

# AGENDA

---

**Meeting:** Southern Area Planning Committee  
**Place:** Alamein Suite, City Hall, Malthouse Lane, Salisbury, SP2 7TU  
**Date:** Thursday 4 April 2019  
**Time:** 3.00 pm

---

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

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

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

---

## Membership:

Cllr Fred Westmoreland (Chairman)	Cllr Mike Hewitt
Cllr Richard Britton (Vice-Chairman)	Cllr Sven Hocking
Cllr Brian Dalton	Cllr George Jeans
Cllr Matthew Dean	Cllr Ian McLennan
Cllr Christopher Devine	Cllr John Smale
Cllr Jose Green	

---

## Substitutes:

Cllr Trevor Carbin	Cllr Bridget Wayman
Cllr Ernie Clark	Cllr Graham Wright
Cllr Tony Deane	Cllr Robert Yuill
Cllr John Walsh	

---

## **Recording and Broadcasting Information**

Wiltshire Council may record this meeting for live and/or subsequent broadcast on the Council's website at <http://www.wiltshire.public-i.tv>. At the start of the meeting, the Chairman will confirm if all or part of the meeting is being recorded. The images and sound recordings may also be used for training purposes within the Council.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and/or training purposes.

The meeting may also be recorded by the press or members of the public.

Any person or organisation choosing to film, record or broadcast any meeting of the Council, its Cabinet or committees is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

Details of the Council's Guidance on the Recording and Webcasting of Meetings is available on request.

## **Parking**

To find car parks by area follow [this link](#). The three Wiltshire Council Hubs where most meetings will be held are as follows:

**County Hall, Trowbridge**  
**Bourne Hill, Salisbury**  
**Monkton Park, Chippenham**

County Hall and Monkton Park have some limited visitor parking. Please note for meetings at County Hall you will need to log your car's registration details upon your arrival in reception using the tablet provided. If you may be attending a meeting for more than 2 hours, please provide your registration details to the Democratic Services Officer, who will arrange for your stay to be extended.

## **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 7<sup>th</sup> February 2019.

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 2.50pm 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 28<sup>th</sup> March 2019** 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 1<sup>st</sup> April 2019**. 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** (*Pages 23 - 24*)

To receive details of completed and pending appeals and other updates as appropriate for the period of 25/01/2019 to 22/03/2019.

#### 7 **Planning Applications**

To consider and determine planning applications in the attached schedule.

##### 7a **18/03678/FUL - 4a & 4b, The Crescent, Hill View Road, Salisbury, SP1 1HY** (*Pages 25 - 46*)

Reversion of 4A and 4B The Crescent to a single dwelling including side/rear extension with parking.

##### 7b **19/00441/FUL - Pythouse Farm, Tisbury, SP3 6PA** (*Pages 47 - 56*)

Erection of agricultural building to house poultry.

#### 8 **19/00386/FUL - 12 Woodville Road, Salisbury, SP1 3JQ** (*Pages 57 - 64*)

Two storey side extension.

#### 9 **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

This page is intentionally left blank

## SOUTHERN AREA PLANNING COMMITTEE

---

**MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 7 FEBRUARY 2019 AT ALAMEIN SUITE, CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Brian Dalton, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr Sven Hocking, Cllr George Jeans, Cllr Ian McLennan and Cllr John Smale

**Also Present:**

Cllr Richard Clewer

---

1 **Apologies**

There were none.

2 **Minutes of the Previous Meeting**

The minutes of the meeting held on 13 December 2018 were presented.

**Resolved:**

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

3 **Declarations of Interest**

There were none.

4 **Chairman's Announcements**

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

5 **Public Participation**

The committee noted the rules on public participation.

6 **Planning Applications**

7 **18/10244/FUL - Kiln Close, Whaddon, SP5 3HE**

Public Participation

Nigel Lilley spoke in support of the application

Mr Cope (applicant) spoke in support of the application

Elaine Hartford spoke on behalf of Alderbury Parish Council

The Senior Planning Officer, Warren Simmonds presented the application which was for a new dwelling with integral garage for access.

The Officer drew attention to late correspondence which had been circulated at the meeting. This detailed a representation of objection from S Stephens.

There were no consultee or Highways objections apart from drainage, which could be overcome with conditions. The Parish Council had objected.

The application was recommended for approval with conditions.

The Members had the opportunity to ask technical questions of the Officer, where it was clarified that the distance from Kiln Close Road to the base of the embankment was approximately 7 to 8m. The blue line denoted the land in ownership of the applicant, and the red line was the development site, and curtilage if approved.

The proposals include cutting into the embankment to approximately the half way point. The exposed section would be supported by a retaining wall. The excavation only related to what was necessary for the proposed building, the remaining embankment either side of the property would remain.

If there was a covenant in place over building on the land, that would be a private civil matter, not a material planning consideration either way. The road was privately owned and the use of it was also be a private or civil matter.

Height of embankment, versus the building. I climbed on that yesterday, so any building above the embankment will be above the other houses – The ground level of the proposed house is similar to the other houses around it. Similar height above ground level to other similar houses.

An ecological report was carried out in October 2018, which recorded a single site, and it was not believed there would be any impact. No signs of badgers. Dormice survey recommended.

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

Alderbury Parish Council had objected to the application on the basis that the proposals were out-keeping and did not sit comfortably in the plot. The property would overlook those opposite. The site was shown at risk on Environment



Agency mapping. Kiln Close was private, maintained by residents and not suitable for heavy plant movement.

A covenant had been made in 2003 by the previous owner, that the land at the back of the 6 plots was only to be sold if all 6 agreed. The embankment was a haven for wildlife including the protected dormouse.

The Division Member Cllr Britton then spoke in objection of the application, noting that Kiln close was a small attractive development with modest sized properties. It was a pity that the covenant could not be taken into account. This was a narrow and thin plot and the proposals included an uncomfortable erosion of the bank. Quite out-keeping with the size of the other properties of area and abuts straight on to the road.

The brick retaining wall to the rear of the property must be a considerable wall in order to retain the embankment this would be in itself an alien feature. The sloping nature would continue either side of the property. This was shoe horning a large dwelling in to the plot.

Cllr Britton then moved the motion of refusal against Officer recommendation, on the grounds of overdevelopment, alien features of retaining wall, and visual impact. This was seconded by Cllr Devine.

A debate followed where they key issues raised included that the proposal would involve vast lorry movements to move the earth from the bank. It could be considered as overdevelopment, and would destroys the current streetscene.

There were other examples of similar developments in other areas, where it sat quite well. Kiln Close was a cul-de-sac, and the proposal was for one property only.

The end gable would butt right onto the road, right at the entrance to Kiln Close, which would be an overbearing element on the entrance on that close.

The Committee then voted on the motion of refusal.

### **Resolved**

**That application 18/10244/FUL be Refused for the following reason:**

**The proposed development would constitute an overdevelopment of the narrow, linear plot that, by reason of the necessary retaining wall(s) and excavations required, would introduce a conspicuous and alien feature into the site and would be out of keeping with the existing character of the surrounding area. In these respects the proposed development is considered discordant with the aims and objectives set out with Core Policy CP57 of the adopted Wiltshire Core Strategy.**

8 **18/10741/VAR - Caddens, Barbers Lane, Homington, SP5 4NG**

Public Participation

Stephen Gledhill spoke on behalf of Coombe Bissett Parish Council

The Planning Officer, Joe Richardson presented the application which was for the variation of condition 2 of planning permission 18/00525/VAR to allow for amended design including insertion of window to west elevation and additional rooflight to bedroom 5 (18/10741/VAR).

The site had an extensive planning history which had seen the building evolve.

It was noted that a site visit had taken place earlier in the day.

The recent planning appeal decision was attached to the report at appendix 1, in which the Inspector had allowed the garage roof to be linked to the house. It also mentions that it was appropriate that condition 2 of the planning condition should be treated as the starting point, with no need for the windows to be fixed shut, and questioned the Council's condition for obscure glazing.

There were no objections from Highways and no comments from the Conservation Officer.

The application was recommended for approval with conditions.

The Members had the opportunity to ask technical questions of the Officer, where he was asked how many retrospective applications the Council received were refused. The Officer did not have the answer to hand and would provide one to the Committee following the meeting.

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

Coombe Bissett Parish Council spoke in objection to the application. Asking the Committee to refuse the variation, due to the impact of the very large dwelling on the small patch of land and the loss of privacy.

He urged the Committee to take into context the history of the development and the previous refusals and the appeal decision.

The Parish Council felt that the unscrupulous developer had made a mockery of the planning system, noting that the development was now larger than the size of the original one refused. He asked that the development not be permitted to go ahead with film on the glass.

The Division Member Cllr Clewer then spoke on the application, noting that the previous decision could not be changed, however this variation asks for 2 further windows which restrict the privacy of neighbours further, and had caused strong feeling in the community. He argued that it would increase the amount of

overlooking, noting that retrospective planning applications were not helpful. Dealing with whether the neighbouring amenity is further damaged.

Cllr Hewitt then moved the motion of refusal against Officer recommendation, on the grounds of overlooking, with a condition for the windows to be properly obscured glass, and not film. Noting that the Committees original decision that this was far too big for the site was correct. This was seconded by Cllr Hocking.

A debate followed where they key issues raised included that the Planning Inspector had overturned previous refusals.

The site visit had been beneficial. The damage has been done with the volume of build on this site. There were a number of houses that were not much different to this one. Understanding for the local community's view, unfortunately they would have to live with it, as the Inspector had approved it.

To see out of the roof window, someone would need to stand on a raised platform. If the window was obscured, it could still be opened.

The Committee then voted on the motion of refusal. The motion was not carried.

Cllr Westmoreland then moved the motion of approval, this was seconded by Cllr McLennan.

The Committee then voted on the motion of approval.

**Resolved**

**That application 18/10741/VAR be Approved with conditions:**

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

**DWG No: 216083/01 Rev B Site Location Plan and Proposed Block Plan  
Date Received 29.11.18**

**DWG No: 216083/04 Rev F Proposed Ground Floor and First Floor Plan  
Date Received 29.11.18**

**DWG No: 216083/08 Rev A Proposed Second Floor Plan Date Received  
29.11.18**

**DWG No: 216083/06 Rev F Proposed Side Elevations and South Elevation  
Section Date Received 29.11.18**

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

**2. The development hereby permitted shall be demolished and all materials resulting from the demolition shall be removed within 56 days of**

the date of failure to meet any one of the requirements set out in i) – iii) below:

i) Within 2 months of the date of this decision the following details relating to the construction of the development hereby permitted shall have been submitted for the written approval of the Local Planning Authority:

- a. specification of the roofing materials;
- b. construction of a sample panel of the proposed brick, mortar colour and pointing finish (in Flemish Bond), which is to be left on site throughout the works as a reference panel;
- c. a section drawing of the brick string course to be added to the front elevation of the dwelling;
- d. a section drawing at a scale of 1:5 showing the profile and means of fitting of the rainwater goods;
- e. details of lintels, which shall be pre-fabricated gauged bricks 4 course deep;
- f. details of window cills on the front elevation which shall be constructed from Bath stone and stooled; and
- g. details of the render to be used on the external elevations, which shall be a soft render, and will not feature a bell mouth detail.

(ii) If within 5 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

**REASON:** The development shall be carried out in accordance with the details to be approved in accordance with the requirements of this condition.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

3. The additional rooflight within the eastern roofslope as shown in approved plan DWG No: 216083/08 Rev A Proposed Second Floor Plan Date Received 29.11.18 serving bedroom 5 shall retain the obscure glazing in perpetuity.

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

4. Prior to the first use of the rooms served by: the rooflight in the eastern elevation; the rearmost of the rooflights in the western elevation; and the first floor windows in the western elevation, as shown on drawings 216083/04E and 216083/06E, the previously mentioned windows shall be

fitted with obscure glazing and thereafter the obscure glazing shall be retained.

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

5. The garage hereby permitted shall not be used until the first five metres of the access, measured from the back edge of the carriageway, has been laid with a consolidated surfaced. The access shall be retained as such thereafter.

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

6. The garage hereby permitted shall not be used until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The access, turning area and parking spaces shall be retained for the purposes of parking and vehicle manoeuvring at all times thereafter.

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

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), the garage hereby permitted shall not be converted to habitable accommodation.

**REASON:** To secure the retention of adequate parking provision and to limit the residential conversion of the garage space, in the interests of highway safety and amenity.

8. Works associated with the construction of the development hereby permitted shall only take place between the hours of 08:00 to 17:00 from Mondays to Fridays and between the hours of 08:00 to 13:00 and on Saturdays. No construction works associated with the development hereby permitted shall take place at any time on

Sundays and on Bank or Public Holidays.

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

9 **18/11174/FUL - Former Lloyds Bank, Mere, BA12 6DP**

Public Participation

Dan Wilden spoke in support of the application

John Jordan spoke on behalf of the Parish Council

The Senior Planning Officer, Warren Simmonds presented the application which was for Conversion of existing bank to create three 1 bed and one 2 bed flats with parking.

The building was not listed; however, it was next to a listed building, and it was in a conservation area.

As part of the development, a modern rear extension would be removed and replaced with a low wall to improve visibility.

A small outbuilding adjacent to parking space number 5, had an external door. It was confirmed that the allocation of space number 5 would be tied to the ownership of the outbuilding.

No third party representations had been received and there were no objections from the Conservation Officer.

In respect of the marketing and disposal of the building, Cllr Jeans had informed the Officer that it was his belief that this had not been carried out correctly.

The former use of the building as a bank was A2 use. Rural facilities that benefit rural communities should be retained for community use, how relevant that was, is a matter for debate.

The application was recommended for approval with conditions.

The Members had the opportunity to ask technical questions of the Officer, where it was clarified that the development allowed for one parking space for the double one-bedroom apartments.

Whilst Officers had been made aware that a representation had been made to Cllr Jeans, no representation had been submitted to the Planning Authority. As such it would have to be treated as unsubstantiated.

During marketing of the Bank, there had been an amount of interest, however this had not been commercial. And only for residential. The marketing process had been carried out.

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

Mere Town Council spoke on the application, noting that Mere was not a large town and there were not many employment opportunities so people did have cars. These apartments were all double bedroom, it was likely that 5 parking

spaces would not be sufficient. The site was right in the centre of Mere, and the area was already completely burdened with vehicles. It would add to a big problem that was already present. If the bins were in the car park area it would cause issues on collection day. A development of just 2 apartments would have been better for this site.

The Division Member Cllr Jeans then spoke in objection of the application, noting that the applicant had stated that a marketing exercise was conducted. It states "Lloyds Bank in The Square, Mere closed for business on 24th September 2017.

A national agency, CBRE, were asked to market the site for the bank to dispose of it, and a brochure was circulated to more than 1000 agents and clients and also appeared online. This marketing process commenced on 25th September 2017. CBRE confirmed that they had an amount of interest but all from residential developers and none from commercial operators at al.

I question this when I am aware of a significant applicant regarding the Mere area, this being our local dentist who claimed he offered more than the guide price and in effect was not entertained by the selling agent. I know of another similar case where commercial activity was not welcome, however because of commercial sensitivity I cannot give the information in public and may be not at all.

I supplied details to the Planning Officer of our local dentist experience; the dentist had given me permission to air this in public today. Apparently, we as Wiltshire Council take the word of the applicant when a marketing exercise is conducted regarding commercial interest, unless someone challenges it. As explained, in my opinion it is difficult to challenge a commercial marketing exercise in public and indeed sometimes in a lesser public environment. However, I have brought this to your attention.

One of the 5 offered parking spaces is next to the out buildings access door, is this access door going to be in the control of the person who will have the adjacent parking space? If not, I cannot see how it can be a valid car parking space, because of the obstruction caused by the parked vehicle. The door to the shed is not shown on the plan, is it to be blocked and if so how will the building be accessed.

Smaller properties like these proposed, will have some trade vehicles brought home, and when a van is parked in the 1<sup>st</sup> car parking space, the visibility into a busy small road would be obstructed, and require a tight manoeuvre to exit. These vehicles will often be reversing out, where is the turning space?

When this building was a bank, customers or staff made little use of the buildings car park, which was now being considered for 5 parking spaces. Customers walked or used spaces in and around the Square freed up by residents going to work or going out. Mere already has around 50 properties that have no or insufficient parking and live near Mere Town Square. About 25 of these were flats some of whose residents had trade vehicles. The Old Ship

Hotel was also being developed, again with local knowledge I know more overspill will result.

Mere has little public transport and none to some local destinations. Vehicles are part of the rural seen in Mere, they are needed for work and everyday transport, for instance hospital appointments.

In the evenings North Street and nearby roads are almost impassable for parked vehicles, as explained some are trades vehicles, taking up much of the road. Parking has become so severely oversubscribed; Mere Town Council have set up a committee to look into the parking problems we have.

A resident has attended to represent those living in or near Mere Square and The Town Council Chairman. Wiltshire has gone against Highways recommendations before armed with local knowledge, I hope you will support me to refuse this and maybe at your discretion, question the marketing exercise.

Cllr Jeans then moved the motion of refusal against Officer recommendation, on the grounds of overdevelopment. This was seconded by Cllr Dalton.

A debate followed where they key issues raised included that there was no documented evidence to support the accusation that marketing was not carried out correctly.

The proposals were not for a new build, the development in the built environment was the same.

Highways had not registered any objections on parking grounds and the development met the current requirements on parking.

A similar building which had previously been a bank in Amesbury had sat empty for a long time. Buildings like these large banks did not transfer very well into a shop. The solution for the bank in Amesbury was a nightclub.

The view of the Town Council was recognised, that there were problems with parking, however the development included parking spaces for all of the apartments.

The Committee then voted on the motion of refusal. The motion was not carried.

Cllr Westmoreland moved motion of approval. This was seconded by Cllr Hewitt.

### **Resolved**

**That application 18/11174/FUL be Approved with 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. 8980/200 dated November 2018, as submitted to the local planning authority on 23.11.18, and  
DRG No. 8980/201 dated November 2018, as submitted to the local planning authority on 23.11.18**

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

**3. Notwithstanding the approved drawings, no works shall commence with respect to the relevant details, until details of the following have been submitted to and approved in writing by the Local Planning Authority:**

**(i) Large scale (1:10) section details for the two new doors within the front south elevation**

**The works 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**

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

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

**5. 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**

**6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the**

development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

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

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

**8. No part of the development shall be first occupied until the existing outbuilding has been removed and new walling provided, and visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.**

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

10 **18/11534/FUL - 138 Winterslow Road, Porton, SP4 0JX**

Public Participation

Ben Diffey spoke in support of the application

Den Taylor spoke in support of the application

The Senior Planning Officer, Georgina Wright presented the application which was for Extension and renovation of 1950's chalet bungalow to form a family home (Resubmission of 18/08676/FUL). The application was recommended for refusal.

The proposed design was similar to the 2 storey neighbour on one side, but would be significantly larger in plan form, out of proportion and rendered, not brick.

There were no consultee objections.

The Members had the opportunity to ask technical questions of the Officer, where it was clarified that the difference in ridge height between the proposed development and the neighbouring property on the left was 0.25m.

The Officer explained that the application had been called to Committee as it had originally started in March 2017 with a pre-app, since then, it had been changed 5 times. These changes had altered the scheme significantly however,

not enough to recommend approval. She noted that the applicant required a large development, and felt it would be better for the current scheme to be considered by Committee and if not approved for a new scheme to be produced.

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

The main points raised included that the proposed development was not as large as some other properties along the road, with numbers 130 and 124 of similar styles.

The Division Member Cllr Hewitt then spoke in support of the application, noting that the former owner of the bungalow was an elderly single resident, and now the property did not meet the needs of the new owners who had a modern family.

The development would allow for a family home which would be of a far superior appearance to what was currently there. There were no objections from the Parish Council or anyone else, and parking is provided.

Cllr Hewitt then moved the motion of approval against Officer recommendation. This was seconded by Cllr John Smale.

A debate followed where the key issues raised included that the plot was narrow, however there were no objections from neighbouring properties.

The current bungalow was the only property which had not been developed. The extensions would leave very little of the existing house though so it was considered to be a replacement dwelling rather than extensions. Next door had set the precedent.

The development was large, however the plot was adequate enough for it. This house will accommodate people in later life as it is accessible throughout.

The Committee then voted on the motion of approval.

### **Resolved**

**That application 18/11534/FUL be Approved with conditions:**

- 1. WA1 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. WM13 The development hereby permitted shall be carried out in accordance with the following approved plans:**

**Application Form & Certificate**

**Ref: OS Location Plan. Received – 29.11.2018**

**Ref: B3087 01c – Proposed Floor Plans & Elevations. Received – 29.11.2018**

**Ref: B3087 03a – Site Plan. Received – 29.11.2018**

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

- 3. WB1 No development shall commence above slab level until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

- 4. WM1 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

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

- 5. WC1 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:**

- finished levels and contours;**
- site sections showing how the development will sit on the site/rising ground**
- means of enclosure;**
- car park layouts;**
- other vehicle and pedestrian access and circulation areas;**
- all hard and soft surfacing materials;**

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

satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. **WC2** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

7. **WD20** No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

8. **WE 1** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwelling house hereby permitted or within their curtilage.

**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.

9. **WE5** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or roof light, other than those shown on the approved plans, shall be inserted in the eastern or western elevations of the development hereby permitted.

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

10. **WE12** Before the development hereby permitted is first occupied the first floor windows in the eastern and western elevations (which are shown on Plan Ref B3087 01c to serve bathrooms/ensuites), shall be glazed with obscure glass only, to an obscurity level of no less than level 5 and the windows shall be maintained with obscure glazing in perpetuity.

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

11. **WE14** The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

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

12. No construction or demolition work involved in the development hereby approved shall take place on Sundays or Bank/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

## 11 **Planning Appeals and Updates**

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

Mike Wilmott, Head of Development Management, gave an update on the Five-Year Land Supply.

## 12 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 5.50 pm)

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)

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

**Wiltshire Council**  
**Southern Area Planning Committee**  
**4<sup>th</sup> April 2019**

Planning Appeals Received between 25/01/2019 and 22/03/2019

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
18/00457/FUL	Land at Court Farm Court Farm Lower Woodford SP4 6NQ	WOODFORD	Energy Storage Capacity Mechanism Plant to Support the National Grid	SAPC	Written Representations	Approve with Conditions	26/02/2019	Yes
18/04622/OUT	Land at Weston Lane Winterslow, Salisbury SP5 1RQ	WINTERSLOW	Construction of 4 four-bedroomed dwellings with attached double garage (Outline applications relating to access, landscape, scale, layout and appearance)	DEL	Written Representations	Refuse	15/02/2019	No
18/07506/FUL	Spring Cottage East Knoyle, Salisbury SP3 6BS	EAST KNOYLE	Demolish existing lean-to and replace with two storey extension	DEL	House Holder Appeal	Refuse	21/02/2019	No
18/08498/FUL	49 Elm Close Laverstock, Salisbury Wiltshire, SP1 1SA	LAVERSTOCK	Renovation of garage and upgrade to include one dormer window, replace flat roof with pitched roof (retrospective)	DEL	House Holder Appeal	Refuse	18/02/2019	No
18/08603/FUL	44 Countess Road Amesbury, SP4 7AS	AMESBURY	Construction of double garage and associated works to driveway	DEL	House Holder Appeal	Refuse	18/02/2019	No

Planning Appeals Decided between 25/01/2019 and 22/03/2019

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
17/07360/FUL	Land at Quarry Farm Ansty, Salisbury Wiltshire, SP3 59S	ANSTY	Re-Profiling of Ground and Provision of Hard Surfaces (Retrospective)	DEL	Written Reps	Refuse	Dismissed	22/03/2019	None
17/09304/FUL	Upton Farm, Luke Street Berwick St John SP7 0HW	BERWICK ST JOHN	Temporary siting of 3 mobile homes to act as agricultural accommodation and farm office.	DEL	Hearing	Refuse	Allowed with Conditions	15/03/2019	None
17/10430/FUL	Warren Down Barn Burcombe Lane Wilton , SP2 0ES	WILTON	Extension and alterations to an existing barn / car barn, to create 2 no. three bedroom dwellings.	DEL	Written Reps	Refuse	Dismissed	13/03/2019	None
18/02197/FUL	36B Choristers Square The Close, Salisbury Wiltshire, SP1 2EL	SALISBURY CITY	Demolition of existing timber traffic kiosk and erection of GRP traffic kiosk on the same site	DEL	Written Reps	Refuse	Dismissed	05/02/2019	None

This page is intentionally left blank



**REPORT OUTLINE FOR AREA PLANNING COMMITTEES**

**Report No.**

<b>Date of Meeting</b>	04 April 2019
<b>Application Number</b>	18/03678/FUL
<b>Site Address</b>	4A & 4B The Crescent  Hill View Road  Salisbury  SP1 1HY
<b>Proposal</b>	Reversion of 4A and 4B The Crescent to a single dwelling  including side/rear extension with parking.
<b>Applicant</b>	Mr G. Mundy
<b>Town/Parish Council</b>	SALISBURY CITY
<b>Electoral Division</b>	Salisbury St. Edmund and Milford
<b>Grid Ref</b>	414915 130033
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Tim Pizzey

**1. REASON FOR THE APPLICATION BEING CONSIDERED BY COMMITTEE**

Councillor Sven Hocking has requested this item be determined by Committee due to:

- Scale of the development
- Visual Impact
- Relationship with adjoining properties

- Design
- Environmental and highway impact
- Car parking

## 2. PURPOSE OF THE REPORT

The purpose of this report is to assess the merits of the proposed development against the policies of the development plan and other material considerations. Having reached a balanced conclusion, the report recommends that planning permission be APPROVED subject to conditions.

## 3. REPORT SUMMARY

The main issues for consideration are:

- (1) Principle of the development
- (2) Scale and design
- (3) Impact on the conservation area
- (4) Residential amenity / living conditions
- (5) Highway safety and parking

The site has been the subject of previous planning applications for development involving an additional dwelling. The last two applications were refused and dismissed on appeal. The current application differs to the previous applications in that it proposes a reversion from flats back to a single dwelling but still includes a proposed side and rear extension. Objections have been from third parties and Salisbury City Council. The Highways Officer has raised no objection subject to conditions.

## 4. POLICIES

### Adopted Wiltshire Core Strategy:

Core Policy 1: Settlement strategy

Core Policy 2: Delivery strategy

Core Policy 3: Infrastructure requirements

Core Policy 22: Salisbury community area

Core Policy 45: Meeting Wiltshire's housing needs

Core Policy 57: Ensuring high quality design and place shaping

Core Policy 58 Ensuring the conservation of the historic environment

Core Policy 60: Sustainable transport

Core Policy 61: Transport and development

Core Policy 63: Transport strategies

Core Policy 64: Demand management

Saved Policy H8: Residential development in Salisbury

Supplementary Planning Guidance: 'Creating Places'

Milford Hill Conservation Area Appraisal and Management Plan (2014)

National Planning Policy Framework 2018 (NPPF), in particular Section 12 (Achieving well-designed places) and Section 16 (Conserving and enhancing the historic environment).

National Planning Policy Guidance (PPG)

Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

Section 72 Planning (Listed Building and Conservation Areas) Act 1990

Section 66 Planning (Listed Building and Conservation Areas) Act 1990

## 5. SITE DESCRIPTION

The Crescent is a short cul-de-sac (private road) at the bottom of Milford Hill on the east side of Churchill Way and the historic Chequers area of the city. The site is within the Milford Hill Conservation Area and immediately to the north of the grounds of the Grade II listed Milford Hill House (the youth hostel).

The Crescent is a narrow private road that accommodates a row of five houses. Nos. 1 and 2 are detached dwellings with a bungalow adjacent. Nos 3 & 4 are semidetached dwellings. No 4 converted into two flats. There is a bank and a number of established trees located along the east and south boundaries, forming a significant feature of the site.

## 6. PLANNING HISTORY

The following recent planning applications and decisions relate to the site:-

14/12193/FUL Extension to east elevation to create 2x flats. REFUSED 23/04/14 for the following reasons:-

- 1) *The proposed development, by reason of its size (height and width), the amount of excavation works/tree removal required to enable the development, and the number of additional residential units created at the site, would result in a cramped form of overdevelopment for this small, narrow parcel of land, which would be harmful to the character of the existing property, the semi-detached pairing and the wider Crescent which is designated as a Conservation Area. As such the proposal is considered to be contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy.*
- 2) *The proposed development, by reason of its location at the top of a narrow and congested private driveway, with limited parking for motorised vehicles, would provide insufficient parking for future occupiers of the site, and is likely to result in unauthorised parking and obstruction on and around the existing parking spaces and the vehicular access leading to the site. The scheme is therefore considered to result in an adverse impact on the amenities of properties along the Crescent, contrary to Policy 57 of the Wiltshire Core Strategy.*

14/10146/FUL Extension to east elevation to create 3x flats. WITHDRAWN.

15/04378/FUL Detached three bed dwelling. REFUSED for the following reasons:

- 1) *The proposed development, by reason of its size (height and width), the amount of excavation works/tree removal required to enable the development, and the number of additional residential units created at the site, would result in a cramped form of overdevelopment for this small, narrow parcel of land, which would be harmful to the character of the existing property, the semi-detached pairing and the wider Crescent which is designated as a Conservation Area. As such the proposal is considered to be contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy.*

- 2) *The proposed development, by reason of its location at the top of a narrow and congested private driveway, with limited parking for motorised vehicles, would provide insufficient parking for future occupiers of the site, and is likely to result in unauthorised parking and obstruction on and around the existing parking spaces and the vehicular access leading to the site. The scheme is therefore considered to result in an adverse impact on the amenities of properties along the Crescent, contrary to Policy 57 of the Wiltshire Core Strategy.*

APPEAL DISMISSED 10/03/2016 (Appeal Ref: APP/Y3940/W/15/3136252).

16/05491/FUL Erection of a detached one bedroom dwellinghouse. REFUSED 15/07/16 for the following reason:

- 1) *Whilst adjustments have been made to the visual appearance of the building, the proposed dwelling remains of a similar scale, overall design, and location to that previously refused. Consequently, the proposed dwelling by virtue of its cramped and contrived siting would appear incongruous in the street scene and in the wider context of the Conservation Area. Therefore, the development proposal does not preserve or enhance the appearance and character of the Conservation Area, and does not overcome the previous reasons for refusal stated by the Inspector as part of application 15/04378/FUL. The proposal is therefore contrary to the objectives of Core Policies 57 and 58 of the Wiltshire Core Strategy and the aims of the NPPF.*

16/01910/FUL Extension to enlarge existing ground floor flat and create additional flat. REFUSED 25/11/2016 for the following reasons:

- 1) *Whilst the reduction in scale to a single storey dwelling is considered to be more sympathetic than the previously refused designs, the proposed dwelling by virtue of its cramped and contrived siting would appear incongruous in the street scene and in the wider context of the Conservation Area. Therefore, the development proposal does not preserve or enhance the appearance and character of the Conservation Area, and does not overcome the previous reasons for refusal stated by the Inspector as part of application 15/04378/FUL. The proposal is therefore contrary to the objectives of Core Policies 57 and 58 of the Wiltshire Core Strategy and the aims of the NPPF.*
- 2) *The proposed development, by reason of its location at the top of a narrow and congested private driveway, with limited parking for motorised vehicles, would provide insufficient parking for future occupiers of the site, and is likely to result in unauthorised parking and obstruction on and around the existing parking spaces and the vehicular access leading to the site. In addition the nature of the narrow congested private road leading to the site would lead to difficulty accessing and servicing the new dwelling contrary to Core Policy 57 of the Wiltshire Core Strategy.*

APPEAL DISMISSED 30/08/2017(Appeal Ref. APP/Y3940/W/17/3174421).

#### Adjacent site – Milford Hill House

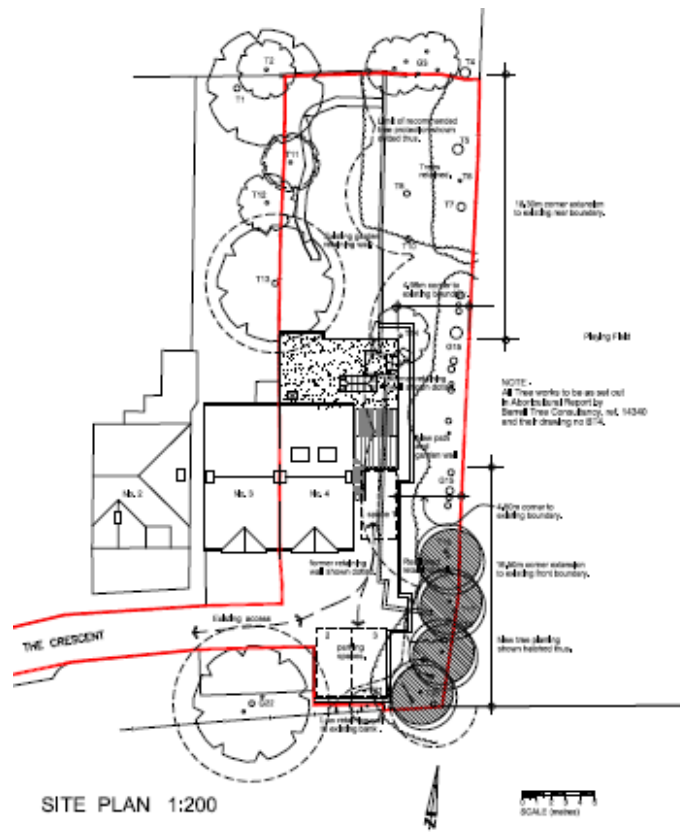
Planning permission has recently been granted for 11 houses and 4 apartments on this site under references 16/03966/FUL and 18/00903/VAR.

## **7. THE PROPOSAL**

Planning permission is sought for the erection of a single storey rear and side extension and conversion of the existing two flats to a single 4 bed dwelling, with some re-arrangement of the internal layout. The existing flat roof extension at the rear of the dwelling would be

removed. The extensions would provide additional living accommodation at ground floor level. The rear elevation shows large folding doors to a garden / sitting room under a canopy / over-sailing roof. The entrance door to the house would be on the east side of the property (currently the entrance to flat 4A) and the existing door to the front elevation (currently serving flat 4B) would be removed.

A new / realigned retaining wall is proposed to the bank on the east boundary extending to the side and rear of the two parking spaces set against the south boundary. The proposals originally included a car port but this has been removed from the proposal following the submission of revised plans.



Site plan proposed

## 8. CONSULTATIONS

### Conservation Officer:

*"...I have no concerns about the use as a single dwelling. The car port, however, is tight to the boundary with Milford Hill House, a grade II listed villa. There is no southern elevation of the car port, and it isn't clear what materials it is to be constructed from so it is hard to assess its visual impact properly (as required by s66 of PLBCA Act 1990 and NPPF). The open sides are rather unusual and it certainly looks like it would be difficult to manoeuvre into. If the car port were to be omitted from the scheme then I would have no concerns, otherwise more details should be sought..."*

### Arboricultural Officer:

*“...I have no objection to the proposal subject to the trees being retained in accordance with the revised Barrells tree report dated 15<sup>th</sup> January 2019.*

*The report refers to new planting to reinforce the existing line of trees along the eastern boundary of the site. A landscape plan will be required to demonstrate what will be planted and how it will be maintained.*

*To ensure the retained trees are adequately protected during the development process it will be necessary to condition compliance with the Arb Report. The following may prove useful:*

*The development shall be undertaken in accordance with the approved Tree Protection Plan and Arboricultural Method Statement, unless the Local Planning Authority has given its prior written consent to any variation.*

*The protective fencing should be erected in accordance with BS5837:2012 before any work commences, including demolition or other enabling works. The fencing, or other protection, which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including internal works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.*

*REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction...”.*

#### Highways:

The Highways Officer objected to the plans as originally submitted on the grounds that as shown the parking spaces would not be in accordance with the Wiltshire Local Transport Plan and would be impracticable to use and, therefore, recommended refusal. Following the submission additional information revised plans, the Highways Officer is content with the parking arrangements and has commented as follows:

*“....The number of car parking spaces parking associated with the development proposed accords with current standards and the swept path details indicated on the submitted Drawing No. 218023/04 are acceptable to me.*

*It is considered that the development proposed will not have any significant impact on highway safety and I therefore recommend that no highway objection be raised to it subject to the following condition being attached to any permission granted:-*

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

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

#### Archaeology:

*“...The proposed development is located in an area known to have potential for Palaeolithic remains, which has been demonstrated in recent months, immediately to the south, at the former Youth Hostel site. The proposed works have potential to afford extra information about the topography and archaeological potential of the Milford Hill area. It is this potential*

*that has led to recommendations for archaeological work on previous applications for this site.*

*In this instance, it is my recommendation that the following condition be attached to any permission that is granted on this planning application:*

*Therefore in line with the NPPF (2018), PPS5 (2010) and the earlier Planning Policy Guidance Note 16: Archaeology and Planning (DoE 1990) the following recommendations are made:*

*Recommendation: Full condition*

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

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

*The approved programme of archaeological work has been carried out in accordance with the approved details.*

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

*Informatives:*

*The work should be conducted by a suitably experienced and professionally recognised archaeological contractor in accordance with the written scheme of investigation approved by this office and in line with the Standards and Guidance of the Chartered Institute for Archaeologists. There will be a financial implication for the applicant...".*

## **9. REPRESENTATIONS**

### Salisbury City Council

*SCC objects to this application due to overdevelopment, loss of on-street parking and requests that the planning officer notes neighbours' concerns.*

*Revised Plan / Additional Information - "...SCC objects to this application due to overdevelopment and impact to neighbours on this small private road and requests that the planning officer notes neighbours' concerns. Furthermore, SCC asks that Conservation Officer comments be sought regarding the damage to the bank adjacent to the property...".*

### Neighbour/third parties:

2 letters of objection (one letter submitted under two names). Summary of main points raised:

- There is a restricted covenant preventing building within 40 feet of southern boundary.
- Involves removal of more of the bank.
- Overdevelopment of site
- Extension /footprint too large

- Site area should not include the site access when comparing percentage of site covered by the extension in relation to size of site
- Lack of light to extension
- Damage to trees / tree roots
- Impact on Conservation Area
- Inadequate room construction machinery
- History of refusals and appeal

A further letter of objection from a previous objector has been received in response to revised plans, maintaining objections to the proposal on impact to bank / trees / conservation area and inadequate parking / turning, could be used for multiple occupancy.

## 10. ASSESSMENT

### (10.1) Principle of development

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

Core Policies 1 and 2 of the adopted Wiltshire Core Strategy set out a settlement strategy and a delivery strategy. The policies categorise Salisbury as being a 'Principle Settlement', where the principle of development is considered acceptable. The site is located within an established residential area within the settlement boundary of the city. The site is also located in the housing policy boundary for Salisbury where in principle new residential development is considered acceptable under saved Policy H8.

It can be seen from the planning history that a number of previous applications for additional dwellings have been refused planning permission. Two have been dismissed on appeal, including the most recent previous application that reduced the bulk of the development and proposed a ground floor flat in addition to a rear extension to the existing ground floor flat.

Notwithstanding the above, it is considered that the acceptability of the proposal rests with site specific considerations when considered against relevant local and national planning policy, taking into account the previous appeal decisions where of relevance.

### (10.2) Scale and design

The NPPF requires good design including, inter alia, a strong sense of place responding to the character and history and reflecting the identity of local surroundings and materials.

Amongst other criteria, Core Policy 57 states "*...a high standard of design is required in all new developments, including extensions... Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality*".

The Council's Supplementary Planning Guidance "Creating Places" provides further detailed guidance on household extensions. For example it states:

- "*Avoid large extensions which overwhelm the original dwelling*". (page 84)
- "*In all circumstances the key principle is that it will still be obvious what part of the building was original, with later extensions being clearly subordinate*". (page 84)
- "*Extensions should complement the style, proportions, detailing and materials of the original building*". (page 85).



- *“It will generally be appropriate for most extensions to be constructed in walling and roofing materials which match, or are sympathetic, to those of the original building”. (page 85)*
- *“Flat roof extensions will not normally be allowed as they represent a crude and harmful addition to most buildings. New roof pitches should match those of the existing dwelling but should be of a narrower span achieved by the use of setbacks and a dropped ridge”. (page 86)*

The Government attaches great importance to the design of the built environment and the Framework states that *“...Good design is a key aspect of sustainable development,, creates better places in which to live and work and helps make development acceptable to communities...”* (paragraph 124). The Framework states that planning policies and decisions should ensure that developments....

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

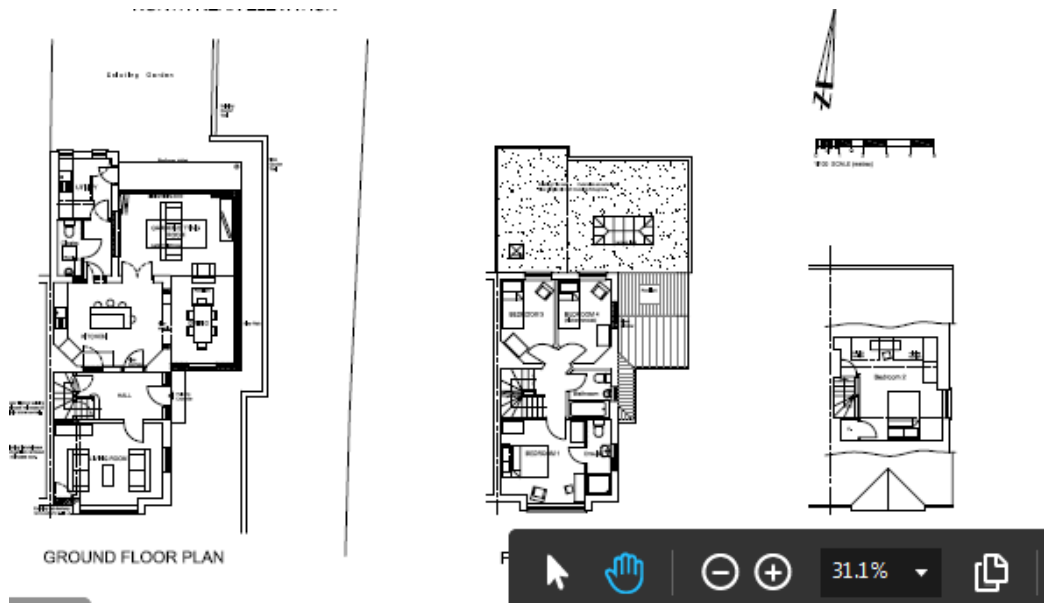
*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

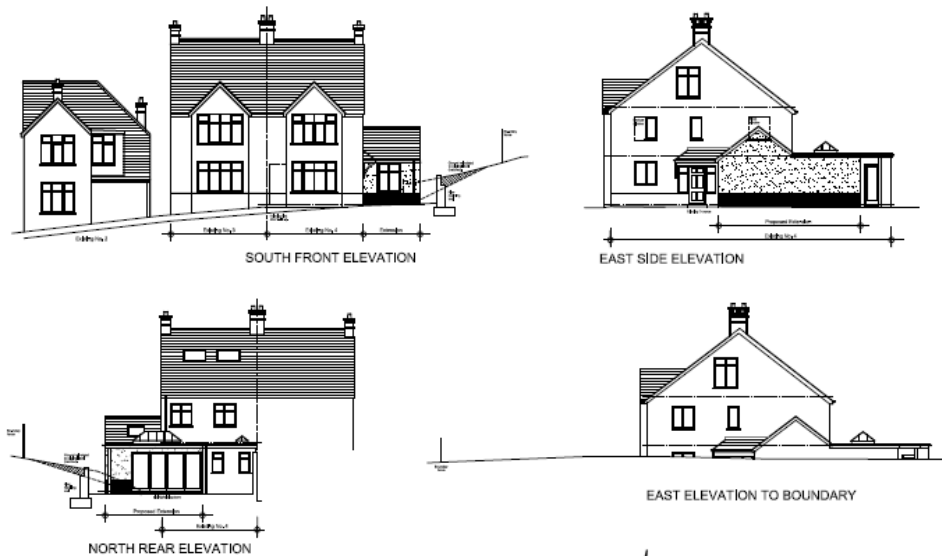
Comparing with the previous refused schemes, the current proposal has been reduced in scale in terms of the proposed built form and number of dwelling units; the proposal now involves conversion back to a single dwelling from the existing two flats. The currently proposed extension does not extend as close to the boundary as the previously proposed extension under 16/09610/FUL that was refused.

The floor plan drawing lists the existing gross footprint as 66.8m<sup>2</sup> and the proposed extensions as 31.5m<sup>2</sup>, i.e. just under 50 % increase. The existing footprint figure would include the existing rear extension and so the percentage increase over the original dwelling footprint would actually be larger. The proposed extensions clearly have a substantial footprint in relation to that of the existing dwelling but it is considered that they are not objectionable in their own right in terms of design and scale. Whilst the rear extension has a flat roof, which can sometimes result in incongruous and unsympathetic additions to dwelling, in view of its discrete location, it is not considered that this would be harmful to the appearance of the original dwelling nor the character and appearance of the area.



Proposed floor plans

The side extension, which is set back from the front elevation, has a conventional pitched roof that would also screen the flat roof element at the rear when viewed from the front. The walls are proposed to be rendered above a brick plinth, which would be sympathetic to that of the existing building.



Proposed elevations

It is noted that whilst dismissing the most recent appeal on other grounds, the Planning Inspector did not consider the extension objectionable in its own right and suitably subservient. It is similarly judged that the scale and design of the currently single storey extension to the rear and side of the dwelling is considered acceptable in its own right. However, in dismissing the last appeal the Planning Inspector nevertheless considered that the development would be unduly cramped in relation to the bank on the east side and, together with the necessary tree removal, would have a resultant harmful impact on Conservation Area. This is assessed further below in respect of the current proposal.

### (10.3) Impact on the Conservation Area

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

Policy CP58 of the adopted WCS indicates that:

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

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

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

The site is located in a designated conservation area (Milford Hill Conservation Area) and paragraphs 195 and 196 of the NPPF require an assessment of any harm to designated and non-designated heritage assets:

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

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

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

The NPPF requires that the applicant to describe the significance of any heritage assets affected, including any contribution to their setting. A supporting planning statement has been submitted, referring to design, landscape and access.

In terms the character of this part of the CA (Rampart Road / Tollgate Road Character Area) the Milford Hill Conservation Area Appraisal and Management Plan (MHCAAMP) states at paragraph 7.3.6 “.....*Architecturally the terraces are very modest and undistinguished, although there are short sections of grander three storey terraces.....The Crescent, a small development of originally 4 houses accessed from Hillview Road, has a more informal and arcadian feel as this terrace faces towards the grounds of Milford Hill House and is tucked away...*”, In terms of the age of the buildings and historic maps “....*The Crescent doesn't appear until the 1919 map...*”.

The contribution of trees to the character and appearance of the CA is acknowledged in the MHCAMP. Trees along the east and south boundary of the site (with Godolphin School recreation grounds and Milford Hill House grounds) are not the subject of a Tree Preservation Order but are noted in the above document as “*other important trees*”. In assessing the contribution of the trees along the eastern boundary, the Planning Inspector in the appeal against the last refusal stated:

*“..Along the top of the bank is a row of trees. Whilst individually they may be of little merit they have cumulative value and have been identified in the Council's Conservation Area Appraisal as “Other Important Trees”. They add to other trees in the vicinity to help create the attractive verdant appearance of this part of the CA. They are visible from the vicinity of the site and also from some more distant locations in the vicinity of the city centre where they assist in providing an attractive wooded backdrop to the area...”*

An arboricultural report submitted with previous proposals indicated that a significant number of trees on the bank would have to be removed. In assessing the harm to the CA, the Planning Inspector took into account that “....*whilst there is some room for replacement planting it would be many years before it became fully effective...*”.

In the light of then above, further information has been requested in connection with the current proposal in order to assess the impact on the group of trees along the south and east site boundaries. The applicant has subsequently commissioned a further arboricultural report. This report includes a tree protection plan illustrating the tree locations in relation to the proposed development, tree categories, an arboricultural impact assessment and method statement. The group of Sycamore trees along the raised bank (Category C) have been previously been reduced in height to 6m. It is proposed to reduce the height of these trees back to the previous pruning locations, which the report assesses will not have a detrimental impact on their retention.

A number of trees are assessed in the arboricultural report as of low quality or unsuitable for retention. Nevertheless, in discussion with the council's Arboricultural Officer, it is now proposed to retain a number of the trees previously proposed for removal at the southern end of the site adjacent the east boundary, which are in any case less affected by the proposed development, mainly by the construction of the proposed retaining wall and associated ground works in the vicinity. Although the trees are not individually of high quality, the trees together as a group add to the verdant character of the site and surrounding and contribute to the character and appearance of the CA.

A revised arboricultural report submitted (15<sup>th</sup> January) states that three trees are proposed to be felled for management purposes. The report summary states:

*“This proposal will result in the loss of tree (T14), and two further trees (T7 and T10) for management purposes, that are all low category because of their poor condition or small size. All the significant boundary tree cover will remain intact and no high or moderate category trees will need to be removed. The matter of*

*adverse impacts on retained trees due to post-development pressures to fell or prune has been considered and I concluded that no further trees will be affected. There is plenty of space for tree planting and a comprehensive new tree planting scheme using significant stock is feasible. The construction activity may affect further trees if appropriate protective measures are not taken. However, if adequate precautions to protect the retained trees are specified and implemented through the arboricultural method statement included in this report, the development proposal will have no long term detrimental impact on tree health or the contribution of trees to character in the wider setting.*

*For these reasons, I conclude that the proposed development would not cause an unacceptable or adverse impact on the long-term vitality of the retained trees, and therefore the character and appearance of the area. Furthermore, it fully aligns with the broad guidance set out in the National Planning Policy Framework”.*

It is judged that the proposed tree works (removal and height reduction / pruning) will have some local impact visually and would result in some reduction to the tree cover. It would appear that some previous work was carried out a few years ago, involving removal of some of the bank and part of the former retaining wall. Local concern has been expressed about this and objection to the need for further removal of the bank. The current proposal would involve some further removal of the bank in the area where a new retaining wall would be built around the north east corner of the proposed extension and joining up with the retaining wall to the rear (north). It estimated that the alignment of the proposed new retaining forward of the extension should not require any significant further removal of the bank but will alter its profile to some extent with a new retaining wall.

Overall, it is considered that any further visual impact in terms of opening up views of the buildings and land on the adjoining school site and Milford Hill House, will be less than the previous application proposals. In comparison with the most recent appeal scheme, the side extension is not located as close to the east boundary. As such, the group of Sycamore trees on the top of the bank nearest the extension are now shown to be retained, whereas they were proposed to be removed under previous schemes. As it is proposed to reduce the height of this group of trees back to previous pruning locations, it will still have some visual impact in the short term. However, some additional / replacement planting is also proposed in mitigation. Some further details have been added to the site plan regarding the proposed retaining wall and proposed tree planting. Taking into account the submitted arboricultural report, the Council's Arboricultural Officer is content with the tree impact and associated tree protection measures, subject to conditions, including some new tree planning.

The previous appeal decisions have been taken into account. In the planning balance, whilst there will be some loss of tree cover through the proposed re-pollarding and three trees to be removed, Officers consider that subject to conditions to ensure the tree protection measures are implemented then, on balance, it is judged that overall impact on the local visual amenity would not be to such a degree to warrant refusal of planning permission on the grounds of harm to the character and appearance of the CA.

Regarding below ground heritage assets, the Council's Archaeology Team has recommended a condition be imposed to require a Written Scheme of Investigation to be submitted and approved as the site is located in an area known to have potential for Palaeolithic remains (see full consultation response above). This resulted in recommendations for archaeological work on previous applications on this site.

It is noted that planning permission has recently been granted for the redevelopment of the adjacent Milford Hill House site (former YHA site) for housing (also within the CA), which will

have some impact on the character and appearance in the locality of the site. That approved scheme includes a pair of semi-detached houses just to the south of the application site. When built, these houses will be visible from the site and neighbouring properties. However, taking into account scale, design and separation distances, it is considered that the application proposals would not result in a cumulative adverse impact on the conservation area when considered together with the approved development of the adjacent site.

#### (10.4) Impact to residential amenity / living conditions

Paragraph 17 of the NPPF states that one of the overarching planning principles that underpin the planning system is that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. In line with this objective, WCS Core Policy 57 states that applications must be accompanied by information to demonstrate how a proposal will make a positive contribution to the character of Wiltshire through meeting a number of criteria including, *inter alia*...

*(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)*

In land use terms the residential use is compatible with the adjacent uses. The principal amenity issues to consider are those relating to any overshadowing, overbearing impact on neighbouring properties, whether the proposal would result in harmful level of overlooking and loss of privacy to the occupiers of neighbouring properties, and whether the occupiers of the dwelling itself would have reasonable living conditions. Objections to the proposal (see above) have been received from third parties on a number of grounds.

In respect of the last appeal, the Planning Inspector took into account concerns from neighbouring properties that the proposed extensions would appear over-dominant and cause overlooking but concluded that that such harm to living conditions would not arise. It is considered that taking into account the siting, scale and height of the single storey extensions, there would not be any resultant adverse level of overlooking or overbearing impact to neighbour amenity. The rear extension replace would replace the existing single storey flat roof extension set against the side boundary with No.3 and has no side facing windows. The rear facing windows face into the garden of the application property. The proposed roof lantern in the flat roof and roof light in the rear roof slope to the side extension would not result in any overlooking of adjacent properties. The rear extension is positioned on the side boundary, whereas the rear extension in respect of the previous scheme was set away from the side boundary but slightly deeper. However, it is considered that the visual impact on the outlook from the rear of No.3 would not be significantly different to that of the existing single storey extension to be removed and would not result in over dominant impact.

The proposal would still require some works to the existing bank with provision of new sections of retaining walls. Further information has been submitted regarding tree impact and tree protection (as referred to above) and the local impact on the character and appearance of the CA has been taken into account. Some views would be affected as a result of the proposed tree works but the reduction in the current level screening provided is not considered to unduly harmful to the outlook from neighbouring properties or their living conditions. The proposed height reduction to the group of trees would provide more light to application site and as it has been pruned in the past will require future management. The proposed footprint would result in the loss of some outside space and rear garden but it is not considered that this reduction would unduly harm the living conditions for the occupants of the proposed dwelling.

The private road is particularly narrow and taking into consideration the limited available parking, the construction phase may cause some disruption to neighbour amenity. That said, the disruption would be for a temporary period and as the road is private, any damage that might occur from the construction phase would be a civil matter between interested parties and therefore has little weight to the determination of this planning application. However, a condition to control construction hours would seem reasonable in the interests of amenity.

A third party has also raised the matter of a covenant affecting the site which would affect the proposed garage / car port. The originally proposed car port has been removed from the scheme. However, any such covenant is a separate private / civil matter between relevant parties, rather than a material planning consideration. The grant of planning permission does not override the need for any separate consent required from relevant parties under other civil law or legislation. An Informative can be added to a planning permission regarding the Party Wall Act.

Concern has been expressed about possible conversion to multiple occupancy. Any subsequent change of use to multiple occupancy use may result in an intensification of use of the site and pressure on parking where it is acknowledged that the parking and turning area is restricted and vehicles use a narrow shared access. The description of the application refers to reversion to single dwelling, which is reflected by the submitted plans. However, it would be possible to impose a condition to restrict permitted development rights for changes between Classes C3 (dwellinghouses) and Class C4 (houses in multiple occupancy). A further planning application would then be required for such a change of use and would be assessed on its merits.

It is noted that planning permission has recently been granted for the redevelopment of the adjacent Milford Hill House site (former YHA site) for housing. The impact on amenity / living conditions on No. 4A and 4B and other neighbouring dwellings would have been assessed when that development was considered. When built, these houses will be visible from the site and neighbouring properties. However, taking into account scale, design and separation distances, it is not considered that the proposal would result in any additional harmful impacts in terms of residential amenity and living conditions affecting the site or neighbouring properties.

#### (10.5) Highways

Criteria (ix) of Core Policy 57 aims to ensure that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible. Based on the originally submitted plans, the Highways Officer recommend refusal on the grounds of inadequate space available for the parking of vehicles in accordance with the Council's parking minimum parking standards and for the turning of vehicles (see full Highway Officer's comments above). However a revised plan has been submitted with vehicle turning indicated and the car port removed from the scheme. The Highways Officer is now content on the basis of the information submitted that the proposed level of parking and vehicle turning facilities would be acceptable, subject the parking and turning area being kept free for those purposes.

Although the last refusal was also on highway grounds, the Planning Inspector stated:

*"...In respect Access to the proposed development would be taken from the end of The Crescent. However, although the access road is narrow it should be no more difficult to access or service the proposed development than the existing dwellings in The Crescent. In addition development of the small-scale proposed would be unlikely to significantly increase the volume of traffic using*

*The Crescent and should have little impact on the efficient operation of the road and its surface condition.....*

*.....It is concluded that the proposed development would not be detrimental to the free flow of traffic on The Crescent and that satisfactory vehicle accessing and servicing would be provided....”.*

The above appeal related to a proposal for a total of three smaller dwelling units / flats. Taking into account the current proposal relates to one, albeit larger, 4 bed dwelling and the Highway Officer's recommendation, it is considered that a refusal on highway ground could not reasonably be sustained in this case, taking into account the sustainable / accessible location of the site

## **11. CONCLUSION**

There are matters of judgement to be made, taking into account local concern and previous appeal decisions. The current application is not the same as previous applications and Officers have concluded that the current proposal would result in a less cramped form of development compared with previous schemes and, on balance, it is considered that it would not be detrimental to the street scene and visual amenities of the locality. It is judged that the character and appearance of the Conservation Area would be preserved, subject to adequate tree protection measures and replacement tree planting. The Highways Officer has raised no objection to the level of parking provision or arrangement on highways safety grounds. The impact on the residential amenities on the neighbouring properties is not considered to be unduly harmful during and after construction. Consequently it is judged that the balance of considerations weighs in favour of the proposal and would accord with Core Policies 57 and 58 of the Wiltshire Core Strategy and the NPPF.

## **12. RECOMMENDATION**

Approve subject to:

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 shall be carried out in accordance with the following approved plans and documents:

- Location plan and plans as existing 218023/02
- Site plan, plans and elevations as proposed 218023/03 Revision E
- Parking Plan 218023/04

Unless otherwise specifically required in accordance with the conditions below.

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

(3) The materials to be used in the construction of the external surfaces of the development (extensions) hereby permitted shall match in material, colour and texture those used in the existing building.

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



4) No construction 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 the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

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

REASON: In the interest of amenity of the area.

6) The development shall be undertaken in accordance with the Arboricultural Assessment & Method Statement (Doc Ref. 14340-AA4-CA: Barrel Tree Consultancy) dated 15<sup>th</sup> January 2019, unless the Local Planning Authority has given its prior written consent to any variation.

The protective fencing should be erected in accordance with BS5837:2012 before any work commences, including demolition or other enabling works. The fencing, or other protection, which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including internal works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction in the interest of maintaining healthy trees and the visual amenity and character of the local area.

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

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and Further Recommendations: The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant
- The approved programme of archaeological work has been carried out in accordance with the approved details.

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

8) Prior to occupation of the development hereby approved, the parking and turning areas shown on Drawing No. 218023/04 shall be surfaced and drained in accordance with details to be submitted to and agreed in writing by the local planning authority and made available and maintained for such purposes thereafter.

REASON: In order to provide satisfactory parking and turning space e of vehicles within the site and in the interests of highway safety.

9) No development shall commence until details of the external appearance /materials, finish and precise height of the new sections of the retaining wall (shown on drawing 218023/03 Rev E) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented 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.

10) No development shall commence on site until a landscape plan with a scheme of new / replacement tree planting has been submitted to and approved in writing by the Local Planning Authority and shall include the specific number of trees of a size, species and in a location to be agreed in writing with the Local Planning Authority. The trees shall be planted following the first occupation of the development hereby approved building or the completion of the development whichever is the sooner in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428. All trees 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

11) The existing property and side extension hereby approved shall be used together as a single household dwelling only and for no other purpose (including any other purpose in Class C3 or Class C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case in the in the interests of amenity.

#### INFORMATIVES

INFORMATIVE TO APPLICANT: Building Regulations. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

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

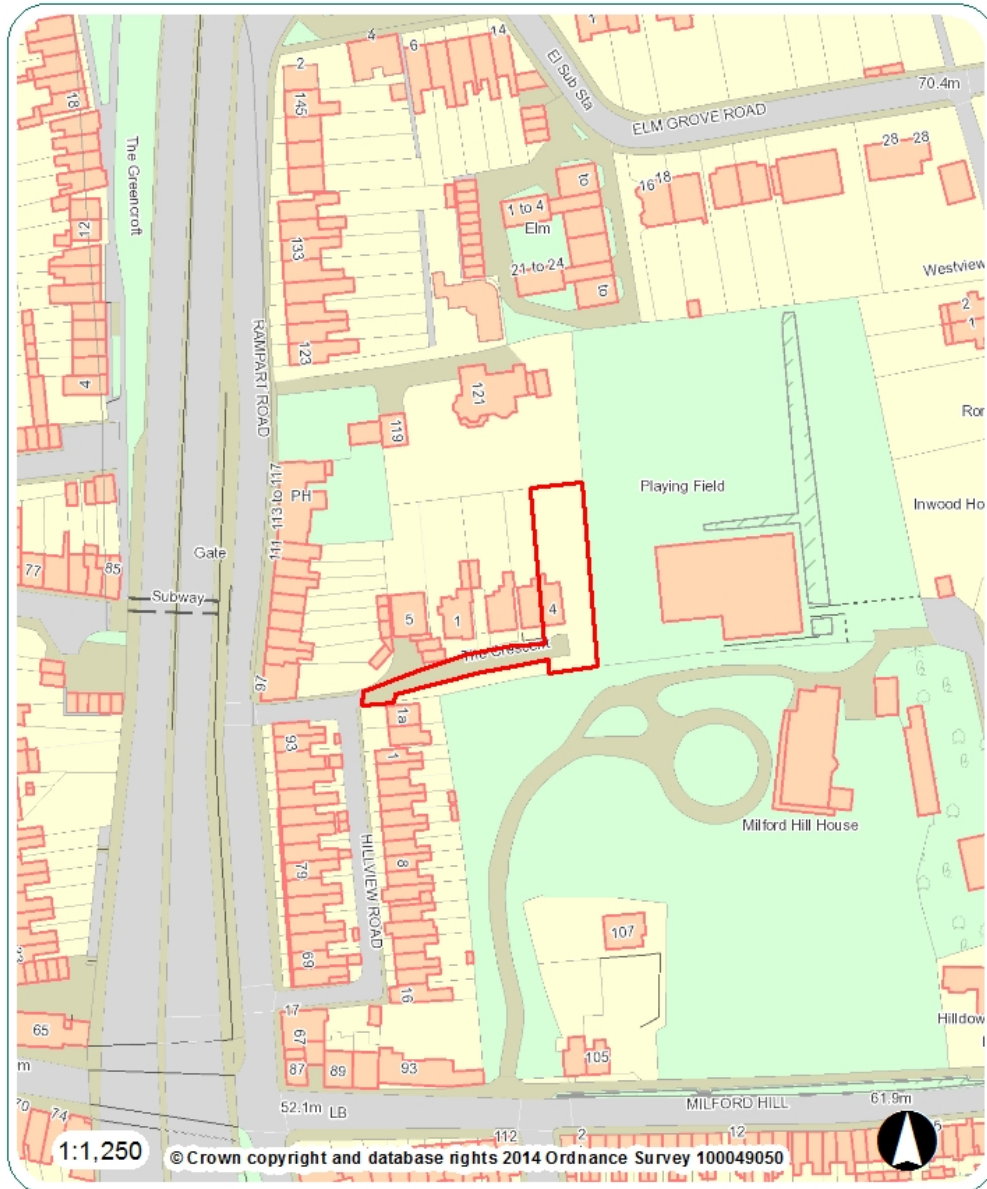
it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

**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.

**INFORMATIVE TO APPLICANT:** Condition 7 (archaeology). The work should be conducted by a suitably experienced and professionally recognised archaeological contractor in accordance with the written scheme of investigation approved by this office and in line with the Standards and Guidance of the Chartered Institute for Archaeologists. There will be a financial implication for the applicant.

This page is intentionally left blank

18/03678/FUL  
4A & 4B The Crescent  
Hill View Road  
Salisbury  
SP1 1HY



This page is intentionally left blank

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

<b>Date of Meeting</b>	04 April 2019
<b>Application Number</b>	19/00441/FUL
<b>Site Address</b>	Pythouse Farm Tisbury Wilts SP3 6PA
<b>Proposal</b>	Erection of agricultural building to house poultry
<b>Applicant</b>	Mr I Hayward
<b>Town/Parish Council</b>	WEST TISBURY
<b>Electoral Division</b>	Tisbury – Cllr Tony Deane
<b>Grid Ref</b>	390968 128603
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Warren Simmonds

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

The application was called-in to Committee by Cllr Deane following an objection from West Tisbury parish council.

#### **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 subject to the Conditions set out at the conclusion of this report.

#### **2. Report Summary**

The main issues in the consideration of this application are the siting, scale and design of the proposed agricultural building, its impact on the character of the surrounding landscape and any impact on amenity of nearby residential occupiers.

West Tisbury parish council object to the proposal on grounds of visual impact within the surrounding landscape.

Eight representations were received from third parties, all were in objection to the proposal on grounds including lack of applicant pre-consultation with neighbours, excessive scale, landscape/visual impact, impact on walkers using the adjacent Bridleway and the expansion of the agricultural business is not justified.

#### **3. Site Description**

The application relates to a well-established agricultural poultry farm enterprise located in the countryside of the designated AONB to the west of Tisbury on the road between

Newtown and Semley. To the north of the application site a Bridleway (WTIS9) runs approximately east/west as indicated by a green line on the plan below left:



Location plans showing Bridleway defined by green line (above left) and proposed site plan (above right)

The site of the proposed building is located to the rear (north) of an existing group of agricultural buildings. There are unrelated dwellings to the south side of the existing buildings.



#### 4. Planning History

S/2002/0243 – Mobile poultry shed (Prior Approval)

15/00993/FUL – Erection of agricultural building to house poultry      Approved 10.04.15

17/00206/FUL – Erection of agricultural building to house poultry      Approved 03.03.17

#### 5. The Proposal

The application proposes the erection of an additional agricultural building to house poultry as an expansion of the existing rural enterprise. The proposed building measures approximately 46m by 12m with a low eaves height of approx. 3m and an overall height of approx. 4.4m to the top of the ridge.



The proposed building would be sited to the north of existing buildings close to a large expanse of woodland which would bound the site of the building on the north west side.

The application site and surrounding area are within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB).

The external materials for the proposed building consist of polyester coated box profiled steel sheeting – colour Juniper Green for the roof and brown treated horizontal timber weatherboarding for the walls (with aluminium doors treated brown).

The building is required for the expansion of the applicant's business of supplying free-range organic eggs to a major supermarket chain.

## **6. Local Planning Policy**

Wiltshire Core Strategy: CP1 (Settlement Boundary), CP2 (Delivery Strategy), CP27 (Tisbury Community Strategy), CP48 (Supporting Rural Life), CP51 (Landscape), CP57 (Design & Amenity), CP58 (Historic Environment) & CP61 (Transport)

National Planning Policy Framework (NPPF)(February 2019)

National Planning Policy Guidance (NPPG)

AONB Management Plan

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

Rights of Way officer – No response received

WC Highways – No Highway objection

AONB Partnership – Comments and concerns expressed

Public Protection – No concerns, suggest a Condition to control any external lighting

West Tisbury parish council – Object on grounds of visual impact

## **8. Publicity**

The application was publicised by neighbour notification letters and a site notice.

Eight representations were received from third parties, all were in objection to the proposal on grounds including lack of pre-consultation with neighbours, excessive scale, landscape/visual impact, impact on walkers using the adjacent Bridleway and the expansion of the agricultural business is not justified.

## **9. Planning Considerations**

### Principle

The application proposes an additional poultry house on an existing, well-established agricultural holding in the countryside. The proposed building is required for the expansion of the applicant's business of supplying free-range organic eggs to a major supermarket chain.

The proposal constitutes agricultural development in the countryside and is considered accordant with development plan policy, including Core Policy CP48 (Supporting Rural Life) and paragraph 83 of the NPPF (Supporting a prosperous rural economy) which guides local planning authorities that "*planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas*" and "*the development and diversification of agricultural and other land-based rural businesses*". In these respects the proposal is considered acceptable in principle, subject to accordance with other relevant policies and guidance of the development plan.

Scale, design, materials and impact on the surrounding landscape

The NPPF (paragraph 172) makes it clear that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

The siting of the proposed building is to the north of existing agricultural buildings and on the edge of a substantial belt of woodland. The proposed building, whilst quite large in terms of its footprint, is of relatively low height and is of typical scale and design for poultry houses in the countryside.

The applicant has considered locating the proposed building closer to the existing poultry shed(s) to the south but opted for the proposed site to the north for two specific reasons:

- (i) In order to increase the distance between the proposed building and the nearest dwellings to the south (in order to mitigate potential concerns in respect of noise, pests and odour) and
- (ii) To provide a sufficient separation distance between sheds as outside space for hens to roam to comply with the requirements of accreditation for the free-range rearing of birds.



Site (centre horizon) viewed from the adjacent highway to the south

Whilst the location of the proposed building would be on higher ground relative to existing agricultural buildings, the proposed building would be on the edge (i.e. have the backdrop) of a large expanse of existing woodland which, when taken together with the low height of the building and the appropriately recessive colours of the proposed

external materials, in the opinion of officers would not result in the building appearing unduly prominent within the surrounding landscape.

In these respects it is considered the proposed development would not adversely affect the existing character of the designated AONB.

#### Amenity impacts

The closest residential properties are located to the south west and to the east of the site of the proposed building as can be seen on the plan below (site indicated by arrow):



The Council's Public Protection (Environmental Health) officer has considered the proposal and provided the following consultation response and recommendation:

*"I write with reference to the above application which proposes to erect an agricultural building to house poultry at Pythouse Farm, Tisbury, SP3 6PA. The proposed poultry house is sited in a rural location approximately 360m away from the nearest residential property.*

*We have no odour concerns with the proposals and although there are three fans proposed for ventilation purposes, they are on the north western façade of the building and there are no properties in this direction for approximately 1km, therefore we have no concerns that noise from the poultry house will adversely impact on residents.*

*The applicant has not detailed whether or not there will be any external lighting on the building, if lighting is proposed we would recommend the following condition is attached to any approval granted;*

- 1. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for*

*Environmental Zone E1 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter."*

Taking into consideration the distance between the proposed building and the closest neighbouring dwellings, it is considered the proposed development would not result in undue impacts on the amenity of neighbouring residents.

#### Highways considerations

The Highways officer has assessed the proposal and considers that the proposed development will not detrimentally affect highway safety. He therefore recommends that no highway objection be raised to it.

#### Heritage considerations

Pythouse Farmhouse is a GII listed building located approximately 390 metres to the south of the site of the proposed building, on the opposite (south) side of an existing agricultural building. By reason of the distance between the application site and Pythouse Farmhouse it is considered the proposed development would not have an adverse impact on the character or setting of the listed building.

## **10. Conclusion**

The application proposes a new building to facilitate the expansion of an established agricultural business. The proposed new building is considered acceptable in terms of its siting, scale, design and appearance and the proposal would not adversely affect the character of the surrounding landscape or have undue impacts on the amenity of nearby residential occupiers.

## **RECOMMENDATION**

Approve, subject to the following conditions:

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

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

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

Drawing number 19002 02 Revision B dated 14.01.19, as deposited with the local planning authority on 22.01.19, and  
Drawing number 19002 03 dated 10.01.19, as deposited with the local planning authority on 22.01.19.

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

- 3 No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. Any

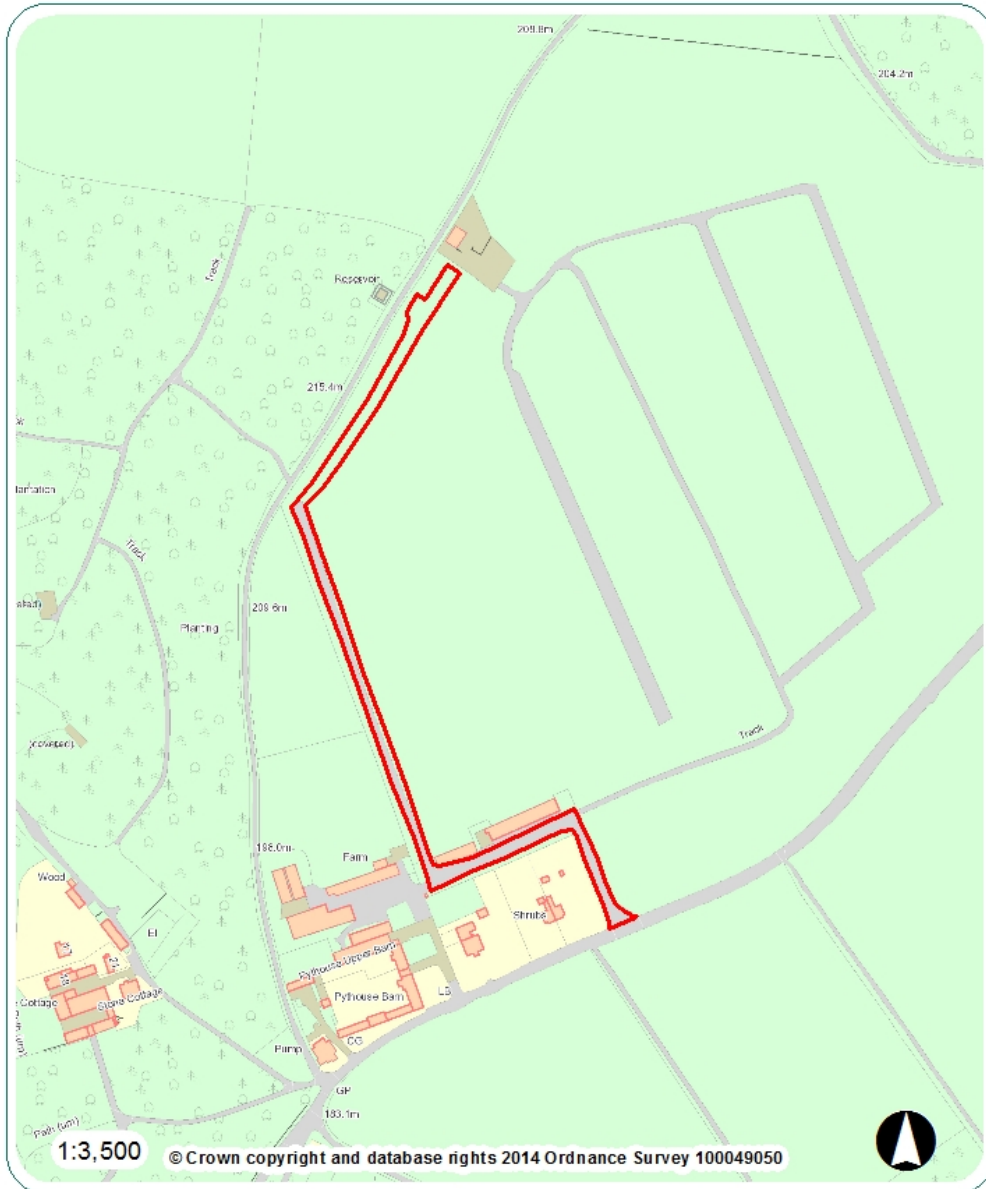
external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E1 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

Reason: In the interests of amenity and the character of the surrounding landscape

4. No development shall commence on site above ground level until details of the materials and colours/external treatments to be used on the external surfaces 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: In the interests of visual amenity and the character and appearance of the surrounding landscape.

This page is intentionally left blank



This page is intentionally left blank



## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

<b>Date of Meeting</b>	4 <sup>th</sup> April 2019
<b>Application Number</b>	19/00386/FUL
<b>Site Address</b>	12 Woodvill Road, Salisbury, SP1 3JQ
<b>Proposal</b>	Two storey side extension
<b>Applicant</b>	Mr. & Mrs. T. Reed
<b>Town/Parish Council</b>	Salisbury Town Council
<b>Ward</b>	St. Marks and Bishopdown
<b>Grid Ref</b>	E415466 - N131927
<b>Type of application</b>	Full Application
<b>Case Officer</b>	James Repper

### Reason for the application being considered by Committee

Councillor D W Brown has called the application to committee for the following reasons:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance

#### 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

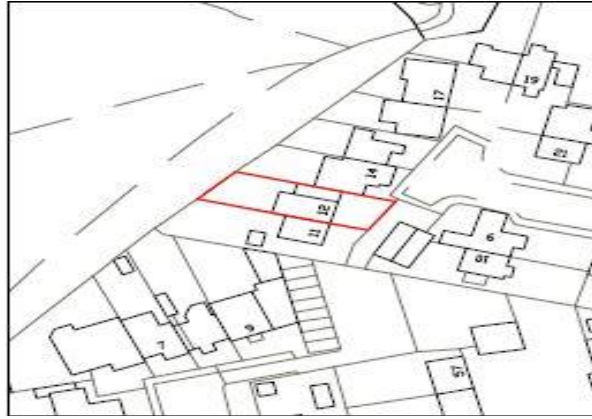
The main issues which are considered to be material in the determination of this application are listed below:

- Principle of development
- Scale, design, impact to character and appearance of the area
- Residential amenity/living conditions
- Highway safety/parking

The application has generated Objection from Salisbury City Council and two letters of representation.

#### 3. Site Description

The application site is a semi-detached dwelling house located at the head of a residential cul-de-sac located within the settlement boundary of the principle settlement of Salisbury as defined by Wiltshire Core Strategy (WCS) core policies 1 (Settlement Strategy), 2 (Delivery Strategy) and 20 (Spatial Strategy for the Salisbury Community Area).



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

S/2005/1202 – Demolish existing garage and reform as two storey side extension & single storey rear extension with associated works – Approved 11<sup>th</sup> August 2005

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

This is a householder application proposing a two storey side extension to the northern elevation of the application site on the site of a current carport. The proposal will bring the property walls within one metre of the application sites common boundary with 14 Woodvill Road. The ground floor of the proposal is to be a store room with black stained timber doors designed to match the existing porch; to the rear of the store is to be a covered, but exposed on two sides, area abutting the existing utility rooms doorway. The first floor proposes a double bedroom to the front with a front elevation window to match the existing and a rooflight in the front roof slope, to the rear is to be located an En-suite shower room which is to be supported by a column to the North West Corner. There is to be an obscure glazed top opening only window to serve the En-suite and a further rooflight on the rear roof slope. The proposed materials are stated to match the existing bricks, windows, tiles and porch.

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

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

*Wiltshire Core Strategy:*

CP1 (Settlement Strategy)

CP2 (Delivery Strategy)

CP57 (Ensuring High Quality Design & Space Shaping)

*Supplementary Planning Guidance:*

Creating Places Design Guide SPG (April 2006)

Wiltshire Local Transport Plan 2011-2026

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

##### **Salisbury City Council**

SCC does not support this application because the apparent overdevelopment of the property would leave minimal space between it and the neighbouring house, by taking the build up to the property line. SCC also expressed concerns about insufficient parking.

## Consultee

- Wiltshire Archaeology - No comment

## 8. Publicity

This application was advertised through the use of a site notice and letters of consultation.

Two letters of representation were received from the residents of 14 Woodvill Road and from the representatives of Salisbury and Wilton Swifts (SAWS) The following comments were made:

- Insufficient space has been provisioned between the extended property and our property in order for them to appear visually separate
- The original plans breach the common boundary between 12 and 14 Woodvill Road.
- The proposed extension will overshadow and affect the provision of light to our property and create a sense of enclosure
- The height of the proposed extension is same height as the original building
- The proposed extension does not respect the form and style of the original building and neighbouring properties.
- The proposed extension includes a bathroom in close proximity to our bedroom
- The proposed extension will screen the view of green hillside to the rear of the properties from the road
- The proposal does not include the provision of "Swift Nest Bricks"

A letter of rebuttal has been received in relation to the representation letter received from 14 Woodvill Road. The points rebutted are:

- NPPF para 126 states supplementary planning documents such as design guides "should be tailored to the circumstances in each place"
- The letter failed to mention that 14 Woodvill Road was also in breach of the 1M gap between boundary's as are a further 5 properties on the estate therefore setting a precedent.
- The staggered nature of the properties prevents the idea of terracing.
- The proposed extension is 2.6M wide unlike the average of 2.7M for the other extensions on Woodvill Road and is the minimum size for a double bedroom
- The Estate is not purely constituted of individual semi-detached properties but consists of 18 pairs multiple attached by way of garages or carports.
- The guttering et al are currently inaccessible due to the existing carport, the applicants are prepared to alter the respondents guttering during the process
- The planning criteria regarding light has been satisfied
- The ridgeline is set down in the proposal unlike others on the estate
- The use of matching materials does respect the existing and neighbouring buildings
- The proximity of the En-Suite to the neighbours bedroom is not a planning matter
- Any view between the two buildings is currently blocked by an existing carport and 1.8M close boarded fence and cannot be seen from the public highway in any case.

A further representation was received from the occupiers of 14 Woodvill Road alleging a boundary dispute, the applicants have reiterated that they believe the proposals take place solely upon their land and meeting was held between both parties and a surveyor to assess. Whilst this meeting was not immediately conclusive the applicants have taken steps to reduce the width of their proposal by 100mm so remove any possibility of the said dispute. It should be noted however that boundary

disputes are not a planning matter and should not have relevance on the decision, the only relevant factor is the certificate served by the applicants which in this case is certificate A.

## 9. Planning Considerations

### 9.1 Principle

The site is located within a mixed residential area within the principle settlement of Salisbury. Core Policies 1 and 2 of the WCS set out a settlement and a delivery strategy for the city and confirm that within a Principal Settlement, the principle of development is considered acceptable. This principle acceptability is however subject to the detail, such as its implications for the character of the area; and neighbouring amenities.

### 9.2 Character & Design

Core Policy 57 states that new development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Residential extensions such as this are acceptable in principle subject to there being no adverse impacts.

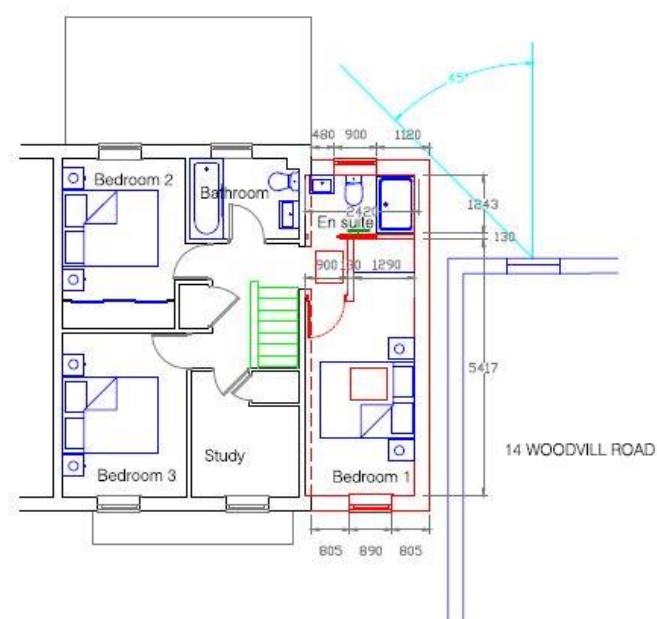
The two storey side extension is to be constructed from materials matching to the existing building and is to have a slight set-down from the ridge. The revised drawings supplied 20<sup>th</sup> March 2019 have reduced the width of the proposal so as to remove any thoughts of a boundary dispute. The form and the design of the proposals are to be considered in keeping with the character of the local area which contains a variety of original design and similarly extended properties. Overall it is therefore considered that the proposals are of an appropriate for the character of the main dwelling and will have limited impact on the street scene.



### 9.3 Neighbouring Amenity

WCS policy CP57 requires that development should ensure the impact on the amenities of existing occupants/neighbours is acceptable and ensuring that appropriate levels of amenity are achievable within the development itself. The NPPF includes that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Residential amenity is affected by significant changes to the environment including privacy, outlook, daylight and sunlight, and living areas within private gardens and this therefore needs to be carefully considered accordingly.

The development is considered to have limited implications to the amenities enjoyed by the occupants of neighbouring properties, 11 Woodvill Road is the attached property to the application site. Located to the south and far side of the proposed works it is considered that the proposals have no effect. 14 Woodvill Road is located immediately to the North of the proposed works. The proposed works will bring the side elevation of 12 Woodvill Road upto the boundary seperating both properties a boundary that 14 Woodvill Road has already built up to. This closing of the already narrowed gap between the properties will lead to a loss of some direct sunlight into the rear gardens of both properties however this loss of relatively early direct sunlight is not considered sufficient to warrant a refusal of planning. The rear elevation of the proposal does not extend beyond the existing two storey elevation of 12 Woodvill Road, this is beyond the extended rear elevation of 14 Woodvill Road by approximately 2.1M, this protrusion beyond does not however breach the 45° consideration so again does not constitute a reason for refusal. The proposal will remove an existing window from the northern elevation affording a higher level of privacy to the occupants of 14 Woodvill Road. The proposed window in the rear elevation is to serve an En-suite and is to be accordingly obscure glazed and top opening so is considered not to cause any additional harm to the amenity currently enjoyed and overlooked by existing windows of neighbouring properties. Salisbury City Council has raised a concern over parking provision although it is considered that the existing driveway to the front of the carport provides space for two off road spaces which fulfils the requirements for a three bedroom house as per the Wiltshire Local Transport Plan 2011-2026.



## 10. Conclusion

Throughout the application process the concerns raised by the occupiers of 14 Woodvill Road have been considered and it is concluded that the proposal would be of an acceptable overall scale and would result in limited implications for the character of the street scene nor, it is considered, would it create a “terracing effect” due to the staggered nature of the build line. Similarly, due to its scale, it is considered that the proposal would be unlikely to have a significant impact on the amenities enjoyed by occupiers of adjacent dwellings.

### **RECOMMENDATION:**

Approve subject to the following conditions

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

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

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

Application Form & Certificate	Received 20 <sup>th</sup> January 2019
Revised Proposed Elevations Rev A	Received 20 <sup>th</sup> March 2019
Revised Proposed Floorplans Rev A	Received 21 <sup>th</sup> March 2019
Location & Block Plans	Received 20 <sup>th</sup> January 2019
Revised Proposed Parking Plan Rev A	Received 20 <sup>th</sup> March 2019

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

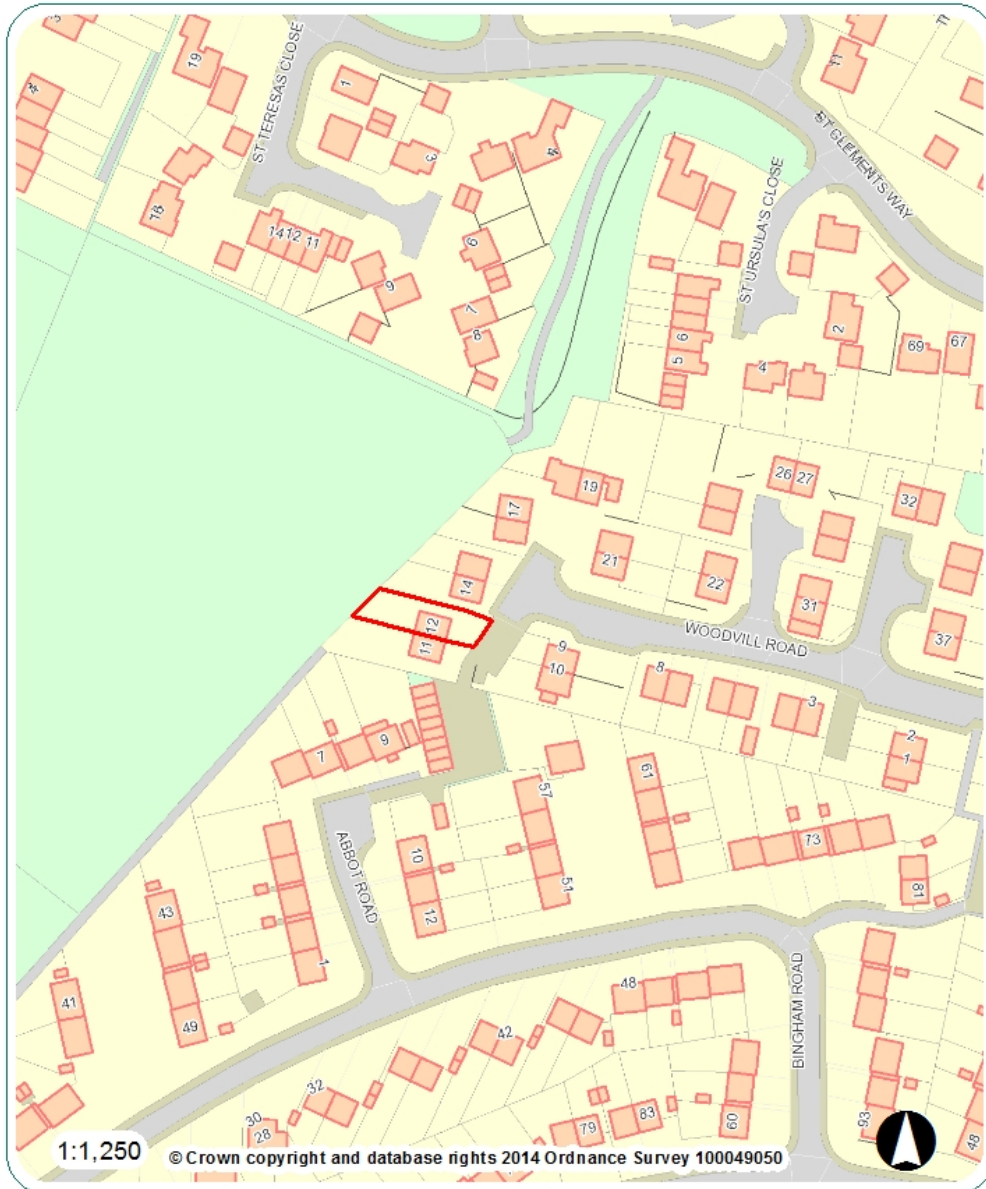
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

4. WE12 OBSCURE GLAZING

Before the development hereby permitted is first brought into use the window in the Western elevation (serving the En-Suite) shall be glazed with obscure glass and be top opening only. The window shall be maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.



This page is intentionally left blank