  
**Date:** Thursday 3 November 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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## **Public Participation**

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

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

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

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

# AGENDA

## Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 7 - 22*)

To approve and sign as a correct record the minutes of the meeting held on

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

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 by phone, email or in person no later than 5.50pm on the day of the meeting.

The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice. 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.

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

## 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 no later than 5pm on Thursday 27 October 2016 in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Monday 31 October 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 and Updates**

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

## 7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

### 7a **16/06154/OUT: Land Adjacent 1 Longhedge Cottages, Longhedge, Salisbury, SP4 6BP (Pages 23 - 44)**

Outline application for 4 detached dwellings with garages (All matters reserved except access and layout)

### 7b **16/04126/OUT: Land at Hilltop Way, Salisbury, SP1 3QX (Pages 45 - 68)**

Outline application for the proposed erection of 10 semi detached bungalows, new footpath link, and creation of public open space (resubmission of 15/11350/OUT) incorporating 20 off street parking spaces and 5x laybys to Hilltop Way.

### 7c **16/06309/FUL: 1 Manor Farm Cottages, The Street, West Knoyle, Wiltshire, BA12 6AG (Pages 69 - 76)**

Erection of an open fronted garage to cover two existing car spaces (retrospective)

7d **16/06888/OUT: Farmer Giles Farmstead, Teffont, Salisbury, Wiltshire, SP3 5QY** (*Pages 77 - 100*)

Erection of 1 No. dwelling and associated works following demolition of redundant outbuildings, (Outline application for access and layout only)

8 **Urgent Items**

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

**Part II**

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

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## **SOUTHERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 13 OCTOBER 2016 AT ALAMEIN SUITE, CITY HALL, SALISBURY.**

#### **Present:**

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

#### **Also Present:**

Cllr Atiqul Hoque and Cllr Peter Edge

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#### **83 Apologies**

There were none.

#### **84 Minutes of the Previous Meeting**

The minutes of the meeting held on 1 September 2016 were presented.

#### **Resolved:**

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

#### **85 Declarations of Interest**

Cllr Brian Dalton declared a non pecuniary interest in relation to application 16/07283/FUL, Kingscroft Farm as he knew the applicant through a work connection 30 years previously. He took part in the discussion and vote.

#### **86 Chairman's Announcements**

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

#### **87 Public Participation**

The committee noted the rules on public participation.

## 88 **Planning Appeals and Updates**

The committee received details of the appeal decisions logged and those determined for the period 22/08/2016 to 30/09/2016.

### **Resolved**

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

## 89 **Planning Applications**

### 90 **16/07232/FUL: 7 Wilton Road, Salisbury, SP2 7ED**

#### Public Participation

Philip Easton (Agent) spoke in support to the application.

The Senior Planning Officer introduced the application for change of use of the former public house and conversion to four residential dwellings and alterations to existing cottage. The application was recommended for approval, subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the Officers. There were none.

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

The Unitary Division Member; Councillor Richard Clewer spoke in objection to the application, noting that there were concerns in respect of car parking provision and the impact of the proposed development on the surrounding area.

Councillor Clewer proposed the application be refused against Officers recommendation on parking grounds. This was seconded by Councillor Mike Hewitt.

The Committee discussed the application, noting that there was no parking outside the site which was on a busy stretch of road. Despite there being no objection from Highways it was felt that there were issues associated with vehicles making deliveries or dropping off along this section of the road.

The loss of a public house was also a consideration, it was noted that the Core Policy 49 which protected rural pubs, did not apply in Salisbury City.

The Committee voted on the motion put forward by Cllr Clewer. It was not carried.

Cllr Westmoreland moved a second motion of Approval, in line with Officer's recommendation this was seconded by Cllr Chris Devine.



**Resolved**

**That application 16/07232/FUL be APPROVED as per the Officers recommendation with 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:**

**Drawing number 1314181/02 dated 22.04.16, as deposited with the local planning authority on 09.08.16, and  
Drawing number 1314181/04 dated 22.04.16, as deposited with the local planning authority on 09.08.16, and  
Drawing number 1314181/03 dated 22.04.16, as deposited with the local planning authority on 09.08.16, and  
Drawing number 1314181/01 dated 15.07.16, as deposited with the local planning authority on 09.08.16.**

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

- 3. Before first occupation of each unit of the development hereby approved, noise attenuation measures (i.e. good quality double glazing and installation of Mechanical Ventilation Heat Recovery System) as detailed in Section 1.4 and 10.11 of the submitted Noise Impact Assessment dated July 2016 (reference IMP4796-1) shall be implemented in full and shall be maintained at all times thereafter.**

**Reason: To ensure adequate noise mitigation measures are incorporated into the development, in the interests of amenity.**

- 4. 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: To ensure adequate noise mitigation measures are incorporated into the development, in the interests of amenity.**

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

**Reason: To ensure adequate noise mitigation measures are incorporated into the development, in the interests of amenity.**

**Informative for CIL:**

The development hereby approved may be liable for CIL. The Community infrastructure levy (CIL) is a charge that local authorities in England can place on development in their area. The money generated through the levy will contribute towards the funding of infrastructure to support growth. Further information in respect of liability for CIL can be found on the Council's website via the following link:

<http://www.wiltshire.gov.uk/planninganddevelopment/dmcommunityinfrastructurelevy.htm>

91 **16/06154/OUT: Land adjacent to 1 Longhedge Cottages, Longhedge, Salisbury. SP4 6BP**

Public Participation

Tony Allen (Agent) spoke in support to the application.

The Senior Planning Officer introduced the Outline application for four detached dwellings with garages on land adjacent to 1 Longhedge Cottages. He explained that previously at the 11 June 2015 meeting of the Southern Area Planning Committee, Members considered the previous application 15/03272/OUT, where it was refused. The circumstances in respect of the development of the land to the immediate south and west of the application site had since materially altered and the applicant had now resubmitted a fresh application for consideration. This site was now in a sustainable position.

The application was recommended for approval, subject to a S106 Legal Agreement and subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the industrial units next to the proposed new properties were restricted to B1 Type use, therefore the level of noise was not a consideration as there would be nothing noisy or intrusive.

The access and egress of the site for all 4 dwellings was from an existing single access point for which there had been no highways objection.

It was noted that the previous application had included a proposal to extend a footpath by S106 agreement, but that it did not now form part of the new outline application.

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

The Unitary Division Member; Councillor Ian McLennan spoke in support of the application, however noted that a contribution to a cycleway would be desirable. He also stated the importance of Longhedge retaining a long hedge along the site, and asked that the screening be maintained once the development was complete.

Councillor McLennan proposed approval in line with Office recommendation, subject to a contribution for a cycle path as far as was currently possible to the south; this was seconded by Councillor Ian Tomes.

The Committee discussed the application, with Cllr Clewer noted that a working group had identified a route for non vehicular transport and that it was important to maintain that route.

It was felt that there could be a network of cycle route links around the development, however it was noted that there had been issues in the past with ransom strips for third party land.

The Chairman moved the motion to defer the application to seek further information, as Members wish to see a suitable pathway provided from the site entrance, south to the southern edge of the site along the A345, in order to provide a future linkage to the city. This was seconded by Cllr Chris Devine.

**Resolved**

**That application 16/06154/OUT be DEFERED.**

**92 16/07563/FUL: 3 South Street, Wilton. Salisbury, SP2 0JS**

Public Participation

Matthew Holmes (Agent) spoke in support to the application.

The Senior Planning Officer introduced the application for the conversion of the building to form three houses, external alterations and landscaping of the courtyard space. The application was recommended for approval subject to conditions. Site was behind No's 1, 5 and 7 South Street, accessible between 5 and 7 South Street. With exception of 4 parking bays the rest of the street was set out with double yellow lines.

The application recommended for approval subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the policy on car parking spaces required for developments did not apply if the site was considered as in a sustainable location. Highways had not objected to the application.

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

The Unitary Division Member; Councillor Peter Edge spoke in objection to the application, on the grounds of the relationship to adjoining properties and lack of car parking. He felt that the Highways recommendations on applications to were not fit for purpose. Stating that for the recent five applications in Wilton, one had provided no parking spaces and yet was approved, where as another development was refused for not supplying enough car parking spaces. He felt that there was no consistency.

Councillor Devine proposed approval in line with Officer Recommendation. This was seconded by Councillor Richard Britton.

The Committee discussed the application, noting that the courtyard was within the red line of the application site, however it had not been considered for parking as it was felt there would be safety issues associated with that.

It was queried how Highways had considered Wilton as an entirely sustainable location.

**Resolved**

**That application 16/07563/FUL be APPROVED as per the Officers recommendation with 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:**

**Plan Reference: 1:1250 Scale Site Location Plan, received by this office 03/08/2016**

**Plan Reference: 1143-TP-11 Site Layout as proposed, received by this office 03/08/2016**

**Plan Reference: 1143-TP-06 Ground Floor Plan as proposed, received by this office 03/08/2016**

**Plan Reference: 1143-TP-07 First Floor Plan as proposed, received by this office 03/08/2016**

**Plan Reference: 1143-TP-08 Elevation/section (as proposed), received by this office 03/08/2016**

**Plan Reference: 1143-TP-09 Elevation/section (as proposed), received by this office 03/08/2016**

**Plan Reference: 1143-TP-10 Elevation/section (as proposed), received by this office 03/08/2016**

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

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

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

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

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

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

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

**REASON:** 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 land contamination can be dealt

with adequately prior to the use of the site hereby approved by the Local Planning Authority.

(5) No dwelling shall be occupied, until details of secure covered cycle parking, have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details prior to first occupation of the dwellings and shall be retained for use at all times thereafter.

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

(6) 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 amenity, due to the proximity of other dwellings to the development site.

(7) 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), 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.

(8) 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, doors or other form of openings other than those shown on the approved plans, shall be inserted in the South East or South West elevations of the development hereby permitted.

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

**INFORMATIVE: Dorset & Wiltshire Fire & Rescue**

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

**INFORMATIVE: Private Property/Access Rights**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

The applicant is advised to consider the third party comments re private rights and the developers should satisfy themselves/resolve matters before development commences.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

**INFORMATIVE TO APPLICANT: Community Infrastructure Levy**

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)

93 **16/07283/FUL: Kingscroft Farm, Weston Lane, West Winterslow, Salisbury, SP5 1RL**

Public Participation

Rob Williams spoke in support to the application.

Mike Taylor - representative of Winterslow Parish Council spoke in support of the application.

The Development Control Team Leader introduced the application for the erection of two new dwellings at Kingscroft Farm. The application was recommended for refusal as the application site was situated outside of the defined limits of development as set out within Core Policies CP1, CP2 and CP23 of the adopted Wiltshire Core Strategy and the associated policies maps.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that whilst the Winterslow Neighbourhood Plan (NHP) was emerging it was not known when it would be adopted.

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

The Unitary Division Member; Councillor Chris Devine spoke in support of the application, noting that whilst he accepted the Officers recommendation he supported the parish councils views about localism. The village had been fully involved with the development of a Village Design Statement and the NHP reflected their desires for development in the village.

Councillor Devine proposed the application be approved against Officers recommendation as he felt that there was a justifiable exception to Core Policy 2. This was seconded by Councillor Mike Hewitt

The Committee discussed the application, noting that Officers were right to resist applications based on emerging NHPs, however there was clear support from the village for the development. The Committee had in the past approved other sites outside Neighbourhood boundaries. In Winterslow the settlement boundary was split in two parts, with the site in between the two areas. A pair of two well designed buildings were probably more preferable that a large scale development.

**Resolved**

**That application 16/07283/FUL be APPROVED against the Officers recommendation with the following conditions:**

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

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

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

**DRG No. 885-20-01A (Block Plan) 29/09/2016**

**DRG No. 885-20-02 (Unit 1 Floor Plans & North and West Elevations)  
25/07/2016**

**DRG No. 885-20-03 (Unit 1 Roof Plans & South and East Elevations)  
25/07/2016**

**DRG No. 885-20-04 (Unit 2 Floor Plans & North and West Elevations)  
25/07/2016**

**DRG No. 885-20-05 (Unit 2 Roof Plans & South and East Elevations)  
25/07/2016**

**DRG No. 885-20-06 (Location Plan) 25/07/2016**

**DRG No. 885-20-07 (Visibility Splay) 28/09/2016**



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

- 3** The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

**REASON:** In the interests of highway safety.

- 4** Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

**REASON:** In the interests of highway safety.

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

**REASON:** In the interests of highway safety.

- 6** No part of the development shall be first occupied until the visibility splays detailed on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

**Reason:** In the interests of highway safety

- 7** No development shall commence on site until details of the external materials to be used for the walls and roof of 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 this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 8** No development shall commence on site until a scheme for the discharge of surface water from the site (including 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:** 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.

- 9** 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:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure;
- all hard and soft surfacing materials;

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission

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

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

94 **16/07363/FUL: Bourne Hill Police Station, Salisbury, SP1 3UZ**

Public Participation

Mary Stephens spoke in objection to the application.

Darryl Rogers (Agent) spoke in support to the application.

Assistant Chief Constable Kier Pritchard spoke in support to the application.

Cllr Michael Pope - representative of Salisbury City Council spoke in Objection to the application.

The Development Control Team Leader introduced the application for the integration of the police station into existing office space for Police operational and administrative purposes including accommodating both a community policing team and an enquiry office facility. A total of 87 Officers in total would be based at Bourne Hill, these would be in shifts so a maximum of 24 Officers at a time. A request for 7 additional parking spaces to be added on to the existing allocation.

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 specific nature of the use of the 31 spaces was not known. The Green Travel Plan (GTP) did not permit Council staff to park in the car park for work, it was hoped that this also applied to Police staff.

The Committee had been asked to consider the application pending the change of use of part of the building as a matter of transparency.

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

The Unitary Division Member; Councillor Atiqul Hoque spoke in objection to the application, asking the Committee to consider the residents views relating to the car park and the rapid response vehicles which would be operating from there. He did not feel it was acceptable for a further 7 car parking spaces to be allocated to the Police.

Councillor Fred Westmoreland proposed approval in line with Office recommendation. This was seconded by Councillor Richard Britton.

The Committee discussed the application, noting that decision to move the Police station to Bourne Hill had impacted on the number of parking spaces available in College Street Car Park. It was felt that the level of consultation carried out by the Police and Crime Commissioner had not been adequate. There were no current air quality issues in that part of the city.

It was noted that there was no clear indication of the type of vehicles that would be using the 31 spaces, and that Highways had not seen the GTP to assess the suitability for use by police.

It was felt that the GTP was an integral part of the application. There had only been 4 letters of objection to the application. The Committee noted that Policing was constantly evolving and as such the requirements had changed. It was necessary to accommodate the requirement of the Police within Bourne Hill, as this would help to develop joined up working and thinking.

It was agreed that the Green Travel Plan submitted to satisfy condition 3 should be approved by members.

**Resolved**

**That application 16/0736/FUL be APPROVED as per the Officers recommendation with the following conditions:**

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

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

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

**Application form dated 27th July 2016**

**Site Plan as received 1st August 2016**

**Agents supporting letter dated July 27th 2016**

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

- 3) No part of the development shall be occupied by the new use, until the existing Green travel Plan has been updated and approved in writing by the Local Planning Authority. The updated Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.**

**REASON: In the interests of road safety and reducing vehicular traffic to the development.**

- 4) The number of staff employed by the Police authority and permanently based at Bourne Hill shall not exceed 87 as specified in the applicants accompanying statement unless otherwise agreed in writing with the local planning authority.**

**REASON: In order to ensure that there is no adverse effect on the amenity of neighbouring residents from an increase in police numbers without further consideration by the local planning authority.**

95 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00pm – 9.10pm)

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

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<b>Date of Meeting</b>	3 <sup>rd</sup> November 2016
<b>Application Number</b>	16/06154/OUT
<b>Site Address</b>	Land adjacent 1 Longhedge Cottages, Longhedge, Salisbury. SP4 6BP
<b>Proposal</b>	Outline application for 4 detached dwellings with garages (All matters reserved except access and layout)
<b>Applicant</b>	Mr Tony Cowles
<b>Town/Parish Council</b>	Laverstock
<b>Ward</b>	Laverstock, Ford & Old Sarum
<b>Grid Ref</b>	414477 134066
<b>Type of application</b>	Outline
<b>Case Officer</b>	Warren Simmonds

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

Previously at the 13<sup>th</sup> October meeting of the Southern Area Planning Committee, the application was deferred for further information/consideration in respect of the provision of a footpath/cycle lane along the Western boundary of the site, extending southwards:

The Unitary Division Member; Councillor Ian McLennan spoke in support of the application, however noted that a contribution to a cycleway would be desirable. He also stated the importance of Longhedge retaining a long hedge along the site, and asked that the screening be maintained once the development was complete.

Councillor McLennan proposed approval in line with Office recommendation, subject to a contribution for a cycle path as far as was currently possible to the south; this was seconded by Councillor Ian Tomes.

The Committee discussed the application, with Cllr Clewer suggested that a working group had identified a route for non-vehicular transport and that it was important to maintain that route.

It was felt that there could be a network of cycle route links around the development, however it was noted that there had been issues in the past with ransom strips for third party land.

The Chairman moved the motion to defer the application to seek further information, as Members wish to see a suitable pathway provided from the site entrance, south to the southern edge of the site along the A345, in order to provide a future linkage to the city.

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Previously at the 11th June 2015 meeting of the Southern Area Planning Committee, Members considered the previous application 15/03272/OUT. Contrary to officers' recommendation, Members decided to refuse the application for reasons explained in the report below. The circumstances in respect of the development of the land to the immediate south and west of the application site have since materially altered and the applicant has now resubmitted a fresh application for consideration. The Area

Development Manager considers it prudent that this application be put before Members in the interests of consistency and public interest.

The development may be considered in policy terms to be contrary to the aims of development plan policies CP1 CP2, CP48, & CP51 in that the dwellings would be located outside of defined development limits. However, taking into consideration the granting of both outline consent and reserved matters approval (and subsequent commencement of development) on adjacent land in respect of the erection of 673 residential units including affordable housing, internal access roads with open space and landscaping under planning reference 15/07253/REM, officers consider that there are significant material considerations that may outweigh the normal policy context in this particular instance.

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

To consider the recommendation of the Area Development Manager that planning permission be **Granted, subject to a S106 Legal Agreement and subject to conditions.**

### **2. Report Summary**

1. Principles and policies/previous refusals
2. Design and impact on wider area including heritage assets
3. Impact on Neighbour amenity
4. Highways and parking issues
5. Archaeology
6. Ecology and drainage
7. Aircraft safety
8. S106 heads of terms

The Parish Council: Support the application  
Neighbourhood responses: None

### **3. Site description**

The land subject of the application appears to form part of the curtilage of No.1 Longhedge Cottages, although only part of the land is apparently actual garden area. There is an existing vehicular access off the adjacent A345. The other semi detached cottage (No.2 Longhedge cottages) forming part of this existing grouping does not form part of the application site.

The site is located between the A345 road and the field system to the south east and north east, which is allocated with the adopted South Wiltshire Core Strategy for 450 dwellings and other associated development. The Council has approved the development of 673 dwellings on this adjacent land, with associated community infrastructure. This significant development will also result in a new highway layout to the immediate north of the application site subject of this report, with the provision of a roundabout, new bus stops, and associated footways. At the time of writing, this development has commenced.



A gas pipeline runs through this adjacent Longhedge site, and close to the application site.

To the east of this allocation, the Old Sarum development is continuing to grow, and has permission for some 811 dwellings which are currently being built out. The development will also have associated community infrastructure, including the existing school.

To the west, there is “Longhedge House”, a Grade 2 listed building located opposite the site on the western side of the A345, and the adjacent “Longhedge Farm”.

The wider environment remains currently characterised by open countryside, and the site forms part of the setting of the adjacent Old Sarum Scheduled Ancient Monument (SAM). The surrounding area has been the subject of a number of archaeological finds, and the adjacent agricultural land is also of some importance in ecological terms, including being within the catchment of the River Avon SSSI.

The site is located some distance from the adjacent Conservation Areas which cover the adjacent historic airfield and its buildings, as well as the Old Sarum SAM. The former toll house located at the roundabout with the Portway is also a listed property, although this is some distance from the site.

The site lies to the north of the established development including a Park and Ride facility, and the land to the south adjacent the airfield has also been allocated for development (See Core Policy 23 of the Wiltshire Core Strategy).

#### **4. Relevant planning history**

Previous outline planning application ref 13/04728/OUT was refused by Members for the following reason:

*“The proposed dwellings would be located on a site which is currently located in the open countryside, and is not specifically allocated for housing development in the South Wiltshire Core Strategy or the draft Wiltshire Core Strategy. The adjacent A345 road onto to which the dwellings would have a vehicular access is a very busy arterial road between Salisbury and Amesbury, where traffic speeds are very high.*

*A large area of land immediately adjacent the site has been allocated for a significant mixed development within the development plan, and planning permission has been granted. A new highway arrangement has been proposed as part of the adjacent development, which will help improve highway safety and reduce traffic speeds.*

*However, this adjacent permission is in outline form and development has yet to commence. Consequently, at the current time, the surrounding land remains of a rural character, and it may be some time before the land is actually developed, including the provision of a roundabout. As a result, there is no certainty that the final development will*

*resemble the layout currently envisaged or that the future developments would not conflict.*

*Consequently, due to the lack of certainty that the development of the area would occur as currently envisaged, it is considered that the scheme would be likely to result in housing development within the open countryside also result in additional traffic generation onto a busy arterial road to the detriment of highway safety, contrary to policies CP6, C2, C7, H23 & G2 of the adopted South Wiltshire Core Strategy.”*

Furthermore, previous to the above refusal, there have been two applications on this land, both related to the change of use of the land to residential curtilage (applications S/2006/1974 and S/2008/1410) in 2006 & 2008. The reason for refusal was as follows:

*“The proposed change of use from agricultural land to residential curtilage represents an undesirable encroachment into the countryside for which there is no overriding justification. As such, the proposal would be contrary to the desirability to protect the countryside for its own sake and its intrinsic character and beauty, being therefore contrary to saved policies C2 of the adopted Salisbury District Local Plan and PSS7 ‘Sustainable Development in Rural Areas’.”*

The wider area has been the subject of significant changes over recent years, including the development of the Old Sarum community.

In particular, the site adjacent to this application site, known as Longhedge, has been allocated in the South Wiltshire Core Strategy for a development of up to 450 dwellings, including new access arrangements, community facilities, and commercial uses. More recently, in relation to this field system, planning application 13/00673/OUT was approved in 2014 subject to a S106 on the adjacent field system. The application relates to a development of up to 673 dwellings, including community infrastructure, and a new access roundabout of the A345, together with commercial uses.

Planning application 15/03272/OUT for ‘Erection of 4 detached houses with separate double garages, retaining existing access and visibility splays’ was also refused by Members of the Southern Area Committee on 12.06.15 for the following reasons:

*“The proposed dwellings would be located on a site which is currently located in the open countryside, and is not specifically allocated for housing development in the adopted Wiltshire Core Strategy. The adjacent A345 road onto to which the dwellings would have a vehicular access is a very busy arterial road between Salisbury and Amesbury, where traffic speeds are very high.*

*A large area of land immediately adjacent the site has been allocated for a significant mixed development within the development plan, and planning permission has been granted. A new highway arrangement has been proposed as part of the adjacent development, which will help improve highway safety and reduce traffic speeds. However, this adjacent permission is in outline form and development has yet to commence. Consequently, at the current time, the surrounding land remains of a rural character, and it may be some time before the land is actually developed, including the provision of a roundabout. As a result, there is no certainty that the final development will*

*resemble the layout currently envisaged or that the future developments would not conflict.*

*Consequently, due to the lack of certainty that the development of the area would occur as currently envisaged, it is considered that the scheme would be likely to result in housing development within the open countryside also result in additional traffic generation onto a busy arterial road to the detriment of highway safety, contrary to policies CP1, CP2, CP45, CP48, CP51 & CP57 of the adopted Wiltshire Core Strategy.”*

Planning application 15/07253/REM was approved on 14.01.16 and granted Reserved Matters consent for ‘*appearance, landscaping, layout and scale pursuant to outline permission 13/00673/OUT (Option A) for the erection of 673 residential units comprising 1, 2, 3, 4 and 5 bedroom units including affordable housing, internal access roads with open space and landscaping*’. This consent has since been commenced with works physically started on site and the construction of the roundabout to the north of the application site on the A345.

## **5. Proposal**

This proposal is in outline form, with only access and layout being in detailed form. The submitted plan shows the redevelopment of the land to the immediate south of the existing cottages for four detached dwellings, arranged in a linear fashion, with associated parking and garages. The existing vehicular access to the existing cottage is reutilised, and the proposed dwellings then accessed via a linear driveway, running between the dwellings and the boundary of the site.

## **6. Relevant Planning Policy**

NPPF, NPPG

Wiltshire Core strategy policies:

CP1, CP2, CP3, CP20, CP23, CP24, CP41, CP43, CP45, CP48, CP50, CP51, CP52, CP57, CP58, CP60, CP61, CP62, CP67, CP68, and also the development template for the Longhedge site at appendix A.

Adopted Supplementary Planning Guidance “Creating Places”

## **7. Consultation responses**

WC Highways – Supports the application, subject to Conditions and a legal agreement

Highways England – No response received

Ecology – No response received

Public protection – No objection, subject to Conditions

Spatial planning – Maintain a policy objection

Archaeology – Support, subject to Conditions

ROW – No response received

Drainage – Request for additional information

MOD – No safeguarding concerns  
Wessex Water – No response received  
Laverstock & Ford parish council – Support the application

## **8.Third Parties/Publicity**

No responses have been received

## **9.Planning Considerations**

### **9.1 Principle and policy**

As the application site has recently been the subject of a similar application and a refusal in 2015, the LPA needs to reconsider its previous decision in the light of any current planning guidance and policies, as well as any subsequent changes to the surrounding physical environment or the local or national policy regime.

The land subject of the current application does not form part of the adjacent Longhedge allocation, and consequently, the site is not allocated for future development as part of the WCS, and is therefore for the purposes of planning, located within the open countryside, where the development of land for dwellings not associated with agriculture, forestry, or similar rural enterprises, is strictly controlled by planning policy. As a consequence, this application scheme is contrary to the aims of policy CP1, CP2, CP45, CP48 & CP51 of the Wiltshire Core Strategy in that the site falls outside the Longhedge application.

The NPPF clearly indicates (at para 12) that development which conflicts with development plan policies should be refused unless material considerations indicate otherwise.

On pure policy grounds, as set out in the consultation response from the Spatial Planning officer, it is recommended (by the Spatial Planning officer) that the scheme should be refused based on these development plan policies and the general national presumption in favour of conserving and enhancing the natural environment.

However, in officers opinion, with the approval and subsequent commencement of a major new development on the neighbouring site, this is now a rather unusual and unique case, and there are material considerations which may outweigh the local plan policies in this case. These are outlined below:

#### **i) Previous refusal reason**

Members previous refusal reason (15/03272/OUT) seems clear that the scheme was not simply unacceptable because it was in the open countryside but states that the development is not acceptable largely as it would precede the creation of the road system and development planned and approved at the Longhedge site, and indicates that:

“.....However, this adjacent permission is in outline form and development has yet to commence. Consequently, at the current time, the surrounding land remains of a rural character, and it may be some time before the land is actually developed, including the

provision of a roundabout. As a result, there is no certainty that the final development will resemble the layout currently envisaged or that the future developments would not conflict.

Consequently, due to the lack of certainty that the development of the area would occur as currently envisaged, it is considered that the scheme would be likely to result in housing development within the open countryside also result in additional traffic generation onto a busy arterial road to the detriment of highway safety, contrary to policies CP6, C2, C7, H23 & G2 of the adopted South Wiltshire Core Strategy.”

The circumstances surrounding the application site have materially changed since the previous application was refused, in the following main respects:

1. The adoption of the Wiltshire Core Strategy in 2015 providing an allocation for the neighbouring land (since the first refusal)
2. The granting of both outline and RM approval of the surrounding development and associated highway works earlier this year
3. The construction of the roundabout to the north of the site on the A345
4. A new speed limit imposed in this section of the A345
5. The commencement of the approved housing/mixed use development on the neighbouring site

In terms of the site’s location, it is considered that recent approvals have resulted in significant development within the immediate vicinity of the site and, when fully developed, the area will contain a new primary school and neighbourhood centre together with a significant area of public open space. It is considered that these new features will result in the application site being located within a sustainable location with good access to services and other facilities including public transport.

Consequently, in the opinion of officers a refusal now based solely on an in principle objection to housing in the countryside may be difficult to justify.

In summary, it is considered the changes of circumstances which have occurred since the previous refusals of permission on the site act to constitute a significant material consideration which outweighs the policy objection of the site is being outside of the defined limits of development. The proposed development is thereby considered to constitute sustainable development.

However, notwithstanding the principle of developing housing outside allocated sites, the potential impacts of the proposed development on the character of the countryside and the setting of the Old Sarum Conservation Area and associated landscape remains a material consideration, as does the potential impact of the development on the highway system, and these matters are considered in the following paragraphs.

## **9.2 Design and landscape impact on wider area including heritage assets**

At the time of the previous refusal, the application site was located within Landscape setting of Salisbury and Wilton subject of previous Local Plan saved policy C7. This policy has now been replaced by WCS policy CP 51. This now indicates that:

*“Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:*

*i. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies*

*ii. The locally distinctive character of settlements and their landscape settings*

*iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe*

*iv. Visually sensitive skylines, soils, geological and topographical features*

*v. Landscape features of cultural, historic and heritage value*

*vi. Important views and visual amenity*

*vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion*

*viii. Landscape functions including places to live, work, relax and recreate, and*

*ix. Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.*

*.....Proposals for development outside of an AONB that is sufficiently prominent (in terms of its siting or scale) to have an impact on the area’s special qualities (as set out in the relevant management plan), must also demonstrate that it would not adversely affect its setting”*

The area also contains numerous historical features of interest, including the Old Sarum Ancient Monument and Conservation Area, and the Old Sarum aerodrome and conservation area. There are other listed buildings in the immediate and wider vicinity, including the adjacent Longhedge House. Newly adopted WCS policies CP57 & 58 are therefore now relevant. These indicate that:

*“CP57 A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be*

*accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:*

- i. Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced*
- ii. The retention and enhancement of existing important landscaping and natural features, (for example trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development*
- iii. Responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials streetscape and rooflines to effectively integrate the building into its setting*
- iv. Being sympathetic to and conserving historic buildings and historic landscapes*
- v. The maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41*
- vi. Making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area*
- vii. Having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing; vibration; and pollution (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)*
- viii. Incorporating measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area through the creation of visually attractive frontages that have windows and doors located to assist in the informal surveillance of public and shared areas by occupants of the site*
- ix. Ensuring that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible; in accordance with Core Policy 66 – Strategic Transport Network*
- x. The sensitive design of advertisements and signage, which are appropriate*

*and sympathetic to their local setting by means of scale, design, lighting and materials*

- xi. Taking account of the needs of potential occupants, through planning for diversity and adaptability, and considering how buildings and space will be used in the immediate and long term future*
- xii. The use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm*
- xiii. In the case of major developments, ensuring they are accompanied by a detailed design statement and master plan, which is based on an analysis of the local context and assessment of constraints and opportunities of the site and is informed by a development concept, including clearly stated design principles, which will underpin the character of the new place.*
- xiv. Meet the requirements of Core Policy 61 – Transport and New Development”*

*“CP58 Development should protect, conserve and where possible enhance the historic environment.*

*Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:*

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

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

*Heritage assets at risk will be monitored and development proposals that improve their condition will be encouraged. The advice of statutory and local consultees will be sought in consideration of such applications.”*

#### 9.2.1 Impact on character of countryside

This is an outline application with detailed matters related to detailed design are “reserved” and not for consideration. However, access and layout are for detailed consideration, and the submitted plan shows how the future layout of the scheme would be laid out.



Given the linear and narrow nature of the site, the proposed dwellings are (indicatively) uniformly laid out in a row, accessed via a single access point driveway off the main A345. With the development of the neighbouring Longhedge site, the character surrounding the application site will change significantly and permanently, with more urbanised development located directly adjacent its rear boundary. Consequently it is considered the visual impact of the proposed development for 4 dwellings is unlikely to have any undue visual impacts.

The Council's Public Protection officer has stated in her consultation response:

*'Given that there will be a reduction in the traffic speed along the A345 and that the B1 commercial units will be commensurate with residential and having reviewed our previous response from this department on the outline application (15/03272/OUT) we do not have grounds to support an objection.'*

The Public Protection officer therefore raises no objection to the proposed development, subject to Conditions in respect of the approval of a scheme of acoustic insulation for the proposed dwellings from road traffic noise and from the B1 units to be constructed on the neighbouring Longhedge development.

#### 9.2.2 Impact on Old Sarum Ancient Monument/Conservation Area

The site is located some distance to the north of the SAM, which is surrounded by a Conservation Area. However, whilst the proposed development (in isolation) would be visible from the SAM, the proposal would be seen at some considerable distance, and would be seen in the context of existing development. Once the approved Longhedge development is built out, it is considered the proposed development would not be prominently visible from the SAM, or have any undue impact on the setting or character of the heritage asset.

#### 9.2.3 Impact on Old Sarum Aerodrome Conservation Area

The site is also located to the west of Old Sarum Aerodrome Conservation Area, and is located on higher ground. The existing property and land is currently visible from the lower land to the east (Old Sarum area). The larger Old Sarum development and the Longhedge development (once built) would largely interrupt any views or visual interrelationship with the application site. Furthermore, the Aerodrome conservation area is slightly unusual in that it was designated due to the historic nature of the airfield and its buildings, and not as would normally be the case, because of the attractive historic character of the area in a visual sense.

As a result, and given that the proposal will be located adjacent to a modern housing development, and somewhat divorced from the conservation area, it is considered that the proposal would not have an adverse impact on the existing character of the conservation area, nor would it adversely affect the historic reasons for its designation.

#### 9.2.4 Impact on Longhedge House

This property and its setting is already significantly affected by the construction works associated with the approved Longhedge development, particularly due to the proposed roundabout works, which significantly alter the more rural character of the A345 at this point. The proposed four dwellings suggested by this current application are therefore considered unlikely to have any greater impact on this heritage asset as the approved Longhedge development is constructed.

#### 9.2.5 The Beehive Toll House

This grade 2 listed building is located some distance to the south of the application sites. Its immediate setting and context was altered significantly a number of years ago with the construction of the park and ride complex and the associated roundabout and access junctions. Given this, and the distance from the application site, from which it will be largely screened by mature landscaping and other features, it is considered that the character and setting of the building is unlikely to be adversely affected.

### Summary

It therefore remains officers advice on this matter that a refusal based on a significant landscape or heritage asset harm would be difficult to justify, and the proposed development is acceptable in terms of its impacts on the landscape and associated heritage assets, as outlined above.

### 9.3 Impact on residential amenity

The previous application scheme on this site was not refused on amenity impact grounds. As a result, it would now be difficult to justify a refusal on those grounds, unless aspects of the scheme or its relationship with the surrounding area have altered since 2015, or if adopted WCS policies or national guidance had altered in terms of amenity issues.

In terms of planning policies and advice, it is officers' opinion that the proposed development accords with the requirements of Core Policy 57.

The application site would be located directly adjacent to No. 1 & 2 Longhedge Cottages, opposite Longhedge House, and located to the west of the emerging Old Sarum housing development and Longhedge development. However, the site is divided from Longhedge House by the A345 and tree screening. Furthermore, given the approved layout of the adjacent Longhedge development, only B1 commercial units are to be located directly adjacent to the boundary of the property subject of this application. (With regards these commercial units, restrictive conditions have been imposed upon the operation of these units restricting their use to B1 only, and therefore it is unlikely that their operation would have a significant impact on the amenities of the dwellings suggested by this application).

Given the relatively modest scale of the development, in officers' opinion, the scheme is unlikely to have wider amenity impacts, other than in relation to the amenities experienced by any occupiers of the adjacent Longhedge cottages.

The Public Protection officer has recommended a working hours Condition to safeguard the amenity of adjoining residents.

Following construction, the addition of 4 dwellings on this site are likely to reduce the privacy and isolation currently experienced by existing occupiers of both Longhedge cottages, mainly due to the increased traffic movements and general noise and disturbance. Whilst such a change will be very noticeable compared to the existing situation, it is considered that in terms of overlooking/loss of privacy and overshadowing, the impacts of the new houses would not in officers opinion be so significant as to warrant refusal.

No objections or representations have been received in respect of the application from third parties.

#### **9.4 Highways and parking issues**

The scheme proposes the retention and enhancement of the existing access off the A345, which would then serve four proposed dwellings plus the existing dwelling (number 1 Longhedge Cottages).

The existing A345 road is currently unlit along this section, and permitted traffic speeds have been reduced to 40MPH and a large new highway feature has been introduced to the north of the site and indeed overall the neighbouring development would create:

- The construction of the site access roundabout including street lighting of the roundabout.
- Construction of a footway along the A345 frontage of the site.
- Construction of 2 bus laybys on the A345 including shelters and real time bus time information electronic display boards.
- Implementation of a 40 mph speed limit on the A345 between the site access and the Beehive roundabout.

Furthermore, the site itself would cease to be isolated in traffic terms, and would benefit from the sustainable transport initiatives created by the improved works associated with the larger development.

The Highways officer has assessed the proposal and provides the following consultation response:

*'The above proposed development was dependant on the installation of the roundabout on the A345 relating to the adjacent Longhedge residential development, and the associated change to the speed limit. I am aware that this work has now begun and the highway improvements are mainly in place. Given that the speed limit has been reduced to 40mph I am satisfied that sufficient visibility splays can be achieved with 120m to the west and 100m (to the roundabout) to the east.'*

*The proposed car parking is considered to be acceptable together with the visitor parking and the on-site turning facility. I believe it is unlikely that the refuse vehicle will enter the site and therefore a bin store is required at the entrance.'*

*The existing entrance will provide access to the site. It would appear that there is a short gap between the entrance and the existing footway (2 or 3 metres), the footway should be extended to connect with the entrance and to complete the pedestrian link to the adjacent Longhedge site. The entrance should be improved to provide a clearly defined junction with kerbs on the radii. The entire area should be properly surfaced and drained.*

*I wish to support the proposed development and recommend the following conditions are applied' (Conditions as set out at the conclusion of this report).*

Therefore provided the existing footway is extended to connect with the access to the proposed development (thereby creating a pedestrian link between the proposed development to the services and facilities within the adjacent Longhedge development) the proposed development is considered acceptable in terms of access, parking provision and would not be detrimental in terms of Highway safety.

### **9.5 Aircraft safety**

The application site is located a significant distance away from the Old Sarum airfield landing strip, and separated from it by the larger Longhedge development, the Old Sarum site, and a number of larger commercial buildings including hangers. It is therefore considered unlikely in this instance that the proposed development would have an adverse affect of aircraft safety.

The Ministry of Defence has assessed the proposal and confirms there are no safeguarding concerns.

### **9.6 Ecology/drainage**

The site is located within 2km of the River Avon SSSI. Hence the area is generally sensitive in terms of development which may affect the water systems and drainage.

However, the Environmental Statement (ES) which covers the adjacent Longhedge site concludes that there is unlikely to be significant impacts from this larger development, subject to conditions. The EA were consulted on this much smaller scale 4 dwelling scheme, but have previously chosen not to raise any objections in terms of its likely impacts over and above those of the adjacent development. The Council's drainage officer has not previously offered any objections. The Council's ecology officer has offered no objections, subject to standard conditions to protect any natural habitat.

Subject to standard conditions related to these matters, it is therefore considered that the scheme is unlikely to cause any significant harm.

As the scheme remains effectively as refused in 2015, whereby no reference was made in the refusal to ecology or drainage issues, a refusal of this current application would be difficult to justify in officers' opinion.

### **9.7 Archaeology**

The Council archaeology department has indicated that the area may have significant archaeological potential, and has recommended that archaeological evaluation works take place before construction. A Condition is therefore required to ensure an archaeological evaluation takes place before development commences.

As the scheme remains as refused in 2015, and that no reference was made in the refusal to archaeology issues, a refusal of this current application would be difficult to justify in officers opinion.

## **9.8 S106 Heads of Terms**

### **Affordable Housing**

The Council's adopted WCS policy CP43 does not require small scale proposals (ie of 4 dwellings) to make provision or contributions in respect of affordable housing.

### **Open space**

Housing schemes of less than 10 dwellings are no longer subject to a financial contribution. As the CIL charging regime has now come into force, the open space tariff payment would be secured via this process, not through S106.

### **Highway improvements**

The scheme benefits from Highway improvements already secured by immediate neighbouring development schemes. Other than the measures required by the Highways officer by Condition, a small extension to the existing footway (currently terminating in front of number 1 Longhedge Cottages) is required to create a pedestrian link between the proposed development to the services and facilities within the adjacent Longhedge development. As this area of land is outside of the ownership or control of the applicant, it is considered a Section 106 legal agreement will be required to secure the provision of the required footway link.

## **10. Conclusion**

The development of four new dwellings in the open countryside without justification would normally be contrary to planning policy, particularly policy CP2 and discordant with the established national presumption against isolated and unsustainable housing development in the open countryside.

However, this is considered by officers to be an exceptional and rather unique case, given that a substantial area of land immediately adjacent to this site is allocated in the adopted Wiltshire Core Strategy for 450 dwellings, plus associated facilities and provisions, and that the Council has approved applications for 673 dwellings (for which construction and related Highways improvements have already commenced). The approved neighbouring larger development has been designed to be inherently sustainable, with associated community facilities and transport linkages. Thus, the application site is soon to be well located in respect of services and facilities, with good links via the improved highway works.

It would be therefore officers' opinion that the proposed development of four new dwellings would be particularly difficult to defend where a reason for refusal is based on pure policy grounds relating to the unsustainability or remoteness of the site, particularly given the wording of the Council's previous reasons for refusal under planning reference 15/03272/OUT.

Furthermore, the now commenced development of the neighbouring Longhedge site inevitably has a considerable impact on the character of the area immediately surrounding the application site. For this reason, in officers' opinion it would be difficult to defend a reason for refusal based on the likely visual harm caused by 4 additional dwellings over and above the impact of 673 dwellings. It is considered that the landscape impact of the scheme particularly in terms of the setting of the heritage assets, when weighed against the already developing character of the area; the visual impact of the allocated site being built out, would not be so sufficiently harmful as to warrant refusal of the scheme on the basis of landscape or heritage impacts.

Whilst the addition of 4 dwellings adjacent to the existing Longhedge cottages may potentially alter the level of amenity enjoyed by existing residents, Conditions can be imposed which provide adequate mitigation against undue impacts.

Similarly, whilst the existing vehicular access arrangements serving the site are far from ideal, and 4 additional dwellings would affect traffic safety along this previously fast stretch of road, Highway improvements associated with the adjacent Longhedge developments under construction or already in place, and highway and traffic safety within this locality is improved (with improved lighting and lower traffic speeds).

Should Members consider that the previous reasons for refusal have been overcome, a list of appropriate Conditions has been suggested below:

**RECOMMENDATION: That subject to all parties entering into a S106 legal agreement which secures the following:**

- **A 2 metre wide footway shall have been constructed and made permanently available for use by pedestrians, adjacent the A345 road, and to link from the access to the proposed development, to the adjacent pathway network, to allow pedestrian access to adjacent services and facilities.**

**Then delegate to the Head of Development Management to APPROVE subject to the following conditions:**

01. This permission relates to the detailed approval of the access and layout only. Approval of the details of the scale, appearance of the buildings, and the landscaping of the site (herein called the reserved matters) shall be obtained from the Local Planning Authority in writing as per condition 03 below.

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

2004.

02. Plans and particulars of the reserved matters referred to in condition 01 above, relating to the scale, appearance of any building to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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

03. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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

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

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

05. The development shall be carried out in general accordance with the following plan(s):

Drawing 0771/01 Rev S dated September 2013, as deposited with the local planning authority on 23.06.16.

REASON: For the avoidance of doubt

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

REASON: In the interests of highway safety.

07. No part of the development shall be first brought into use until the visibility splays shown on the approved plans (ref: 0771/01 Rev S) have been provided with no obstruction to visibility at or above a height of 0.9m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

08. No development shall commence on site until details of the access including improved junction radii, kerbs, surfacing (not loose stone or gravel), drainage and an extension to the existing footway have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the access improvements detailed above have been provided in accordance with the approved details.

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

09. No development shall commence on site until a scheme of acoustic insulation for the purposes of preventing the ingress of road traffic noise and noise from the proposed business park has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of acoustic glazing and ventilation systems. Any works which form part of the approved scheme shall be completed prior to the premises being occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of the amenities of future occupiers of the proposed dwellings.

10. No development shall commence on site until a scheme of acoustic screening for the purposes of protecting the residential properties and their external amenity space from road traffic noise and the proposed business park has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the premises being occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of the amenities of future occupiers of the proposed dwellings.

11. No construction 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 order to limit the impact of works on residential amenity

12. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In order to limit the impact of works on residential amenity

13. No development shall take place within the application site until a written programme of archaeological investigation, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological mitigation has been carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

14. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of habitats and species during the construction



period, including pollution prevention measures. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to prevent pollution of the water environment and to protect habitats and species during the construction period so as to limit the impacts of the development

15. No development shall commence on site until a scheme for the discharge of surface water from the site (including 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 brought into use/occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

### **Informatives**

1. With regard to archaeology (Condition 13 above) the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.
2. The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by Wiltshire Council. Should you require further information with regards to CIL please refer to the Council's website.

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<b>REPORT OUTLINE FOR AREA PLANNING COMMITTEES</b>		<b>Report No.</b>
<b>Date of Meeting</b>	3 <sup>rd</sup> November 2016	
<b>Application Number</b>	16/04126/OUT	
<b>Site Address</b>	Land at Hilltop Way, Salisbury, SP1 3QX	
<b>Proposal</b>	Outline application for the proposed erection of 10 semi detached bungalows, new footpath link, and creation of public open space (resubmission of 15/11350/OUT) incorporating 20 off street parking spaces and 5x laybys to Hilltop Way.	
<b>Applicant</b>	Mr. D.J. Pearce	
<b>Town/Parish Council</b>	Salisbury City Council	
<b>Electoral Division</b>	ST FRANCIS & STRATFORD – Cllr. Mary Douglas	
<b>Grid Ref</b>	414555 132146	
<b>Type of application</b>	Outline, with approval sought for access and layout as reserved matters	
<b>Case Officer</b>	Mrs. Becky Jones	

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

Cllr. Douglas has called the application to committee to be determined on the grounds of local concern relating particularly to the visual impact on the local area, highway and environmental impact and car parking.

**1. Purpose of Report**

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

**2. Report Summary**

The main planning issues to consider are:

1. Principle of the development
2. Other material considerations
  - i) Previous refusal reasons and Appeal Inspector’s decision.
  - ii) Affordable Housing Provision
  - iii) The draft Open Spaces Study and Public Open Space
3. Design and impact on the wider landscape
4. Ecology and Archaeology
5. Drainage
6. Highway safety and public rights of way
7. Neighbouring amenity and public protection
8. Community Infrastructure Levy
9. Waste and Recycling & Energy Efficiency
10. Conclusion: The Planning Balance

The application has generated 1 letter of support (subject to conditions) from Salisbury City Council, 1 letter of no comment from Laverstock and Ford Parish Council, 2 letters of support and 22 letters of objection.

**3. Site Description and Proposal**

The site lies in an elevated position between Hilltop Way and the southern side of Castle Hill. The immediate neighbourhood comprises estate housing from the post war period. This is mostly semi detached dwellings with front and rear gardens, set back behind wide roadside verges. Dwellings to the east on Paul's Dene Way are bungalows. The land at Hilltop Way comprises a parcel of scrubby grassland, enclosed to the south by residential development and to the north, by open countryside. The north boundary of the site is formed by public footpath (the Golden Way) and to the north and east is the Hampton Park Country Park (currently the subject of 16/00048/FUL). The site is within the applicant's ownership.

The applicant is proposing to:

- Erect 10 single storey (up to 5.5m height) dwellings (4x1 bed, 4x2 bed and 2x3 bed units)
- 100% affordable housing
- Provide paired driveway accesses from Hilltop Way. Provide landscape planting to the north and north west boundaries. Dwellings set back from pavement.
- On street laybys for 10 vehicles to park. Removal of street trees.
- 2 off street parking spaces per dwelling (no garages are proposed).
- Provide a new right of way between the existing bungalows and the proposed units.
- Regrading of ground levels to ensure building levels are just slightly above Hilltop Way level.
- Retention of open space to the rear of Paul's Dene bungalows as informal amenity/recreational open space.

Suggested materials include:

- Multi stock brick for walls and natural or substitute slate for roofs.
- Low front walls of brick or stone or painted low picket fences
- Rear/side boundary walls of brick
- Open space boundaries with retention of existing trees and hedges and parkland style fencing and gates.

The following documents have been submitted:

- Planning, Design and Access Statements
- Ecological Appraisal and Reptile Mitigation Strategy
- Waste Statement
- Statement of Community Involvement
- Archaeological Desk Based Assessment
- Utility Statement
- Preliminary Geo-Environmental Risk Assessment (contamination)
- Surface Water Drainage Strategy
- Transport Statement

#### **4. Planning History**

S/1986/687 O/L application for 10 dwellings – refused

S/1986/1102 Erection of 10 dwellings – refused and dismissed at appeal

S/1989/755 O/L - layout of 1.45 acres of open space & erection of 6 bungalows with garages & construction of access - refused

S/1997/1952 Erection of 9 bungalows – refused and dismissed at appeal (see Inspector's report extracts)

15/11350/OUT Erection of 10 semi-detached bungalows (for over-55s), create new footpath link from Hilltop Way to existing bridleway to the rear of site, and creation of public open space. - Withdrawn

**Related (Nos 33-51)**

85/838 O/L - for construction of 10 bungalows, garages, drives & associated landscaping, construction of vehicular access AC 21.11.85

The current site area was earmarked in this application as “Potential Open Space” on the outline application plans. However, no conditions were attached to the decision to secure this.

**5. Local Planning Policy**

**National Planning Policy Framework (NPPF) and NPPG**

**Wiltshire Core Strategy (WCS):**

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 3: Infrastructure

Core Policy 20: Spatial Strategy for the Salisbury Community Area

Core Policy 41: Sustainable Construction

Core Policy 43: Affordable Homes

Core Policy 44: Rural Exceptions Sites

Core Policy 45: Meeting Wiltshire’s Housing Needs

Core Policy 50: Biodiversity and Geodiversity

Core policy 51: Landscape

Core Policy 57: Ensuring high quality design and place shaping

Core Policy 60: Sustainable Transport

Core Policy 61: Transport and Development

Saved policies R2 and R3 Open Space Provision, R5 Protection of Existing Outdoor Facilities

**Wiltshire and Swindon Waste Core strategy 2006-2026 adopted 2009**

Policy WCS6

**The Community Infrastructure Levy Regulations 2010 (as amended)**

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

**6. Summary of consultation responses**

**Spatial Policy – objection:** *The site lies outside the defined limits for development and in accordance with Core Polices 1 and 2, the proposal should be refused unless there are other material considerations which merit making an exception to adopted planning policy in this case. Although the site is under consideration as part of the Site Allocation process, no*

*decisions have been taken on the likely site choices, and therefore no conclusions can be drawn on the likelihood of this sites designation. Therefore it would be premature to cite this as justification for allowing development contrary to the Core Strategy. By virtue of its scale and nature, the proposal cannot be considered to meet any of the criteria for exceptional development as set out in the Core Strategy. In the lack of any further justification it is the opinion of the Spatial Planning Team that there are no reasons to make an exception to adopted policy in this case, unless there are other material reasons for doing so.*

**Housing** – Support principle of provision of affordable housing, subject to a legal agreement to secure details.

**Drainage** – Support subject to conditions

**Wessex Water** – no objection in principle, connections and SuDS details to be agreed.

**Ecology** – Support subject to conditions

**Archaeology** – no objection

**Public Protection** – no objection subject to conditions

**Design Officer** - no objection

**Public Open Space** – no objection in principle as Wiltshire Open Spaces Study is still draft. £8,060 Section 106 Agreement contribution required towards Country Park provision under Policy R2.

**Education** – no contributions are being sought on this application.

**Highways** – No objection to the scheme in principle although the visitor's parking is excessive and could be reduced.

## **7. Publicity**

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

**22 letters of objection and concern** were received, on the following grounds:

- Road is too narrow and in poor condition – needs repair, straightening and widening with more passing places. Restricted visibility due to bend. Vehicles block sight lines. reversing cars will add to danger.
- On street parking will increase, causing accidents, congestion, risks to children playing, traffic to back up and mount kerbs. Disputes and conflict over parking spaces likely. Properties opposite do not have driveways and use on street parking.
- Laybys are out of character with the estate and likely to be used for parking for Country Park users etc. Laybys on the wrong side of the road.
- Cramped layout is out of keeping with Hilltop Way
- Diminished access for emergency vehicles, including for Old Sarum Airfield incidents.
- Damage views of Salisbury skyline from Amesbury Road and footpath. Existing Hilltop Way properties are sited below the skyline, to suit local topography.
- Land is dormant open space and should be left so for all users. Important green space within the estate and part of its character. Does not benefit the community.
- Impact on wildlife
- Impact during construction on amenity, access and parking.
- Traffic assessment seems to have been taken from straighter part of the road
- There are not infrequent heavy plant movements to and from Wessex Water reservoir



- Site notices should have been more widely dispersed and not put in the same locations as previously.
- Overdevelopment coupled with Longhedge, Bishopdown, Bishopdown Farm, Hampton Park, Riverdown and Portway developments. Too dense.
- Play park should have been provided – site was allocated for open space following development of adjacent site for bungalows. Why has status changed?
- Visual impact of development and associated cars
- Previous applications have been refused and local opposition remains strong. Reasons are still valid.
- Backs onto footpath and bridleway – likely to become cluttered with fences/hedges and detracting from local area. Front gardens should be open plan.
- Outside settlement boundary for Salisbury and should be part of the Country Park
- Wait until Country Park is open to the public. Hilltop Way would provide access to Country Park – where is parking provision?
- Development of the site is encouraging car use.
- Site allocated in DPD and review needs to be completed so avoid piecemeal approach due to exceptional circumstances. Local community does not support this development.
- Hilltop Way was built to accommodate access to 14 bungalows only, hence its narrowness and unsuitability for additional development.
- Requires new access to give direct access to Castle Road.

## **2 letters of support:**

- COGS would like to see the proposed new footpath link from the development to bridleway and cycle route SALS1 made wide enough for shared pedestrian/cycle use. Further comments on this aspect of the plans were made on the original application by Wiltshire Council Sustainable Transport. We would support and welcome these improvements to the surface of bridleway SALS1 and greater width of proposed links to allow shared use.
- Parking concerns have been addressed by this revised application

## **8. Planning Considerations**

Planning permission is required for the development. The applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. (Paragraph 215 at Annex 1).

### **8.1 Principle of development**

Core Policy 1 outlines the settlement strategy for Wiltshire and identifies the settlements where sustainable development will take place. Salisbury is listed as a principle settlement within the Salisbury Community Area. Core Policy 2 addresses the issue of development outside of settlement boundaries. Under Core Policy 2, development will not be permitted

outside the limits of development; the site in question is outside the settlement boundary but it is immediately adjacent to residential development. Core Policy 2 also states that development proposals outside of defined settlement edges will be strictly limited and only acceptable in certain circumstances:

*“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.”*

As it currently stands, the site is located outside the defined housing/settlement boundary, and is thus technically in the open countryside. At this time an application submission on this site would be contrary to national and local policy.

However, this site has been included within the early stages of consultation for the Housing Sites DPD document and is still in consideration for allocation. The plan preparation timeframe states that the finalised sites will be included in the Draft Plan which would then go out to public consultation.

Another document which is instrumental to the process is the ‘Settlement Boundary’ Review which underwent consultation in September 2014. Maps have been drawn up to identify the proposed settlement boundary for Salisbury which encompasses the new Hampton Park extension and Country Park. From these maps the Hilltop Way site has been included within the new proposed Settlement Boundary for Salisbury.

At this stage of the process the Housing Sites DPD document has not reached an advanced stage and is yet to identify the final allocations. This means that if this proposal is to be granted planning permission at this stage, it will be required to prove that it can meet the requirements through the ‘exceptions policy’. The Core Strategy allows for different types of development outside of the defined settlement boundaries, providing that they have a good case for being exempt from policy restrictions. The Rural Exceptions Policy CP44 allows housing for local need to be permitted, solely for affordable housing, subject to criteria:

- i. The proposal has clear support from the local community;*
- ii. The housing is being delivered to meet an identified and genuine local need;*
- iii. The proposal is within, adjoining or well related to the existing settlement;*
- iv. Environmental and landscape considerations will not be compromised;*
- v. The proposal consists of 10 dwellings or fewer;*
- vi. Employment and services are accessible from the site;*
- vii. Its scale and type is appropriate to the nature of the settlement and will respect the character and setting of that settlement; and*
- viii. The affordable housing provided under this policy will always be available for defined local needs, both initially and on subsequent change of occupant.*

However, this policy specifically **excludes** the principal settlements, including Salisbury and therefore, the site cannot be considered as a “rural” exceptions site under CP44. The WCS does not contain an “urban” exceptions site policy and this may be to discourage the incremental erosion of the urban edge to the principal settlements and prevent sprawl over time. It is also relevant to note that a 5 year housing land supply can be demonstrated for Salisbury and South Wiltshire and affordable housing provision would be expected to come forward under CP43 on acceptable identified and windfall sites.

In conclusion, the site lies outside the defined limits for development. In accordance with Core Policies 1 and 2, the proposal should be refused unless there are other material considerations which merit making an exception to adopted planning policy in this case.

Although the site is under consideration as part of the Site Allocation process, no decisions have been taken on the likely site choices, and therefore, notwithstanding the site's history, no conclusions can be drawn on the likelihood of this site's designation. Therefore it would be premature to cite this as justification for allowing development contrary to the Core Strategy. The proposal is not considered to meet any of the criteria for exceptional development as set out in the Core Strategy. In the absence of any further justification it is the opinion of the Spatial Planning Team that there are no reasons to make an exception to adopted policy in this case, *unless* there are other material reasons for doing so.

## **8.2 Other material considerations**

The NPPF clearly indicates (at para 12) that development which conflicts with development plan policies should be refused unless material considerations indicate otherwise.

The scheme could be refused in accordance with development plan policies and the general national presumption in favour of conserving and enhancing the natural environment. However, there are a number of material considerations which must also be considered in determining the application. These are discussed below:

### **i) Previous refusal reasons and Appeal Inspector's decision.**

S/1997/1952 sought permission to erect **9 bungalows** on the site. The proposed layout was very similar to the current application. This was refused on three grounds, relating to development outside the settlement boundary, impact on the Landscape Setting of Salisbury and Wilton, and impact of the loss of an open area on the visual amenity and character of the Paul's Dene area. This is considered in further detail under section 8.3.

### **ii) Affordable Housing Provision**

The Housing Team has provided the following guidance:

*We note the application is proposing 100% affordable housing which we would support. Just to confirm I have not spoken to any affordable housing providers in detail regarding this site. Two providers have approached the Council to ask a question about the site but I have not had any further contact with them.*

*In summary we are supportive of the development on the basis it is delivering 100% affordable housing but the tenure mix which is supported will vary dependent on which core policy is applied to this development site. Other details set out within our consultation responses also remain applicable. In relation to the tenure mix we would need to take in account the policy under which the site is potentially brought forward. As set out in our consultation response dated 22 August 2016, we do not feel this site is a rural exceptions site under the criteria set out in core policy 44. However we also recognise that the site is not within the principal settlement of Salisbury and is therefore contrary to core policy 43.*

*Should the site be brought forward under core policy 43 there is a requirement for 40% affordable housing provision and as the site is proposing 100% affordable housing we would*

welcome this extra affordable housing. In our previous consultation responses we have advised there is information to indicate a need for 1-3 bedroom bungalows in the Salisbury area and set out the proposed mix, expected tenure (60% affordable rent and 40% shared ownership) alongside design details. The final proposed mix of properties would need to be agreed with the affordable housing team as demonstrable need would need to be met.

Although we have stated we feel the site does not meet the criteria of a rural exception site, should it be brought forward under core policy 44, we would support the application on the basis that it is delivering 100% affordable housing. In our consultation response dated 22 August 2016 (see Appendix 2) we recognised that the site would need to deliver 100% affordable housing in perpetuity. Therefore should the applicant wish to include a percentage of shared ownership properties (the percentage level yet to be agreed with the affordable housing team) these would need to be modelled in such a way that they remain as affordable housing in perpetuity (for example restrictions in the percentage that an applicant could staircase their ownership level to). We would recommend the applicant discusses this with potential affordable housing providers to ascertain their interest in shared ownership properties that must remain affordable housing in perpetuity.

We also note that as well as delivering the site for 100% affordable housing, the applicant is proposing to build these units to Lifetime Home standards (LTHS) as set out in our consultation response dated 22 August 2016 which we support. We would also support the approach not to restrict these units within an age restriction. We have also referred to core policies 45 and 46 in our consultation response which remain applicable.

Members will therefore need to consider whether this material consideration would indicate that the application should be approved, despite the conflict with Core Policy CP2 and the appeal decision regarding the character of the area. In this case, the application would need to be approved by Members, subject to it being delegated back to officers to secure the Section 106 Agreement for the affordable housing provisions recommended by the Housing Team. However, should the site subsequently be included within the settlement boundary and/or be confirmed as a preferred housing site, then it may be difficult in future to retain the restrictions on the development as affordable housing and applications for open market housing could follow.

### **iii) The draft Wiltshire Open Space Study 2015 – 2026 and Public Open Space**

The site has also been identified in Part II (Community Area Profiles) of the draft Open Spaces Study as amenity space. The public consultation stage for Part II has now closed. The audit represents up to date evidence for the Open Spaces study and the site has been mapped as open space. Once adopted, a new open spaces policy would replace the current saved district plan policy R5, as part of the partial review of the Wiltshire Core Strategy. The Environmental Services team have commented on the application as follows:

*Onsite recreation provision could be sought under Planning Policy R3. However, given the site's proximity to the approved Country Park onsite POS provision would not be requested in this instance. Adequate access to the Country Park for the residents would be required.*

*Planning Policy R2 states that new residential development will be required to make provision for recreational open space (comprising facilities for communal outdoor sport and children's play) in accordance with a standard of 2.43 hectares per 1000 population.*

However, given the proximity of the Country Park, it may be more appropriate for this requirement to be satisfied offsite. 20 people x £403 (R2 figure for R2 adult recreation) = **£8,060**. This contribution would be used to fund the ongoing development of the country park.

Currently the Wiltshire Open Spaces Study has not been adopted, so there is no in principle objection to the development. This status may change, depending on when the Partial Core Strategy Review is adopted.

Given the recent provision of the 51ha Hampton Park country park adjacent to the site and the lack of any objection to the application from the Environment Services team, there is considered to be an excess of public open space in the area and as such the proposals would not be contrary to saved policy R5.

### 8.3 Design and impact on the wider landscape and loss of open space

Core Policy 57 sets out the design criteria for new development and states:

*A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire...*

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



In landscape terms, the site would be closely related to the existing built areas of Salisbury and the Bishopdown Farm development. It would not be directly visible from Old Sarum, but as some objectors have noted, it would be visible from the north approach to the city from Amesbury and the A345. The design officer has commented:

*Strictly from a design point of view, I have no objections (subject to conditions WB1, WB17, WC1 and WC2).*

*In terms of character, the proposed bungalows are in keeping with the surrounding setting, especially if they continue the form and style of the existing properties immediately to the east, as suggested. According to the information submitted the properties would also be set back from the street, which would be consistent with local character. The proposed rear and front garden sizes are also adequate and off parking would be consistent with the local approach.*

*From a landscape point of view this site might serve a strategic purpose in screening development from the Country Park but those considerations will have to be addressed by the Council's Landscape officer.*

In terms of the impact of the development on the landscape character of the area *beyond* the estate, no landscape objection is raised under CP51. However, Members may also wish to consider these comments alongside the appeal Inspector's comments relating to the contribution of the site to the wider character of the estate.

S/1997/1952 sought permission to erect 9 **bungalows** on the site. The proposed layout was very similar to the current application. This was refused on three grounds, relating to development outside the settlement boundary, impact on the Landscape Setting of Salisbury and Wilton, and impact of the loss of an open area on the visual amenity and character of the Paul's Dene area. In dismissing the appeal, and with reference to the loss of open space, the Inspector concluded:

11. I recognise that there have been changes in planning policy since that time and that, in particular, national policy is placing continually greater emphasis on making the best use of urban land for housing purposes. However, the appeal site is not urban land for the purpose of the Council's planning policies and, in any event, national policy (PPG3) does not expect its overall objective to be achieved at an unacceptable cost to the character of established residential areas. There is also no overriding reason to treat the land as an appropriate windfall site because, on the evidence, the Council expects to be able to satisfy the housing allocations of both the existing and emerging Local Plans from sites within the settlement boundary.

Members will note that PPG has been superseded by the NPPF and the Landscape Setting for Salisbury and Wilton (Local Plan Policy C9) has not been saved by the Wiltshire Core Strategy. This was a highly restrictive policy in its wording, and sought to prevent most forms of built development within its designation. The site is no longer within this designation and general landscape principles apply. Furthermore, the Council is still able to demonstrate a 5 year housing land supply for this part of Wiltshire and so the site still does not need to constitute a windfall. However, the Inspector did comment on the subject of the impact of the development on the existing open character of the immediate area. He said:

9. On the other hand, I do not consider that the value of the site is limited by the functional nature of its relationship with that countryside. Despite its unkempt appearance, I believe that, together with the adjoining landscaped area, it makes a positive contribution to the character of this part of the Pauls Dene Estate by creating an appropriate introduction to the spaciousness of the open countryside beyond and a degree of transition between the urban and rural landscapes. In terms of Policy G1(ix), I regard it as an important open area which it is desirable to retain.

10. I also note that, in dismissing an appeal relating to an earlier proposal for the development of the site, that Inspector referred to the same sense of spaciousness and said that the significant closing of the open area would materially detract from the pleasing character of the estate and would reduce the attraction of the adjoining bridleway for those using it. My predecessor's views were expressed in 1986 but, in my opinion, they continue to be valid.

Members might also consider that these views on the impact of the loss of this open space on the character of the area continue to be valid, particularly given that the appeal decision relates to the provision of bungalows with a similar layout to that proposed and the physical circumstances of the area since the appeal have not materially changed.

In conclusion, given the advanced status of the draft Open Spaces study and the appeal Inspector's comments relating to the value of the site as open space and its contribution to the wider character of the estate and the amenity of the bridleway, Members may feel that this is an important material consideration in determining this application and that the provisions of CP57 would apply to the loss of open space and the resultant impact on the local context of the site and the character of the estate.

## **8.4 Ecology and Archaeology**

### **Ecology**

Core Policy 50 states:

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

The NPPF para 118 states:

118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged

The NPPG also sets out guidance and the ODPM circular 06/2005 still applies and is listed under current policy and guidance on the planning portal. Paragraph 99 states *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances....However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted”*.

The ecologist considers that:

*This application is supported by an Ecological Appraisal and Reptile Mitigation Strategy (Ecological Consultancy Services Ltd, Nov 2015). The site supports unmanaged grassland over 0.65 ha with scattered scrub. The site was surveyed in March and August 2015 and was assessed as supporting improved grassland. The species list suggests the site is improved, probably as a result of fertilizer drift while the adjacent land was in arable management. The site itself probably hasn't been managed for many years. Given the underlying chalk bedrock, the site has potential to revert to calcareous grassland if grazing or mowing is reinstated without fertilizer treatments.*

*A maximum count of 12 slow-worms, including pregnant females, was recorded during reptile surveys. This is a high number for such a small site. The 51 ha Country Park at Hampton Park Country Park has very low numbers of reptiles due to its arable history and this 0.65 ha site will therefore provide an important source of reptiles for recolonisation of the Country Park in due course.*

*The development will entail permanent loss of approx. 0.43 ha of land and provision of the remaining area (about 0.22 ha) for inclusion within the Country Park. It is proposed that reptiles will be translocated out of the development into the land that will be set aside for the Country Park. While the proposed recommendations for reptile mitigation are acceptable in principle, further details should be provided by condition to demonstrate that there is sufficient enhancement of the receptor site, at least 1 year before translocation, to support the concentration of reptiles from the existing 0.65 ha area to the much smaller receptor site. In addition, it will be necessary for the developer to demonstrate that the mitigation proposals are consistent with Laverstock and Ford Parish Council's wider aims for the Country Park. In this regard I recommend the developer liaises with David Burton, the Ecologist representing the Parish Council.*

*I would like to see the hedgerow proposed along the northern boundary of the new dwellings included in the landscape proposals. This should be of native species suitable for chalk soil.*



*I presume that, should the application be approved you would apply a landscape condition and these details would be provided in the reserved matters application.*

The ecologist has recommended a S106 Agreement to ensure that the 0.22 ha of land to the south east of the development (in the applicant's ownership) is provided as an extension of the Hampton Park Country Park in lieu of development of the remainder of the site, by a specified time. Conditions relating to a mitigation scheme for the translocation of reptiles and to ensure that the land for the Country Park is not used for the construction works are suggested. A landscaping condition and wildlife informative are also recommended.

In conclusion, no objection is raised to the proposed ecological mitigation, in accordance with Core Policies 48 and 50, the guidance in the NPPG and the ODPM circular 06/2005.

### **Archaeology:**

Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced in order that they continue to make an important contribution to Wiltshire's environment and quality of life. Heritage assets include Listed Buildings and Conservation Areas.

The Archaeologist stated:

*The site has had an archaeological evaluation undertaken and the report has been submitted with this application. This identified that the site had been previously stripped, probably during the creation of Hilltop Way. On the evidence available to me at this point, I therefore consider it unlikely that significant heritage assets with an archaeological interest would be affected by this proposal.*

No objection is raised under CP58 and the NPPF provisions.

### **8.5 Drainage**

The site lies within Flood Zone 1 and is not considered to be at risk from flooding. As the site is under 1 hectare, (0.7 ha) in area, consultation with the Environment Agency is not required.

The drainage team have concluded:

*Wessex Water originally requested that a holding objection be applied due to the absence of confirmed and satisfactory arrangements for drainage matters. This has since been changed to support subject to conditions after discussions between the developer and Wessex Water.*

*A surface water drainage strategy has been produced. The proposals for the surface water drainage state that the run off will not be increased beyond what it was previous to the development, which would be the greenfield rate. They plan to achieve this using SuDS, a combination of permeable paving and bio-filter retention areas to attenuate the run-off before discharging to the sewers. The sewers connection and the discharge rate will have to be agreed with the undertaker, a provisional rate of 10l/s has been agreed assuming a surface water sewer can be connected to, but a formal connection request should be made showing the proposed connection point and discharge rate.*

*Infiltration testing has not been undertaken at the site. For the purpose of the Surface Water Drainage Strategy, the underlying ground conditions have been assumed to not be*

*conducive to infiltration but this is an incorrect assumption given the chalk aquifer underlying the site. Infiltration testing to BRE 365 should be undertaken to confirm the detailed design of a SUDS solution for the proposed development site.*

No objection is raised subject to conditions relating to schemes for the discharge of surface and foul water from the site.

## **8.6 Impact on highway safety and public rights of way**

The highways officer stated:

*My comments relating to the previous application ref: 15/11350/OUT are still relevant. I have taken into consideration the views of the local residents together with the detail provided in the Transport Statement. On balance, I am of the opinion that the likely vehicle movements associated with the proposed residential development would not be detrimental to highway safety. Hilltop Way and the local roads leading to Hilltop Way are of sufficient width to allow two vehicles to pass, or a vehicle to pass a parked car. It is noted that some on-street parking does occur however this is typical of a residential street. The existing vehicle movements are not significant and vehicle speeds have been recorded as less than 30mph (85th percentile). The proposed residential units are all to be either 1, 2 or 3 beds and on that basis the 2 parking spaces shown per unit meets the requirements of the current parking strategy.*

*I note that a 2m footway is shown located behind a 2m grass verge presumably to reflect the existing layout on the opposite side of the road. However, the footway will not be located on existing highway land (although the verge will be) and will need to be dedicated as such. I also wish to see details of how this footway will link to the existing footway. The applicant will also need to investigate the need for additional street lighting, perhaps this could be conditioned.*

*The illustrative layout shows a footpath link to the bridleway and it was suggested that this footpath should be created as a 2.5m (preferably 3m) shared path, (preferably with an appropriate coloured dressing). This is particularly important where we expect elderly people and mobility scooters to be sharing with other pedestrians (as well as with cyclists). I previously mentioned the need for the bridleway Sals1 to be upgraded. I have been unable to find any reference to this in the latest submission. It is still considered to be relevant, as follows:-*

*Bridleway Sals1 is a key cycle route. It would be helpful to upgrade the surface to tarmac (with an appropriate coloured dressing for aesthetic purposes – it cannot be blacktop in this location) as increased usage would be expected and I would be concerned about elderly people walking on the current surface. Preferably this would be done as part of the development - at least on the section by the housing proposed. We would have to check with ROW that they are happy with this surface.*

*I note that 5 lay-bys are proposed on Hilltop Way, please can I request details of these lay-bys for further consideration.*

Further details were provided by the applicant in response:

- Drawing 4279-SK-005-A specified the laybys.
- Additional street lighting  
 “Highways had previously indicated that any street lighting could be conditioned. However, in the applicant’s view there is no requirement for additional street lighting along Hilltop Way; the existing lamp-posts in place would be sufficient. As a point of reference, on Paul’s Dene Crescent nearby, development is on both sides of the road, lighting is only on one side. Equally there is no need to light the new footpath: there are several comparable cut-through paths between Paul’s Dene Estate and the Country Park in the nearby area, and to our knowledge none are lit. New illumination would also unnecessarily contribute to impact of the development in an edge-of-settlement location whilst bringing no material benefit.”
- Details of how the proposed footway will link to the existing footway  
 The submitted Illustrative masterplan shows this:



- Paving / upgrades to Bridleway SALS1  
 “The applicant does consider it appropriate to tarmac the bridleway to the rear of the development. Over its roughly 1 mile course from Bishopdown Road to Old Sarum, it mainly comprises a gravel surface, consistent with a bridleway status. To introduce a short section of tarmac behind the application site would be an unnecessary anomaly. With regards to the point about elderly people, please note that in this application there would be no over-55 occupancy restriction (as had been the case in the previous application), so this is not directly relevant. We believe an additional 10 dwellings would not introduce significant additional use of the bridleway behind the site; and that contributions would therefore not be warranted, particularly when the new linkage introduced by our proposals would offer gain to the footpath network.”

Highways considered the above submissions and said:

*It is still not entirely clear how the new footway will link to the existing footway as the lay-bys need to be accommodated off the existing carriageway with the footway behind. I would not wish for the carriageway to be reduced in width by the lay-bys in this location. The illustrative layout does not show the adjacent existing footway across the existing bungalows.*

*The lay-bys are now considered to be acceptable in terms of width and length. The work to provide the lay-bys and footway will need to be covered by a S278 legal agreement. The need for additional street lighting can be considered through the S278 procedure when we can seek advice from Atkins Street Lighting.*

*I accept the point regarding the re-surfacing of the bridleway.*

A further updated drawing (SK005B) was provided by the agent to show how the new footway would link to the existing footway. Highways considered the plan and after further consideration, queried the number of lay-by visitor spaces. Highways only require 2 visitor spaces and not the 10 as shown, but it is likely that the laybys were provided over the course of the application in response to local concern about on-street parking, although it is now noted that many neighbours are unhappy with the proposed lay-bys. Members may wish to consider whether the quantity of parking across the frontage of the new dwelling is desirable. The lay-bys would be part of the public highway and not for the sole use of residents opposite who don't have off-street parking. Furthermore, the laybys could end up being used by Country Park visitors and not for their intended purpose.

Ideally, highways suggest that the visitor parking should be reduced. Given that the proposed dwellings have sufficient parking (with some visitor parking), highways have recommended that the development would not have a detrimental impact on the parking on Hilltop Way.

With reference to the new footway, this will be on land that would need to be dedicated as highway. It should measure 2m in width and highways are still not totally clear how the new footway will connect to the existing path. However, if Members approve the application, they could impose a condition seeking further details to be submitted for the proposed footway (and lay-bys). Construction details will be necessary for the S278 Agreement with highways.

In conclusion, the proposed layout is considered to be acceptable and any detail can be conditioned or submitted for the s278 Agreement. The visitors' parking is excessive and could be reduced. On the whole, the proposed development has the highway team's support.

## **8.7 Impact on neighbouring amenities and public protection**

*Core Policy 57 states: A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:*

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

The proposed dwellings are described as bungalows, but no elevation details have been provided. The floorplans in the Design and Access Statement show that the proposed accommodation types could each be provided on one level. Therefore, subject to suitable conditions to secure single storey accommodation (no accommodation or windows in the roof) the proposal is not considered to cause harm to neighbouring occupiers in terms of overlooking, overshadowing, dominance or loss of light.

The public protection officer considered:

*In August we gave advice at the pre application stage. We recommended a number of conditions to be attached to any planning permission granted to prevent disturbance to nearby residential properties during construction/demolition stages and to ensure an investigation of the history and current condition of the site would be carried out.*

*We advised the applicant to submit a construction management plan detailing the measures the will be taken to reduce and manage the emission of noise, vibration and dust during construction/demolition stages. I could not find a construction plan on the planning portal. Therefore, we would recommend that the following conditions are attached to any planning permission granted;*

*In relation to the contaminated land, the applicant has submitted contaminated land reports. The report has identified a very slight risk to the properties from ground gas as a consequence of the underlying geology to the otherwise Greenfield site.*

In summary, no objection is raised subject to conditions being attached to any permission requiring a construction management plan and to control hours of construction in the interests of amenity. An assessment of ground gas at the site must also be undertaken, to include any remediation measures.

Therefore, appropriate levels of amenity are achievable within the development and no objection is raised under Policy CP57.

## **8.8 Community Infrastructure Levy**

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

## **8.9 Waste and Recycling and Energy Efficiency**

The Waste Core Strategy Policy WCS6 states that proposals for 10 houses or more will be required to design and provide facilities for occupiers to recycle and compost waste. A waste audit is also required, to try to minimise waste. A condition should be placed on any permission, requiring a waste audit for the development.

Paragraph 96 of the NPPF indicates that:

96. In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Policy CP41 states that:

*New development, building conversions, refurbishments and extensions will be encouraged to incorporate design measures to reduce energy demand. Development will be well insulated and designed to take advantage of natural light and heat from the sun and use natural air movement for ventilation, whilst maximising cooling in the summer. Sustainable construction: New homes (excluding extensions and conversions) will be required to achieve at least Level 4 (in full) of the Code for Sustainable Homes.*

A condition should therefore be attached to any permission for the new dwellings on the site to achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes.

## **9.0 Conclusion: The Planning Balance**

The site lies outside the settlement boundary for Salisbury and the Site Allocation process has not been finalised. Therefore, development of this site at this time for residential purposes is premature, and considered contrary to Core Policy 1 and 2.

Although the site does not satisfy any specific affordable housing policy in the WCS, the principle of affordable housing on this site has been supported by the housing team, subject to a Section 106 Agreement to secure the details.

The site has some history of previous applications for bungalows, and past planning inspectors have considered that the site currently makes a positive contribution to the character of the Pauls Dene Estate and marks a degree of transition between the urban and rural landscapes. Inspectors have felt that closing the open area would materially detract from the character of the estate and reduce the attraction of the adjoining bridleway for users.

The site has also been identified in Part II of the draft Open Spaces Study as amenity space. The audit represents up to date evidence for the Open Spaces study and the site has been mapped as open space. Currently the Wiltshire Open Spaces Study has not been adopted, so there is no in principle objection to the development. This status may change, depending on when the Partial Core Strategy Review is adopted. A contribution should be sought towards the Country Park under Policy R2, through a Section 106 Agreement.

There are no in principle objections from other statutory consultees, subject to appropriate conditions and Section 106 provisions. Highways have suggested that the number of laybys could be reduced.

**RECOMMENDATION: REFUSE for the following reasons:**

1. The site lies outside the defined limits for development and the proposed residential development for affordable housing in this location would be contrary to the Wiltshire Core Strategy Policies 1 and 2 and NPPF para 11, 12, 14 and 49. Although the site is under consideration as part of the Site Allocation process, no decisions have been taken on the likely site choices, and therefore no conclusions can be drawn on the likelihood of this site's designation. Therefore it would be premature to cite this as justification for allowing development contrary to the Core Strategy. By virtue of its scale and nature, the proposal is not considered to meet any of the criteria for exceptional development as set out in the Core Strategy and there are no overriding reasons to treat the land as an appropriate windfall site, because the Council can demonstrate a 5 year housing land supply, which would deliver affordable housing provision under the appropriate policies.
  
2. The site currently makes a positive contribution to the character of the Pauls Dene Estate and marks a degree of transition between the urban and rural landscapes. The closing of the open area would materially detract from the character of the estate and reduce the attraction of the adjoining bridleway for users, contrary to Core Policy 57 and para 56 of the NPPF.

ctd....

## Appendix 1 Housing Team Comments 22/8/2016

Thank you for consulting the Housing Enabling Team in relation to the re-submission of the above application. From the information received I note the application relates to the development of a site at Hilltop Way in Salisbury. This site appears to be an unallocated site in relation to Wiltshire's Core Strategy and lies outside of the principal settlement boundary for Salisbury. The site is not being proposed as a rural exception site and does not appear to meet the criteria for a rural exceptions site.

Core Policy 44 sets out the criteria which an application must meet for a development to be considered as a rural exceptions site. The Wiltshire core strategy states "*As an exception to normal policy therefore, and where it can be demonstrated that a proposed development will meet a particular locally generated need that cannot be accommodated in any other way, the council may permit small scale residential development (10 dwellings or less) outside but adjoining the development limits of Local Service Centres and Large Villages, or adjacent to the existing built area of Small Villages.*" Within Core Policy 1, Salisbury is outlined as a Principal Settlement and not a Local Service Centre, Large Village or Small Village. Neither has the applicant provided information to indicate the locally generated need cannot be not be accommodated in any other way.

A further criteria highlighted under core policy 44 is that "*the affordable housing provided under this policy will always be available for defined local needs, both initially and on subsequent change of occupant*" ie: *an CP44 exception site would normally only include affordable housing units (100%) and all units need to be secured 'in perpetuity'*. At present the proposals include a proportion of shared ownership tenure as well as affordable rented units. Shared Ownership would not be restricted to in perpetuity and, therefore, we can advise that these proposals do not currently meet the required exception site CP44 policy criteria.

The mix of affordable units proposed on this site of 60% affordable rented and 40% shared ownership tenure would be the mix sought under CP43 and on a site within the settlement boundary based on current demonstrable need and policy approaches. It would, therefore, appear that this site is being proposed under an 'exception to adopted policy' approach ie: to be considered as a site within the settlement boundary under core policy CP43 rather than CP44. We also note that this site had been submitted for consideration under SHLAA/DPD proposals previously.

However, we can advise that, if this site were to be supported for residential dwellings in this location and brought forward under the appropriate planning policy approaches in this way then Wiltshire Core Strategy policies CP43, CP45 and CP46 would apply:

Core Policy 43 sets out when affordable housing will be required and indicates the proportion which will be sought from open market housing development. We can confirm that there is demonstrable need for affordable housing in the Salisbury Community Area and that a 40% on-site affordable housing contribution at nil subsidy should, therefore, be sought from these proposals in line with policy approaches. The affordable housing units should be provided with a tenure mix of 60% of the units affordable rented housing and 40% of the units being provided for shared ownership. Core Policy 45 requires affordable housing to be well designed, ensuring a range and to consist of types, tenures and sizes of homes to meet identified affordable housing need and create mixed and balanced communities. The proposals also set out the housing mix which incorporates a range of sizes. Current data on the council's housing register shows the need for bungalows in the Salisbury area ranges from 1-3 bed needs. The Wiltshire Core Strategy specifies that affordable housing is expected to meet high standards of design, quality and should be visually indistinguishable from open market housing. All affordable homes would need to be built to, at least, meet minimum sizes and minimum eligibility criteria detailed by the Homes & Communities Agency (or any other subsequent design guidance which may supersede).



Wiltshire Council also recommends, as a guide, that all affordable dwellings meet the minimum space standards shown in the table below:-

Number of bedrooms	Number of bed spaces	1 storey dwellings (sq m)	2 storey dwellings (sq m)	3 storey dwellings (sq m)	Built in storage (sq m)
Studio	1p	39			1.0
1b	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Preferred sizes are highlighted

The affordable homes do not require garages but do require sufficient parking bays as per current policy guidance - areas ie: 1 x parking space for each 1 bed, 2 x parking spaces to be provided for each 2 or 3 bed affordable house and 3 parking spaces for each 4 bed house - in curtilage/designated parking bays rather than parking courts.

With regard to Wiltshire Core Policy CP46 - where there is a housing need identified for Extra Care, adapted properties for disabled residents or wheelchair adapted accommodation these units would be sought within the mix - built to Lifetime Homes Standards (or equivalent)/Adaptable standards (Building Regulations M4 Category 2: Accessible and adaptable dwellings standards). Adapted/wheelchair accessible affordable properties will be sought wherever there is a demonstrable local need and affordable homes for people with learning disabilities may be sought based on an identified need (as advised by the Council's Adult Care Team).

It has been noted that the proposals set out in the applicants design and access statement refer to the lifetime homes standards and that each unit will meet the following criteria set out in the Lifetime Home (LTH) Revised Criteria published on the 5 July 2010.

- Level or ramped (between 1:15 and 1:20) access at front and rear of properties
- Driveway which allows space at the side for wheelchair transfer
- Rollover thresholds at front and rear doors
- Wheelchair turning space circle of 1500mm diameter, or a turning ellipse of 1700mm x 1400mm in all rooms
- Minimum width of any hallway/landing in a dwelling is 900mm
- Doorways widened to give 900mm clear opening width
- Level access showers

The inclusion of lifetime homes standards as set out above supports core policy 46 of Wiltshire's Core Strategy in helping to meet the needs of Wiltshire's vulnerable and older people. Residential development should seek to deliver and promote independent living and must ensure that layout, form and orientation consider adaptability to change as an integral part of design at the outset. I note that

this application does not place age restrictions in relation to eligibility criteria for the properties and we would welcome this approach to enable the site to accommodate customers with an adapted ground floor need of all ages.

The Design and access statement sets out two different sets of figures relating to the sizes of the units. One set of size standards is listed on page 9 in the layout schedule and refers to 12 units on site. The second set of size standards is detailed on page 12 in the general design principles. We would be grateful if the applicant could confirm the size standards they will be building the units to. I have listed the two different sets of size standards in the table below:

<b>Layout Schedule on page 9</b>	<b>General Design Principles on page 12</b>
1 bedroom, 2 person unit = 53 Sq. m	1 bedroom, 2 person unit = 58 Sq. m
2 bedroom, 3 person unit = 61 Sq. m	2 bedroom, 3 person unit = 70 Sq. m
2 bedroom, 4 person unit = 70 Sq. m	2 bedroom, 4 person unit = 74 Sq. m
3 bedroom, 4 person unit = 74 Sq. m	3 bedroom, 4 person unit = 87 Sq. m

Depending on policy approach to be taken (CP44/CP43) - we can confirm that if the proposals were to meet all the criteria and tenure requirements of CP44 as a rural exception site for 100% affordable housing provision ie with all affordable rented units to be held in perpetuity – it would meet demonstrable need and would therefore be supported. However, the tenure mix currently is not meeting this policy requirement. Under CP43 a policy requirement of a 40% affordable housing on site contribution at nil subsidy would be required (there would not be a policy requirement for 100% affordable housing provision under CP43) - with a tenure split of 60% affordable rent and 40% shared ownership – and scheme proposals on this lines under this policy would be supported as there is a demonstrable need for these units within this Community Area. At present there are 20 households registered on Wiltshire Council’s Homes4wiltshire register with a need for a bungalow and with a preference for a bungalow in the Salisbury region.

When providing affordable housing, developers are advised to engage with a Registered Provider at the earliest opportunity, in order to ensure that the appropriate standards are met at the design stage. The completed affordable dwellings will be required to be transferred to a Registered Provider, approved by the Council, on a nil subsidy basis and secured via a SI06 Agreement – if applicable, a rent charge/management charge cap will be required for the affordable housing units and the Local Authority will have nomination rights to the affordable dwellings.



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## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

<b>Date of Meeting</b>	3 <sup>rd</sup> November 2016
<b>Application Number</b>	16/06309/FUL
<b>Site Address</b>	1 Manor Farm Cottages, The Street, West Knoyle, Wiltshire, BA12 6AG
<b>Proposal</b>	Erection of an open fronted garage to cover two existing car spaces (retrospective)
<b>Applicant</b>	Cllr Bridget Wayman
<b>Town/Parish Council</b>	West Knoyle
<b>Electoral Division</b>	MERE – (Cllr George Jeans)
<b>Grid Ref</b>	385812 132457
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Joe Richardson

### Reason for the application being considered by Committee

The application has been called to committee as the applicant is a councillor for Wiltshire Council and a valid objection has been received to the application. The application cannot be determined under delegated powers.

#### 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 for the reason(s) set out below.

#### 2. Report Summary

The issues in this case are:

- The principle of development in this location;
- Scale, design, materials and impact on character of the area;
- Neighbour amenity;
- Highway safety.

The publicity has generated a letter of objection against the proposal from West Knoyle Parish Council.

#### 3. Site Description

The application site is within the curtilage of the dwelling house known as 1 Manor Farm Cottages and is located within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. Access to the existing open fronted structure for the housing of two vehicles is obtained via an existing access from the public highway known as The Street, West Knoyle.

#### **4.Planning History**

S/2008/0590 Erection of a double garage/workshop/store A.C

#### **5.The Proposal**

The application proposes retrospective planning permission be granted for the erection of an open sided structure over two existing car parking spaces from the previously removed car port.

#### **6.Local Planning Policy**

The Wiltshire Core Strategy (WCS) was adopted in January 2015 and constitutes the primary planning document. Also of relevance is the National Planning Policy Framework. The following policies are relevant to this application:

##### National Planning Policy Framework

Section 7 Requiring good design

Section 11 Conserving and enhancing the natural environment

##### Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 51 Landscaping

Core Policy 57 Ensuring high quality design and place shaping

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

**West Knoyle Parish Council** – Objection for the following reasons:

- Increasing volume of traffic coming out of an entrance that has poor visibility due to Willow Tree which hangs out over the road;
- Existing parking, with alternative access is available but not utilised within the same property;
- Proposed materials are not appropriate to the locality and do not reflect the character of the area. (Policy C6 SDLP 2011);
- Proposed development is out of character with the street scene.

**WC Highways – No objection**

## **8.Publicity**

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

The publicity has generated no third party letters of objection or support for the proposal.

## **9.0 Planning Considerations**

### **9.1 Principle of development and policy**

The Wiltshire Core Strategy defines West Knoyle as a settlement without a boundary. The property is located within the Cranborne Chase and West Wiltshire Area of Outstanding Natural Beauty.

The proposal should aim to conform to the objectives of Core Policies 51 and 57 of the Wiltshire Core Strategy. Core Policy 51 states development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character.

Core Policy 57 aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

### **9.2 Design and Impact on area and amenity**

The structure is a steel frame bolted to the existing retaining walls. The retaining walls were erected as part of the works to grade the ground levels related to planning permission S/2008/0590 to allow for a planted area and for some visitor parking. In place of the existing structure subject to this planning application, a dilapidated car port existed. This dilapidated structure was demolished as part of the works relating to the construction of the approved garage/workshop/storeroom.

Planning permission is sought for the erection of a steel frame bolted on to the existing retaining walls with the external faces of the structure clad with timber boarding. The rear elevation adjacent to the boundary of the neighbouring property, Blakeney's, has a steel sheet with corrugated steel roof that will be finished on the front elevation with a timber soffit board. In planning terms, the design and use of materials are considered to be acceptable and would not have any significant detrimental impact to the special character and appearance of the AONB.

Sited along the boundary separating the application site and that of the nearest neighbouring property, Blakeney's, where the structure is sited is a row of manicured mature leylandii trees. In the opinion of the case officer, the mature leylandii trees help shield the existing

structure from the view of the neighbouring property and therefore, lessens the impact of this structure on the amenity of this property.

Therefore, it is considered that by reason of the siting and existing hedgerow screening, the existing structure would not unduly disturb, interfere, conflict with or overbear adjoining dwellings or uses to the detriment of existing occupiers.

### 9.3 Highway Safety

The Parish Council has raised concerns that the proposal will affect highway safety.

However, access to the structure subject of this planning application is obtained via an existing access from the public highway leading to the garage/workshop/store, and this access remains unaffected by this proposal. The Council's Highways Officer has raised no objection to the proposed development as the development does not detrimentally affect highway safety.

It is therefore considered that the open sided structure to house two vehicles would not have any significant detrimental impact on highway safety that would warrant the refusal of planning permission.

## **10.0 Conclusion**

The proposed development conforms to the objectives of Core Policies 51 and 57 of the Wiltshire Core Strategy and the aims of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission. Therefore, retrospective planning permission should be granted for the development.

## **11.0 RECOMMENDATION: Approve with conditions:**

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

Site Location Plan Date Received 28.06.16

DWG No: MC2 Existing Layout Date Received 28.06.16

DWG No: MC3 Elevations Date Received 28.06.16

Side Elevations Date Received 28.06.16



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

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## Report To The South Area Planning Committee

<b>Date of Meeting</b>	3 November 2016
<b>Application Number</b>	16/06888/OUT
<b>Site Address</b>	Farmer Giles Farmstead, Teffont, Salisbury, Wiltshire, SP3 5QY
<b>Proposal</b>	Erection of 1 No. dwelling and associated works following demolition of redundant outbulidings, (Outline application for access and layout only)
<b>Applicant</b>	Farmer Giles Farmstead Ltd
<b>Town/Parish Council</b>	Teffont
<b>Ward</b>	Nadder and East Knoyle
<b>Grid Ref</b>	398481 132831
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Andrew Guest

### Reason for the application being considered by Committee

The applicant is related to Cllr Tony Deane. The application has generated objections, so requiring determination by the Southern Area Planning Committee.

#### 1. Purpose of Report

To consider the recommendation of the Head of Development Management that the application should be **APPROVED subject to conditions**.

#### 2. Report Summary

The application seeks outline permission for the erection of a new dwelling and associated works following demolition of redundant outbulidings associated with the former "Farmer Giles Farmstead" Use. (The application is for access and layout only).

The application has received support from Teffont Parish Council, Highways, Landscape, and Public protection, objections from two third parties, and comments from the Cranbourne Chase AONB group.

The application follows an application made in March 2015 for a similar proposal, which was refused by the Southern Area Planning Committee in June 2015.

#### 3. Site Description

The application site comprises of 15.05ha of land and lies within open countryside and is situated to the north-west of Teffont Magna. The site falls outside the Teffont Conservation area and is not within proximity to any listed Buildings, the site does fall within the Cranbourne Chase Area of Outstanding Natural Beauty. Neighbouring the site to the south-east is a large farmyard that falls under separate ownerships, on all sides of the site is open countryside.

The site gently rises from east to west (away from the public highway and site access). It also rises from approximately its centre line to the north and to the south. The existing buildings 'sit' in the central hollow created by these changing levels.

The site itself mainly supports the Farmer Giles Farmstead visitor attraction. However it should be noted that this is diversifying from the previous style of use to solely concentrating on rare breed animals and the dressage business. The tourist attraction of "Farmer Giles Farmstead" is no longer operational.

This site comprises a number of contemporary agricultural buildings (formerly used to display agricultural artefacts and to provide a cafe, souvenir shop and other facilities), incidental paraphernalia including a play area, a large visitors' car park, and small paddocks/enclosures for farm animals and rare breeds. In addition there are three holiday log cabins, stabling for the applicant's horses and dressage business and the associated horse exercise arena.

The Farmer Giles Farmstead visitor attraction is presently closed but the use as such has not been 'abandoned' for planning purposes. The site has three timber holiday lodges on site which are popular as low cost family holidays and provide a further income for the Farmstead. There is an extant permission for a fourth lodge on the site. On the northern boundary of the site there are five caravan pitches which are certified by the Camping and Caravan Club. The southern side of the site is currently used in association with the owners breeding of dressage horses.

#### 4. Planning History

The Farmer Giles Farmstead has been the subject of many applications over the years. Notable applications include the following:

<b>15/01047/OUT</b>	Demolition of some existing buildings and cessation of business. Erection of a dwelling all matters reserved save for access, scale and siting	Refused – June 2015
<b>14/06726/OUT</b>	Demolition of some existing buildings and cessation of business. Erection of a dwelling all matters reserved save for access, scale and siting.	Refused – October 2014
<b>S/2003/0727</b>	Erect 3 holiday cottages	Approved – October 2003
<b>S/1999/1927</b>	Change of use to horse training area with erection of loose boxes	Approved - February 2000
<b>S/1989/0821</b>	Extend area of team room approved under planning permission S/1988/1497	Approved - August 1989
<b>S/1989/0820</b>	Make alterations to and change use of building approved under	Approved -

	planning permission S/88/0134/TP for the display of agricultural machinery in connection with Farmer Giles	August 1989
<b>S/1989/0819</b>	Change of use of part of building used in connection with Farmer Giles Farmstead for sale of tickets and as a shop	Approved - August 1989
<b>S/1988/1497</b>	Use of land as picnic/recreation area, provision of team room, construction of toilet block, extension of building to form entrance lobby	Approved – October 1988
<b>S/1987/0586</b>	Erect agricultural building partly to incorporate viewing area for public to see working farm, to form car parking and improve vehicular access	Approved – July 1987

The most recent application (15/01047/FUL) for the erection of a dwelling on the site was refused at planning committee for the following reasons:

- 1 *The application site lies in open countryside and an Area of Outstanding Natural Beauty. Within the countryside there is effectively a presumption against new residential development except in limited circumstances not relevant in this case. This presumption is in the interests of sustainability and amenity. It follows that as a matter of principle the proposal comprises unacceptable development.*

*In terms of harm, the proposal would introduce a house and its curtilage with inevitable domestic paraphernalia, and these would be visually intrusive and alien in such an isolated rural location, distant from other residential properties or any settlement. By reason of their visibility and alien appearance, the house and its curtilage would detract from the wider appearance of the landscape, neither conserving nor enhancing its status as an Area of Outstanding Natural Beauty. There are no exceptional circumstances which outweigh the harm to the countryside.*

*The proposal is, therefore, contrary to Core Policies 1 and 2 (the settlement and delivery strategies) of the Wiltshire Core Strategy, Core Policy 51 (Landscape) of the Wiltshire Core Strategy, and guidance in the National Planning Policy Framework - paragraphs 109 and 115.*

- 2 *The application site supports three holiday lodges. These lodges were given planning permission subject to conditions requiring their removal in the event of Farmer Giles Farmstead Ltd ceasing to trade or operate from the land and/or ceasing to be open to the public.*

*The description of development set out on the application forms is "Demolition of some existing buildings and cessation of business and erection of a dwelling all matters reserved save for access, scale and siting". The supporting Design and Access Statement further states that "the 'tourist' use cabins [the lodges] would remain on site".*

*Having regard to the conditions on the earlier permissions relating to the lodges it is considered to be unclear from the current application how the lodges can remain. Notwithstanding the statement in the Design and Access Statement about their retention,*

*the application (and the description of development in particular) makes no further allowance for the planning conditions. This lack of clarity amounts to a further reason to object to the development.*

## **5. The Proposal**

This application is to erect a single dwelling on the site including works for an internal access and associated landscaping works at outline stage. The development would involve the demolition of a number of redundant farm buildings which are outdated and no longer required given the diversification of the Farmer Giles Farmstead business.

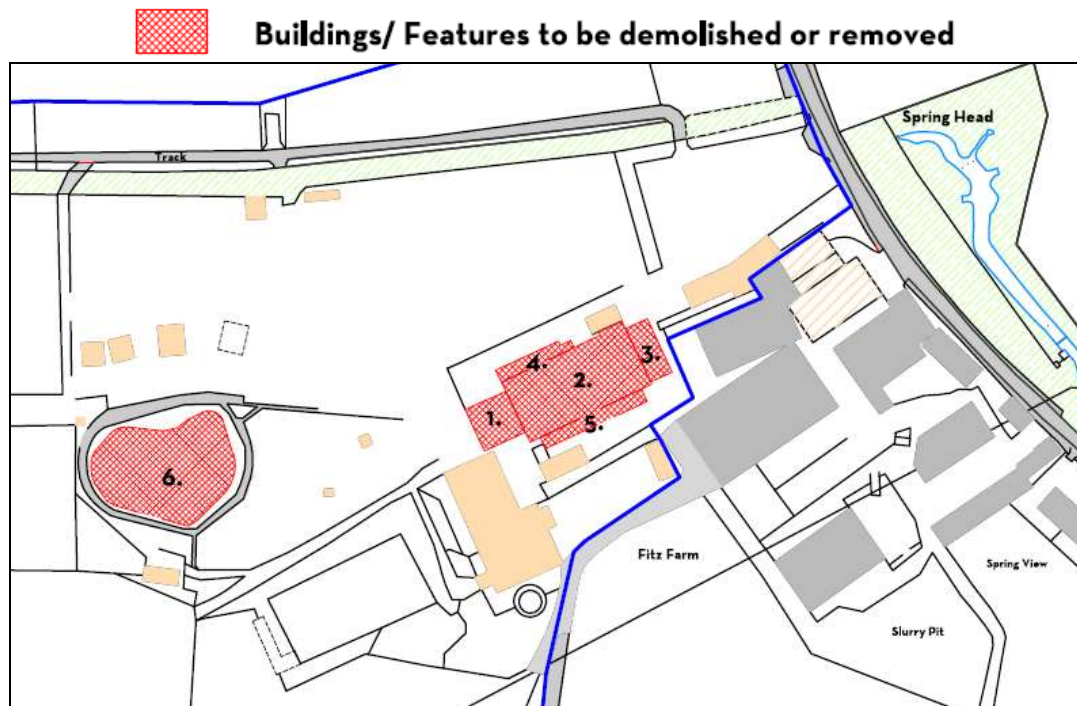
The proposal for the house forms part of a wider masterplan for the Farmer Giles Farmstead, which would continue to operate as the over-arching business for the site but diverting away from the tourist attraction use. More focus would be given to the camping and caravan site and existing timber holiday lodges.

It is understood that the masterplan would be implemented on a phased basis with this being the first element.

The proposal is to remove the majority of buildings, car parking areas, and erect a single two-storey house. The application is in outline form with all matters reserved except access and layout. In terms of scale, the applicant is happy to have a condition attached which restricts the development to being no more than two-storey.

Buildings to be removed comprise the Tractor shed, Main Barn, The Blue Room (Reception/café), Lean-to on northern side of the main barn and the lean-to on the southern side of the main barn. The existing man-made pond will also be filled in. The demolished areas can be seen in the plan below.





*Plan showing buildings to be demolished*

The proposed dwelling would be sited on presently open land to the north west of the existing stable building and directly east of the timber lodges. The outline application only seeks consideration of the layout and access for the development. This being said, the applicant is accepting of a condition that would limit the height of the development to two-storey. Siting is indicated to be approximately 160m west from the public highway.

A new driveway would be created beyond the existing gate to serve the dwelling and the new tarmac area where the buildings will be demolished that will form parking and turning area for vehicles in association with the equestrian use on the site. It would utilise the gateway and would then have a spur off the tarmac area to serve the dwelling.

The existing stable block is retained for the use in the owners dressage horse breeding use.

## **6. Relevant Planning Policy**

### Wiltshire Core Strategy:

CP1 – Settlement strategy

CP2 – Delivery Strategy

CP3 – Infrastructure requirements

CP48 – Supporting rural life

CP51 – Landscape

CP57 – Ensuring high quality design and place shaping

Other considerations:

Teffont Village Design Statement  
Cranbourne Chase AONB Management Plan

## **7. Consultations**

### Teffont PC

Support subject to conditions.

*“TPC do support the above planning application but with the following conditions:*

- 1. The designated buildings must be demolished before the proposed house is built.*
- 2. The height of the proposed house be no more than 2 storey high.*
- 3. The business attraction Farmer Giles Farmstead be closed permanently.*
- 4. The site of the proposed house is as defined on the outline plans.*
- 5. The landscaping and planting plans genuinely screen the proposed building and improve views of the site from the road.*
- 6. That if planning is given for this application there be no further residential or commercial development on the site.*
- 7. The size of the garage proposed be proportionate to the size of the proposed house.*
- 8. That the Environment Agency are approached for confirmation there are no springs feeding the Teff that will be affected.”*

### Wiltshire Council Highways

Recommendation is similar to that for the earlier application.

*“On the basis that the traffic relating from the proposed new dwelling would be likely to be significantly less than that generated by the current use of the site, I would not wish to raise a highway safety objection in principle to the development. I have no highway objections to the use of the existing site access as proposed.*

*On the basis that the vehicular movements associated with the proposed diversification of the Farmer Giles Farmstead would be permanently reduced, certain buildings would be removed from the site and the new dwelling would not create a precedent for further dwellings, I would not wish to raise a highway objection to the proposed development on transport sustainable grounds.”*

### Wiltshire Council Public Protection

This department gave comments on previous applications in 2014 and 2015 and the response has not altered for this application.

*‘In principle we would accept the application and having visited the site it can be seen that there is good separation between the adjacent farm and the proposed site for the dwelling. It is likely that acceptable levels of amenity may be created at the proposed property through careful design and internal layout. Therefore we have no adverse comments for this application.*

*There is potential for disturbance from the adjacent campsite. This department has experience of investigating noise problems where residential properties that are not associated with a nearby campsite are impacted by noise from campers. It is reasonably foreseeable that should the house and campsite be owned by different people in the future then residents of the property may be disturbed by noise from the use of the campsite. It is therefore recommended that the occupation of the proposed residential property is tied to the use of the campsite through a condition.'*

WiltshireCouncil Ecologist

The Ecologist supports the application and request the following condition and informative to be added to any consent.

*“Before any works commence, details of a scheme for protecting and enhancing the landscape and ecology of the site will be submitted for planning authority approval in line with the principles discussed in the Extended Phase 1 Habitat Survey and Daytime Bat and Nesting Bird Survey Report (Sedgehill Ecology, July 2014). The scheme will identify existing features of interest which will be retained, the methods that will be used to protect them during the works and provide details of enhancement measures together with a timescale for their implementation. The works will be implemented in accordance with the approved scheme.*

**INFORMATIVE:**

*The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any [protected species](#), or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England’s [website](#) for further information on protected species.”*

Wiltshire Landscape Officer

The Landscape Officer supports the application

*“The site is located within CC&WWD AONB and I have considered the submitted information with regard to the purposes of the designation and I do not consider that there will be any **significant** adverse landscape and visual effects on the AONB as a result of this proposal.*

*The Landscape Strategy submitted with the application details the design evolution; it considers the constraints and opportunities of the site and has explored options for the location of the new building with regard to its potential visibility in the landscape. I agree with the report that location A is the preferred option; it sits snugly in the topography below ridgelines and benefits from a degree of screening from existing*

*buildings and vegetation. Placing it away from the road retains the road side character of a farmstead.*

*The rationalising of the farm layout and new structure planting will be beneficial to the appearance and amenity of the site. I do not want to comment on the demolition (this is relevant to the future business plans for the site rather than a landscape issue) but I can comprehend that retaining the hardstand might be of use in a farming context.*

*Although there is some adequate information provided for the strategic planting I understand further details will be submitted as reserved matters concerning the design of the building and its environs. It is unclear whether the proposed advanced planting will commence with this approval or wait until the reserved matters, either way it would be useful to have a programme of planting and/or phasing of the works.”*

#### Area of Outstanding Natural Beauty Office

Make the following comments.

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

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

*The location is in the West Wiltshire Downs landscape character area. Greater details of the landscape, buildings and settlement characteristics can be found in the [Landscape Character Assessment 2003](#). That document should be available in your office, and it can be viewed in [FULL](#) on our [web site](#).*

More detailed information in connection with AONB matters can be found on the AONB [web site](#) where there is not only the adopted AONB Management Plan but also Position Statements and Good Practice Notes ([Planning Related Publications](#)). In particular when considering construction within the AONB I would draw attention to our [Good Practice Note on Colour in the Countryside](#). In connection with this application our [Position Statement on Farm Diversification](#) may have particular relevance.

### **Overview**

I note that the Planning Design and Access Statement seeks to make a case for a residential dwelling by referring to a masterplan and landscape strategy. However, the application red line [on the Site Location Plan] only identifies the access route through the 15ha holding to the potential location of the dwelling and excludes all those landscape and masterplan elements. There is, therefore, no commitment to those wider, strategic, proposals and uses of the total holding. Without a guarantee attached to the adoption and implementation of the masterplan it seems the case for the dwelling cannot be substantiated.

Whilst the landscape led approach to the site is welcomed, along with the comparison of locations within the overall site, the fact that only simple building shapes have been used in that process does not provide definitive evidence that the development of a dwelling within a sensitive edge of village situation within a nationally important Area of Outstanding Natural Beauty could satisfy the criteria of 'conserving and enhancing natural beauty'. Clearly a full, detailed, application would be the way to demonstrate that. A full application could also incorporate a masterplan which would then provide an adopted framework for the other uses of the overall site.

The application is vague about the size of the proposed dwelling, with the exception that it would be 'a maximum of two storeys'. The response to part 17 of the application form does not provide any greater information as the number of bedrooms is shown as 'unknown' within the category of 'market housing'.

### **Clarification and Consistency**

There are a number of points that would benefit from clarification, particularly as different plans use different numbers or letters for the same element. For example, the holiday lodges are shown on 'Existing Key Plan' as 'A', on the 'Illustrative Masterplan' as part of '9' and '9a', and on the 'Advanced Strategic Planting' as 'G'. Clearly there is a lot of scope for confusion, especially when an element of the overall site is being referred to in the text of the Planning Design and Access Statement or the Landscape Strategy. This AONB **recommends** that the documentation needs to be fully amended both to provide consistency and to avoid misunderstandings, especially those that could arise in Committee discussions.

A related point is that whilst it is very helpful to have dimensions of structures on plans such dimensions do have to relate to the correct structure. For example, on 'Advanced Strategic Planting' plan 'D' is a small structure [potentially smaller than the proposed dwelling] but it is shown as 'Main Barn, 45.6m x 22.56m'. Cross-referring to the 'Existing Key Plan' structure 'D' is, indeed, the main barn but not the



structure marked as 'D' on the other plan! Item 'D' on the 'Advanced Strategic Planting' plan is 'J. Sheep pens' on the 'Existing Key Plan'. This seems to be a consequence of changing the letters and numbers of site structures and features on different plans. I have not checked for further errors of this type but, again, without the applicant reviewing and amending the documentation lettering and numbering there is considerable scope for confusion and misunderstandings. From my knowledge of the site the 'Existing Key Plan' appears identify the features reasonably accurately.

### **Pre-application Discussions**

My pre-application discussions with the planning agent and landscape architect did include the possible production of a vision for the future of the holding, which could lead to a masterplan. The combination of uses within that masterplan could provide a case for a dwelling on the site. From an AONB perspective, reuse of the farmstead buildings for local employment and local tourism activities could, subject to their potential impacts on the purposes of AONB designation, gain support from the AONB Management Plan.

### **Planning Design and Access Statement**

Paragraph 2.2 of the Planning Design and Access Statement combines elements C, D, E, G, K, and L as simply D. The following paragraph does helpfully clarify the relationship with the adjacent Fitz Farm, and notes that Farmer Giles and Fitz Farm appear to be one large farmstead although they are in separate ownerships. The actual operation of the Farmer Giles Visitor Attraction appears to have been very low key, to an extent of not operating, for the last three years.

There is some scope for misunderstanding the status of the caravan and camping areas. The 5 Caravan Certificated Location [to give it its formal title] is for Caravan Club members only, is limited to 5 touring caravans at any one time, and the certificate is an exemption provided by the Caravan Club. It is not, therefore, a caravan site for the general public and it does not have a caravan site licence. The camping area appears to be of short use duration and therefore not subject to a specific planning approval or site licence. The proposal to extend the camping [paragraph 2.12] is not part of the current planning application.

Whilst equine use of the holding is a clear aspiration, and there is the existing manege and stables barn, wider equine use of the holding might be facilitated by an explicit planning permission.

The description of the proposals [section 3] concentrates on the longer term vision, which is not the subject of this or any planning application, rather more than the current proposal for a residential dwelling. It is disappointing that the proposal is in outline only, particularly as the reasons for the previous refusal included the key issues of scale, external appearance, location, and landscaping. It also appears that other aspects of the masterplan would be realised after the construction of the dwelling [paragraph 3.8]. This situation seems to be back to front. Gaining formal approval of a masterplan would provide a clear indication that the various elements would be acceptable, as well highlighting any elements, such as landscape and planting works, which would need to be implemented in advance of other elements. The AONB Partnership therefore **strongly recommends** that a detailed application

*is needed for the proposed dwelling if that is to progress before an overall masterplan is formally approved.*

*Paragraph 3.5 appears to be inaccurate as building M is part of Farmer Giles [and not leasehold] and it is building F that is part of Fitz Farm and leasehold. Furthermore, it seems rather strange that a continuing use of old leasehold buildings close to the road which are visually intrusive is being proposed whilst functional buildings that have been key to the Farmer Giles Visitor Attraction are being proposed for demolition. The farmyard' vision [paragraph 3.6] has the remnant concrete slab from the demolition of the main barn creating a hard surface open space exposed south-westwards to the buildings of Fitz Farm, with the remnant and somewhat isolated kitchen building [G] on the edge of the access route. This seems to make little sense. The submitted documentation is rather silent about this 'farmyard', perhaps because the site would no longer be a farm.*

*In terms of planning policy [section 4] it is noticeable that no reference is made to paragraphs 109 or 115 of the NPPF; both of which are crucial to countryside in an AONB. As the farmstead has been fundamentally a farm overlain with visitor facilities it seems to be a moot point whether any real weight can be given to the hint in paragraph 4.7 that it is a brownfield site. It is also noticeable that Wiltshire Core Strategy policy 51 is not discussed nor is there an explicit demonstration of how the proposal complies with the objectives and policies of the adopted AONB Management Plan. Nevertheless, it appears that a very strong and achievable case needs to be made to overcome previous policy objections.*

*Whilst the AONB Management Plan does support the reuse of existing farmstead buildings the AONB **does not agree** with the extensive demolition proposed [but not part of any formal application]. Using the annotation on the 'Existing Key Plan', D is a substantial barn that has been at the centre of the Farmer Giles Visitor facilities and still appears to have a useful life. The lean-to structures on either side [K and L] do not add to the character of the site, and the 'shed' C is really just a canopy extension from the main barn. The removal of these [C, K, L] would tidy up the site. E also includes toilet facilities that might well have an extended life in connection with group visits and a modified approach to tourism / day visitors and the proposed employment/ retail units near the car park. The proposal to retain the kitchen [G] does not seem to make much sense if the nearby toilets are demolished; either both go or both stay. Section 5 of the Planning Design and Access Statement focuses on the masterplan elements in support of the proposal for a dwelling but there is no guarantee that these would materialise if outline planning permission is granted. The proposed location of the dwelling is considered in greater detail the Landscape Strategy, however the first bullet point of paragraph 5.18 [Planning Conditions] is contradictory. This AONB **strongly recommends** that landscape works are fully implemented before the occupation of a dwelling.*

### **Landscape Strategy**

*This document sets out the local landscape character from the variety of published landscape character assessments that relate to the locality. It also refers to the AONB Management Plan and the AONB's Landscape Sensitivity Study. The plans and photographs demonstrate that Farmer Giles Farmstead occupies a valley that*

rises from east to west, and that the southern side is steeper and higher than the northern side. The structures and buildings are largely in the eastern section. Apart from the road that passes the eastern end, there is a public Right of Way to the south-east of the site and a bridleway on the ridge to the east. The main features of the site are identified and three potential locations for a dwelling are assessed, including the extent of visibility / visual intrusion from publically accessible viewpoints. The annotated photographs from those viewpoints are particularly helpful.

Viewpoint 4, page 26, demonstrates that the majority of the buildings visible in the scene from the footpath are Fitz Farm. It can also be seen from that photograph that if the proposed dwelling [A, coloured blue] were to be moved a little further southwards, and hence down the side of the valley, it would scarcely be visible from the position on this footpath. A similar movement of the proposed building would also reduce the visibility from viewpoint 5 [page 27]. Viewed from within the site, movement down the slope would also reduce the visibility in Private View A [page 31].

The document then looks at rationalising uses [page 34]. As stated above, I do not agree with all the proposed demolition. Indeed, the open slab created if the main barn is demolished would appear as a significant void within the site and a more natural place for a new building rather than on the green valley side.

I do agree with the filling in of the artificial, and dilapidated, pond, and feel that the treatment of the car park is feasible and more realistic than the scheme in the applications refused in 2014. Similarly the Advanced Strategic Planting would be beneficial although it would also serve to emphasise the incongruity of the bare, open, concrete slab if the main barn is demolished. However, retaining that barn whilst removing the side lean-tos and the end canopy would improve vehicle circulation [especially in the direction of the stables and manege] and retain an undercover focus for employment / visitor / tourism uses.

### **Conclusions**

The AONB Partnership is **very concerned** that the application for a dwelling is in outline only, and that there is no proposal or mechanism to ensure the masterplan and its associated changes of use and landscape treatments [if agreed to be appropriate] form the template for future development of the site.

The documentation as submitted does have errors and too much scope for misinterpretation and confusion. The AONB **strongly recommends** that documentation is revised to avoid those issues.

The AONB does not have 'in principle' objections to equine use of the site neither would there be fundamental objections to local sustainable tourism and local employment opportunities subject to issues of scale, visibility, and not conflicting with or prejudicing the purposes of AONB designation and this AONB's key characteristics.

This AONB **strongly recommends** that a negotiated masterplan plan should be the basis on which the site should be developed. Without that agreed masterplan there does not appear to be a sufficiently robust and supportable case for a new dwelling.



As you will be aware, the AONB is concerned about light pollution. Any permissions granted at this site should ensure any external lighting is approved by the Local Planning Authority and complies with the [AONB's Position Statement on Light Pollution](#) and the more recent [Good Practice Note on Good External Lighting and Paper by Bob Mizon on Light Fittings](#).

If you are minded to give sympathetic consideration to the current application then the AONB Partnership **strongly recommends** that:

- The dwelling is located further southwards, down the slope, to minimise cutting into the slope and improve integration within the local landscape,
- The height of the building is a maximum of two storeys,
- A detailed site masterplan is submitted to the planning authority and agreed in writing before construction starts,
- Landscape treatments and planting are implemented before occupation of the dwelling,
- The pond is filled and the landscape restored before occupation of the dwelling,
- The lean-tos and end canopy of the main barn are demolished before occupation of the dwelling and the main barn is retained.

## 8. Publicity

The application was publicised by way of a site notice and letters to near neighbouring residential properties. Two third party representations of objection have been received.

The objections are summarised as follows:

- Previous application refused – nothing changed to allow different decision now;
- Contrary to Core Strategy. New housing not allowed in countryside except in exceptional circumstances;
- Contrary to NPPF – “.... Great weight should be given to conserving landscape and scenic beauty in ... AONB's ...”;
- No benefit to Teffont;
- A house would detract from AONB, and have much greater impact than existing buildings / car park to be removed. Car park is not intrusive in any event. L&V Report does not demonstrate acceptable impact;
- Because outline, insufficient detail to properly assess quality of design. Not necessarily an objection to modest house on site of existing buildings.
- Not in accordance with Teffont VDS;

## 9. Planning Considerations

### Principle

Planning law requires local planning authorities to determine applications in accordance with the development plan, unless material considerations indicate otherwise. If the development plan contains material policies and there are no other material considerations then planning applications are required to be determined in accordance with the development plan. Where there are other material

considerations, the development plan will be the starting point, and other material considerations should be taken into account in reaching the decision. Such considerations will include whether the plan policies are relevant and up to date.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement – Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Within the Settlement Strategy Teffont is identified as being a Small Village. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development, and there is a general presumption against development outside of these. That said, some very modest development may be appropriate at Small Villages to respond to local needs and to contribute to the vitality of rural communities.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier. The policy states that at the Small Villages such as Teffont development will be limited to infill within the existing built area where this seeks to meet housing needs of the settlement or provide employment, services and facilities and provided that the development:

1. respects the existing character and form of the settlement;
2. does not elongate the village or impose development in sensitive landscape areas; and
3. does not consolidate an existing sporadic loose knit areas of development related to the settlement.

Core Policy 48 ('Supporting Rural Life') of the Wiltshire Core Strategy more specifically relates to rural areas. It states that outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside, subject to appropriate evidence.

In this case the site lies within the countryside, outside of Teffont. A major factor of the masterplan is to erect a house on the site which is neither essential to support a rural enterprise nor to provide affordable housing under the limited circumstances allowed by Policy CP48. It follows that the proposal is not in accordance with the

settlement and delivery strategies of the Core Strategy, and does not comply with CP48, this given conflicts with the Core Strategy.

It has previously been considered that there may have been 'material considerations' which do, exceptionally, 'tip the balance' away from the usual presumption against otherwise unacceptable development in the countryside. These material considerations are the visible improvements to the site and surrounding AONB resulting from the removal of the redundant buildings from the site; and the benefits to certain principles of sustainable development following the cessation of the use of the land that was previously proposed.

In this case the application site lies within the countryside, outside of Teffont. As acknowledged by the applicant, the proposal to erect a house on the site which is neither essential to support a rural enterprise neither will it provide affordable housing under the limited circumstances allowed by Policy CP48. This given, the proposal is not in accordance with the settlement and delivery strategies of the Core Strategy, and does not comply with any of the 'rural life' exceptions set out in CP48, and such conflicts with the Core Strategy.

This being said, it is considered by officers, as it was in the previous application that in this case there are 'material considerations' which do, exceptionally, 'tip the balance' away from the usual presumption against otherwise unacceptable development in the countryside. These material considerations are the visible improvements to the site and surrounding AONB resulting from the cessation in main of the tourist attraction element of the Farmer Giles Farmstead use and with this the removal of the related demolition of the large proportion of the buildings on the site. There are further benefits gained by way of the general tranquillity of Teffont, again, arising from tourist attraction and the removal of its associated traffic. It is considered that the weight to be attached to these as material considerations is sufficiently high to override the policy position.

#### Impact on Landscape and the AONB

The Countryside and Rights of Way Act 2000 states that "*a local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty has power ..... to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area*"; and "*in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*".

Core Policy 51 of the Wiltshire Core Strategy states that "*Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must*

*be mitigated as far as possible through sensitive design and landscape measures".* The policy further states that *"Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies"*.

CP51 further states that *".... proposals will need to demonstrate that ..... aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures"*. Relevant 'aspects' required to be conserved or enhanced include –

- *The locally distinctive character of settlements and their landscape settings; and*
- *The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe.*

The NPPF states that *"Great weight should be given to conserving landscape and scenic have the highest status of protection in relation to landscape and scenic beauty"*. In respect of 'brownfield' land the NPPF further states that *"Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value"*.

This application differs from the previous refused application in that it is accompanied by a detailed Landscape Strategy. This report details the design evolution; it considers the constraints and opportunities of the site and has explored options for the location of the new building with regard to its potential visibility in the landscape. Since the previous refusal, the applicant has gone through a process of identifying potential locations for the dwelling within the property and it has concluded within the landscape strategy that this is the most suitable location in terms of the views in and out of the AONB and the thus have the most limited impact on the AONB. It is clear that in concluding on this location for the siting of the dwelling, the site has been subject to careful analysis on the impact any dwelling would have on the wider landscape. The landscape appraisal notes a number of key points that would be included within the proposal that would enhance the site including filling in the redundant pond, additional tree planting to soften the car park and vehicular turning area and new tree planting along the northern border.

Wiltshires Landscape Officer does not consider that there will be any significant adverse landscape and visual effects on the AONB as a result of this proposal. They agree with the report that this location is the preferred option given it sits snugly in the topography below ridgelines and benefits from a degree of screening from existing buildings (not being demolished) and vegetation. Siting it away from the road retains the road side character of a typical farmstead.

The rationalising of the farm layout and new structure planting will be beneficial to the appearance and amenity of the site.

The dwelling would be sited at least on a more open part of the site (currently used as paddock land). Siting it here would not be harmful to the general openness of the countryside, the location being largely screened by the topography of the site and the established tree and hedgerow planting. The overall footprint would be significantly smaller than that of the buildings that are to be demolished. Any views of the dwelling from highways or other public vantage points would be distant and glimpsed only, and would not be inappropriate if towards a suitably designed house which will be dealt with at reserve matters stage. It is not considered critical to the determination of this application to have the detailed design of the house presented now; nor is it considered critical to have a full landscape and visual impact assessment given the context of the site and the adequacy of the Landscape and Visual Report now accompanying the application. As previously stated, the height of the development can be limited in this application via condition and detailed landscape plans requested via condition.

To summarise, the enhancement to the AONB resulting from the overall proposals is considered to be a material consideration which in this instance overrides the usual policy presumption against new residential development outside of defined settlements.

### Sustainability

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. It further states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to) "..... replacing poor design with better design ....." . Moreover, the NPPF states that to fulfil the principles of sustainability local planning authorities should promote the development and diversification of agricultural and other land-based rural businesses; and support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. The NPPF further states in more general terms that local planning authorities should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

There are a number of issues to consider in relation to the application arising from these sustainability considerations. Firstly, the site lies in a less accessible part of

the countryside and so it is inevitable that the proposed dwelling would generate trips by car rather than public transport. This less sustainable outcome must be balanced against the likely significant drop off in car trips made historically by visitors to the farmstead attraction. The Wiltshire Highways Engineer considers that the overall reduction in trips by car to and from the site resulting from the proposal means a better and more sustainable position in these terms, and so no objection is raised for this reason.

Secondly, the proposal would result in the loss of a rural enterprise. This is unfortunate, although it is not considered that the farmstead necessarily made a significant contribution to the rural economy in any event. Furthermore, by virtue of the visual impact of the farmstead (and in particular its large car park at the front of the site) it is not considered that it necessarily satisfied the NPPF test requiring economic development to be respectful of the countryside. Nor is it considered that the location of the site, close to the edge of a village accessed via relatively narrow lanes, was necessarily suited to this form of enterprise which is dependent on car and coach borne visitors. On balance, it is, therefore, considered that the loss of the enterprise in this particular case would not conflict with the economic aspirations of sustainability policy. Furthermore, the overall masterplan for the site, includes the addition of a local furniture showroom for local craftsmen which would bring a small proportion of enterprise back to the site.

It is considered that the proposal, although not strictly sustainable, would result in a more sustainable position than exists currently on the site and would not adversely impact on the rural economy. The proposal would reduce traffic in a rural village which would be beneficial to the environment in general. These second material considerations are considered to, again, tip the balance in favour of the proposal against the settlement strategy policies of the development plan.

#### Neighbour/Residential Amenity

There are no residential or neighbour amenity issues arising from this proposal in view of the distance of the site from other residential properties. The Public Protection team is satisfied that the proposed dwelling can be sufficiently distanced from the adjoining farmyard to ensure no loss of amenity to the new occupiers. It is likely that acceptable levels of amenity can be created at the dwelling through careful design and internal layout.

Further, it is noted that there is potential for disturbance from the adjacent campsite to the inhabitants of the property. It is possible that should the house and campsite be owned by different people in the future then residents of the property may be disturbed by noise from the use of the campsite. This given, a condition is suggested that the occupation of the proposed residential property is tied to the

ownership of the campsite

### Impact on Highway Safety

In terms of Highway safety, on the basis that the traffic relating from the proposed new dwelling would be likely to be significantly less than that generated by the current use of the site, no highway safety objection has been raised.

The vehicular movements associated with the proposed diversification of the Farmer Giles Farmstead would be permanently reduced, certain buildings would be removed from the site and the new dwelling would not create a precedent for further dwellings, no highway objection is raised to the proposed development on transport sustainable grounds.

### Other Matters

There are not considered to be any significant impacts in terms of the impact on ecology as a result of the development. No objections have been raised from the Wiltshire Ecologist.

With regards to Affordable Housing Contributions, Core Policy 43 of the Wiltshire Core Strategy requires that on development sites of five or more dwellings an affordable housing contribution will be required. Given that the development does not meet the five unit threshold, no affordable housing contribution is required for the development of the site.

## **RECOMMENDATION**

### **Approve subject to the following conditions –**

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

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

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The layout of the development;
- (b) The external appearance of the development;
- (c) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

4 Prior to commencement of construction of the dwelling hereby approved all existing buildings indicated to be demolished on drawing no. 045-002 rev A (demolition plan) and received by the lpa on 27th September 2016 and all of the existing open car park areas (with the exception of that part which will form the access drive to the dwelling shall be demolished and the resulting waste materials removed from the site. Following removal of the waste materials and prior to occupation of the dwelling the land shall be re-graded to original levels which existed prior to construction of the farm buildings and hardstandings and laid out as new pasture land in accordance with drawing no. 045-003 revB received September 2016 The new pasture land shall be retained as pasture land thereafter.

REASON: To accord with the terms of the planning application and to ensure that the development results in enhancement of the Area of Outstanding Natural Beauty which is one of the exceptional reasons planning permission has been granted in this case.

5 Prior to first occupation of the dwelling hereby approved the use of the site as a farm visitor attraction shall cease and thereafter that part of the site occupied by the dwelling and its curtilage shall be used for residential purposes, that part of the site occupied by the exhibit building/stabling to be retained shall be used for storage of equipment required for the maintenance of the site and stabling of horses (including for livery purposes but not as a riding school), and the remainder of the site (including the horse exercise arena) shall be used as farmland and/or for the grazing/exercising of horses.

REASON: To accord with the terms of the application and to reflect the special circumstances under which the development has been found to be acceptable - in particular, the resulting enhancement of the AONB as a consequence of the cessation of the farm visitor attraction use.

6 No development shall commence on site until details of the proposed ground floor slab level for the dwelling has been submitted to and approved



in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: In the interests of visual amenity.

- 7 Prior to commencement of development details of the intended method of enclosing the domestic curtilage to the property along with a plan showing the extent of that curtilage shall be submitted to the local planning authority for approval in writing. The approved method shall be implemented in full prior to the first occupation of the dwelling, and it shall be retained and maintained as approved in perpetuity thereafter.

REASON: To clarify the terms of the planning permission and to minimise domestic encroachment into the countryside in the interests of visual amenity.

- 8 Prior to commencement of construction of the dwelling hereby approved detailed drawings of the driveways within the site shall be submitted to the local planning authority for approval in writing. These drawings shall be at a scale no less than 1:200, and they shall specify the dimensions of the driveways, levels, the surfacing materials, and a programme for construction. The driveways shall be constructed in accordance with the approved drawings and programme, and permanently retained as constructed thereafter.

REASON: The application contains insufficient detail to enable this matter to be considered at this stage and to so ensure that the appearance of the AONB will be enhanced.

- 9 No external lighting shall be installed without the prior approval of the local planning authority. Where external lighting is required details of the lighting shall be first submitted to the local planning authority for approval in writing. The lighting shall then be installed strictly in accordance with the approved details, and retained and maintained as such thereafter.

REASON: To enable the local planning authority to retain control of external lighting having regard to the site's location within a remote and dark part of the Area of Outstanding Natural Beauty.

- 10 Before any works commence, details of a scheme for protecting and enhancing the landscape and ecology of the site shall be submitted to the local planning authority for approval in writing in line with the principles set out in the Extended Phase 1 Habitat Survey and Daytime Bat and Nesting Bird Survey Report (Sedgehill Ecology, July 2014). The scheme shall identify existing features of interest which will be retained and enhancement measures. The scheme shall be implemented in the first year following first occupation of the new dwelling.

REASON: In the interests of protecting protected species and enhancing habitats.

- 11 No construction or demolition machinery shall be operated on Sundays or

Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity.

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

Illustrative Masterplan 045 - R001 rev A  
Advanced strategic planting plan 045-003 rev B  
Demolition Plan 045-002 rev A  
Proposed Site plan 045-004 rev A  
Amended landscape strategy dated Sept 2016  
Planning statement dated July 2016

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

INFORMATIVE TO APPLICANT:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.



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