

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 7 July 2011
Time: 6.00 pm

Please direct any enquiries on this Agenda to Pam Denton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718371 or email pam.denton@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

Membership:

Cllr Richard Britton	Cllr George Jeans
Cllr Brian Dalton	Cllr Ian McLennan
Cllr Christopher Devine	Cllr Paul Sample
Cllr Mary Douglas	Cllr Ian West
Cllr Jose Green	Cllr Fred Westmoreland
Cllr Mike Hewitt	

Substitutes:

Cllr Ernie Clark	Cllr Christopher Newbury
Cllr Peter Colmer	Cllr Leo Randall
Cllr Russell Hawker	Cllr Ricky Rogers
Cllr David Jenkins	Cllr John Smale
Cllr Bill Moss	Cllr Graham Wright

AGENDA

Part I

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

1. **Apologies for Absence**

2. **Minutes** (*Pages 1 - 16*)

To approve and sign as a correct record the minutes of the meeting held on (copy herewith).

3. **Declarations of Interest**

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

4. **Chairman's Announcements**

5. **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

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

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Chief Executive) no later than 5pm on Thursday 30th June. 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. **S/2011/0432 - Land adjacent to Rose Cottage, Castle Lane, Whaddon, Salisbury, SP5 3EQ** (Pages 17 - 30)

7. **Planning Appeals** (Pages 31 - 32)

To receive details of completed and pending appeals (copy herewith).

8. **Planning Applications** (Pages 33 - 34)

To consider and determine planning applications in the attached schedule.

- 8a **S/2011/0708 - Hillbilly Acre, Southampton Road, Clarendon, Salisbury, SP5 3DG** (Pages 35 - 46)

- 8b **S/2011/0518 - Summerfield House, Berwick St. James, Salisbury, SP3 4TQ** (Pages 47 - 60)

- 8c **S/2011/0642 - 35 York Road, Salisbury, SP2 7AT** (Pages 61 - 68)

- 8d **S/2011/0702 - 46 Rambridge Crescent, Salisbury, SP2 9JE** (Pages 69 - 74)

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

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SOUTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 16 JUNE 2011 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE,
SALISBURY, SP2 7TU.**

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Jose Green (Vice Chairman),
Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Paul Sample,
Cllr John Smale (Substitute), Cllr Ian West and Cllr Fred Westmoreland (Chairman)

Also Present:

Cllr Bridget Wayman

70. Apologies for Absence

Apologies were received from Councillors Brian Dalton and Mary Douglas.
Councillor John Smale substituted for Councillor Douglas.

71. Minutes

The minutes of the meeting held 26 May 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes.

72. Declarations of Interest

There were no declaration of interest

73. Chairman's Announcements

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

74. Public Participation and Councillors' Questions

The committee noted the rules on public participation.

75. **Planning application no. S/2006/1599 for: The erection of 26 Dwellings and formation of Vehicular and Pedestrian access thereto, at Downside Close, Mere.**

The Principal Development Officer presented the report which requested consent to vary the affordable housing elements of the S106 agreement.

Members asked questions for clarification on other options, if any, that were available.

The committee noted that the emerging core strategy proposed that the threshold for triggering the provision of affordable housing would be reduced so that sites capable of delivering 5 homes would be subject to the provision of a small number of affordable homes. The issue however of whether such homes could be provided without the use of registered affordable housing providers was a matter of policy.

Resolved

To delegate authority to officers to work with mortgage lenders and the developer to amend the affordable housing elements of the S106 to make the homes accessible and affordable to local people, whilst securing a fallback option that would still generate a commuted sum to use for future affordable housing provision in South West Wiltshire.

76. **Planning Appeals**

The committee received details of the following appeal decisions:

S/2010/1229 - Windwhistle, Lopcombe Corner – delegated – dismissed

S/2010/1002 and S/2010/1686 - 93 Castle Road, Salisbury - delegated – dismissed

And forthcoming appeals as follows:

S/2011/0340 - Adjacent Pippins, Lights Lane, Alderbury

S/2010/1903 - 8 The Poplars, Barford St Martin

77. Planning Applications

77a S/2010/1879 - Land at the front of Fitz Farmhouse, Teffont Magna

Public Participation

Mr Peter Urquhart spoke in objection to the application

Mrs Mary Corrie spoke in support of the application

Mr Richard Longfox, on behalf of Teffont Parish Council, spoke in support of the application.

The Planning Officer introduced the report and drew attention to the late correspondence, a debate ensued during which issues such as retention of the Ash tree, overdevelopment, housing restraint area and impact on adjoining properties.

Resolved:

That subject to the applicant entering into a section 106 legal agreement to secure the appropriate financial contribution towards off-site recreational open space

Planning Permission be GRANTED for the following reason:

The proposed dwelling would be of an appropriate scale and design to the locality, preserving the character of the Conservation Area and Housing Restraint Area. There would be no significant adverse impacts upon the amenities of neighbours and appropriate access, parking and turning facilities would be provided so that the development would be acceptable in highway terms. Subject to conditions the development would be safe from flooding and would not harm archaeological or ecological interests. The development would therefore accord with the aims and objectives of the development plan and other Government guidance, having particular regard to saved Local Plan policies G1, G2, G5, H19, D2, C4, C5, C12, C13, C17, C18, CN8, CN10, CN11, CN21, CN22, TR11, TR14, R2 and PPS3, PPS5, PPS9, PPS25.

And 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 shall only be undertaken in accordance with the following approved plans:

Plan Ref....C/719/3...	Date Received....15.12.10....
Plan Ref....C/719/4...	Date Received....15.12.10....
Plan Ref....C/719/6...	Date Received....09.02.11....
Plan Ref....C/719/7...	Date Received....09.02.11....

Reason: For the avoidance of doubt.

- 3) Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

Policy: D2, H19, CN8, C5

- 4) Before development is commenced, details of all new windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. Detailed sections and elevations of all new windows shall be submitted to at least 1:5 scale, and detailed sections and elevations of all new doors shall be submitted to at least 1:10 scale. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the development.

Policy: CN8

- 5) Before development is commenced, details of all new rainwater goods shall 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 the visual amenity of the development.

Policy: CN8

- 6) Before development is commenced, details of the eaves of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. Detailed sections of the eaves shall be submitted to at least 1:2 scale. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the development.

Policy: CN8

- 7) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- (a) indications of all existing trees and hedgerows on the land;
 - (b) details of any to be retained, together with measures for their protection in the course of development;
 - (c) all proposed species, planting sizes and planting densities;
 - (d) finished levels and contours;
 - (e) means of enclosure;
 - (f) car park layouts;
 - (g) other vehicle and pedestrian access and circulation areas;
 - (h) hard surfacing materials;
 - (i) minor artefacts and structures (e.g. refuse and other storage units, lighting etc);

Reason: In the interests of the visual amenity of the development, and to ensure the adequate retention of privacy to neighbouring dwellings.

Policy: G2, H19, CN8, C5

- 8) 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. 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: In the interests of the visual amenity of the development, and to ensure the adequate retention of privacy to neighbouring dwellings.

Policy: G2, H19, CN8, C5

- 9) No development shall commence until:
- a) 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

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

Reason: In the interests of recording archaeological artefacts that may be present within the site.

Policy: CN22

- 10) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (dated January 2011) and the following mitigation measures detailed within including:

- Finished floor levels are to be set no lower than 91.7m above Ordnance Datum (AOD).
- Flood-proofing measures related to a sealed damp proof membrane and the elevation of electrics within the proposed dwelling.

Reason: To reduce the impact of flooding on the proposed development and future occupants.

Policy: PPS25

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

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

Policy: G5, PPS25

- 12) Before development is commenced a construction method statement, detailing measures to minimise the risks of pollution to the adjacent watercourse during the construction process, shall be submitted to and agreed in writing by the Local Planning Authority. The statement shall include details to show that the stream will be protected by Heras fencing for the entire duration of the construction works. The construction works shall be undertaken in accordance with the approved method statement unless otherwise agreed in writing by the local planning authority

Reason: To avoid pollution of the river system.

Policy: C18, PPS9

- 13) Before development is commenced an ecological mitigation and enhancement plan, showing the location of ecological enhancements and including the species of trees to be planted and the profile of the new pond, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details before the first occupation of the dwelling.

Reason: In the interests of ecology and biodiversity.

Policy: C13, PPS9

- 14) Trees and shrubs shall only be felled or cleared outside the bird breeding season 1st March to 31st August.

Reason: In the interests of nesting birds.

Policy: C12

- 15) Notwithstanding the provisions of Classes A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of visual and neighbouring amenity.

Policy: G2, H19, CN8

- 16) Before the development hereby permitted is first occupied the en-suite window in the south-east elevation shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing at all times thereafter.

Reason: To ensure the adequate retention of privacy to the neighbouring dwelling.

Policy: G2

- 17) No construction or demolition work shall take place on Sundays or public holidays or outside the hours of 0800 to 1800 weekdays and 0800

to 1300 on Saturdays. This condition shall not apply to the internal fitting out of the building.

Reason: In the interests neighbouring amenity.

Policy: G2

INFORMATIVE:

There is a risk that bats may roost in trees due to be felled at the development site. Under the Conservation of Habitats and Species Regulations 2010, it is an offence to harm or disturb any species of bat. Planning permission does not provide a defence against prosecution under these pieces of legislation. If a bat is found during the works, the applicant is advised to stop work and follow advice from their own Ecologist or to contact an Ecologist at Wiltshire Council (01225 718478) before proceeding further.

INFORMATIVE:

Landscaping condition

It will be expected that all trees within the development site will be shown as being retained within the proposed scheme of soft landscaping, unless otherwise adequately justified for removal by an appropriately qualified arboriculturist.

77b **S/2011/0628 - Jesolo, Wylve Road, Hanging Langford, SP3 4NN**

Public Participation

Dr Kenneth Kinnear spoke in objection to the application

Ms Alison Wood-Mallock spoke in objection to the application

Mr Phil Miles spoke in objection to the application

Mr Rob Rowe spoke in support of the application

Ms Georgina Hellyer, on behalf of Steeple Langford Parish Council, spoke in objection to the application

The Planning Officer presented the report and drew attention to the late correspondence. Members expressed concern regarding the scale of the development and its relationship to the surrounding properties.

Resolved

That the application be REFUSED for the following reason:

The proposed development, by reason of its scale (and, in particular, its height and massing) and its appearance, would have a harmful impact on the character and appearance of the surrounding established residential area. Furthermore, the proposed development, by reason of its size, massing and cramped layout and its close relationship with neighbouring properties, would have an adverse impact on the privacy of occupiers of these neighbouring properties. This is contrary to Policies G2, D2 and H16 of the Salisbury District Local Plan 2003.

77c **S/2011/0432 - Land adjacent to Rose Cottage, Castle Lane, Whaddon, SP5 3EQ**

Public Participation

Mr Nick Hart spoke in objection to the application
Mr Richard Keach spoke in objection to the application
Mr Steve Kirby spoke in support of the application
Mr Andy Poole spoke in support of the application
Mr Martin Thomas spoke in support of the application
Ms Linda Whetton, representing Alderbury Parish Council, spoke in support of the application

The Planning Officer introduced the report which was recommended for refusal and drew attention to the late correspondence. He also explained the history of the site. Issues including car parking, employment potential and impact on neighbouring properties were raised.

Resolved

To approve the application. To delegate to officers to draft the conditions, and, when they are ready, to bring them back to the committee for agreement.

Councillor Richard Britton asked that his dissention be recorded.

77d **S/2011/0277 - 11 York Road, Salisbury, SP2 7AP**

Public Participation

Mr Graham Lees spoke in support of the application.

The Planning Officer presented the report which was recommended for approval and drew attention to the late correspondence.

Resolved:

Approved subject to S106 agreement regarding contribution towards open space provision.

Reason for approval:

It is considered that the proposal is acceptable in principle and is visually appropriate in terms of the surrounding area while not prejudicing the Groundwater Source Protection Area, highway safety, residential amenity, archaeology or protected species. As such it is judged to conform with saved policies G1, G2, G8, D2, H8, H16, E16, R2 of the Adopted Salisbury District Local Plan, the Adopted Supplementary Planning Guidance "Creating Places" and Planning Policy Statement 5 (Planning for the Historic Environment), 9 (Biodiversity and Geological Conservation) and Planning Policy Statement 23 (Planning and Pollution Control).

Subject to the following conditions:

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

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

(2) No development shall commence until the relevant traffic regulation orders (including a loading bay and double yellow lines) have been revoked and the relevant orders implemented and completed, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to remove/ amend unnecessary restrictions in the vicinity of the site

POLICY: G2 (General Development Guidance)

(3) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs of the buildings 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.

POLICY: D2 (Infill Development)

(4) Further to the submission of the preliminary risk assessment, no development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the Local Planning Authority:

1. A site investigation scheme based on the preliminary risk assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority.

The scheme shall be implemented as approved.

REASON: To ensure the protection of controlled waters

POLICY: PPS23 (Planning and Pollution Control)

(5) Development shall be carried out in accordance with the Waste Audit Statement submitted on 24/02/11.

REASON: To minimise the impact on the Groundwater Source Protection Area

POLICY: G8 (Development affecting a Groundwater Source Protection Area)

(6) No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls and other means of enclosure 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.

POLICY: D2 (Infill Development)

(7) No development shall commence on site until a scheme of works for

noise mitigation has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the premises are first occupied and shall be maintained in accordance with the approved details at all times thereafter.

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.

POLICY- G2 (General Development Guidance)

(8) The development, including site clearance, must not commence until a statement of all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include any necessary fencing, in accordance with the relevant British Standard (Guide for Trees in Relation to Construction, BS.5837: 2005). It must also include any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including damage to their root system.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

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.

POLICY : G2 (General Development Guidance)

(9) Development shall be carried out in accordance with the following plans:

111 A Submitted on 09/03/11
112 A Submitted on 09/03/11
113 B Submitted on 04/05/11
114 B Submitted on 09/03/11
115 B Submitted on 04/05/11
116 Submitted on 24/02/11

No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application.

REASON: For the avoidance of doubt

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

REASON: In the interests of residential amenity

POLICY: G2 (General Development Guidance)

INFORMATIVE – HIGHWAYS: With regard to condition two above the applicant should contact the Salisbury Transportation Team on 01722 434671, who will design and co-ordinate the traffic regulation order work, the cost of which will be borne by the applicant, which will be at least £5000. The cost includes advertising the order changes, staff time, signs and road markings.

INFORMATIVE – ENVIRONMENT AGENCY: The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. The applicant is advised to refer to the following for further guidance: <http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx> and <http://www.savewatersavemoney.co.uk>

INFORMATIVE - ENVIRONMENT AGENCY: Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. The applicant is recommended to refer to the Environment Agency Pollution Prevention Guidelines, which can be viewed at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

INFORMATIVE – WESSEX WATER: Although not shown on the public sewer record drawing, it is understood that there could be a sewer crossing the site which by virtue of its age could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3 metres of this apparatus. The granting of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

77e **S/2011/0476 - Wylve Maintenance Depot, Dyer Lane A303/A36 Junction, Wylve, BA12 0RY**

Public Participation

Mr Mark Shuldham, representing Wylve Parish Council, spoke in objection to the application.

The Planning Officer presented the report which recommended approval. A debate ensued regarding the light pollution issues and it was requested that this needed to be conditioned. It was requested that Officers bring a report for information to the committee on the lighting scheme agreed and this to be copied to the Parish Council.

Resolved:

Planning Permission be GRANTED for the following reason:

The proposed development relates to the provision of essential trunk road infrastructure at an established maintenance depot, and it is not considered that the proposed salt storage buildings, by virtue of their appropriate siting and design, would result in significant harm to the surrounding environment and landscape. The proposal would therefore accord with the aims and objectives of the development plan and other Government guidance, having particular regard to Local Plan policies G1, G2, C2, C3, C4, C5, C17, C18 and PPS7.

And 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 shall only be undertaken in accordance with the following approved plans:

Plan Ref....MMD-259113-D-DR-WYL-XX-0002 Rev. P1...	Date
Received....31.03.11....	
Plan Ref....MMD-259113-Z-DR-WYL-XX-0014 Rev. P1...	Date
Received....31.03.11....	
Plan Ref....MMD-259113-Z-DR-WYL-XX-0016 Rev. P1...	Date
Received....31.03.11....	
Plan Ref....MMD-259113-Z-DR-WYL-XX-0017 Rev. P1...	Date
Received....31.03.11....	

Reason: For the avoidance of doubt.

- 3) No development shall commence on site until a scheme of external lighting for the whole site has been submitted to and agreed in writing by the local planning authority. The scheme shall provide a net reduction in light spillage from the site in relation to existing lighting. Details shall include plans showing the type of light appliance, the height and position of fitting, illumination levels, light spillage, and hours of operation. The lighting approved shall be installed and shall be maintained in accordance with the approved details, and no additional external lighting shall then be installed at the site.

Reason: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Policy: G2(iv), C3, C5

INFORMATIVES:-

Cess pit

The cess pit should be regularly inspected to prevent risk of overflowing. It should be fully water tight to prevent losses to groundwater. Transfer notes should be kept for any cess pit waste collections. The cess pit waste collections can only be made by a licensed waste carrier and can only be taken to a suitably licensed site.

Oil and Chemical Storage

Oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

77f **S/2011/0502 - Site next to Rose & Crown, High Street, Bulford, SP4 9DS**

Public Participation

Mr Patrick Oetiker spoke in support of the application

The Planning Officer presented the report which was recommended for approval. A debate ensued during which issues of privacy of the Church area and effect of noise on the residents of the property were raised,

Resolved:

To REFUSE planning permission for the following reasons:

The development seeks the insertion of windows within the originally blank side elevation of a proposed new dwelling. The windows would face onto an adjacent Chapel Hall which is regularly used for youth and other community activities which can generate high levels of noise. It is considered that the new windows would make the proposal dwelling susceptible to disturbance, to the detriment of the amenity of its future occupiers as well as the on-going use of the Chapel Hall for youth and other community activities. The development would therefore be contrary to the aims and objectives of the development plan having particular regard to saved Local Plan policies G2(vi) and R5.

78. Urgent Items

There were no urgent items

(Duration of meeting: 6.00 - 9.45 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line (01225) 718371, e-mail pam.denton@wiltshire.gov.uk

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

Agenda Item 6

Date of Meeting	07/07/11		
Application Number:	S/2011/0432		
Site Address:	Land adjacent to Rose Cottage, Castle Lane, Whaddon, Salisbury, SP5 3EQ		
Proposal:	Demolish the existing garage, shop/workshop. Change of use of site and erect a new workshop to be used as a car service and MOT station for the relocation of M&M Auto Engineers and reinstate access on North of site		
Applicant/ Agent:	Barclay & Phillips Ltd		
Parish:	Alderbury		
Grid Reference:	419629.691 126291.017		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

1. Purpose of report

At the meeting on 16 June 2011, members determined to approve the above application subject to the wording of the suggested list of conditions being delegated to officers, and, when they are ready, to bring them back to the committee for agreement. The below conditions have been drafted by officers for consideration by committee. (Attached as an appendix for information is a copy of the original report to the meeting on 16 June, which recommended refusal).

2. Recommendation

It is recommended that the application be APPROVED for the following reasons:

National and local guidance supports small scale business development in rural areas. The repair and maintenance of vehicles supports the vitality and viability of the local economy and so the Planning Committee, determined that the proposed development accords with the provisions of the Development Plan, as the proposal will provide enhanced services and facilities for the village (policy G1 Aims of the Local Plan) and create additional employment (policy E17 Employment) supporting the continued vitality of the village; so notwithstanding that the scale and design of the development is not in keeping with the locality and there is limited off-street car parking; subject to a contamination investigation and if necessary a programme of decontamination, and conditions regarding noise and hours of operation, the proposal would not adversely affect the amenity of neighbours (policy G2 General Criteria for Development).

And subject to the following conditions

1 Standard time duration

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 External materials to be approved

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

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

POLICY: G2 General criteria for development

3 Wall to be repaired, details and materials to be approved

Prior to commencement of the development hereby approved, a schedule (and drawings as necessary), detailing repairs and related alterations to the front boundary wall, shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved schedule and drawings.

REASON: In the interests of visual amenity.

POLICY: G2 General criteria for development

4 Restrict hours of work

The use hereby permitted shall only take place between the hours of 08:30 and 18:00 from Mondays to Fridays and between 09:00 and 12:00 on Saturdays. The use shall not take place at any time on Sundays and 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.

POLICY-G2 General Criteria for development

5 Restriction on areas for vehicle repairs and MoT's.

The repair, servicing and/or the MoT testing of vehicles shall take place inside the approved workshop building only. No other parts of the site (including any open part of the site) shall be used for these purposes.

REASON: To avoid likely noise disturbance in the interests of residential amenity.

POLICY: G2 General criteria for development

6 Restriction on numbers of vehicles repaired at any one time.

No more than two vehicles shall be repaired, serviced and/or MoT tested at the site at any one time.

REASON: To accord with the terms of the application and to control the number of vehicles at the site at any one time in view of the limited number of on-site vehicle parking spaces.

POLICY: G2 General criteria for development

7 Water run-off.

No development shall take place until details of a scheme for the discharge of surface water from all hard surfaces has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

REASON: In the interests of highway safety, to prevent the discharge of surface water on the highway.

POLICY: G2 General criteria for development

8 Contamination investigation and de-contamination as necessary.

Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure the protection of controlled waters

POLICY PPS23 prevention of pollution

9 Doors closed when work undertaken

No industrial processes, repair or maintenance of any vehicle, plant or machinery shall be carried out or undertaken within any of the buildings, unless the doors/windows to those buildings are closed and at no time shall any industrial

processes, repair or maintenance of any vehicle, plant or machinery be carried out outside of any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

POLICY: G2 General criteria for development

10 Parking areas retained

The parking and turning area shown on drawing reference no. 1408/07 Rev B shall be provided and permanently retained and used for those purposes

REASON: In the interests of the amenities of the neighbours

POLICY: G2 General criteria for development.

11 Noise insulation of building

The development hereby permitted shall not be brought into use until a scheme of suitable noise attenuation works has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before the premises are first occupied and shall thereafter be maintained in effect.

REASON: In order to minimise nuisance and safeguard the amenities of the area in which the development is located

POLICY: G2, General criteria for development

12 Documents

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref .1408/07 Rev A. Date Received 28 March 2011.

REASON : For the avoidance of doubt

INFORMATIVE:

The applicant should be made aware that the lay-by that fronts the site is part of the public highway and as such, is available for all users of the public highway. Therefore, the parking shown on the submitted drawing (1408/07 Rev A) in this area cannot be assumed to be an entitlement of the applicant.

Date of Meeting	16/06/11		
Application Number:	S/2011/0432		
Site Address:	Land adjacent to Rose Cottage Castle Lane Whaddon Salisbury SP5 3EQ		
Proposal:	Demolish the existing garage, shop/workshop. Change of use of site and erect a new workshop to be used as a car service and MOT station for the relocation of M&M Auto Engineers and reinstate access on North of site		
Applicant/ Agent:	Barclay & Phillips Ltd		
Parish:	Alderbury		
Grid Reference:	419629.691 126291.017		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

Reason for the application being considered by Committee

Councillor Britton has requested that this item be determined by Committee due to:

Relationship to adjoining properties
 Design, bulk, height general appearance
 Environmental/highway impact
 Car parking

1. Purpose of report

To consider the above application and to recommend that planning permission be REFUSED

2. Report summary

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

- Principle of development
- Scale and design
- Impact upon highway safety
- Impact upon neighbour amenity
- Other matters

The application is supported by the parish council and has generated 23 expressions of support and 9 letters and e-mails of objection from the public.

Neighbourhood Responses

9 letters received objecting to the proposal

11 letters and e-mails and 12 copies of a circular letter of support received

1 letter commenting on the application received

3. Site Description

The site is adjacent to the Old Southampton Road in Whaddon, opposite the shop and Post Office and close to the Whaddon office park and business units and the access on to the A36.

The site is adjacent to residential property, Fircroft and Rose Cottage bound the western side of the site and Bramleigh House the northern boundary. The site, which is currently

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accessed from Castle Lane via double gates, is screened from the Old Southampton Road and Castle Lane by a 2m brick wall. It consists of an open yard area and two buildings providing workshops, garage and display space.

4 Relevant Site History

10/0509	demolish existing garage and shop/workshop and replace with a new workshop to be used as a car service and mot station for the relocation of M&M auto engineers	WD 14/05/10
88/48	Erection of new showroom/store	AC 18/2/88
79/630	Relaxation of Condition 1 of Planning application 75/397	R 4/7/79
76/693	Addition to existing building to form workshop	AC 20/10/76
75/397	Workshop and alteration of access	AC 22/10/75
74/2 Section 53	Section 53 (a) Storage and service of motor vehicles (inc motor vehicles for export (b) Store of motor fuels not for resale (c) office and Storage for (a) (b)	PP required 18/12/74
70/210	Erection of Portakabin as office & store	R 29/10/70
7596	Utilisation of existing property for display of portable garden buildings	R 10/11/68
7239	Change of Use from petrol filling station to shop	R 11/04/68
2256	Installation of new petrol pump and new access	R 29/07/58
ADV 44	Illuminated Regent sign	A22.1.53
ADV 46	Banjo Advert	A 19.3.53
ADV 59	General Display	R 25.11.54
PET 36	Application in principle Resiting of petrol filling station new underground tanks and erection of new building with alterations to existing access	A 26.10.61
PET 38	Resiting of petrol filling station new underground tanks and erection of new building with alterations to existing access	A 28.12.61

5. Proposal

It is proposed to demolish the existing garage, shop/workshop on the site; change the use of the site and erect a new workshop to be used for car servicing and MOT's. It is also proposed to reinstate a vehicular access on the north of the site.

The application also states that M&M Auto Engineers will relocate to the site.

6. Planning Policy

Local Plan policies G1, G2, H16, D2, TR11, E16 and E17.

PPS4 Planning for sustainable economic development

PPG24 Planning and noise

PPS23 Planning and pollution

7. Consultations

Parish Council

No objections

Environmental Health

Recommend refusal

Concerns that noise from car repairs and MOT testing would be detrimental to the amenity of the nearest residential properties.

Petroleum Officer

There appear to be three fuel tanks on the site dating from 1931 when the petrol station opened. There are no records for the site. No evidence regarding decommissioning.

Highways

Recommend refusal

Despite discussion of revised designs, following withdrawal of previous application this proposal will have a detrimental impact on the surrounding highway

Environment Agency

Concerns regarding potential for contamination. It is unclear whether any/all underground fuel storage tanks have been properly decommissioned or removed.

The site overlies a secondary aquifer. Any approval should be conditioned to investigate whether the tanks still exist, their precise location, whether any contamination of the soil has occurred and the risk this poses to controlled waters. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and the Agency would wish to object to the redevelopment of the site on these grounds.

Fire and rescue

Ensure access to the site and water supplies are adequate for the purpose of fire fighting

Archaeology

Although a high potential for archaeology remains, as site is adjacent to medieval village of 'Watedene', evidence has been produced to show that the site has been much disturbed and therefore no comment on the proposal.

8. Publicity

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

Support

12 copies of a circular letter in support (9 from addresses in West Grimstead)

Summary of key points

- Proposed development would benefit the village, providing local employment
- Business is well supported but current site is cramped,
- Proposed site would ease current parking problems on the main road as it provides more and better parking, better working conditions for employees and better premises for the business

11 letters and e-mails of support

Summary of key relevant points raised:

- Current premises are far too small and there is insufficient space to park vehicles
Site has been a workshop for nearly 30years
- M&M provides a valuable and essential service
- Reduces need to travel outside the village for essential car maintenance
- Provides local jobs

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- A local business which should be supported
- Proposal will remove vehicles parking on the roadside to a self-contained unit
- New location is ideal adjacent to industrial units and office park
- New site gives better visibility and easier parking
- New site will have little or no impact on neighbouring properties
- Noise levels below that caused by school buses.
- In view of history , an appropriate use for the site
- M&M are close to houses at present and there have been no complaints about noise. Proposed location is opposite the shop and PO; which it is already a noisy environment and site could be used as a commercial workshop
- Proposed site would ease current parking problems on the main road as it provides more and better parking,
- Proposed new site provides better working conditions for employees
- Provides better premises and facilities

Object

9 letters of letters of objection received

Summary of key relevant points raised:

- Very similar to previous withdrawn application, concerns regarding parking and noise have not been addressed
- Inadequate parking provided for proposed workshop and MOT floor space. (Require parking for 5 employees' vehicles, 3 M&M Auto vehicles plus cars being worked on.)
- Moves parking problem from one part of the village to another. Frequently 6-10 cars parked outside current premises on Southampton Road
- Concerns regarding highway safety; site is close to bus stop.
- Will conflict with traffic movements relating to shop opposite
- Plans show cars in the lay-by adjacent to bus stop; this is not land private to M and M Autos.
- There has not been a vehicle access at the north of the site since the petrol station closed more than 30 years ago.
- Concerns regarding pollution
- Concern from neighbours regarding noise from previous uses on this site; this will be worse; e.g. emissions test for MOT's involve revving engines for a sustained period
- Concerns regarding existing underground petrol tanks. Never decommissioned
- Site has not been a garage since 1967. More recently was used for sale and servicing of garden machinery.
- The scheme is not the only garage in the village. There is already a garage and MOT station on Old Road Alderbury.
- Design and appearance of proposed building out of keeping with neighbouring buildings.
- Proposed buildings are oversized for site
- Building more suitable for Whaddon Business Park

1 letter of Concern

- Unclear if business is moving to new premises or expanding and using both sites.
- Supporters of scheme do not live adjacent to the site.

9. Planning Considerations

9.1 Principle of development

History of use of site

The history of the use of the site is not entirely clear, though it was a petrol filling station from the 1930's until the late 1960's. It appears that the main road (the A36) was re-aligned

in the 1960's and part of the petrol filling station site was incorporated within the road line. The village was then by-passed and at some time in the late 1960's the site went out of use as a petrol station. The site was then given permission to be used solely in conjunction with the servicing of two lorries and two cars for Sarum Lime. In 1979, the lifting of this restriction was sought but was refused. The reason being that an open servicing facility would have a detrimental impact upon neighbours. Securicor seems also to have used the site for its vehicles and then from about 1984, the site was used for servicing of lawn mowers, though the previous owner of the site states that some servicing of private vehicles also occurred. As very little evidence has been provided by the applicant to show that the site has been used continuously for the repair and servicing of vehicles, and in view of the planning history of the site, which specifically excludes car servicing; and the introduction of an MOT station, this proposal now incorporates an application for a change of use .

Policy considerations

A main aim of the Local Plan is to provide a range of job opportunities and as the site's last use was for employment purposes, policy E16 of the Local Plan would seek to retain the site for employment purposes. In this context, the use of the premises for lawn mower sales and servicing repairs has been very low key for a long period, so employment levels were low. This use has now ceased and the premises are currently vacant. The scheme under consideration, would comply with the criteria of policy E16 as it would provide 5 full time jobs. Additionally as the employment site is within the village, it would appear that its re-use for car repairs and for MOT's would widen the range of services and facilities available within the village and would fulfil the aims of policy G1 which seeks to enhance the quality of life for residents, reduce the need for travel and enhance the vitality and viability of the settlement.

The existing buildings on the site are now redundant but are of permanent construction, and could be adapted for a small scale employment use however, due to their unattractive appearance and the lack of modern facilities, the redevelopment of the site to provide a modern unit would result in improved local employment facilities. National guidance as expressed in PPS4 encourages the provision of employment within villages and Local Plan policy E17 would support proposals to create new business development.

Therefore provided the proposed use and redevelopment of the site would have no adverse effect on residential amenity, the access, parking and turning were adequate and the scale and design of the building are compatible to the locality; the redevelopment of an existing employment site would be in accordance with national and local guidance

9.2 Scale and design

It is proposed to remove the existing 3m. high buildings from the site and erect offices and a replacement workshop to provide a large space for an MOT bay and a service bay. The replacement workshop will be approximately 4.9m high, reducing to approximately 4m adjacent to the boundary with Rose Cottage. A small office and waiting area is to be provided as well as an office on the front adjacent to the entrance on Castle Lane. The proposed buildings are almost flat roofed and are intended to be metal clad. The existing boundary wall is to be repaired and rendered topped by a plain tile and brick cap.

Given the contemporary, industrial nature of the design of the buildings, it is considered that they would not be in keeping with the immediate surrounding area and additionally as the building occupies the full width of the site, it could be perceived as dominating and out of scale for the site, as well as appearing to be prominent at the entrance to the village. Overall it is considered to be detrimental to the appearance and character of the locality.

9.3 Impact upon highway safety

Concerns have been expressed that there will be conflict with pedestrians using Castle Lane and that because insufficient parking has been proposed there is a likelihood of additional parking on the surrounding streets which will make parking for the shop and PO difficult.

The Highway Authority recommends that 4 spaces per work bay should be provided within the site when the use proposed is for motor repairs and MOT. The submission shows only 7 spaces within the site and 2 spaces in the lay-by on Southampton Road. It is not acceptable to count on-street parking, within the overall requirement, as the lay-by area is not solely for the applicant's use. Therefore the Highway Authority considers that the proposal has insufficient parking.

There are also concerns that whilst only 1 MOT bay and 1 work bay are currently proposed, the building is of such a size that an additional 2 vehicles could be worked upon at any one time. This would raise the required parking provision to at least 16 spaces. Indeed the previous scheme, which was withdrawn, showed an additional bay and so as the size of the proposed building is similar, it seems unlikely that only 2 vehicles will be worked upon at one time (especially as additional members of staff are proposed, bringing the total number to five full time employees). The intensification of the use of the site would not require planning permission. Overall, it would appear likely therefore that the proposal will result in an increase in on-street parking at a busy trafficked and pedestrian area, where bus stops, a shop and a post office are also located and this likely to be prejudicial to the safety of other users of the highway

It is also proposed to re-create/create the northern vehicular access to the site. Neighbours maintain that this access has not been in use for at least 30 years and the Highway Authority is concerned that vehicles entering and leaving the site at this point could not do so in a forward gear as there is insufficient space to turn a vehicle. The use of this proposed access is therefore in their view likely to be prejudicial to highway safety.

Overall, it is considered that in view of the size of the proposed building and the likely level of use and as the public lay-by adjacent to one of the bus stops has been incorporated into the proposal, that there is likely to be an increase in on-street car parking in a heavily trafficked area, with much coming and going to the shop and post office by both pedestrians and vehicles. Therefore the proposal is likely to be prejudicial to the safety of both pedestrians and users of the highway.

9.4 Impact upon neighbour amenity

Concerns were expressed by neighbours that the introduction of motor car repairs and MOT testing on this site would result in an increase in noise and pollution. The Council's Environmental Health Officer is also concerned regarding the likely impact of the noise from car repairs and MOT testing on the neighbours.

The immediate environment around the premises is primarily residential and therefore the background noise levels are fairly low. The noise produced by a car repairs and MOT testing tends to be of an intrusive and annoying character and whilst there will be a wall and small separation distance between the proposed building and Rose Cottage, there is likely to be a significant impact upon the amenities of these neighbours' use of their garden, particularly as a six day operating week is proposed. Whilst the noise would be reduced if the building were insulated and the doors of the new building were shut, in practice this is not likely to be practical, due to the need to regularly move vehicles.

In view of the size of the proposed building and the likely level of use, as well as its proximity to the neighbouring dwelling there is likely to be detrimental impact upon the amenities of neighbours contrary to Local Plan policy G2.

9.5 Other matters

It would appear that there are no records regarding the petroleum storage tanks located under the application site, and shown on drawings 1408/A-001 Rev A and 1408-07 Rev B. Whilst they are still in existence, it is not clear therefore whether they have been decommissioned. It has also been suggested, though again there are no records, that there may be older petroleum storage tanks under the adjacent highway. Both the Council's Petroleum Officer and the Environment Agency consider that any approval of this proposal should be conditioned to investigate whether these tanks still exist and if they do, their precise location. As the site is over an aquifer, the Environment Agency would also require an investigation of whether any contamination of the soil has occurred from any of the petrol tanks and whether there is any risk posed to the water source. Depending on what is found, full remediation may be required. Without this information, the risk to the environment is unknowable and unquantifiable and the proposal would be contrary to Local Plan policy G2.

10. Conclusion

The site is an existing employment site, whose re-use and enhancement would be in compliance with Local Plan policy. M and M Autos are currently located in the centre of the village on a small site adjacent to residential properties. This use results in some on-street parking on the Southampton Road. The proposed site is larger and is located on the edge of the village adjacent to the shop and post office and close to other employment sites. The site is screened from the Southampton Road by a 2m brick wall which it is proposed to re-furbish. The buildings on the site are innocuous in appearance and not prominent in the street scene. The proposed replacement modern, metal clad buildings will be much more prominent in the street scene and their contemporary design and materials are considered to be unsympathetic to the location at the entrance to the village. Car repairs and MOT's are noisy and in view of the design of the building and its proximity to the neighbouring dwellings, their amenity will be detrimentally affected.

The Highway Authority has concerns regarding the adequacy of the parking for the proposed scale of the use,(two working bays) and as the use could easily be intensified in the future (without planning permission) is concerned that this inadequate level of parking would encourage even more on-street parking. Additionally there are highway safety concerns regarding the use of the proposed northern vehicular access.

Whilst the proposal, refers to the development as being a relocation of an existing business, the existing site in the centre of the village does not form part of the application and therefore this aspect of the proposal cannot be controlled.

11. RECOMMENDATION

Planning Permission be REFUSED for the following reasons:

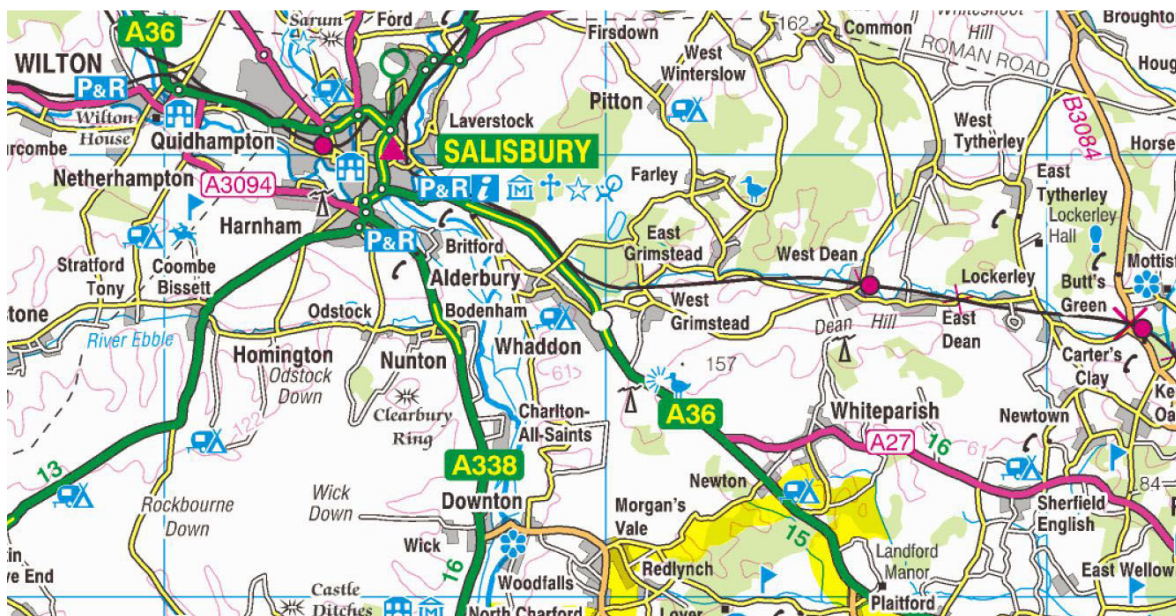
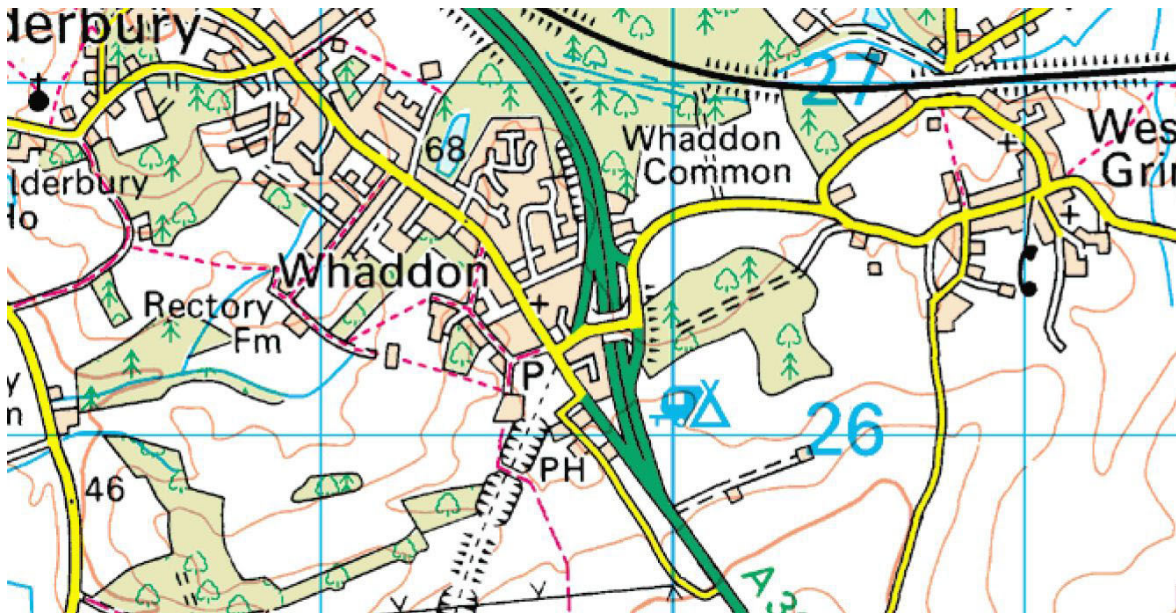
1 The proposed development, by reason that adequate provision has not been made on the site for the parking of vehicles in a satisfactory manner and adequate manoeuvrability/turning space has not been allowed for, would be likely to encourage the parking of vehicles on the public highway, which would be prejudicial to the safety of all users of the highway, contrary to policies TR11 and G2 of the Salisbury District Local Plan.

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2 The proposed development, by reason that the site is directly adjacent to residential properties, and the amenities of the occupants of these properties would be detrimentally effected by noise caused by the proposed use, would be contrary to policy G2 (viii) of the Salisbury District Local Plan and national advice as expressed in PPG24.

3. The proposed development, by reason of the scale of the buildings, would represent a cramped form of over development, and, by reason of the design of the buildings, would be unsympathetic to and out of keeping with the locality, and which, by virtue of the its prominence in the street scene, would appear overbearing and dominant and detrimental to the character of the locality contrary to policy D2 of the Salisbury District Local Plan.

4 In the absence of a sufficient information to show that the development would not be a hazard to controlled waters, the applicant has not proven to the satisfaction of the Local Planning Authority that the proposed development would not pose an unacceptable risk to the environment contrary to the contrary to policy G2 (ii) of the Salisbury District Local Plan and national advice as expressed in PPS23.



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APPEALS

Appeal Decisions

Application Number	Site	Appeal Type	Application Delegated/ Committee	Decision	Overturn	Costs
S/2010/0893	GoldenCottage, MeadEnd, Bowerchalke	H	Delegated	Dismissed	No	No
S/2010/1319	19A The Close, Salisbury	WR	Committee	Allowed	Yes	No

New Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee	Decision	Overturn	Costs Applied for?
S/2011/0420	Site at Market Place, Wilton	WR	Delegated			
S/2011/0408	Layby near Scotland Lodge, Winterbourne Stoke	WR	Delegated			
S/2010/1083	Adj.LimeTree Cottage, Flower Lane, Amesbury	WR	Delegated			
S/2010/1409 S/2010/1410	132 Castle Street, Salisbury	WR	Delegated			
S/2011/0218	57 New Canal, Salisbury	WR	Delegated			

WR Written Representations
HH Fastrack Householder Appeal
H Hearing
LI Local Inquiry
ENF Enforcement Appeal

27th June 2011

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Agenda Item 8

INDEX OF APPLICATIONS ON 07TH JULY 2011

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION	DIVISION MEMBER
8a	S/2011/0708	Hillbilly Acre, Southampton Road, Clarendon, SP5 3DG	Resubmission of S/2011/0422 - Change of use of land to residential gypsy site containing eight mobile home units (three of which are retrospective), alterations to highway access, boundary treatments, provision of parking areas and associated landscaping	Approval	Cllr Christopher Devine
8b	S/2011/0518	Summerfield House, Berwick St. James, SP3 4TQ	Demolition of existing derelict poultry sheds and silos, temporary retention of two outbuildings, and redevelopment of the site by the erection of a replacement dwelling, stable block, commercial office building, storage building, retrospective access and menage, and landscaping works	Approval	Cllr Ian West
8c	S/2011/0642	35 York Road, Salisbury, SP2 7AT	Convert existing 4-bed house into 4x 1-bed flats with a 2 storey extension at the rear and including a loft conversion with 3x rooflights	Approval	Cllr Richard Clewer
8d	S/2011/0702	46 Rambridge Crescent, Salisbury, SP2 9JE	Erection of 2 no. 1 bedroom flats and alterations to access	Refusal	Cllr Ricky Rogers

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Agenda Item 8a

Application Number:	S/2011/0708		
Deadline:	11/07/11		
Site Address:	Hillbilly Acre Southampton Road Clarendon Salisbury SP5 3DG		
Proposal:	Resubmission of S/2011/0422 - Change of use of land to residential gypsy site containing eight mobile home units (three of which are retrospective), alterations to highway access, boundary treatments, provision of parking areas and associated landscaping		
Applicant/ Agent:	Mr David Cooper		
Parish:	Alderbury & Clarendon Park		
Grid Reference:	417228.461 128257.614		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mr W Simmonds	Contact Number:	01722 434553

Reason for the application being considered by Committee:

Councillor Devine has called the application before Committee due to widespread public concern in the villages of Alderbury and Clarendon.

1. Purpose of report

To consider the above application and, subject to the landowner entering into an appropriate unilateral planning obligation and submitting the relevant financial contribution, to recommend that planning permission be GRANTED subject to conditions.

2. Report summary

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

- Principle of proposed development including Housing policy considerations as set out under local plan policies and other relevant local and national planning guidance
- Impact upon highway safety
- Impact upon visual amenity and landscape character
- Impact upon nature conservation interests including the adjacent River Avon SSSI and SAC
- Impact upon neighbour amenity
- Impact on the character and setting of adjacent listed buildings
- Flood risk
- Provision of recreational open space

The application has generated objections from one parish council and 109 letters/representations from the public.

Neighbourhood Responses

108 letters received objecting to the proposal

1 letter of support received

3. Site Description

The application relates to an approximately rectangular parcel of land of approximately 0.7 hectares on the southwest side of Southampton Road, between Petersfinger and Alderbury. The access to the land is via a lay-by off of Southampton Road (at the north east end of the site) and a connecting internal driveway providing access to each of the four internally divided plots (referred to as Avon View, Rambling Rose, Hillbilly Acre and Sunhill).

The application site is screened from public views from the roadside by solid metal panel gates, walls, fences and a combination of tree and other natural foliage along the roadside boundary. The north west and south east side boundaries of the site consist of significant mature mixed tree and hedge screening, and the rear south west boundary towards the river valley is comprised of large mature trees and mixed foliage.

The site contains a number of single storey, block-built and timber constructed buildings and static mobile homes, three static mobile homes are understood to be currently occupied by persons of Gypsy and Traveller status.

The adjoining land to the immediate south west of the application site is designated within the adopted local plan as an Area of High Ecological Value. Part of the adjoining land is included within the Clarendon Grange Meadows County Wildlife Site (CWS), and the River Avon is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC).

4. Relevant Planning History

Application Number	Proposal	Decision
S/2011/0422	Change of use to residential gypsy site containing eight mobile home units (three retrospective), alterations to Highway access, boundary treatments, provision of parking areas and associated landscaping	WD 03.05.11
S/2009/1831	Retention of greenhouse, shed and retaining wall. Provision of new storage building and boundary fence	REF 29.01.10
S/2008/1559	Erection of a single storey residential dwelling with on-site parking and the provision of a new vehicular access	REF 03.11.08
S/2002/1447	Construction of dwelling	REF 19.10.02
S/2001/0918	Siting of a caravan for residential purposes	REF 17.12.01
S/1998/0583	Erection of shed	WD 15.07.04

5. Proposal

The application proposes the change of use of land to a residential gypsy site containing eight mobile home units (three of which are retrospective), alterations to highway access,

boundary treatments, the provision of parking areas (internal to the site) and associated landscaping.

6. Planning Policy

- adopted (saved) local plan policy G1 & G2 (General Criteria for Development)
- adopted (saved) local plan policy C2 (Development in the Countryside)
- adopted (saved) local plan policy C11 (Nature Conservation)
- adopted (saved) local plan policies CN3 & CN5 (Listed Buildings)
- adopted (saved) local plan policy H34 (Gypsy Sites)
- adopted (saved) local plan policy C7 (Landscape Setting of Salisbury and Wilton)
- adopted (saved) local plan policy R2 (Recreational Open Space)
- ODPM Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites
- Emerging South Wiltshire Core Strategy (SWCS) Core Policy 4 (Making adequate provision for gypsies and travellers)

7. Consultations

Environment Agency – No objection, subject to Conditions and Informative

Building Control – No response received

Minerals and Waste Policy Team – No response received

Education Officer – No response received

Environmental Health – No comments or objections

Conservation Officer – No response received

English Heritage – No comment in detail; the application should be determined in accordance with national and local policy guidance, and on the basis of Wilts Council's specialist conservation advice

Fire Officer – No response received

Principal Ecologist – No objection, no likely significant effects on the adjacent River Avon SAC

Planning Enforcement Officer – Any previously unauthorized development at the site is the subject of the current planning application

Forward Planning (Planning Policy) Team – Recommend approval

Wiltshire Highways – No Highway objection, subject to a Condition requiring minor alterations to access

Wessex Water Authority – No objection, standard letter of advice provided re foul and surface water disposal

Alderbury parish council – Objection, grounds include Highway safety, neighbour amenity, impact on listed buildings, impact on adjacent River Avon SSSI

Clarendon Park parish council – Objection, grounds including Highway safety, over development, landscape impact & impact on services

Winterslow parish council – No response received

8. Publicity

The application was advertised by site notices and neighbour consultation.

108 letters/emails of objection were received

One email in support of the application was received

Summary of key relevant points raised:

- Principle

- Highway safety
- Landscape impact
- Neighbour amenity
- Impact on nature conservation/adjacent River Avon SAC
- Impact on adjacent listed buildings

9. Planning Considerations

9.1 Principle of proposed development including Housing policy considerations as set out under local plan policies and other relevant local and national planning guidance

The application is in part retrospective and relates to an approximately rectangular parcel of land of approximately 0.7 hectares on the southwest side of Southampton Road, between Petersfinger and Alderbury.

The land has a lay-by and connecting internal driveway from the highway at the north eastern corner providing access to each of the four internally divided plots (referred to as Avon View, Rambling Rose, Hillbilly Acre and Sunhill).

The application site is screened from public views from the roadside by solid metal panel gates, walls, fences and a combination of tree and other natural foliage along the roadside boundary. The north west and south east side boundaries of the site consist of significant mature mixed tree and hedge screening, and the rear south west boundary towards the river valley comprises large mature trees and mixed foliage.

The site contains a number of single storey, block-built and timber constructed buildings and static mobile homes, three static mobile homes are understood to be currently occupied by persons of Gypsy and Traveller status.

The site is not within a Housing Policy Boundary or other such designated area within the local plan where new residential development would be acceptable in principle. However, as the application relates to the provision of residential accommodation for persons of Gypsy and Traveller status, the application should be judged against the criteria of local plan policy H34 (together with other relevant policy context).

The Council does not dispute the status of the applicant and existing/future occupiers of the site as a Gypsies within the definition of Gypsies and Travellers as set out within ODPM Circular 01/2006.

Local plan policy H34 is applicable in the determination of the application.

Status of the local plan and ODPM Circular 01/2006:

The Council's Spatial Planning Team (Planning Policy) advises that current adopted policy relating to Gypsy and Traveller Sites is provided by the Wiltshire and Swindon Structure Plan 2016 (As saved) Policy DP15 and the Salisbury District Local Plan (As saved) Policy H34. In addition, guidance is provided at the national level through the ODPM Circular 01/06 *Planning for Gypsy and Traveller Caravan Sites*. The Coalition Government has indicated that guidance contained within this Circular will be replaced with a light-touch guidance outlining the council's statutory obligations, however Circular 01/06 remains pertinent to this particular case until a replacement is issued.

The DCLG *Designing Gypsy and Traveller Sites – Good Practice Guide* (May 2008) should also be considered in assessing the suitability of this site for Gypsy and Traveller Accommodation.

In addition to this guidance the Gypsy and Traveller Site Allocations DPD *Issues and General Approach Report* (April 2010) identifies a Site Selection Methodology to assist in identifying sites to meet Gypsy and Traveller needs. The criteria is based on Circular 01/06 and Good Practice Guidance and is being developed through a process of local consultation, with both the settled and travelling communities. An initial assessment of this site based on the Site Assessment Template found at Appendix C of the DPD suggests that this site would be suitable for development given its relatively sustainable location.

The conclusion and recommendation of the Council's Spatial Policy Team is as follows:

In accordance with Section 54A of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 planning permission should be approved, because:

The proposal would conform in principle to Policy H34 of the Adopted Salisbury District Local Plan and Core Policy 4 of the Emerging South Wiltshire Core Strategy.

9.2 Impact upon highway safety

The Highways officer has visited the site and taken measurements at the access lay-by. Subject to the agreement of a scheme to create minor improvements to visibility by partially reducing the height of existing walls forming the sides of the lay-by access, and the creation of a consolidated driveway surface within the lay-by, there is no Highway objection.

9.3 Impact upon visual amenity and landscape character

By virtue of the existing boundary features, the application site is well screened within the immediate and wider local environment. The closest right of way is passes approximately between 118m and 78m to the south west on the opposite side of the River Avon. The north west and south east side boundaries of the site consist of significant mature mixed tree and hedge screening, and the rear south west boundary towards the river valley is comprised of large mature trees and mixed foliage.

The proposal principally relates to the provision of a limited number of single storey modular structures within the site. By reason of the existing significant level of boundary screening, the proposed development is not considered to be out of sympathy with the landscape of the surrounding designated Landscape Setting of Salisbury and Wilton.

9.4 Impact upon nature conservation interests including the adjacent River Avon SSSI and SAC

The adjoining land to the immediate south west of the application site is designated within the adopted local plan as an Area of High Ecological Value. Part of the adjoining land is included within the Clarendon Grange Meadows County Wildlife Site (CWS), and the River Avon is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC).

The potential impact(s) of the proposed development have been assessed by the Council's Principal Ecologist (the District Ecologist) and Natural England.

The Principal Ecologist has undertaken a judgement of likely significant effects for the River Avon SAC which concludes there would be no likely significant effects. The Principal Ecologist has noted that part of the Clarendon Grange Meadows CWS lies between the application site and the River Avon SAC, however she concludes that as the site is screened from the CWS by a line of trees, and there is no public right of way through the site, there is no reason to presume the CWS site would be vulnerable to the effects of the proposed development.

Natural England has confirmed its position of no objection, provided the granting of planning permission for the proposed development would not lead to an increased risk in pollution to the river.

The proposed development is therefore considered accordant with the nature conservation policies of the adopted local plan and relevant national and European guidance and legislation.

9.5 Impact upon neighbour amenity

The closest neighbouring residential properties to the application site are St Maries Grange to the immediate south east, Alderbury Holt to the east (on the opposite side of the road), and Belmont House to the north west.

The proposed development constitutes a residential use of the land which in principle is considered compatible with the residential use of adjoining land.

The application site is contained within significant boundary features, and has its own established access and internal driveway. The structures proposed are single storey modular static mobile home units which it is considered would not result in the undue overlooking or overshadowing of neighbouring properties. In this respect it is considered the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers.

9.6 Impact on the character and setting of adjacent listed buildings

By reason of the lack of permanent buildings or structures proposed within the site, and by reason of the existing significant boundary features between the site and the adjacent G1 (St Maries Grange) and G11 (Belmont House) listed buildings, and the position of the existing access to the site being set approximately equidistant between the neighbouring listed dwellinghouses, it is considered the proposed development would not have an adverse impact on the character and setting of the listed buildings.

English Heritage was consulted on the development proposal but, at the time of writing, had not provided a consultation response.

9.7 Flood risk

The applicant's Hydrological Report and submitted flood risk information has been assessed by the Environment Agency. The Environment Agency raise no objection to the proposed development, subject to Conditions relating to floor levels for the mobile homes and surface water drainage methodology, and informatives relating to Flood Defence Consent and non-mains drainage.

9.8 Provision of recreational open space

The proposed new residential development, if approved on a permanent basis (i.e. not a time limited or temporary consent) would require a contribution towards public recreational open space in the form of a unilateral planning obligation completed by the applicant and the submission of funds for the relevant contribution.

Subject to the landowner entering into an appropriate unilateral planning obligation and submitting the relevant financial contribution, the proposed development would be accordant with Policy R2 of the adopted Salisbury District Local Plan.

10. Recommendation

Subject to the landowner entering into an appropriate unilateral planning obligation and submitting the relevant financial contribution in accordance with Policy R2 of the adopted Salisbury District Local Plan, planning permission be GRANTED for the following reason:

The proposed development accords with the provisions of the Development Plan, and in particular Policies G1 & G2 (General Criteria for Development), C2 (Development in the Countryside), H34 (Gypsy sites), C7 (Landscape Conservation), C11 (Nature Conservation), CN3 & CN5 (Listed Buildings) and R2 (Recreational Open Space) of the saved policies of the adopted local plan, insofar as the proposed development relates to the provision of residential accommodation for person(s) of Gypsy and Traveller status and is considered accordant with the criteria set out within adopted local plan policy H34 and the criteria of Core Policy 4 of the emerging South Wiltshire Core Strategy in terms of being acceptable in landscape and nature conservation terms, and being located within close proximity of settlement(s) and their local services and amenities. The proposal would not unduly affect the amenity of neighbours or adversely affect the wider landscape setting of Salisbury and Wilton.

The proposed development would not have adverse impacts on nature conservation, or the adjacent River Avon SAC and SSSI.

Subject to the following conditions:

1. The number of mobile home units stored and/or occupied within the overall site shall not exceed eight units in total.

REASON: To enable the local planning authority to control the intensity of the occupation of the site, in the interests of amenity, highway safety and nature conservation interests.

POLICY - H34 (Gypsy Sites), G1 & G2 (General Criteria for Development), C11 (Nature Conservation) & C7 (Landscape Setting of Salisbury & Wilton) of the adopted local plan

2. The occupation of the mobile homes hereby approved shall be limited to a person or persons of gypsy and traveller status as defined within ODPM Circular 01/2006, or a widow or widower of such a person or persons, and to any resident dependants.

REASON: Permission would not normally be granted for this development, but regard has been paid to the personal circumstances of the applicant, being of Gypsy and Traveler status which are considered, to be sufficient to outweigh the normal planning policy considerations which would normally lead to a refusal of planning permission.

POLICY - H34 (Gypsy Sites) of the adopted local plan and Core Policy 4 of the emerging South Wiltshire Core Strategy

3. This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on 30.03.2011, unless otherwise agreed in writing by the Local Planning Authority.

REASON: For the avoidance of doubt

4. The development hereby permitted shall not be commenced until such time as a scheme to ensure finished floor levels are set no lower than 43.0m above Ordnance Datum (AOD) has been submitted to, and approved in writing by, the local planning authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

5. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the surface water drainage system.

6. Development shall not begin until a scheme for improvements to the existing highway access to the site has been submitted to, and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a schedule of works to improve visibility at the site access by reducing the height of the existing block walls and cutting back vegetation. The scheme shall also include the provision of a consolidated surface of the existing splayed access area and the delineation of the highway edge.

REASON: In the interests of Highway safety.

INFORMATIVES

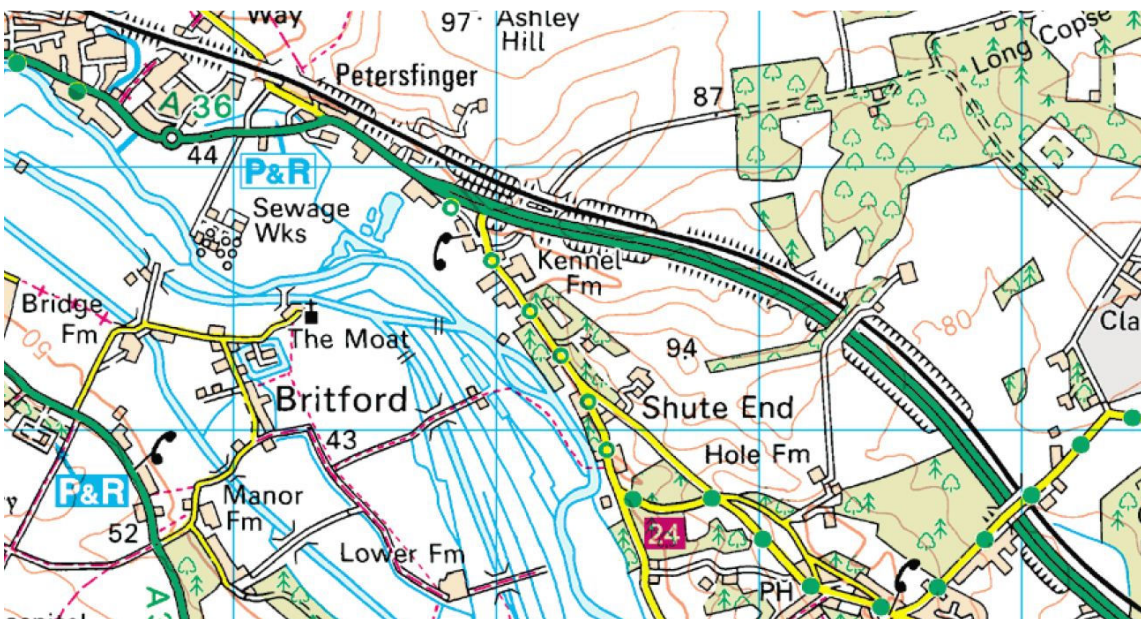
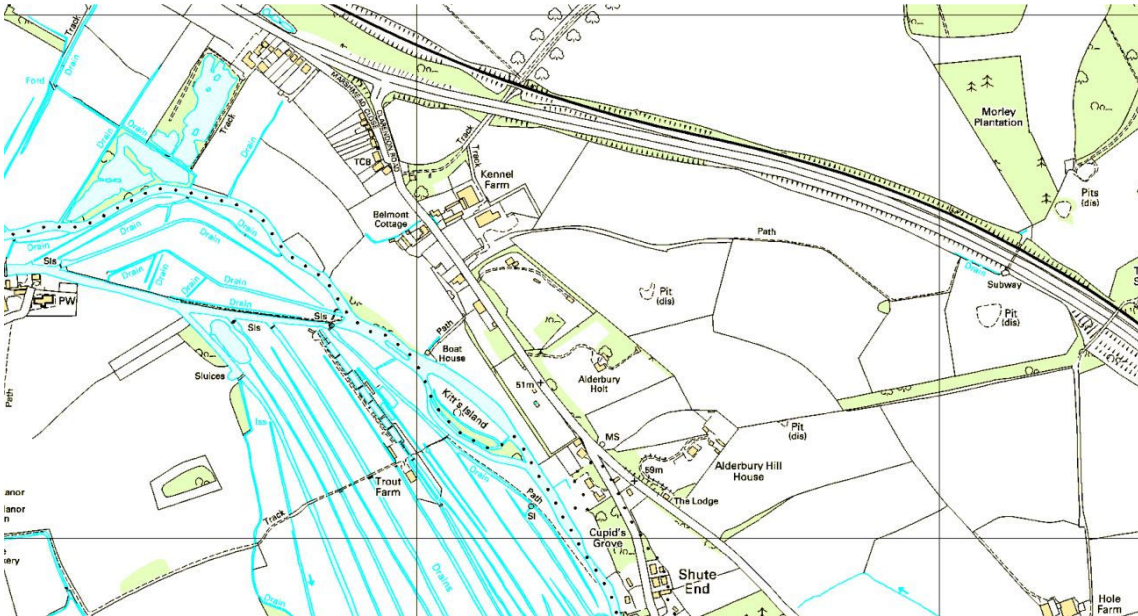
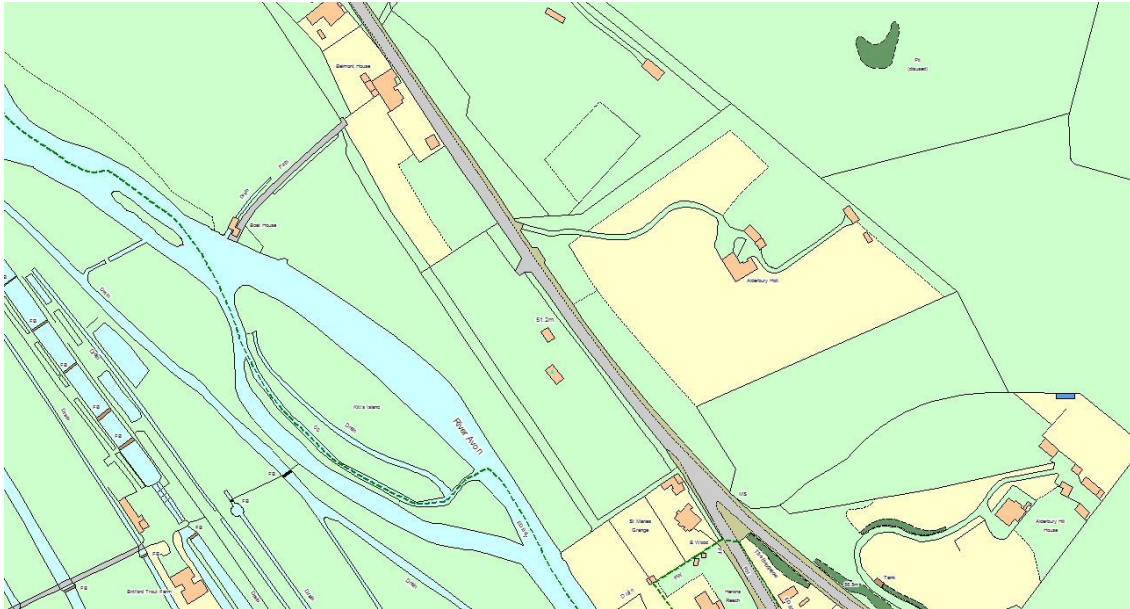
All works in, under, over or within 8 metres of a Main River channel will require prior Flood Defence Consent (FDC) from the Environment Agency, in accordance with the Water Resources Act 1991 and Byelaws legislation. Works within the extent of Flood Zone 3 (1:100 year floodplain) may equally require FDC unless granted exemption via the issue of planning permission. Should you or the applicant wish to discuss the above please contact Gary Cleaver (Development and Flood Risk Engineer) on (01258) 483434.

If a new septic tank/treatment plant is the only feasible option for the disposal of foul water, or if there is an increase in effluent volume into an existing system, an Environmental Permit may be required. This must be obtained from us before any discharge occurs and before any development commences. This process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of any application. The applicant is advised to contact the Environment Agency on 08708 506506 for further details on Environmental Permits or visit <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>.

ENVIRONMENT AGENCY NOTE TO APPLICANT

If you want to discharge treated sewage effluent, to a river, stream, estuary or the sea and the volume is 5 cubic metres per day or less, you might be eligible for an exemption rather than a permit. Similarly, if you want to discharge sewage effluent, to groundwater via a drainage field or infiltration system, and the volume is 2 cubic metres per day or less, you might be eligible for an exemption rather than a permit. Please note, this Environmental Permit may be subject to an Appropriate Assessment under the Habitats Directive, which would involve consultation with, and agreement from, Natural England. This is likely to apply if it is proposed to discharge into a watercourse that is within or up to 3km upstream of a SAC, SPA, Ramsar or SSSI. This may also apply if it is proposed to discharge into the ground (Eg soakaway) within 250m of a SAC, SPA, Ramsar or SSSI.

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Agenda Item 8b

Application Number:	S/2011/0518		
Deadline:	13/07/11		
Site Address:	Summerfield House Berwick St. James Salisbury SP3 4TQ		
Proposal:	Demolition of existing derelict poultry sheds and silos, temporary retention of two outbuildings, and redevelopment of the site by the erection of a replacement dwelling, stable block, commercial office building, storage building, retrospective access and menage, and landscaping works.		
Applicant/ Agent:	Washbourne Greenwood Development Planning		
Parish:	Winterbourne Stoke		
Grid Reference:	407389.25 140456.324		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

Reason for the application being considered by Committee:

Cllr West has called-in the application since it proposes amendments to an extant scheme that was recently considered by the Southern Area Committee.

1. Purpose of report

To consider the above application and the recommendation of the Case Officer that planning permission be GRANTED subject to conditions.

2. Report summary

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

1. The principle of development;
2. Character and appearance of the area;
3. Highways considerations;
4. Ecology;
5. Drainage and affect upon water quality;
6. Land contamination;
7. Archaeology;
8. Amenities of adjoining and nearby property.

3. Site Description

The application site comprises a currently unused poultry farm that is located on the eastern side of the B3083, about 700 metres to the north of the village of Berwick St James and approximately 350 metres to the south of the junction of the B3083 with the A303. The site is also located a short distance (about 150 metres) to the south west of the settlement boundary of Winterbourne Stoke. The B3083, from which the site is accessed, links into the A303 west of Winterbourne Stoke and into the A36 at Stapleford.

The site extends to an area of about 2.16 hectares and was formerly used as a poultry farm and is occupied by a timber framed poultry shed that is constructed from blockwork and timber boarding and measures about 80m x 15m. In addition, there is also the remains of a second poultry shed, now only approximately one fifth the size of the adjacent one, and a

steel framed hay barn measuring about 12m x 18m that is located close to the site frontage and is enclosed by metal cladding to the road (west) elevation.

The site is also occupied by a detached, single storey bungalow that is located towards the south eastern corner of the site. The existing dwelling has a pitched roof form and is finished in render under a concrete tiled roof. As such, the site is clearly divided into two separate uses, the agricultural use that occupies about three quarters of the site area and the residential area that occupies the remainder of the site. There are also several small outbuildings scattered around the eastern end of the overall site.

The remainder of the site forms an open and grassed area that is largely devoid of vegetation and effectively forms an agricultural field. The site is generally level, although the area of land between the existing poultry shed and the frontage boundary forms a small terrace at a slightly higher level to the rest of the site and there is a gentle slope down towards the east. The boundaries of the site are predominantly demarcated by post and rail fencing, although there is a conifer screen along part of the length of the northern boundary and a line of hawthorn trees along about half the length of the frontage boundary to the site.

The site is located outside of any settlement boundaries within the open countryside of the Special Landscape Area.

4. Relevant Planning History

73/203	O/L application for the erection of 2 poultry houses, 15,000 square feet in total area	AC	26.11.73
77/89	Extension to poultry houses	R	08.6.77
78/880	Erection of building for poultry farming	AC	08.11.78
88/214	Erection of barn	AC	07.04.88
96/1202	Provision of mobile home for agricultural worker	R	27.11.96
00/2036	Erection of agricultural building (Replacement).	AC	08.01.01
00/2037	Erection of agricultural building (Replacement).	AC	08.01.01
05/2522	Redevelop buildings and land for equestrian & business purposes.	WD	24.01.06
06/2122	Demolish existing derelict poultry sheds and silos, steel framed barn and associated outbuildings. redevelop site by erection of replacement dwelling, stable block, lambing shed and stores, office building, storage building, construction of a menage and associated access & landscape works.	REF Appeal allowed	19.04.07 28.02.10
07/2046	Demolition of existing agricultural buildings, existing dwelling and outbuildings. Construction of replacement dwelling and replacement agricultural buildings.	AC	28/03/08
10/1713	Renew planning permission 06/2122	AC	01/03/11

5. Proposal

Consent is sought to revise the layout of an extant scheme to redevelop the site with a replacement dwelling, stables, menage, office building, storage building, new access and landscaping. Notably the revisions relate to the following

- New access to be moved to land to the north (retrospective);
- Existing residential access to be retained to solely serve the replacement dwelling;
- Slight relocation to position of proposed replacement dwelling;
- Relocation and slight reduction in size to stable building;
- Relocation and slight reduction in size to propose ménage (retrospective);
- Proposed commercial office relocated further to the west;
- Proposed store building relocated slightly to the east;
- Temporary retention of two outbuildings previously proposed to be demolished whilst proposed stables are constructed;
- New central access way and internal driveways to be omitted.

6. Planning Policy

Local Plan: policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C

Central government planning policy: PPS1, PPS4, PPS5, PPS7, PPS25, PPG13

Other material guidance: Ministerial Statement *Planning for Growth*, Habitats Regulations 2010

7. Consultations

Winterbourne Stoke PC **Support** subject to conditions that:

- a. No development be permitted until the derelict poultry sheds and silos have been removed and disposed of in accordance with current legislation; and
- b. The access road be reinstated in the position approved by the Planning Inspector; this would enable access to both the commercial office buildings and the replacement dwelling.

Berwick St. James PC The location of the access should be as in the plan agreed by the Inspector in February 2008 (APP/T3915/A/07/2058432) and not as in the current application through the agricultural field. All existing buildings on the site (two buildings and the poultry sheds) should be demolished before the house and office building commences.

Highways Officer **No objection** subject to conditions requiring the provision and maintenance of visibility splays, and the creation of a consolidated surface to the new access.

Highways Agency **No objection**

Landscape Officer	I do not object to the principle of altering the internal layout of the buildings on site but there are other differences between the proposed scheme and that approved at appeal. From a landscape perspective the submitted scheme falls short of that approved at appeal. If you are minded to grant this application I would expect there to be a resubmitted landscape scheme for approval which at least reflects the scheme approved at appeal i.e native woodland planting to west, south and south east boundaries as a minimum.
Archaeologist	No objection subject to condition requiring an archaeological watching Brief.
Ecologist	No objection subject to conditions and plans being submitted to illustrate how the ecological recommendations will be incorporated into the design of the proposed buildings.
Natural England	Agrees with Council's conclusion that there would be no likely significant effects upon the River Avon SAC, subject to the recommended conditions.
Environment Agency	No objection subject to conditions.

8. Publicity

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

6 letters of representation were received.

Summary of key relevant points raised:

- Whilst aspects of the proposal are supported in principle, there are concerns with regards to:
 - the timing of demolition of buildings,
 - the adherence to conditions,
 - the necessity of the revised access within the adjacent field,
 - the increase of car parking for the proposed office from 8 to 10 spaces,
 - inaccuracies contained within the submitted application.
- The revised application is not necessary given the extant consent;
- The site should remain as a farm and offices would not be in keeping with the rural area.

9. Planning Considerations

9.1 *The principle of development*

The principle of the site's redevelopment for the proposed purposes has already been agreed, and considerations should therefore relate to the key differences between the proposed and extant schemes, and their implications in relation to issues noted below.

9.2 *Character and appearance of the area*

The applicant's submitted Landscape Appraisal concludes that the overall impact of the scheme will remain positive due to the removal of intrusive reflective and prominent

agricultural buildings and their replacement with less intrusive development which is more in keeping with the rural setting. Whilst the Council's Landscape Officer does not disagree with this contention, her opinion is that the scheme has a lesser positive impact than the extant one. This is predominantly due to the reduction in planting to the site boundaries and the provision of a new access to serve the office building which is deemed as unnecessary. However, the Landscape Officer does suggest that it would still be feasible to provide almost as much planting as per the extant scheme, and that this should be insisted upon through a condition should planning permission be granted. This would bring the beneficial landscape impact of the revised development much closer to the extant scheme. With regards to the proposed new access, previous Council decisions have determined that it harms the character of the area, although its visual impact could be mitigated to some extent through appropriate landscaping, particularly towards the roadside field boundary which would screen the access track from view.

It is relevant that the access is subject to current appeals and that a decision from the Planning Inspectorate is likely to be forthcoming shortly before this current application is considered at Committee. Consequently, Officers consider it prudent that the final recommendation on this matter is made having regard to these appeal decisions, and therefore Members will be updated accordingly at the time of the Committee meeting.

The Parish Councils and several third parties have raised concerns that some of the existing buildings could be retained for an unduly long period whilst the development of the site is undertaken. In order to ensure that the existing buildings are demolished within a reasonable time period, and the visual benefits of the redevelopment are achieved, it is considered that a condition should be imposed to agree an appropriate timetable for demolition.

9.3 Highway considerations

The Council's Highways Officer raises no objection to the proposal in highway safety terms, subject to the provision and maintenance of visibility splays measuring 2.4m x 70m, and the creation of a consolidated surface to the new access. These can be secured through planning conditions.

9.4 Ecology

The submitted protected species survey demonstrates that the poultry sheds may have been used as a feeding perch for brown long-eared bats and that the hay loft is used by breeding birds (jackdaws and possibly kestrel). A record from the Wiltshire and Swindon Biological Records Centre shows that barn owls were recorded roosting at the farm in 2006 but this was not mentioned in the latest survey report. An emergence survey did not find bats emerging from the farmhouse or any other buildings and overall it seems that the risk of a significant roost being present on the site is low and it is unlikely that a breach of the Habitats Regulations 2010 would occur. The protected species report identified a number of mitigation measures to be incorporated into the design.

The Council's Ecologist recommends that plans be submitted to illustrate how the ecological recommendations will be incorporated into the design of the proposed buildings. It is considered that this can be agreed through a planning condition. A further condition is also recommended with regards to the timing of demolition of buildings in order to avoid affecting nesting birds. An assessment of the likely significant affects of the development upon the River Avon SAC has also been undertaken by the Council's Ecologist. Subject to additional conditions as recommended by the Environment Agency, the Council's Ecologist concludes that there would be no likely significant affects. Natural England have been consulted and concur with this judgement.

9.5 Drainage and affect upon water quality

The Environment Agency are satisfied that the development would be acceptable in drainage and water quality terms subject to the imposition of conditions requiring the further agreement of a surface water drainage scheme, details of foul drainage, and water efficiency measures.

9.6 Land contamination

It is considered appropriate to impose the same conditions as per the extant consent in relation to measure to minimise the risk of land contamination.

9.7 Archaeology

The Councils Archaeologist raises no objection subject to a condition requiring an archaeological watching brief during construction works.

9.8 Amenities of adjoining and nearby property

It is not considered that the proposed revisions to the extant scheme introduce any additional material impacts upon neighbours, and the redevelopment of the site would still offer benefits over the former poultry farm use.

10. Recommendation

Subject to the outcome of current planning appeals not finding significant harm in the creation of the northerly access, that:

Planning Permission be GRANTED for the following reason:

The principle of the general redevelopment of the site as proposed has already been agreed and, subject to conditions, it is not considered that the revisions now proposed would result in any significant additional impacts which would make the development unacceptable in planning terms. The development would therefore accord with the aims and objectives of the development plan and other material Government guidance, having particular regard to saved policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C and PPS1, PPS4, PPS5, PPS7, PPS25, PPG13.

And 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 Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2) This decision relates to documents/plans submitted with the application, listed below:

Plan Ref....Gbsj/p/05...
Plan Ref....Gws/wd/02A...
Plan Ref....Gws/wd/03A...
Plan Ref....Proposed stable block details...

Plan Ref....Proposed secure store details...

Plan Ref....Proposed office details...

Reason: For the avoidance of doubt.

- 3) Notwithstanding the information originally submitted with the application, no development shall take place until details of the timing of demolition works for all existing buildings on the site have been submitted to and agreed in writing by the local planning authority. The building shall be demolished in accordance with the agreed details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the visual benefits of removing existing buildings, which are essential to the development's overall acceptability, are secured within a reasonable timeframe.

Policy: C6

- 4) No development shall take place until details and samples of all external facing and roofing materials (including the colour of any timber stain) to be used in the construction of the replacement dwelling, stable block/store building, office building and storage building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The 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.

Policy: C6

- 5) No development shall take place, including site clearance, until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include indications of all existing trees, hedgerows and other site features and details of any to be retained together with measures for their protection in the course of development and proposed finished levels or contours. The details of the hard landscaping of the site shall include details of the surfacing materials and colours of all hard surfaces and where so required by the Local Planning Authority, samples of such materials and finishes.

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

Policy: C6

- 6) Soft landscape works shall include planting plans and full written specifications and schedules of plants, including species, plant sizes, numbers/densities and positions. If within a period of 5 years from the date of the planting or establishment of any tree, shrub or plant, that tree, shrub or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub or plant of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives its written consent to any variation.

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

Policy: C6

- 7) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

Policy: C6

- 8) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with 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.

Policy: C6

- 9) No development shall take place until further details of the ecological mitigation measures have been submitted to and agreed in writing by the local planning authority. Details shall include drawings to demonstrate that the mitigation measures detailed within sections 6.1, 6.2 and 6.5 of the submitted Survey for Protected Wildlife Species (Country Contracts, May 2010) can and will be incorporated into the development design, and a timetable for implementation. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of protected species

Policy C12

- 10) No work shall be undertaken to demolish any building during the period 1st March to 31st August, unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect nesting birds

Policy: C12

- 11) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (ref: Brimble Lea & Partners / Development Partnerships Ltd - August 2006).

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Policy: PPS25

- 12) Development shall not begin until the detailed design of the revised surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the

development is completed. The scheme shall include details of the proposed soakaways and clarification of any overland flow routes in an exceedance event.

Reason: To prevent the risk of surface water flooding.

Policy: PPS25

- 13) No development shall take place until a scheme of water efficiency measures to reduce the water consumption of the replacement dwelling, stable block/store building, office building and storage building, hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented and thereafter retained in accordance with the approved details.

Reason: In the interests of the conservation of water and energy resources.

Policy: G1

- 14) No development shall take place until a scheme for the discharge of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the first commencement of the use of the buildings hereby approved and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposal is provided with a satisfactory means of drainage.

Policy: G2, G5

- 15) No development shall take place until a method statement detailing the potential risks from pollution, such as the storage of oils, fuels and chemicals to include mitigation measures during and after construct to the river system has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To minimise the risk of pollution of the water environment.

Policy: G2, C18

- 16) Development shall not begin until a desk study report of the historic uses of the site and sites surrounding area and the likelihood of contaminant extent and type has been submitted to the Local Planning Authority. If the report indicates the possibility of soil contamination, development shall not begin until a site investigation report documenting the ground conditions of the site, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors should be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

- 17) If risk assessment identifies unacceptable risk a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants or gases when the site is developed shall be submitted to and approved in writing by the Local Planning Authority. The remediation scheme as approved shall be implemented in accordance with the

approved details prior to the first occupation or use of the buildings hereby approved, unless agreed by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

18) If during development contamination not previously identified is found to be present at the site, no further development shall be carried out until a revised remediation programme detailing the nature and extent of the unforeseen contamination and any remedial works, has been submitted to and approved in writing by the Local Planning Authority. The remediation works as approved shall be implemented in accordance with the approved details prior to the first occupation or use of the buildings hereby approved. On completion of the works a validation report detailing the implementation of the agreed remedial works and measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first commencement of the use hereby permitted.

Reason: In the interests of public health and safety.

Policy: G2

19) 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.

Policy: CN22

20) No development shall take place until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall include targets and objectives for the minimisation and recycling of any waste or materials generated during the demolition and construction phases. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring sustainable development

Policy: G1

21) The development hereby permitted shall not be first brought into use until the first five metres of the northern site access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety.

Policy: G2

22) No part of the development shall be commenced until the visibility splays indicated on the revised Block Plan numbered Gbsj/p/05 have been provided, with nothing over 1.0m in height above the adjacent carriageway level being planted, erected or maintained in front of (highway side) of the 2.4m x 70m visibility splays indicated thereon.

Reason: In the interests of highway safety.

Policy: G2

23) The extent of the area of land related to the employment use, hereby approved, shall be limited to that area of land as illustrated within the blue line on submitted plan (drawing AP/001/RevA received on 23.06.11) and the residential curtilage associated with the replacement dwelling hereby approved, shall be limited to that area of land contained within the red line as illustrated on this plan.

Reason: In the interests of highways safety and the amenity of the area.

Policy: G2

24) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the office building hereby approved shall enure solely for the benefit of Fox Grant Ltd and shall be used as office accommodation and ancillary storage and for no other use including any other purpose in Class B1 of the Town and Country Planning (Use Classes) (Amendment) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained.

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.

Policy: G2

25) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the storage building hereby approved shall be used solely as an ancillary storage facility to the office use and menage hereby approved, and for no other use without formal planning permission first being obtained.

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.

Policy: G2

26) There shall be no external storage of any goods, plant or material associated with the employment use hereby approved.

Reason: In the interests of the appearance of the site and the amenities of the area.

Policy: C6

27) No development shall take place until details of any external lighting, including lighting to the car parking area associated with the employment use hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The 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.

Policy: C6

28) The menage hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling at Summerfield House and shall not be used on a commercial basis or for any other business or commercial use whatsoever.

Reason: In the interests of highway safety and/or to protect the living conditions of nearby residents.

Policy: G2

INFORMATIVES:

Conditions 5 & 6 – Soft landscaping

It is expected that the scheme of landscaping should more closely reflect the scheme indicated within the extant approval (S/2010/1713), i.e. denser, native woodland planting to west, south and south east boundaries.

Condition 13 – Water efficiency

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Any submitted scheme should include detailed information (capacities, consumption rates etc) on proposed water saving measures, not manufacturer's specifications. Applicants are advised to refer to the following for further guidance:

<http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx>

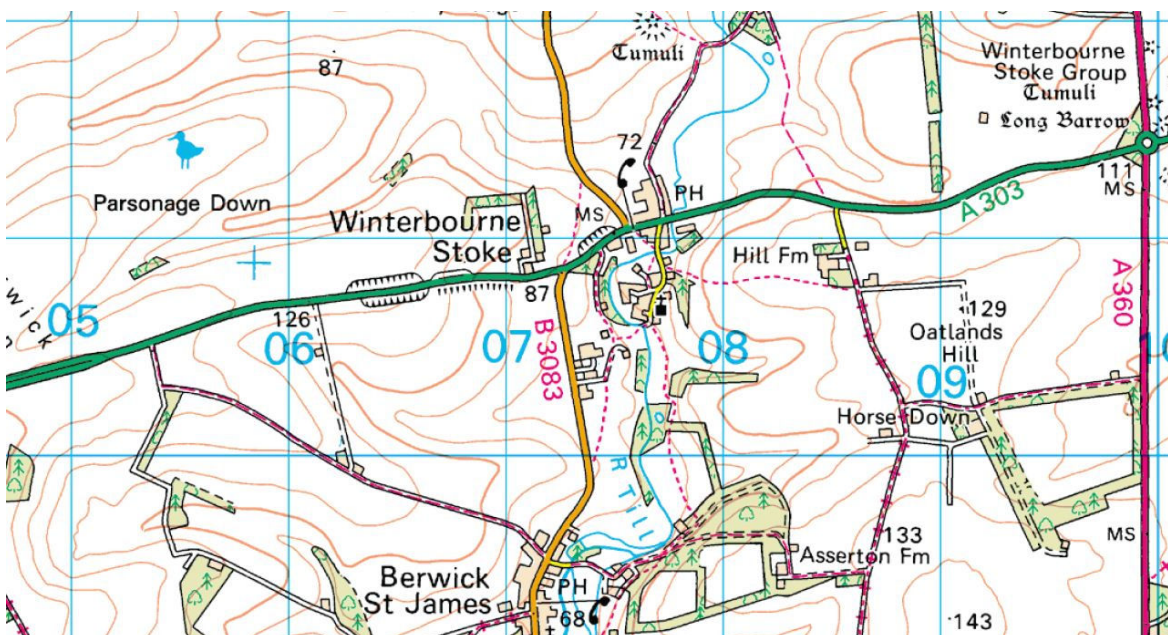
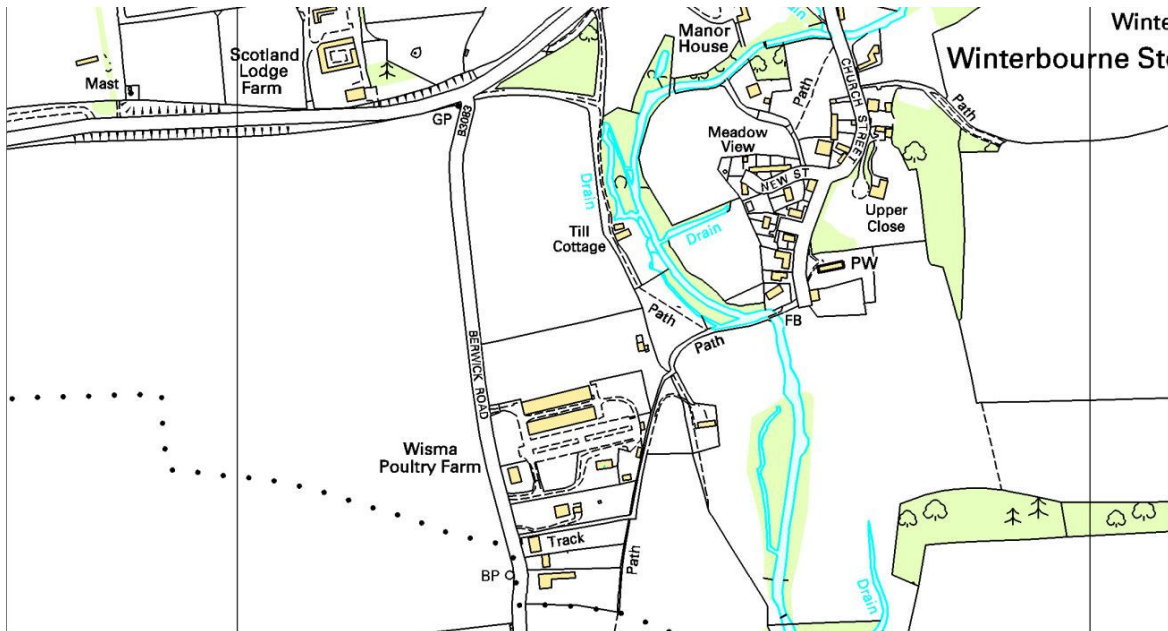
<http://www.savewatersavemoney.co.uk/>

Conservation of Habitats and Species Regulations 2010

There is a risk that bats may occasionally roost in buildings due for demolition under this permission. Under the Conservation of Habitats and Species Regulations 2010, it is an offence to harm or disturb bats. Planning permission does not provide a defence against prosecution under this legislation. If bats are found during the works, the applicant is advised to stop work and follow advice from their own Ecologist or to contact an Ecologist at Wiltshire Council (01225 718478) before proceeding further.

Environment Agency letter

The applicant's attention is drawn to the information contained within the Environment Agency's letter of 05/05/11.



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Agenda Item 8c

Application Number:	S/2011/0642		
Deadline:	06/07/11		
Site Address:	35 York Road Salisbury SP2 7AT		
Proposal:	Convert existing 4-bed house into 4x 1-bed flats with a 2 storey extension at the rear and including a loft conversion with 3x rooflights		
Applicant/ Agent:	Mr S P Mankin		
Parish:	Salisbury City Council		
Grid Reference:	413891.011 130490.37		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mr W Simmonds	Contact Number:	01722 434553

Reason for the application being considered by Committee:

The application has been called to Committee by Cllr Clewer due to concerns in respect of

- Relationship to adjoining properties
- Design
- Environmental/highway impact
- Car parking

1. Purpose of report

To consider the above application and to recommend that, subject to the landowner entering into an appropriate unilateral planning obligation and submitting the relevant financial contribution in accordance with Policy R2 of the adopted Salisbury District Local Plan, planning permission be GRANTED subject to conditions.

2. Report summary

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

- Principle of development
- Scale, design and materials
- Impact upon neighbour amenity
- Car parking and impact upon highway safety
- Compliance with Policy R2 of the adopted local plan

The application has generated no response from Salisbury City Council and 3 letters of objection from the public.

Neighbourhood Responses

3 letters received objecting to the proposal

No letters of support received

1 letter commenting on the application received

3. Site Description

Number 35 York Road is a two storey, four bedroom terraced dwellinghouse located within a predominantly residential area within close proximity to the city centre. The property has direct street frontage at the front (south east) and an enclosed rear yard at the back (north

west) which is accessed via a pedestrian passageway from George Street. The existing property has an integral garage accessed from York Road.

4. Relevant Planning History

Application Number	Proposal	Decision
S/2011/0344	Convert house to 4 flats with 2 extensions to the rear	WD 07.04.11

5. Proposal

The application proposes the conversion of the dwellinghouse and integral garage, together with a two storey rear extension and loft conversion, to create 4 No. 1 bedroom flats.

6. Planning Policy

- Salisbury adopted (saved) local plan policy G2 (General Criteria for Development)
- Salisbury adopted (saved) local plan policy H8 (Housing Policy)
- Salisbury adopted (saved) local plan policy D3 (Design)
- Salisbury adopted (saved) local plan policy TR14 (Transportation)
- Salisbury adopted (saved) local plan policy R2 (Open Space Provision)

7. Consultations

Salisbury City Council – No response received (Objection to previous withdrawn application S/11/0344 on grounds of overdevelopment and impact on car parking provision)

WC Highways – No Highway objection, informative suggested: No new car parking permits will be allocated

Environmental Health – No objection subject to a Condition requiring contaminated land investigation

WC Building Control – No adverse comments

8. Publicity

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

3 letters received objecting to the proposal

No letters of support received

1 letter commenting on the application received

Summary of key relevant points raised:

- Overdevelopment in an already densely populated area
- Insufficient parking provision

9. Planning Considerations

9.1 The principle of the proposed development in the context of the policies of the adopted local plan

The application site, being a two storey terraced dwellinghouse, is located within the H8 Housing Policy Boundary of Salisbury where, except as provided by the other policies of the

local plan, residential development will be permitted. In this respect the principle of the proposed development is considered acceptable.

9.2 Scale, design and materials

The application proposes the extension and conversion of the existing building to facilitate the creation of 4 No. 1 bed flats. The physical alterations include the addition of a two storey rear extension (abutting an existing and larger two storey extension at the rear of the adjoining 33 York Road), alterations to the garage door at the front to create a pedestrian doorway and casement window, the insertion of a new first floor window within the rear elevation of the existing building, and the insertion of 3 No. rooflight windows within the existing roof plane of the front elevation in association with the conversion of the roof void to create additional accommodation.

The proposed new two storey rear extension has a subservient, fully hipped roof and abuts an existing and larger two storey extension at the rear of the adjoining 33 York Road. The proposed extension is considered to be of generally modest scale, compatible in terms of the scale, design and character of the existing property and proposes the use of complementary (matching) external materials. In this respect the proposed enlargement of the property is not considered to constitute an overdevelopment of the site.

The other external alterations to the existing building are relatively minor and relate to changes to door and windows fenestration.

The development would integrate satisfactorily in relation to other properties and the overall landscape framework.

9.3 Impact on neighbour amenity

The proposed subdivision of the existing dwellinghouse would not change the Use Class of the property, but would create four separate residential units within the existing property over three floors. The proposed new door and window, and the proposed new rooflight windows within the front elevation would have views onto the public street and are not considered likely to unduly affect the amenity of neighbours through overlooking.

The proposed two storey rear extension is considered to be of modest, subservient scale and abuts an existing and larger two storey extension at the rear of the adjoining 33 York Road. The rear extension would not unduly overshadow neighbouring properties.

By reason of the layout of the proposed flats, and the orientation and relationship between the property and surrounding residential properties, it is considered the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers.

9.4 Highway issues

Representations from third parties and the city council have raised concerns in respect of the impact of the proposed subdivision on the existing on-street parking in the surrounding area.

The application site is within close proximity to the city centre, local amenities, shops, services and transport links. The adopted local plan does not stipulate minimum parking standards for dwellings (only maximum levels are prescribed) and a lack of off-street parking provision in a city centre location is not considered as constituting a reason for

refusing the application. The Highways officer has assessed the proposed development and raises no Highway objection.

9.5 Provision of recreational open space

The proposed new residential development would require a contribution towards public recreational open space in the form of a unilateral planning obligation completed by the applicant and the submission of funds for the relevant contribution.

Subject to the landowner entering into an appropriate unilateral planning obligation and submitting the relevant financial contribution, the proposed development would be accordant with Policy R2 of the adopted Salisbury District Local Plan.

10. Conclusion

Subject to the landowner entering into an appropriate unilateral planning obligation and submitting the relevant financial contribution in accordance with Policy R2 of the adopted Salisbury District Local Plan, the proposed development is considered accordant with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), D3 (Design), H8 (Housing Policy), TR14 (Transportation) and R2 (Open Space Provision) of the saved policies of the adopted Salisbury District Local Plan, insofar as the proposed development would not adversely affect the amenity of neighbours, and makes provision for outdoor recreational facilities in accordance with Policy R2.

11. Recommendation

Subject to the landowner entering into an appropriate unilateral planning obligation and submitting the relevant financial contribution in accordance with Policy R2 of the adopted Salisbury District Local Plan, that planning permission be GRANTED for the following reason:

The proposed development is considered accordant with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), D3 (Design), H8 (Housing Policy), TR14 (Transportation) and R2 (Open Space Provision) of the saved policies of the adopted Salisbury District Local Plan, insofar as the proposed development would not adversely affect the amenity of neighbours, and makes provision for outdoor recreational facilities in accordance with Policy R2.

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. This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on 27.04.2011 and 11.05.2011, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt

3. Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land

investigation of the site and the results shall be submitted to the local planning authority.

The investigation shall include

- (i) A full desktop survey of historic land use data
- (ii) A conceptual model of the site indentifying all potential and actual contaminants, receptors and pathways (pollution linkages)
- (iii) A risk assessment of the actual and potential pollution linkages identified
- (iv) A remediation programme for contaminants identified, to incorporate a validation protocol for the remediation work implemented, confirming whether the site is suitable for use.

REASON: In the interests of public health and safety.

POLICY: G2

4. The land contamination remediation programme shall be agreed in writing by the local planning authority before development is commenced, and the remediation works shall be carried out in accordance with the details thereby agreed.

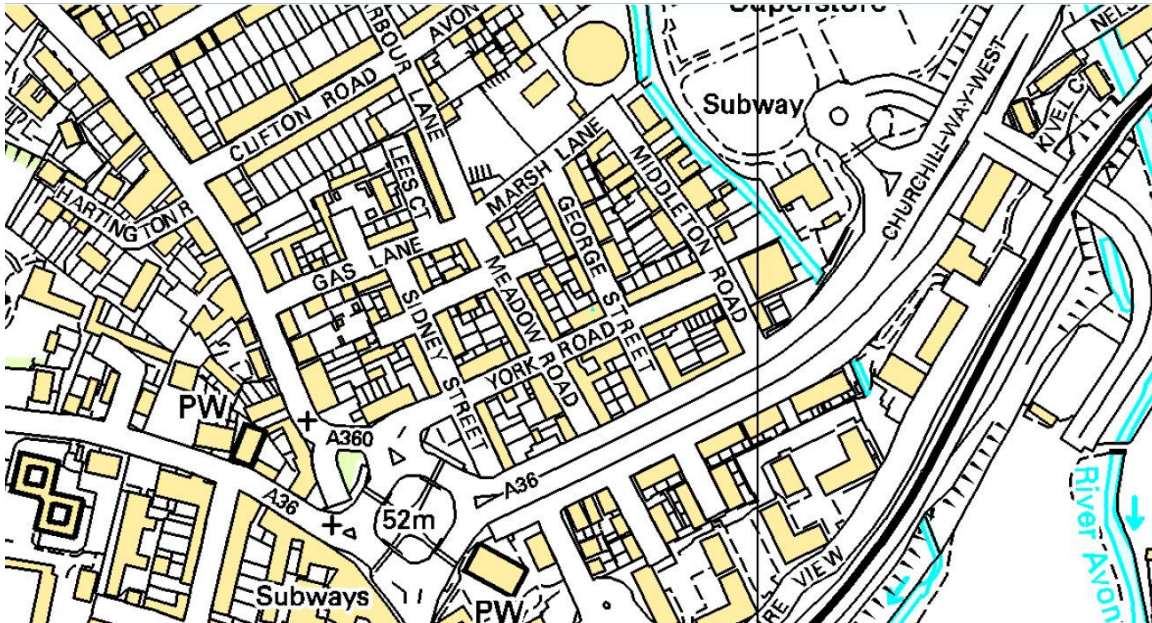
REASON: In the interests of public health and safety.

POLICY: G2

Informative:

The applicant should note that additional residents parking permits will not be allocated to new developments in restricted parking areas. In this case no more than the two permits to which the existing dwelling is already entitled will be issued.

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Agenda Item 8d

Application Number:	S/2011/0702		
Deadline:	12/07/11		
Site Address:	46 Rambridge Crescent Salisbury SP2 9JE		
Proposal:	Erection of 2 no. 1 bedroom flats and alterations to access		
Applicant/ Agent:	Mr Graham Dye		
Parish:	Salisbury City Council		
Grid Reference:	411795.689 132156.566		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

Reason for the application being considered by Committee

Councillor Ricky Rogers has requested that this item be determined by Committee due to:

Visual impact upon the surrounding area, a change in the 60year old street scene
Construction of adjoining property wrongly drawn
Car parking

1. Purpose of report

To consider the above application and to recommend that planning permission be REFUSED subject to conditions.

2. Report summary

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

- Principle of development
- Impact upon highway safety
- Impact upon visual amenity
- Impact upon neighbour amenity
- Public open space, policy R2

The application has generated no comment from the City Council and 3 letters of support from the general public.

3. Site Description

The site overlooks an area of open space and to the rear of the dwelling is a communal parking area with a block of garages, which separated the site from the open countryside beyond. The existing dwelling is one of a pair of semi-detached two-storey dwellings. It is of Reema construction, the external face of which has been rendered and pebble-dashed. The site is in an established residential estate of semi-detached and small terraces of similar designed dwellings, with limited off-street parking.

4. Relevant Planning History

None relevant

5. Proposal

It is proposed to erect a two-storey extension to the semi-detached dwelling to create two one-bedroomed flats each with a single off-street parking space in front of the property.

6. Planning Policy

G1 and G2 general criteria for development

H8 Housing Policy Boundary

D2 Design criteria

D3 Extensions

R2 Public Open space

SPG Creating Places

Wiltshire Local Transportation Plan 2011-2026.

PPS1 Sustainability

PPS3 Planning and Housing

7. Consultations

City Council

No observations

Fire and rescue

Comments upon need for adequate access to water supplies for fire fighting and support for the provision of domestic sprinklers in new dwellings

Highways

Object

Adequate provision cannot be made on the site for the parking of vehicles in a satisfactory manner.

Wessex Water

No objections. There are foul sewers and a water main in the vicinity.

Environmental Health

No objections in principle, but consider that as the site is in a residential area that hours of work should be limited, with no work on Sundays or Bank Holidays.

8. Publicity

The application was advertised by site notice and neighbour consultation.

Three copies of an identical letter of support received

Summary of key relevant points raised:

- Support the application , will give opportunity for new residents to live in the neighbourhood
- Design blends well
- Garages and land to the rear earmarked for development will also allow opportunities for others to live in the neighbourhood

9. Planning Considerations

9.1 Compliance with policy

The dwelling is situated in an established residential area within the Housing Policy Boundary of Salisbury where extensions/alterations to a dwelling are permitted if the resultant development were in accordance with the criteria of all the other Local Plan policies.

9.2 Scale and design

No.46 Rambridge Crescent is a semi-detached two storey Reema dwelling, rendered and pebble-dashed under a tiled roof. The proposal is to extend the current building into the side garden, in such a manner that the extension resembles another two-storey dwelling, creating a small terrace of three dwellings. This extension whilst resembling a single dwelling will actually form two one-bedroomed flats, each with its own entrance and parking space.

Creating an extension which resembles the existing dwelling with a pitched roof and rendered walls would be in keeping with the scale, design and materials of the surrounding dwellings and it is considered that as the proposed building would be in keeping with the existing street scene the scheme is apposite to this part of Bemerton Heath.

9.3 Impact on neighbours

The dwelling (no.46) is one of a semi-detached pair. The dwelling to the west (no.48) would be unaffected by the proposal, other than by the creation of an additional first floor window which would have oblique views over the rear garden. The effect on no.46 is to make it a mid-terraced property and internal changes are proposed so as to reduce the loss of light to what would become a first floor internal bathroom.

As regards the dwelling to the north-east (no.44), this is separated from the existing house (no.46) by the gardens of the two properties and the vehicular access. Both of these dwellings have an existing single first floor bathroom window which overlooks the area where the new flats are proposed to be erected. However, it is considered that in view of the separation distance, that the two-storey extension would not adversely affect the neighbour at no.44.

Overall, neighbours have been consulted and no objections to the proposal received.

9.4 Impact on highway safety

The existing dwelling is located alongside the vehicular entrance to the Local Authority garaging court to the rear, and the applicant states that as the garage area is earmarked for redevelopment by the Council, he is not able to obtain permission to create a new rear vehicular access from this area.

The existing three-bed house currently benefits from 2 off-street parking spaces, one within the property frontage and the other rented in the rear garage block. This proposal retains the use of the existing (rented) garage, for the existing three-bedroomed dwelling (no.46) and proposes two off-street parking spaces on the property frontage; one for each of the two flats.

The Council's recently adopted Local Transportation Plan 2011-2026, has adopted a new car parking strategy with minimum parking standards for residential development. This requires a minimum of two off-street spaces for a three bedroomed dwelling. As this proposal uses the property frontage to provide 2 parking spaces for the proposed flats, leaving only the one (rented) garage space for the existing dwelling, the scheme fails to comply with current standards.

In addition the Highway Authority considers that the proposed off-street parking layout for the flats provides insufficient manoeuvrability space for two cars to park and manoeuvre safely onto the public highway therefore, recommends that the application be refused on highway safety grounds

9.5 Public Open Space Policy R2

A contribution for recreational facilities would be required for the two new flats pursuant to the above policy.

10. Conclusion

The proposed extension to the existing dwelling, to provide two flats is considered to be well designed, appropriate in scale and sympathetic to the appearance of the dwellings in this locality. However, inadequate provision has been made for off-street parking and the parking spaces which are to be provided have insufficient manoeuvrability space to enable two cars to park and manoeuvre safely onto the public highway and so the scheme would encourage parking on the highway which is considered to adversely affect both highway safety and the amenities of the neighbours contrary to Salisbury District Local Plan policies G2 and H8, and the Wiltshire Local Transportation Plan 2011-2026.

11. Recommendation

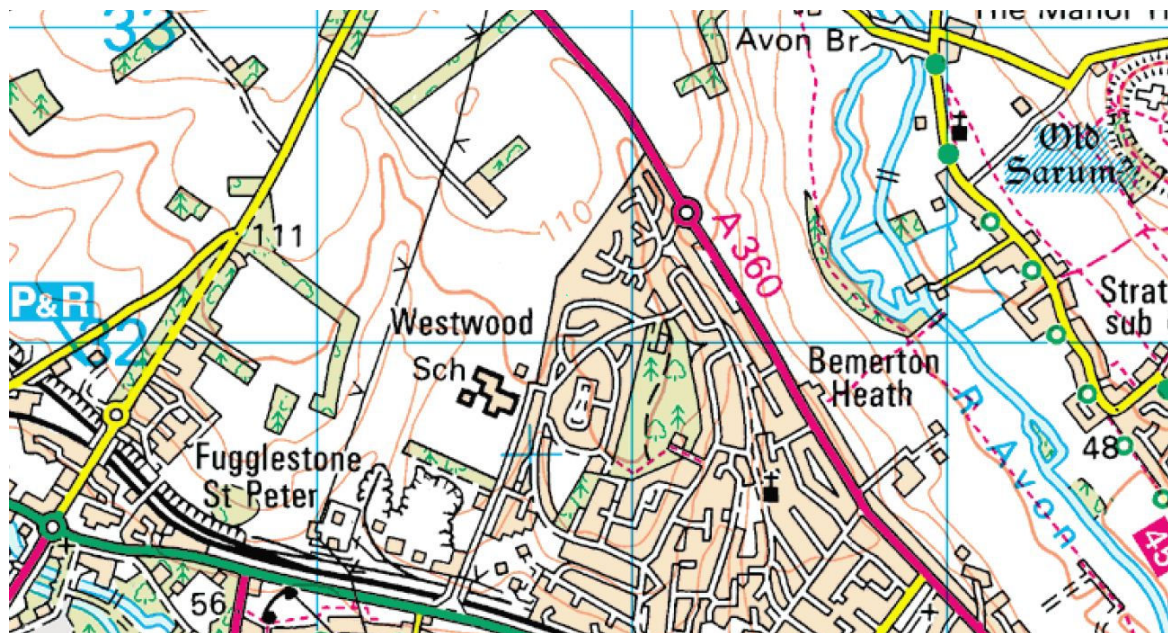
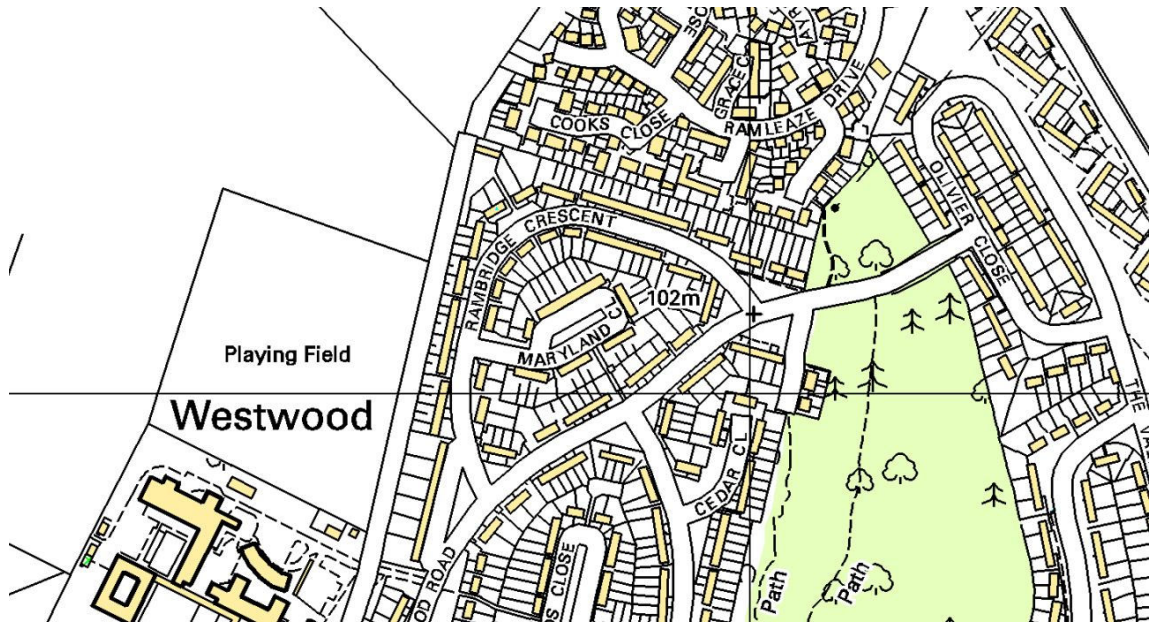
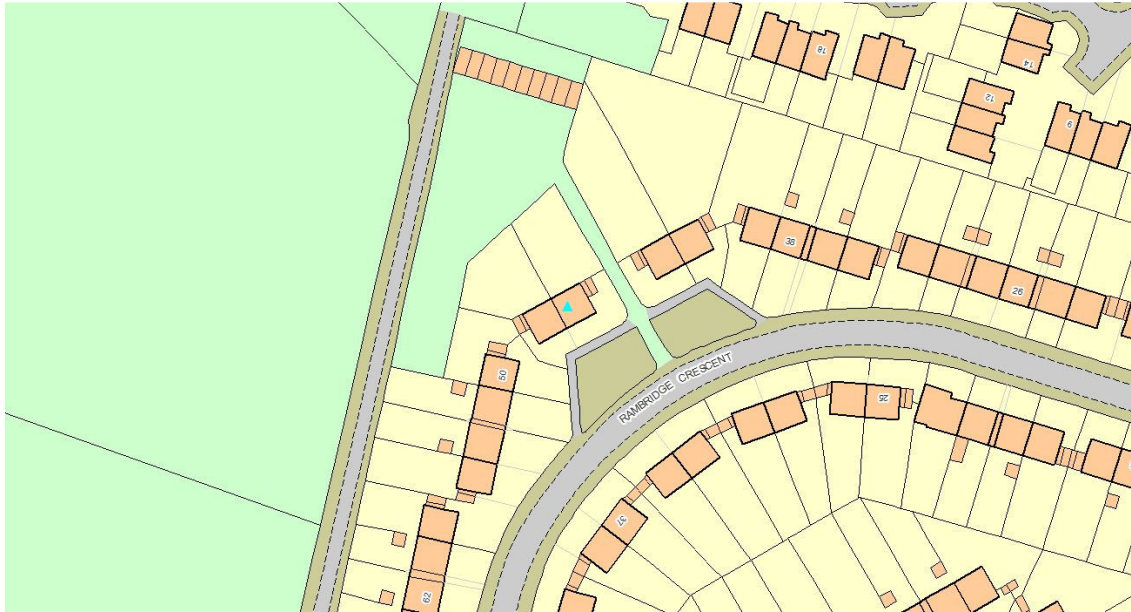
Planning Permission be REFUSED for the following reason:

1 The proposal would by reason of the inadequate provision of off-street off-parking and the insufficient manoeuvrability space of the proposed two car parking space: encourage parking on the highway with consequent risk of additional hazards to all users of the road and is therefore considered to adversely affect both highway safety and the amenities of the neighbours contrary to Salisbury District Local Plan policy G2 and the Wiltshire Local Transportation Plan 2011-2026.

2 The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the Adopted Replacement Salisbury District Local Plan as appropriate provision towards public recreational open space has not been made.

Informative

It should be noted that the reason given above relating to Policy R2 of the Adopted Replacement Salisbury District Local Plan could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement or if appropriate by condition, in accordance with the standard requirement for recreational public open space.



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