

AGENDA

Meeting: Southern Area Planning Committee
Place: Crown Court Room, The Guildhall, Market Place, Salisbury
SP1 1JH
Date: Thursday 12 July 2012
Time: **6.30 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 Ian McLennan
Cllr Brian Dalton	Cllr Paul Sample
Cllr Christopher Devine	Cllr John Smale
Cllr Jose Green	Cllr Ian West
Cllr Mike Hewitt	Cllr Fred Westmoreland
Cllr George Jeans	

Substitutes:

Cllr Ernie Clark	Cllr Christopher Newbury
Cllr Mary Douglas	Cllr Stephen Petty
Cllr Russell Hawker	Cllr Leo Randall
Cllr David Jenkins	Cllr Ricky Rogers
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 - 4*)

To approve and sign as a correct record the minutes of the meeting held on 21 June 2012 (copy herewith).

3 **Declarations of Interest**

To receive any declarations of non-pecuniary or pecuniary 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 no later than 5pm on Thursday 5 July 2012. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Appeals** (*Pages 5 - 6*)

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

7 **Planning Applications** (*Pages 7 - 8*)

To consider and determine planning applications in the attached schedule.

7a **S/2012/0175/Full - Land adjacent Broxmore Drove Cottage, Salisbury Road, Sherfield English, Romsey.** (*Pages 9 - 26*)

7b **S/2012/0468/Full - Cholderton Charlies, Amesbury Road, Cholderton, Salisbury** (*Pages 27 - 34*)

7c **S/2012/0628/Full - Meadow View Cottages, Winterbourne Earls, Salisbury** (*Pages 35 - 52*)

8 **Urgent Items**

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

Part II

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

None

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SOUTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 21 JUNE 2012 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE,
SALISBURY, SP2 7TU.**

Present:

Cllr Richard Britton, Cllr Brian Dalton, Cllr Christopher Devine, Cllr Mary Douglas (Substitute),
Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Ian West and Cllr Fred Westmoreland (Chairman)

36 Apologies for Absence

Apologies were received from Cllrs Jose Green, George Jeans, Paul Sample and John Smale. Cllr Smale was substituted by Cllr Mary Douglas.

37 Minutes

The minutes of the meeting held on 10 May 2012 were presented.

Resolved:

To approve as a correct record and sign the minutes.

38 Declarations of Interest

Cllr Ian West declared a personal interest in item 7a as he is a Fellow of the Royal Society of Arts.

39 Chairman's Announcements

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

The Chairman also reminded members that the next 4 meetings would be held at the Guildhall.

40 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

41 Planning Appeals

The committee received details of the following appeal decisions:

S/2011/0132 - Boot Inn, High Street, Tisbury – delegated – dismissed *It was noted that this should have read Tisbury and not Tilshead.*

S/2011/0645 - Rear Vogue Cottage, North Street, Mere – delegated – dismissed

S/2011/1411 - The Stables, Hindon Road, Dinton – delegated – dismissed

S/2011/1649 - Catering Van, Scotland Lodge, Winterbourne Stoke – delegated – allowed

S/2011/0181 - Ferndale, Ware Farm, Farley - delegated – allowed

S/2011/1570 - Shergolds, Swallowcliffe - delegated – allowed

S/2011/1280 - Court Hay, Lower Road, Charlton-All-Saints – committee - allowed

S/2011/1471 - Co-Op, Salisbury Street, Amesbury – delegated - dismissed

And forthcoming appeals as follows:

S/2011/1873 - The Granary, Milford Mill Road, Salisbury

S/2012/0214 - 58 Cheverell Ave, Salisbury

S/2011/1429 – Dorothy May, Larkhill Road, Durrington

S/2011/1011 - 1 Field Building, Cottages, Manor Farm, Teffont

S/2011/1746 - The Heather, Southampton Road, Alderbury

S/2011/1354 - Unit 3, Landford Manor

S/2011/0524 - Sheepwash, Mead End, Bowerchalke

42 Planning Applications

42a Land At Hampton Park/Bishopdown Farm, Salisbury - S106a Application S/2012/552

Liz Anthony, on behalf of Bishopdown Farm Residents Association, spoke in objection to the application

Colin Froude, on behalf of Bishopdown Farm Residents Association, spoke in objection to the application

James Roberston, on behalf of Royal Society and Association of Salisbury City Council Tax Payers, spoke in objection to the application

Mark Flood of Insight Town Planning, spoke in support of the application

Ron Champion, Chairman of Laverstock Parish Council, spoke in objection to the application

The Planning Officer introduced the report which requested the committee to consider a section 106a application to discharge two planning obligations relating to two defined areas of land.

The Planning Officer then outlined the issues and explained that the test would be to determine if the legal agreements still served a useful purpose.

A debate ensued during which issues such as whether the agreements did in fact still serve a useful purpose, the effect of discharging the legal agreements whilst the judicial review in relation to the Hampton Park 2 development was in progress, and how best to protect the land, which had been the wish of Salisbury Council when the original application had been approved, were raised.

It was

RESOLVED

That the request to discharge the agreements associated with application scheme S/1991/1666 be refused for the following reasons:

The land subject of this S106A application is considered by local people to be an essential landscape buffer between two parish communities and serves as a strategic rural landscape in the overall setting of Salisbury. The clauses within the legal agreements subject of this S106A application were imposed in the early 1990's at a time when the area adjacent to the Land was changing radically from open countryside to a village environment. The clauses imposed protect the Land by restricting development and uses

indefinitely, reflecting local concerns and promises made.

Whilst the clauses within the Agreements will be discharged if the development subject of application S/2009/1943 commences, at this time, this particular development has not commenced, and is subject of a legal challenge. Therefore, and despite the allocation of the land in the South Wiltshire Core Strategy, there remains a possibility that the Land may not be developed for the foreseeable future.

Consequently, and following significant public representation at Area Committee which indicated clear public support for the protection of the Land, the Local Planning Authority considers that until the outcome of the legal challenge is known, the clauses within the Agreements still serve a useful purpose. As a result, the Local Planning Authority hereby confirms that it refuses to discharge the Agreements subject of the S106A application.

43 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 7.15 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

APPEALS

Appeal Decisions

Application Number	Site	Appeal Type	Application Delegated/ Committee	Appeal Decision	Overturn	Costs
S/2011/1456	Co-Op, Bulford Road Durrington	WR	Delegated	Dismissed	No	No
S/2011/0735	Shiralee Tytherley Road Winterslow	WR	Delegated	Dismissed	No	No
S/2011/0708	HillbillyAcre Clarendon	H	Committee	Dismissed	Yes	Yes
S/2011/1412	Evergreen Shepherds Close Odstock	WR	Delegated	Allowed	No	No
S/2011/1504	WhiteCottage ForeStreet Wylfe	WR	EnfAppeal	Dismissed	No	No

New Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee		Overturn	Costs Applied for?

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

2nd July 2012

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Agenda Item 7

INDEX OF APPLICATIONS ON 12th JULY 2012

1

Application No: S/2012/0175/Full

Site Location: Land adjacent Broxmore Drove Cottage, Salisbury Road, Sherfield English, Romsey. SO51 6FQ

Development: Erection of a stable building, horse walker, parking area, using existing access

Recommendation Approve With Conditions **Division** Cllr Richard Britton

2

Application No: S/2012/0468/Full

Site Location: Cholderton Charlies, Amesbury Road, Cholderton, Salisbury SP4 0EW

Development: Proposed retention of three mobile homes (two of which to be re-sited) for a temporary period and their use as staff accommodation in connection with the tourist attraction business on the site and new fencing

Recommendation: Approve With Conditions **Division** Cllr John Smale

3

Application No: S/2012/0628/Full

Site Location: Meadow View Cottages, Winterbourne Earls, Salisbury SP4 6HE

Development: Variation of planning consent S/2012/0013 to demolish existing cottages and erect replacement dwelling with detached garage block (dwelling to be reversed, lean-to garden store to garage block and repositioning of garage block, dwelling roof pitch and material change)

Recommendation: Refused with Reasons **Division** Cllr Mike Hewitt

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Agenda Item 7a

REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting:	12 th July 2012		
Application Number:	S/2012/0175/Full		
Site Address:	Land adjacent Broxmore Drove Cottage, Salisbury Road, Sherfield English, Romsey. SO51 6FQ		
Proposal:	Erection of a stable building, horse walker and parking area, using existing access.		
Applicant / Agent:	Southern Planning Practice		
City/Town/Parish Council	Whiteparish Parish Council		
Electoral Division	Alderbury and Whiteparish	Unitary Member	Cllr Richard Britton
Grid Reference:	Easting: 427198.59		Northing: 123099.39
Type of Application:	Major		
Conservation Area:	Cons Area: - NA		LB Grade:- NA
Case Officer:	Mrs. Becky Jones		Contact Number: 01722 434388

Reason for the application being considered by Committee

Cllr Britton has called the item to committee on the grounds of the scale of development, visual impact on the surrounding area, relationship to adjoining properties, environmental/highway impact, Parish Council objections and concern that Test Valley Borough Council maintain strong opposition on landscape impact grounds.

1. Purpose of report

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

2. Report summary

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

1. Policy principles for equestrian development in the countryside
2. Scale, design and impact on the character of the Special Landscape Area
3. Loss of agricultural land
4. Impacts on neighbouring amenities
5. Ecology, drainage and waste management (impact on Area of High Ecological Value)
6. Equestrian Welfare
7. Highway safety

3 letters of objection. 2 letters of support.

Objections from Whiteparish Parish Council and Test Valley Borough Council Landscape Officer.

Support from Wiltshire Council Public Protection, Environment Agency, Landscape and Highways.

3. Site Description

The site comprises 9.56 hectares of land to the south of the A27, west of Sherfield English. It is accessed via an unmade track off the A27 which forms a boundary between Test Valley BC and Wiltshire Council. The track is a right of way (public footpath). Between the track and the A27 is a substantial tree belt. From the site looking south, the land rises towards the south up to a small ridge and tree belts can be seen in the distance to the south, east and west. There is a timber gate and a short section of close board fencing on the north east boundary, separating the site from a drainage ditch and an adjacent barn. A metal gate on the north east corner provides a right of access to other farmland. The east, south and west boundaries comprise post and rail fencing and hedgerows. Land to the south is used for the keeping and grazing of horses.

The dwelling, a timber garage block (which are both in Test Valley BC) the existing parking area and a pair of stable buildings are sited close to the north boundary and the existing ménage lies between the two areas of the site. Work on the development has commenced, the fence has been erected, the horse walker installed and the paving has been laid. The proposed stable building would be sited on the lowest part of the site, to the east of the ménage.

Neighbouring properties on the north side of the A27 include: Brocklands, East Lodge and Westlyn to the north opposite Broxmore Drove Cottage and Boundary House to the east. To the south east lie two agricultural buildings. To the east are dwellings and a stable building at Broxmore Farm.

4. Relevant Planning History

Application	Proposal	Decision
S/2009/0423	Retrospective application for change of use of land to equestrian use and erection of stables, kennels and store	Approved
S/2011/0695	Erection of stable building, installation of horse walker and creation of parking area.	Withdrawn

The site is partially within Test Valley BC and applications for a replacement dwelling & garage and a conservatory were approved in 2006.

5. Proposal

The applicant is seeking retrospective consent for replacement stables, a horse walker, a temporary section of 2 metre high fencing and a parking area. The development is stated to be for personal use and is not an equestrian business. One groom is currently employed on site. Existing stables to the south of the dwelling would be demolished and the proposed stables would be linked to the cottage via a walkway past the ménage.

Stables: The “L” shaped stable building would measure about 5m in height, 22m wide and 38m long. It would house up to 13 horses, with feeding areas and storage. It would be set into a slight slope as the land rises to the south, with the south end being about 1.4m below ground level. Walls would be clad in timber and a composite brown material would form the roof. A report on the need for the development is submitted by the Equine Consultancy Group and outlines the national showjumping, showing and scurry driving competitions undertaken by the horses, ridden by local riders.

Walker: The horse walker would be about 2m high and 11m wide. It would have a metal frame, with composite panels and cement sheets for the roof, enclosed with a galvanised steel mesh.

Access: The access is via the existing track to Broxmore Drove Cottage and a short extension would lead from the access track to the stables, over TVBC land. Access has also been maintained through the gates for a local farmer. The parking and turning area has been constructed from block paving, north west of the stable building. Block paving was proposed as it was considered suitable for drainage over the clay soils

Drainage: A new sewage treatment plant is proposed with rainwater harvesting tanks for water supply. A non mains drainage assessment has been submitted (in accordance with Circular 3/99) and there are no mains drainage in the vicinity. Manure would be stored to the south east of the stable and removed regularly by a local farmer.

Landscape: Amended plans propose hedgerow replacement planting to the north boundary between the existing drainage ditch and the existing close boarded fence, which would remain as a temporary enclosure until the hedge is re-established. A section of about 50metres of hedge was removed, and the applicant suggests that this enabled clearance of the ditch to prevent flooding elsewhere on site. The committee slide shows that the remaining hedge to the east falls across the ditch. The existing hedgerow to the east boundary would be retained with repairs to some of the gaps. A landscape plan has been submitted. The close board fence is considered to be permitted development.

6. Planning Policy

National Planning Policy Framework (which has superseded PPS7 and PPS25)

Saved policies of the Salisbury District Local Plan:

G2 General Principles for Development

D2 Design

C2 Countryside and C6 Special Landscape Area

C11 Areas of High Ecological Value

C8 Loss of hedgerows

C19 Protection of agricultural land (Grades 1,2 3a)

R1C Outdoor recreation facilities

South Wiltshire Core Strategy:

Core Policy 22 Green Infrastructure and Habitat networks

7. Consultations

Whiteparish Parish Council

Object on the grounds that the proposal contravenes Local Plan Policy C6 and R1C.

Public Protection

No objection subject to a condition regarding stable waste disposal

Environment Agency

No objection, subject to an informative regarding stable waste disposal and watercourses and non mains drainage.

Highways

No objection.

WC Landscape Officer

No objection to amended scheme, subject to conditions

TVBC Landscape Officer

Objection on landscape impact grounds

British Horse Society

No objection to grazing land to horse ratio

8. Publicity

The application was advertised by advert, site notice, and neighbour consultation which expired on 8th March. Third parties objected on the following general grounds:

- Building too large, urban features in the countryside,
- visible from public areas, intrusion, out of scale
- should be sited closer to property
- large hedgerow removed, impact on hedge roots,
- access and parking area and close board fence not in keeping,
- commercial scale and nature of proposal, future commercial use of site? Full time groom is an employee
- highways safety issues with use of A27, danger from horse boxes and extra use of site, danger to riders and drivers.
- impact on pond and watercourses from stable waste run off. Soil dumping – impact on wildlife and visual amenity. Smell, flies, noise and disturbance from events.
- arrangements as stated could change in the future.

1 letter of support from **Seadown Veterinary Group** – comments regarding use of the land for grazing and number of animals being acceptable for the size, given appropriate management.

British Horse Society – 2 letters of support. Comments regarding use of office, grazing and equipment suitability for number of horses, non-commercial use.

9. Planning Considerations

9.1 Policy Principles for equestrian development in the countryside

The National Planning Policy Framework sets out up to date guidance for considering the application. Neither the Salisbury District Local Plan nor the South Wiltshire Core Strategy nor the NPPF contain any specific policies for *equestrian* development.

Policy C2 and C6 of the SDLP set out the criteria for new development in the countryside. Development must maintain or enhance the environment and the siting and scale must be sympathetic with the landscape. High standards of landscaping and design are expected, using materials which are appropriate to the locality. Policy C8 addresses replacement of lost hedgerows and C11 seeks to protect nature conservation interests within the AHEV.

Policy R1C (ii) states that new outdoor recreation facilities will be allowed provided there is be no significant adverse impact on the surrounding landscape or nature conservation value of the area, there is a satisfactory means of access, the local highway network is adequate and appropriate services can be made available. The proposal must not be dependent on the construction of large buildings or other structures and there must be no adverse impact on residential amenity or other recreational users.

The NPPF still requires development to be in accordance with the development plan unless material considerations indicate otherwise and there is also a presumption in favour of

sustainable development under Section 14. However, where the local plan is absent, silent or out of date, permission should be granted unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or
- Specific policies in the framework indicate development should be restricted.

Para 28 encourages LPAs to support sustainable rural leisure developments that benefit businesses and communities in rural areas and which respect the character of the countryside. Para 118 states that LPAs should aim to conserve and enhance biodiversity and if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated or compensated for, then planning permission should be refused. Para 178 encourages co-operation across administrative boundaries.

In conclusion, the NPPF does not provide specific guidance for equestrian development. Therefore, the proposal would be acceptable in principle and must be determined in accordance with the development plan, including the saved policies of the SDLP, and other material considerations.

9.2 Scale, design and impact on the character of the Special Landscape Area

Policy C2, C6 and R1C set out the main criteria for the development. The site is designated as part of the Special Landscape Area because its landscape qualities are of local importance. The Local Planning Authority therefore has a duty to ensure that such landscape is protected from development which would adversely affect its visual quality. Broxmore Drove is situated on the south east fringe of Wiltshire within the Landford Forest Heath Mosaic landscape character area (Salisbury District LCA 2008). The landscape is considered to be in good condition with high landscape character sensitivity resulting from the rural wooded character interspersed with fields, bounded by hedgerows and mature trees. Visual sensitivity is considered moderate as views are limited by the woodland mosaic and mature hedgerows.

The landscape officers of Wiltshire and Test Valley councils have been consulted, and whilst most of their concerns have been addressed by the applicant, three differences remain:

- a) The siting of the stables, away from the main dwelling and existing stable block
- b) The use of paving for the parking area
- c) The removal of an existing hedge, and a desire to remove the existing fence to enable its successful replacement.

Their comments are set out in Appendix 1 and their differences are discussed. The views expressed below are the conclusions of the case officer.

9.21 Siting

The change of use of the land from an agricultural use to the grazing of horses was previously considered by the case officer for S/2009/423 unlikely to detrimentally affect the visual amenities of the surrounding countryside, "Particularly as the site has little impact on the wider landscape." Additionally it was considered that the impact on the visual amenities of the area from horses grazing the land would certainly be no greater than if the land was used for the grazing of farm animals.

The current application also includes the erection of new stable, parking and horse walker structures. To the north of the site is a woodland tree belt and the whole site is relatively secluded from the public view, being generally surrounded by trees, sloping contours and

hedges. The stable building is sited on the lowest part of the land. The WC landscape officer considers that the submitted plans demonstrate that the stable is not situated in a visually prominent position, and in fact, is sited on low lying ground in relation to the surroundings. The site is not clearly visible from the A27, any of the nearby properties to the north or east, and is not visible from the public footpath to the north due to high hedges adjoining the track. Furthermore, the structures do not exceed 5.6m in height. It is therefore difficult to argue that the siting and scale would not be sympathetic with the landscape (Policy C6) or that there would be a significant adverse impact on the surrounding landscape (Policy R1C). Please refer to the illustrative sections and committee photo slides.

The existing stable buildings by the cottage are to be removed, and this could be suitably conditioned. This would help address the TVBC concerns about the relationship between the existing and replacement buildings. The resultant group of buildings (the cottage in the west, the ménage, and the stable/walker in the west) seem to form a visually logical (albeit large) linked complex which is not out of place in a rural area where there are isolated groups of buildings. It is arguably preferable for such a large number of horses (13) not to be sited so close to the dwelling and neighbouring properties opposite the cottage. Officers have also considered that had the proposed buildings been for agricultural use, their visual impact may have been much greater. A cow barn or grain silo or drying barn for example could be much taller, with a concrete or tarmac yard.

9.22 Paving and access:

The existing track access, which is also a public right of way, has been used as a vehicular means of access to the adjacent woodland and farm fields. Therefore the use of the access by equestrian vehicles is considered to have no additional detrimental visual impact and the proposed use of paving for the parking area would provide suitable drainage and is visually more sympathetic than tarmac or concrete. The siting of the paving is on low lying ground and when viewed on site, it is not visually prominent within the landscape.

9.23 Replacement hedge and removal of fence:

The close board fence is considered by WC and TVBC officers to be permitted development under Part 2 Class A of the GPDO 1995, as submitted plans show it to be 2 metres in height. The removal of a hedgerow was however unauthorised and Policy C8 seeks its replacement. Therefore, as the fence itself would be permitted development and could be resited without planning permission, it is not unreasonable for it to remain in situ for a temporary period of 5 years, whilst the hedge is re-established. The TVBC landscape officer considers that the fence is too close to the ditch to plant a hedge successfully. However, the photo indicates that the existing section of hedge to the east is growing across and in the ditch and that there is room beside the fence to plant. A landscape plan has been submitted in order to strengthen and enhance the existing landscape elements, replace and repair damage. The condition must require replacement planting should the hedge die or be damaged within 5 years.

Overall, it is considered that the impact of the proposal on the countryside and the Special Landscape Area is not sufficiently harmful to the visual amenities of the area to warrant refusal on landscape impact grounds. The siting, scale and materials proposed would be acceptable for the proposed equestrian use. Furthermore, the application would not seem to pass the NPPF test against granting permission: *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole.*

The grazing land included within the red line of the application is Grade 3 in agricultural value. This is not the best and most versatile agricultural land which Policy C19 seeks to protect from development. Moreover, this change of use would not result in an irretrievable loss of agricultural land. The use of this land for the keeping of horses is therefore compatible with the aims of the saved Salisbury District Local Plan Policy C19.

9.4 Impact on amenities/neighbours

The site can only be glimpsed through the tree belt adjacent to the A27. It can't be seen at all from the east and the Broxmore Farm complex. Three objections have been received, one from a Romsey resident, and two are from occupiers of dwellings located about 60 metres west from the site entrance. The site is comparatively isolated and well screened, and therefore, the development is unlikely to have any significant impact upon the amenities of the dwellings in the locality. A condition should be attached to ensure that waste is properly managed on site, to prevent any smell nuisance. Therefore, residential amenities would not be unduly disturbed in accordance with Policy G2.

To the north of the buildings is the public footpath, but given the siting of the buildings about 35 metres south of the footpath, their low height, and the dense hedge which lines the boundary with the footpath, it is considered that the development would not have a detrimental impact upon the character of the public footpath or the amenities of persons using the public footpath.

9.5. Ecology, drainage and waste management

Policy C11 seeks to ensure that harm to wildlife in the Area of High Ecological Value is minimised and lost habitats are replaced. NPPF Para 118 states that LPAs should aim to conserve and enhance biodiversity and if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) *adequately mitigated* or compensated for, then planning permission should be refused. One of the main areas of concern for the two local planning authorities concerns the removal of a section of hedgerow. Whilst the removal of the hedge was unauthorised, the applicant has agreed to a planning condition to plant a replacement hedge and eventually remove the fence once the hedge is established. This is considered to be acceptable mitigation for the scheme, in compliance with the NPPF, Policy C8 and Policy C11.

A non mains drainage assessment has been submitted to demonstrate the need for and suitability of a sewage treatment plant for the site. The Environment Agency and Public Protection officer have raised no objections to the development, subject to informatives requiring the applicant to obtain an Environmental Permit and storage of manure in relation to watercourses and neighbours. This also addresses some third party objections.

An informative has been added relating to demolition of the existing stables and potential for bats.

9.6 Relationship between site area, stable size and number of horses

It has been suggested by consultees that the stable building is too large for the site. The British Horse Society recommends a ratio of 2 horses per hectare on permanent grazing land (or 1 to 1.5 acres per horse). However, the BHS has stated that as stabling is being provided for the development, the ratio can be less. The area of grazing available is 21 acres to 13 horses, and no objection is raised by the Society to the ratio. Seadown Veterinary Group has also written in support, stating that the horses are in good condition and health. As three of the animals are small (ponies and a donkey) they have less impact

on the grazing than a horse. Two of the competition horses are only grazed for a couple of hours each day, and a further 8 animals are housed at night. The vet considers that with proper management of the land, the grazing area is more than adequate for the number and type of equines kept at the property.

A report has been submitted by the Equine Consultancy Group, and covers the issues of equine routine and turn out, health and welfare, and explains the use of the office, hay store, feed room, and rest room in relation to the number of horses on site.

9.7 Highway issues

The site is in a rural area of land, however, given that the land and buildings will be used solely by the applicant for their own enjoyment and not for commercial purposes, there are no objections to the proposal in terms of highway safety or sustainability.

10 Conclusion

Equestrian development is an acceptable form of leisure or business development in the countryside. In this case, the proposal is for private use whilst providing employment for one groom and ensuring the welfare of competition and leisure horses. The NPPF encourages LPAs to support sustainable rural leisure developments that benefit businesses and communities in rural areas and which respect the character of the countryside. If significant harm resulting from a development cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused.

However, in this case, it is considered that there would be no undue disturbance to neighbouring properties, the site is well screened by natural landforms, tree belts and hedges, the lost hedgerow could be replaced through condition and the applicant has agreed to remove the close board fence (although permitted development) once the hedge is re-established. The paving, which is in situ, provides drainage and is not visually harmful due to its siting on low lying ground. Highway safety and the amenity of users of the public footpath would not be detrimentally affected, and subject to appropriate conditions relating to waste management and treatment of foul waste, ecological interests in the AHEV would not be harmed.

11. Recommendation:

Planning Permission be GRANTED for the following reasons:

The proposed equestrian development would be an acceptable form of leisure development in the countryside and is for personal use only. There would be no undue disturbance to neighbouring properties, given the screening and separation of the site in relation to residential dwellings and the proposed stable waste management plan. (Policy G2).

There would be no visual harm to the character of the Special Landscape Area as the site is well screened by natural landforms, tree belts and hedges and the single storey buildings are positioned

on the lowest part of the site. The siting of the buildings physically relates to the ménage and cottage and the existing stables would be removed. The proposed materials are acceptable. (Policy C2, C6, R1C and CP22).

The former hedgerow on the north boundary would be replaced and the existing close board fence would be removed once the hedge is re-established. The paving, which is in situ, provides drainage and is not visually harmful due to its siting on level, low lying ground (Policy C8, C11, C6, R1C and CP22).

Highway safety and the amenity of users of the public footpath would not be detrimentally affected (Policy G2). Ecological and nature conservation interests in the Area of High Ecological Value would not be harmed, provided the waste management plan is adhered to and the sewage treatment plant is installed (Policy C11).

And subject to the following conditions:

1. The erection of the stable building shall not 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- C6 Special Landscape Area

2. The erection of the stable building hereby approved shall not commence on site until a scheme of hedgerow planting has been submitted to and approved in writing by the Local Planning Authority, in accordance with plan ref 021-Sullivan-SP-36711-A2 Rev B. The details shall include:

- (a) indications of all existing hedgerows to the north and east of the proposed stable building,
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) details of proposed species, planting sizes, planting densities and planting position in relation to the temporary close board fence and drainage ditch;

REASON: To ensure a satisfactory landscaped setting for the development, provision of a replacement hedge on the north boundary and the protection of existing important landscape features.

POLICY- C6 Special Landscape Area and C8 Hedgerows

3. All soft landscaping and hedgerow planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the stable building or the completion of the development whichever is the sooner. All shrubs and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any 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.

REASON: To ensure a satisfactory landscaped setting for the development, replacement hedge planting and the protection of existing important landscape features.

POLICY- C6 Special Landscape Area and C8 Hedgerows

4. The existing 2 metre high close board fence on the north boundary of the site (as shown on plan ref 021-Sullivan-SP-36711-A2 Rev B) and the pair of stable buildings to the south east of the dwelling (as shown on plan ref 028-OSULLIVAN-LP-36781-A3) shall be removed within 5 years from the date of this approval.

REASON: In the interests of visual amenity, to ensure the successful re-establishment and prosperity of the hedgerow on the north boundary and in the interests of providing a suitably landscaped setting for the development.

POLICY- C6 Special Landscape Area and C8 Hedgerows

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than the temporary fence shown on the approved plans, shall be erected on the site (denoted by the approved red line) without the prior consent of the Local Planning Authority.

REASON: In the interests of visual amenity.

POLICY- C6 Special Landscape Area and C8 hedgerows

6. The stable building hereby permitted shall not be occupied until the approved sewage treatment plant works proposed have been completed in accordance with the submitted and approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage and in the interests of neighbouring amenity.

POLICY- G2 General Principles for Development

7. Erection of the stable building shall not commence on site until details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

POLICY- G2 General Principles for Development and C11 Area of High Ecological Value

8. The development hereby permitted shall only be used for the private stabling, grazing and exercise of horses and the storage of associated equipment and feed, and for purposes ancillary to the residential occupation of the dwelling known as Broxmore Drove Cottage. It shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition, competitions/events or leisure rides.

REASON: To protect the living conditions of nearby residents and to ensure that existing highway safety arrangements are not compromised.

POLICY- G2 General Principles for Development

9. The development shall be in accordance with the following drawings and plans:

Wilts/17/IE/003, Sections, dated 25/4/12, received 3/5/12

02 WCR Ltr 010512 Letter from Southern Planning Practice 3rd May 2012, received 3/5/12

Report on the Nedd or Stabling and Ancillary Equine Related Development, Equine Consultancy Group, 3rd May 2012, received 3/5/12

Personal Statement, received 23/1/12

Design, Access and Planning Statement, Southern Planning Practice, received 23/1/12

WPL Diamond DMS Sewage Treatment Plant details, 10/1/12, received 13/1/12

Monarch Equestrian Consort Plus, Horse Exerciser Details, 2/11/12, received 13/1/12

WILTS/17 IE Jan 2012 Assessment of Non Mains Drainage, Southern Planning Practice, received 23/1/12

028-OSULLIVAN-LP-36781-A3 dated 19th Jan 2012 Location Plan (and red line) received 24/1/12

021-OSULLIVAN-SP-36711-A2 B 18th April 2012, Site Plan and Section, received 3/5/12
026-OSULLIVAN-PR-36711-A2 A 2nd May 2012, Section and 3D views of stable and
horsewalker, received 3/5/12
025-OSULLIVAN-PR-SB-36711-A1 B dated 2nd May 2012, Elevations of stable building and
horsewalker received 3/5/12

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

Informatives:

1. This decision has been taken in accordance with the National Planning Policy Framework, Salisbury District Local Plan saved policies G2, D2, C2, C6, C11, C8, C19 and R1C and the South Wiltshire Core Strategy Core Policy 22 and Appendix C.
2. In compiling the waste management plan, the applicant should note that stable waste should not be stored or burnt adjacent to neighbouring properties. Any manure including that mixed with straw once removed from the building can be stored in heaps, provided they are further than 10 metres from any watercourse. There is no requirement to construct a purpose made store. Manure must not be spread within 10 metres of any watercourse and application rates must not exceed permitted levels if the site lies within a nitrate vulnerable zone. Manure heaps should not be stored closer than 50 metres from a licensed abstraction or private water supply source.
3. The applicant's attention is drawn to the informatives and requirements in the letter from the Environment Agency dated 17th February 2012. An Environmental permit may be required for the non mains foul drainage. Contact 03708 506506.
4. The applicant is advised that the LPA has no records of any planning history for the menage.
5. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition of the stables would disturb any protected species. For further advice, please contact the district ecologist at Wiltshire Council.

Appendix 1: Comments from Wiltshire Council Landscape Officer and Test Valley Borough Council Landscape Officer

a) Wiltshire Council

Despite the large size of the stable I do not consider that the development has any far reaching harmful landscape effects on the Special Landscape Area or local landscape character for the following reasons:

The land at Broxmore Drove is enclosed by woodland to the north and south and hedgerows to the west and east. The topography is highest to the south and rolls down to the north towards the house and proposed stable. The combination of topography and vegetation provides visual enclosure to the development allowing only filtered views in winter from publically accessible areas (although these are further limited by the close boarded fence).

The landscape in the immediate vicinity of the house has a strong 'horsiculture' character typified by the stables, post and rail fencing, taped paddocks, menage, brightly coloured

jumps and other associated paraphernalia to do with the keeping of horses. Although the new stable is located away from the existing block it is still visually connected to the house and adjoins the existing menage. In my opinion it sits well within the existing land use.

Landscape enhancement measures

Two of the relevant management objectives described in the Salisbury District LCA for this character area are

Minimise small scale incremental change such as fencing which could change the rural character of the landscape

Retain and manage medium scale pastoral fields with dense hedgerow network and nurture new hedgerow trees

I do not consider the close boarded fence to be an appropriate means of enclosure within this rural landscape context. I recommend that the fence is retained as a temporary means of enclosure and a hedgerow with trees is planted along its length. In the medium to long term, 6 – 9 years the hedgerow will provide a 2 – 3m high natural enclosure and the close boarded fence could be replaced with post and rail.

I recommend that a condition is included for the provision of a landscape plan to be agreed with this authority detailing the proposed hedgerow to the north of the stable and any other appropriate planting e.g. gapping up existing hedges and planting hedgerow trees which will strengthen the visual and landscape context of the development.

Thank you for the additional information in relation to the proposed new stable at Broxmore Farm.

I am satisfied that the applicant has addressed my concerns with regard to the close boarded fence, strengthening and replanting of hedgerows.

The illustrative cross sections and spot heights confirm my original observations that the stable is not situated in a visually prominent position.

My comments regarding the solar panels and their potential to be shaded was an observation not a requirement and I hope that there will be the opportunity to reintroduce them at a future stage if viable.

I cannot comment on the equine report as this is not my area of expertise. However I do think that the applicant has made a full justification for the development but I will leave that for your consideration.

The comments from the applicants agent regarding the surfacing are rather dismissive and I am sure that had I the time to research the issue could demonstrate that there are indeed alternative options to block pavers. However I am happy to accept that they will provide an important drainage function on the site, they do not have a negative influence upon the public realm or the surrounding countryside and I do not raise any objection to their retention.

b) Test Valley

In considering the additional information I would advise the following

Whilst the Equine Consultancy Group report is comprehensive in advising why it is beneficial to have the appropriate amount of stabling to number of horses for equine health and welfare, much of this is general information applying in any case. It does not address the fundamental siting and design issues of this site.

The report does not advise if a greater number of stables are required, why the approach has not been to build a further unit to existing stables or demolish existing stables and build a larger unit in their place. It provides no explanation as to why the stables are so remote from the main dwelling. It does not advise what is to happen to the existing stables.

(Case officer note: the existing stables are stated to be demolished in the supporting documentation. This can be conditioned. It is likely to be reasons of personal preference not to locate the 13 horses so close to the cottage. When walking though the site, there is a logical flow from the cottage and its grounds, past the kennels, through the current stable yard, across the ménage to the site of the proposed stables.)

The changes to the internal arrangements have no impact on the footprint of the building and has done nothing to reduce its size and therefore its visual impact. The Equine Report provides no information as to why so many facilities are still required, such as an office and rest room, for stabling that is essentially for private use.

(Case officer note: again, it is likely to be personal preference to provide these facilities for private use, and the need is driven by the national competition activities outlined in the statement of need report.)

If the existing stables are not to be demolished, then this combined with the new proposals would appear to exceed the capacity of the land which will adversely affect the quality of the landscape.

I also cannot agree that this is the best location on the site when no alternative proposals appear to have been examined around new stables being closely allied to their existing location clustering with other equestrian activity and structures, and therefore minimising the impact on the more open landscape that is shared with Test Valley. As such it would still appear to be additional proliferation of equine buildings in the countryside to the detriment of the local landscape character.

(Case Officer note on alternative proposals: providing the stable for 13 horses closer to Broxmore Drove Cottage is likely to increase potential noise disturbance to the three dwellings located opposite the cottage).

With regard to the close board fence I can see no justification for its retention even as a temporary structure. In terms of security it is not usual to use a 2mt close boarded fencing as stock proof fencing in the countryside. It is wholly out of keeping, and impractical for equine use. There would appear to be no need for such a fence for privacy as a boundary for land to graze horses. The suggestion to plant a hedgerow on the outside of the fence in its current position as mitigation is clearly impractical as the fence is so close to the edge of the bank and ditch, that it would render access to planting impossible without removing said fence. The fence can and should be removed immediately to be replaced with a stock proof fence appropriate with agricultural/equestrian land use, allowing the hedgerow to be replanted which was removed contrary to the hedgerow regulations.

(Case Officer note: Members may agree with this point but the condition could be suitably worded to ensure that if the hedgerow should die or be unsuccessful after 5 years, the hedge planting is replaced. The fence can be conditioned to be removed within 5 years time).

If in the event of an application being successful, this would not alter the predominant land use from equestrian. The close board fencing would still be inappropriate, and its early removal, replacement and replanting should be secured by condition.

(Case Officer note: the hedge is unfortunately permitted development as it is 2 metres in height. However, the applicant has agreed to its removal or suitable replacement within 5 years).

The other main landscape impact as viewed from Test Valley is on the access. The alterations for the access which appear as a consequence of such a large equestrian unit being located remote from the main dwelling, and has resulted in an adverse impact on the rural character of the landscape. The use of block paving and gate furniture is wholly out of keeping for this location. The proposal that this is required to allow the access by farm machinery such as combine harvesters would seem unjustifiable. Such a low level use would be consistent with the use of a farm gate wide enough for the machinery and a grass or gravel track. I would support the approach from WCC to request replacement of the block paving with surfacing more sympathetic, such as re-inforced grass or local stone/gravel both of which can accommodate the need for good drainage, and access.

(Case officer note: officers considers that the block paving does have an important drainage function on the clay soil, and does not have a negative visual impact on the public realm or surrounding countryside as it is sited on flat, low lying ground. The paving is preferable to tarmac or concrete, often seen in agricultural schemes).

The submission of this additional information has not addressed the impacts on the landscape as viewed from Test Valley and as such my objection remains.

(The landscape officer was then advised by the TC case officer that the fence is 2metres in height and that this element is permitted development and doesn't need planning permission).

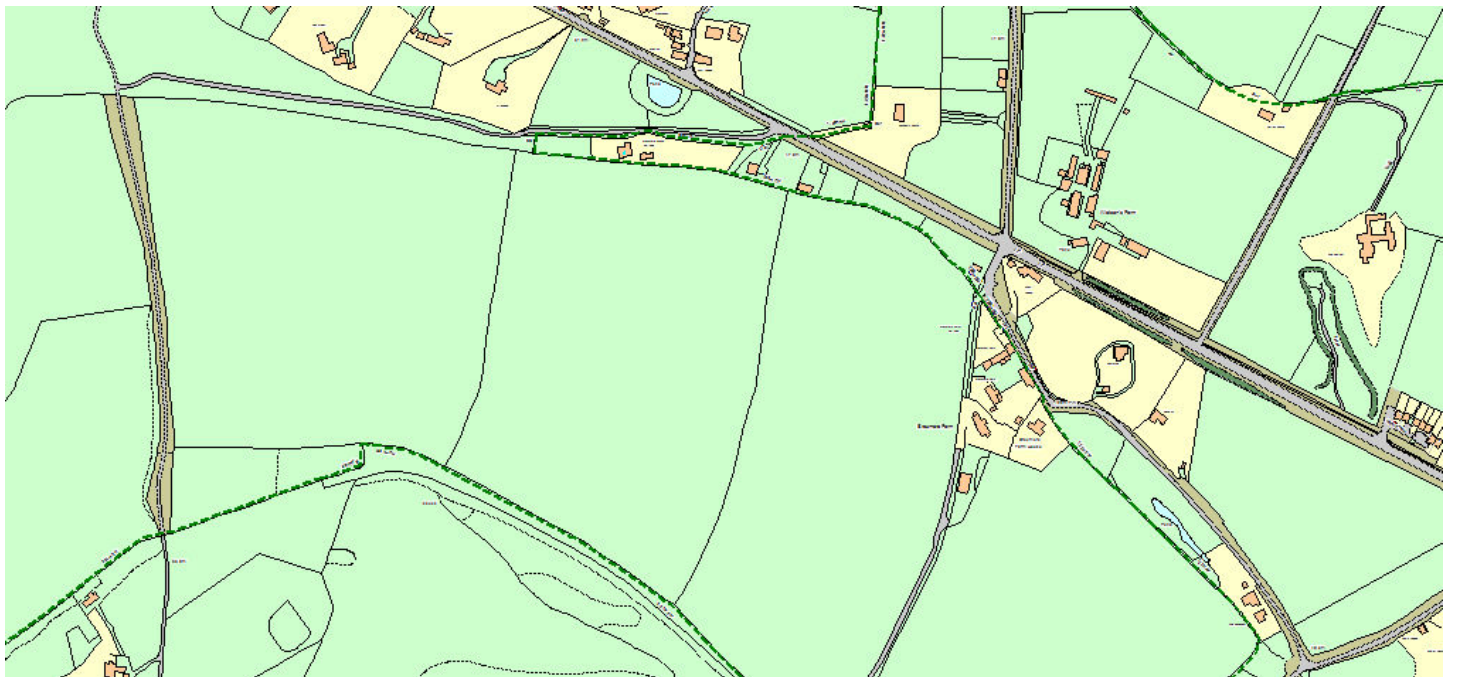
I would consider there are two further comments in the light of this information.

The fence was constructed by removing a line of an existing hedgerow. As this was carried out without the necessary notification, the hedgerow was removed contrary to the hedgerow regulations. This was a strict offence and the hedgerow should be replanted. In order to do this the fence would need to be removed.

If the planning application is otherwise to be successful it should be subject to a landscape scheme, secured by condition, and in order to integrate this in to the landscape successfully and mitigate any visual harm, it must include the planting of a hedgerow on the line of the fence. In order to do this the fence would need to be removed (also secured by condition) in order to make room for sufficient landscaping.

(Case officer note: Please refer to the committee slide. There is room between the fence and the drainage ditch for the hedgerow to be replanted. The remaining section of hedge straddles the ditch as can be seen on the photo. Please also refer to conditions).

Land adjacent to Broxmore Drove Cottage



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Agenda Item 7b

REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting:	12 th July 2012		
Application Number:	S/2012/00468/Full		
Site Address:	Cholderton Charlies, Amesbury Road, Cholderton, Salisbury. SP4 0EW		
Proposal:	Proposed retention of three mobile homes (two of which to be re-sited) for a temporary period and their use as staff accommodation in connection with the tourist attraction business on the site and new fencing.		
Applicant / Agent:	Mr Tony Allen		
City/Town/Parish Council	Cholderton Parish Council		
Electoral Division	Bulford, Allington & Figheldean	Unitary Member	Cllr John Smale
Grid Reference:	Easting: 420983		Northing: 142334
Type of Application:	Minor		
Conservation Area:	Cons Area: - NA		LB Grade:- NA
Case Officer:	Mr Andrew Bidwell		Contact Number: 01722 434381

Reason for the application being considered by Committee:

Councillor Smale has requested that the application be determined by Committee due to the relationship to adjoining properties

1. Purpose of report

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

2. Report summary

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

The appropriateness of countryside location and impact on the countryside. Staff accommodation and need, design siting and scale.

The application has generated no comments from the parish council; no indications of support and 3 letters of objection from the public.

3. Site Description

The site lies between the villages of Cholderton and Amesbury close to the A303 within the Special Landscape Area. There are currently two tourist related businesses on the site. The former dwelling on the site is used as a Youth Hostel with the remainder of the site utilised as a Rare Breed's farm with ancillary attractions. Both uses operate year round. There is also an education (schools) business which operates on the site.

The site is located to the south of the road and a small group of residential properties exist to the north east.

4. Relevant Planning History

Application number	Proposal	Decision
S/2003/1036	Temporary siting of two Log Cabins and one Mobile Home for Staff accommodation.	Approved 10/03/03
S/2003/1157,	Replacement Visitor Centre building erection of extension to main building and change of use of main building to Youth Hostel	Approved 27/10/04

5. Proposal

This proposal is a temporary solution to retain existing staff on site whilst longer term plans for the business derived from the intensification of both uses are considered. The longer term plans could result in applications for the following types of development:

- Change of use of restaurant/shop associated with the farm to hostel dining/break out space
- Extension to this existing building to form 4 additional hostel bedrooms
- Erection of a replacement restaurant/shop/visitors centre on Farm site
- Erection of an operator's/manager's dwelling linked to the tourist facilities on the site
- Erection of permanent staff accommodation to replace a number of existing temporary buildings
- Change of use of existing education block to a "day nursery"
- Additional buildings for display of animals and for education use
- Covered walkways to link existing and proposed buildings

The applicants have previously requested pre – application advice and have been formally advised by officers in regard to the above suggested long term proposals. The advice of officers was that support would be unlikely for new permanent staff accommodation on this site and therefore, in order to keep operations running on site, a further temporary permission is sought for staff accommodation.

6. Planning Policy

Central Government Guidance:

Local Planning Policy Framework (LPPF) part 3 Supporting a Prosperous Rural Economy

Saved policies of the Salisbury District local plan (which are also 'saved' policies in the adopted South Wiltshire Core strategy

- G1 – (Sustainable development)
- G2 –(General Principles)
- C2 – (Development in the Countryside)
- CN21 – (Archaeology)
- T2 – (Tourist attractions in the countryside)

7. Consultations

Parish Council

No comments have been received to date.

Wiltshire Fire and Rescue Services

Comments relating to need for satisfactory access for fire engines, adequate water

supplies and appropriate fire safety measures as well as the encouragement for the provision of domestic sprinklers.

Wiltshire Council Archaeology

Previously commented on a pre-application consultation for the site, the works proposed in this application are unlikely to disturb significant archaeological remains

South Wiltshire CPRE

The temporary homes should have been removed in 2008 – a condition of the previous permission for temporary buildings. This was not carried out. The applicant indicated that the LPA Officers are unfavourable towards a permanent dwelling (presumably because the farm is not fully agricultural or, forestry), but does not explain or suggest how a further temporary permission might be resolved in the future. However, residential on-site would save commuting. Nevertheless, on-site accommodation in rural areas is not to be encouraged unless a cast –iron case can be made around agriculture, forestry or tourism.

8. Publicity

The application was advertised by site notice, and neighbour consultation.
3 x letters of objection raising the following issues:-

- What assurance will be made that they will only be occupied by staff?
- Visitors particularly at night cause noise disturbance to neighbours and animals
- Flags at the front of the site create a theme park look
- The units should have been removed in 2008
- The original permission was for staff accommodation whilst the main building was extended
- Planning regulations have already been flouted
- Since the intensification of the site with the diversification of the business neighbouring cottages have suffered increasing adverse effect on their amenity

9. Planning Considerations

- Appropriateness of countryside location and impact on countryside
- Staff accommodation and Need
- Design / Siting and Scale
- Impact upon amenities of neighbours

9.1 Appropriateness of location and impact on countryside

The site is outside the housing policy boundary of Cholderton and is therefore located in the countryside in planning policy terms. Policy C2 states that development in the countryside will be strictly limited and will not be permitted unless it would benefit the local economy and maintain or enhance the environment. Policy C6 says that within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality of the landscape are acceptable, they will be subject to the following criteria:

- The siting and scale of development to be sympathetic with the landscape; and
- High standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area.

The rare breeds farm and hostel uses are already established and this proposal will assist in intensifying these uses. This relatively minor proposal is not considered likely to increase the number and length of vehicular based journeys and therefore (on the face of it) does not represent an unsustainable pattern of development. Furthermore, the site already receives significant vehicular trips as a result of its tourist attraction function. The proposal therefore will not result in a demonstrable increase in visits and usage of the facility over that which already occurs.

The rare breeds farm represents an important visitor attraction within the district. This proposal is likely to assist an opportunity to improve and consolidate the economic base of the rural tourism business. Saved Policy T2 says In the countryside, proposals for the development of new tourist attractions or the improvement of existing ones, will be considered against the following criteria:

- Within the AONB or the landscape settings of Salisbury and Wilton, proposals will only be permitted where they are small in scale and would be compatible with the special landscape quality of the area
- Otherwise proposals will be allowed provided they do not entail the erection of large buildings or structures.

This proposal will see the existing visible mobile homes that are in a poor state of repair – just inside the hedge alongside the road – removed and replacements relocated within the existing cluster of buildings. As a result a notable visual improvement will follow and it is therefore considered that this proposal would not be contrary to policy in terms of its impact on this countryside location.

9.2 Staff Accommodation / Need

The business operations on site employ a considerable number of staff both full time, part time and also on a seasonal basis. Given such staffing needs and requirements a planning application was granted in 2003 for the temporary retention of two log cabins and a mobile home to house staff on the farm and this application was also renewed in 2005 (S/2005/750).

These permissions limited occupation to people employed full time in the businesses on site and a further condition required the removal of these buildings by the 30th September 2008.

The buildings have however remained in situ since their original approval in 2003 and have now been on site for some 8 years.

A formal pre-application submission was made to the Council in late 2011, which amongst other matters sought a building for permanent staff accommodation by the various full time members of staff to replace the existing temporary buildings.

The applicants advise that high quality staff is key to the successful business /tourist operations on this site and the provision of onsite accommodation is especially important to the onward success of the business.

This proposal is for accommodation for full time members of staff. However, should accommodation be required at the end of the requested 2 years period the applicants will be required to demonstrate the need and benefit for the development proposed at the time. There must be a clearly established existing need that relates to full time workers and the enterprise must be financially sound.

Whilst it is accepted that the previous planning permission recognised there was an established need and allowed staff accommodation and a managers flat, in regard to this specific proposal it is unclear whether there continues to be such need particularly one that would justify further permanent staff accommodation buildings. As such either refusal or, temporary permission is the only viable option from a planning point of view at this time.

9.3 Design / Siting / Scale

The proposed buildings are considered to be typical in design terms. Elevations and roof treatment will be coloured profile sheeting. The buildings will be single story and a new close boarded timber fence will be erected around the immediate site containing the accommodation. Due to the location of the buildings they will be barely perceptible from any nearby public vantage point, and from the wider surrounding countryside, will be seen against the backdrop of the cluster of existing farm buildings. As such the proposal is considered to be acceptable in terms of design and scale.

9.4 Impact upon amenities of neighbours

In answer to the concerns raised by neighbours, it is accepted that the current situation is unacceptable and any breach of planning permission has potential to cause nuisance. However the main concerns raised relate to the wider site issues generally and not all specifically to this proposal. Issues of concern are currently under investigation by reason of this proposal and following site visits by members of the enforcement team. For example, the matter raised to do with the flag poles at the front of the site has been investigated. The result of the investigation is that these are national flags, and as such do not result in a breach of planning permission as the flags and their poles are permitted development.

10. Conclusion

The negative elements arising from the site's planning history, relatively isolated location and the clear policy objectives to avoid unsustainable developments, need to be balanced against the desire to retain and support an important tourist site with local employment and educational benefits.

It is clear that the applicants wish to expand their business in the near future. On this basis it is considered that in the absence of any clear demonstrable harm being attributed to this proposal specifically, and as the proposal will significantly improve the current situation in visual amenity terms, there is no clear planning reason to oppose this application for temporary permission.

It is nevertheless important to consider this application as an opportunity for Wiltshire Council to regularise a current breach of planning permission. Permission would be for a temporary period of two years at the end of which, the buildings should be removed and the site restored to its former condition. This will be a condition of the permission and in the event that this does not happen and in light of the current breach and enforcement history, it is highly likely that rapid action for the removal of the buildings would be considered expedient.

Furthermore, in granting permission the applicants will have a sufficient amount of time to thoroughly consider which options for expanding this rural attraction could be realistically pursued.

11. Recommendation:

Planning permission be GRANTED for the following reason:

The removal of the two dilapidated Log Cabins together with the proposed temporary retention and location on the site of the mobile homes for staff accommodation, are considered to represent a significant visual improvement resulting in no demonstrable harm to the immediate site, neighbours and the wider surrounding countryside. As such the proposal is considered to be in general accordance with the aims and objectives of saved policies G1, C2 and T2 of the adopted Salisbury District Local Plan which are contained within Appendix C of the adopted South Wiltshire Core Strategy, and with the Local Planning Policy Framework (LPPF) parts: 3 Supporting a Prosperous Rural Economy.

Subject to the following conditions:

1 The occupation of the mobile homes shall be limited to a person solely or mainly employed in the business occupying the site.

REASON: The site lies within an area where planning permission would not normally be granted for development unrelated to the essential needs of the established business.

POLICY – G1 – General principles for development, C2 – Development in the Countryside, T2 – Tourist attractions in the countryside.

2. The mobile homes hereby permitted and any ancillary works or structures shall be removed and the land restored to its former condition on or before the 30th June 2014 in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

REASON: Permission has been granted on a temporary basis to establish whether there is a functional need for permanent on site residential accommodation in relation to the agricultural tourism enterprise on the site.

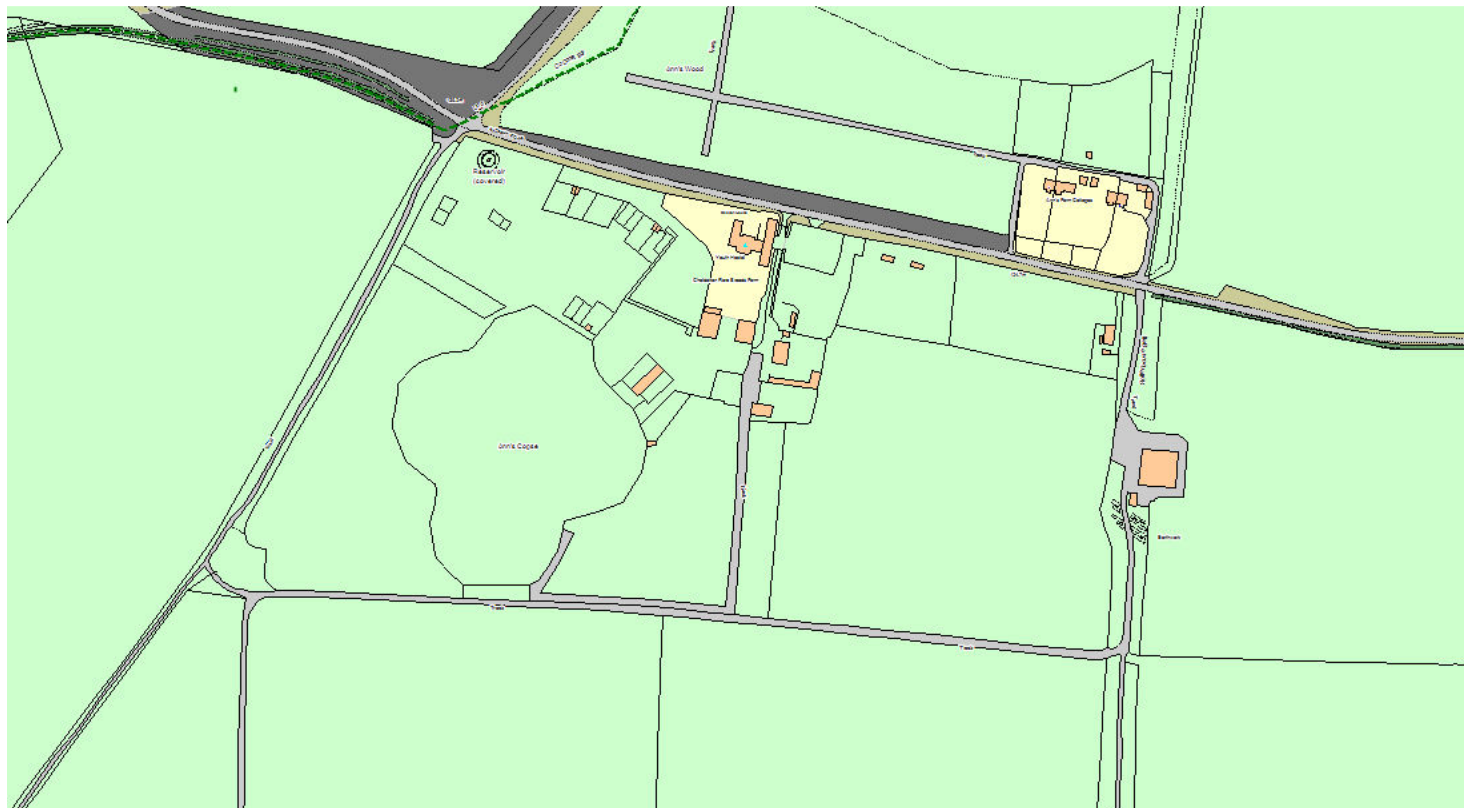
POLICY – G1 – General principles for development, C2 – Development in the Countryside, T2 – Tourist attractions in the countryside.

3. 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.

Drawing ref.no. APL/01 Site Location Plan
Drawing ref.no. CFc/p01a Site Plan as Proposed
Drawing ref.no. CFc/p/10 Block Plan as Proposed
Planning Design and Access Statement

REASON: For the avoidance of doubt.

Cholderton Charlies, Amesbury Road. Cholderton



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Agenda Item 7c

REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting:	12 th July 2012		
Application Number:	S/2012/00628/Full		
Site Address:	Meadow View, Cottages, Winterbourne Earls, Salisbury. SP4 6HE		
Proposal:	Variation of planning consent S/2012/0013 to demolish existing cottages and erect replacement dwelling with detached garage block (dwelling to be reversed, lean-to garden store to garage block and repositioning of garage block, dwelling roof pitch and material change)		
Applicant / Agent:	Mr Nigel Lilley		
City/Town/Parish Council	Winterbourne Parish Council		
Electoral Division	Bourne & Woodford Valley	Unitary Member	Cllr Mike Hewitt
Grid Reference:	Easting: 417201.2		Northing: 134433.89
Type of Application:	Minor		
Conservation Area:	Cons Area: - Winterbourne Earls		LB Grade:- NA
Case Officer:	Mrs Lucy Minting		Contact Number: 01722 434377

Reason for the application being considered by Committee:

Councillor Hewitt has requested that this item be determined by committee for the following reason:

Both the neighbours and Parish Council have concerns with the slate roof.

1. Purpose of report

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

2. Report summary

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

- Impact to the character and appearance of the conservation area, landscape and setting of listed building opposite
- Other Issues - Residential amenity, Highway safety, Archaeology, Flooding & impact to the river system, Protected Species

The application has generated support from Winterbourne Parish Council.

1 neighbourhood response of support has been received.

3. Site Description

The site lies within open countryside in part of an agricultural field, a conservation area, a special landscape area, an area of special archaeological significance and an area of high ecological value.

4. Relevant Planning History

Application Number	Proposal	Decision
S/2012/0013	Proposed demolition of two dwellings within a Conservation Area, replacement single dwelling and a detached garage	Approved 01/03/2012
Non Material Amendment (NMA) application to S/2012/0013	Mirror dwelling on North/South Axis Omit Slate and add hand made clay tile at 45 degree pitch Utilise roof space to add accommodation. Add single storey tool/garden store to garage with slate roof, readjust garage position	Refused 13/04/2012
NMA to S/2012/0013	Mirror dwelling on North/South Axis	Approved 16/05/2012
S/2012/0014	Conservation Area Consent - Proposed demolition of two existing dwellings	Approved 01/03/2012

5. Proposal

Planning permission has been recently granted under S/2012/0013 to demolish the pair of semi-detached dwellings and attached garages and construct a new single four bedroom dwelling and detached outbuilding.

This is a full planning application for changes to the approved scheme to:

- Change the roof tiles from slate to clay tile which will necessitate changing the angle of pitch from 35 degrees to 45 degrees with corresponding increase in ridge height of 1.2m
- Add a lean to garden store to the garage block
- Mirror the dwelling on North/south axis

6. Planning Policy

Saved policies of the Salisbury District Local Plan (which are also 'saved' policies in the adopted South Wiltshire Core Strategy):

G1 (Sustainable development)
 G2 (General)
 D2 (Design)
 C2 (Development in the countryside)
 C6 (Special Landscape Area)
 C11 (Areas of High Ecological Value)
 C12 (Protected species)
 CN5 (Setting of listed buildings)
 CN8 (Development in conservation areas)
 CN9 (Demolition of buildings in conservation areas)
 CN11 (Views into and out of conservation areas)
 CN21 (Archaeology)
 H30 (Replacement dwellings)

Government guidance

National Planning Policy Framework (NPPF) March 2012

7. Consultations

Parish Council:

Support, further comments summarised:

A site meeting took place on the 24th May. The Parish Council consider that using tiles (the applicant's preference) instead of slate would be more appropriate and considering the majority of dwellings in the surrounding area have tiled roofs the proposed development would thus be more in keeping.

Archaeology:

This site has an archaeological interest, as it lies within the area of the medieval settlement which became Winterbourne Earls. However, having studied the proposed new footprint of impact; this appears to be limited and appears to have little potential to encounter undisturbed archaeological remains. It is not considered that this development is likely to have an impact on significant archaeological remains.

Highways:

The proposal remains unchanged from the previous submission (in terms of access, parking and turning) and from the existing arrangement and adhere to previous observations raising no objections subject to condition requiring the access to have consolidated material.

Conservation:

Object, although the conservation officer considered that the previous application failed to meet the necessary tests to justify demolition of the historic cottages on the site; the previous permission was considered to preserve the character of the conservation area. Clay tile requires a much steeper pitch and this combined with the depth of the proposed building results in a substantially larger dwelling with a 1930s suburban character which fails to preserve or enhance the character of the rural conservation area.

Environment Agency:

No objections subject to conditions (finished floor levels to be set no lower than 300mm above adjacent ground levels, and a scheme for water efficiency to be agreed) and informatives (regarding pollution prevention during construction, sustainable construction and site waste management plan)

8. Publicity

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

1 letter of support received, summary of points raised:

Directly overlook site and proposal will maintain the similarity of all the properties in Tanner Lane

9. Planning Considerations**Impact to the character and appearance of the conservation area, landscape and setting of listed building opposite**

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the need to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. This statutory requirement is repeated in Local Plan policy CN8 and reflected in the new National Planning Policy Framework (NPPF) in paragraph 126 onwards.

Planning permission was granted earlier this year for a replacement dwelling under S/2012/0013. The conservation officer objected to the proposal as it involved demolishing a pair of former farm labourer's cottages and replacing them with a single dwelling.

The site is within open countryside, special landscape area and conservation area. Policy H30 requires replacement dwellings to be of a similar size to the existing and policy CN8 requires development to preserve or enhance the existing character of the area. The supporting documentation submitted with the application advised that the cottages were probably farm labourer housing for the estate and that 'a replacement for the cottages could enhance the conservation area if it were an appropriate form of development that respected the historic character and pattern of development'. The application was approved only on the basis that the replacement dwelling in the open countryside and conservation area preserved the character of the conservation area by being a modest sized 2 storey dwelling and having a similar footprint, similar bulk, mass and materials that preserved the historic character and appearance of the area. A Non Material Amendment application for revisions including the proposal to change the roofing material from slate to tiles, which also requires a steeper angle of pitch to the roof and corresponding increase in ridge height, was refused.

Nineteenth and twentieth century farm cottages almost uniformly use slate in this area, largely due to its distribution by railway, and this was proposed previously as a sympathetic continuation. Clay tile is of course widely used on many earlier residential and agricultural buildings, but clay tiles require a much steeper pitch and resultant higher ridge unless the footprint and depth of the building is reduced.

The proposed building is now substantially larger than previously approved, due to the depth of the building, the increase in roof pitch and ridge height. The overall appearance changes from a modest cottage to a substantial dwelling which is not considered to preserve or enhance the character of the conservation area.

Other Issues - Residential amenity, Highway safety, Archaeology, Flooding & impact to the river system, Protected Species

These issues were all considered in the previous application (the officer's delegated report is attached at appendix A). There have not been any material considerations that have changed since the last grant of approval, or from the proposed revisions, that alter the previously favourable conclusions on these issues.

10. Conclusion

There is an existing approval for the site which is considered to preserve the character and appearance of the conservation area. The proposals to mirror the dwelling on the north/south axis and adding a lean-to garden store to the garage block are considered to preserve the character and appearance of the conservation area. However, the proposed dwelling is now substantially larger than previously approved, due to the depth of the building, the increase in roof pitch and ridge height. The overall appearance changes from a modest cottage to a substantial dwelling which is not considered to preserve or enhance the character or appearance of the conservation area.

11. Recommendation

Planning Permission be REFUSED for the following reason:

(1) The site is within open countryside, a special landscape area and conservation area. Policy H30 requires replacement dwellings to be of a similar size to the existing and policy CN8 requires development to preserve or enhance the existing character of the area. The supporting documentation submitted with the application advised that the cottages were probably farm labourer housing for the estate and that 'a replacement for the cottages could enhance the conservation area if it were an appropriate form of development that respected

the historic character and pattern of development'. The single replacement dwelling approved under S/2012/0013 is on a similar footprint to the existing cottages; has a similar bulk and mass and is considered to preserve the character and appearance of the conservation area. The proposed building is now substantially larger than previously approved, due to the depth of the building, the increase in roof pitch and ridge height. The overall appearance changes from the appearance of a modest cottage to a substantial dwelling with a suburban character which is not considered to preserve or enhance the rural character and appearance of the conservation area, contrary to policies G1, G2, D2, C2, C6, CN8, CN11, H30 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy) and guidance within the NPPF.

1. Appendix A – Delegated report to S/2012/0013

CASE OFFICER'S REPORT

Application Reference: S/2012/0013
Date of Inspection: 08/02/2012
Date site notice posted: 08/02/2012 (expiry date
29/02/2012)
Date of press notice: 19/01/2012 (expiry date
09/02/2012)

POLICIES

Saved policies of the Salisbury District Local Plan (which are also 'saved' policies in the adopted South Wiltshire Core Strategy)

G1 (Sustainable development)
G2 (General)
D2 (Design)
C2 (Development in the countryside)
C6 (Special Landscape Area)
C11 (Areas of High Ecological Value)
C12 (Protected species)
CN5 (Setting of listed buildings)
CN8 (Development in conservation areas)
CN9 (Demolition of buildings in conservation areas)
CN11 (Views into and out of conservation areas)
CN21 (Archaeology)
H30 (Replacement dwellings)

Government guidance

PPS1 – Sustainable development
PPS 3- Housing
PPS5 – Planning for the historic environment
PPS25 – Development and flood risk

ISSUES

Principle of development
Impact to character and appearance of the conservation area, landscape and setting of listed building opposite

Residential amenity
Highways considerations
Archaeology
Flooding
Impact to protected species
Impact to the river system

REPRESENTATIONS

Highways – The application is for a replacement dwelling using the existing access. Satisfied that the site can accommodate adequate space to park three vehicles and to allow vehicles to turn within the site curtilage. The drawing ref: Hwe/p/02 shows gravel between the gates and the carriageway edge which is not acceptable and should be amended to consolidated material. Raise no objections subject to condition requiring the access to have consolidated material.

English Heritage – The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Conservation – The level of detail and assessment provided with this application is to be commended. The proposal is for the replacement of a pair of cottages lying in a field away from the southern edge of the settlement. The cottages have the appearance of typical nineteenth century farm labourers' dwellings, and they certainly served that function; it is also apparent, however, that there was a pair of cottages here at the time of the 1795 Enclosure survey, indicated by the existing small garden plots that are clearly drawn to their southwest. The tithe award has the plots owned by the major landowner, but there is no reason to suggest that he lived in one of these properties (or the two together), neither of which has the typical setting or outbuildings of a farmhouse, and it is much more likely that they were tenanted.

The site of the existing cottages was clearly chosen as a result of the proximity to the place of work for the occupants, and does not relate to the settlement. This is quite a common situation, especially for nineteenth century labourers' cottages, and from their fairly typical appearance one can immediately interpret these origins. Once they have been demolished and replaced however, no such interpretation could be gained without the benefit of recourse to records of the planning authority or the Ordnance Survey, and I would strongly argue that this does have a significant negative impact on the character of the conservation area. If there were nothing there at present, we would not entertain the concept of a new house in the middle of a field, and yet that is precisely how it would appear should this application be approved.

I would also question the contribution of the proposed dwelling, which has unusually large spaces between oddly square windows and a disappointingly 'executive' housing estate appearance, and the oversized garage building.

Parish Council – Support

Environmental Health – recommend conditions (timing of construction/demolition works and no burning of waste).

Archaeology – This site lies within the area of the medieval settlement which became Winterbourne Earls and has an archaeological interest.

Having studied the proposed new footprint of impact, however, this appears to be limited and appears to have little potential to encounter undisturbed archaeological remains. Do not consider that the development is likely to have an impact on significant

archaeological remains. As a consequence, no further observations to make.

Wiltshire Fire & Rescue – Comments which can be added as an informative.

Environment Agency – No objection to the development subject to conditions and informatives.

Wessex Water – New water supply and waste water connections will be required from Wessex Water to serve the proposed development. Further advice included on this process which can be added as an informative.

ASSESSMENT:

Principle of development

The site lies within open countryside, a conservation area, a special landscape area, an area of special archaeological significance and an area of high ecological value.

The proposal is to demolish the existing pair of three bedroom semi-detached dwellings and attached garages and construct a new single four bedroom dwelling and detached outbuilding on the site.

Policy H30 allows for replacement dwellings in the countryside where, among other considerations the new dwelling is not significantly larger or greater in impact than the existing, it is of a high standard of design appropriate to the rural surroundings and its siting is closely related to that of the existing dwelling.

Policy C6 makes clear that development will not be permitted in the Special Landscape Area unless it has particular regard to the high quality of the landscape and that development should be sympathetic with the landscape with high standards of landscaping and design.

Impact to character and appearance of the conservation area, landscape and setting of listed building

The site is also within a conservation area; described in The Planning (Listed Buildings and Conservation Areas) Act 1990 as “an area of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance”. The aim of the designation is to protect the character and appearance of an area from unsympathetic changes and inappropriate development.

Saved policy CN8 of the local plan requires development to preserve or enhance the existing character of the area. The site is also visible from outside the conservation area and policy CN11 refers to views from and into conservation areas being safeguarded.

Policy HE7.5 of PPS 5 states:

‘Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.’

Paragraph HE9.1 of PPS5 states that significance of heritage assets can be ‘harmed or lost through alteration or destruction of the heritage asset or development within its setting.’

A 'statement of significance and characterisation' report has been submitted as supporting documentation to the application. This includes a review of historic maps and documents which provide evidence to suggest the cottages were constructed between 1840 and 1881 close to the site of a former farmhouse (now demolished), opining that they were probably farm labourer housing for the estate. The report refers to the former farmhouse including barns, stables and a thatched wall.

The council's conservation officer agrees that the cottages have the appearance of typical nineteenth century farm labourer dwellings and the extract from the 1796 Enclosure Map included in the significance report also indicates there was an earlier pair of cottages on the site and although the plots were owned by the major landowner in the tithe award; it is likely these were tenanted. This Enclosure Map shows an L-shaped building to the north west of the site (in the current front garden of the cottages, which could be the former farmhouse or the other outbuildings referenced in the documentary evidence).

The application documentation refers to the cottages being in a poor condition as a result of damp in the cob walls with some of the render having failed and exposing the cob construction beneath; and having been compromised by modern alterations and extensions. The report advises that alterations have taken place within the cottages to the extent that few original features remain and concludes that the cottages are of low intrinsic value, their demolition would not result in any loss of significant historic fabric and their limited significance lies in their historic connection with the manorial estate. The assessment of significance submitted with the application explains that the significance of the cottages is limited by the fact that whilst the manor is important to the make-up of the village, the cottages had a humble purpose in housing farm labourers and 'are of limited value in illustrating any past occupation or activities.'

The supporting documentation advises that 'a replacement for the cottages could enhance the conservation area if it were an appropriate form of development that respected the historic character and pattern of development.'

The council's conservation officer advises that the site of the cottages doesn't relate to the settlement and is likely to have been chosen as a result of the proximity to the place of work for the occupants and that it is possible to interpret these origins from their typical appearance of the dwellings as nineteenth century farm labourers' cottages. The conservation officer advises that once demolished and replaced no such interpretation can be gained without recourse to documentary records and that the replacement dwelling will appear as an isolated new dwelling in the open countryside and overall will have a significant adverse impact upon the character of the conservation area.

The conservation officer has also raised concern about the design of the replacement dwelling by reason of it having a standard "housing estate appearance"; the large spaces between the oddly square windows and the size of the garage outbuilding.

It is relevant to the concerns of the conservation officer that the two dwellings could be combined as one dwelling without planning permission being required. The existing cottages also have modern uPVC windows of varying styles and relatively limited fenestration to wall ratio on the south elevation (similar to the ratio of window to wall of the application proposal, especially at first floor level). The cottages could also be altered/extended in accordance with permitted development allowances (albeit reduced in conservation areas) which could result in a change to the appearance from a pair of cottages to a single dwelling and could involve alterations to the windows without needing planning permission in any event.

Policy H30 requires replacement dwellings to be designed to a high standard appropriate

to the rural surroundings.

The Heritage Statement defines the character of this part of the conservation areas as a historic group of predominantly residential buildings, in a rural village context and an open landscape setting bounded by the river and glimpsed views through gaps between houses and boundaries. The statement summarises the appearance of buildings within this part of the conservation area as two storey; brick, brick and flint or render elevations; clay tiled hipped or gable roofs; brick chimney stacks (some centrally placed on the ridge); traditional window styles with either sliding sashes or two-light casements and native hedgerow or cob or brick boundary walls.

The single replacement dwelling is on a similar footprint to the existing cottages and with a similar bulk and mass. It is proposed to have rendered and painted walls under a slate pitched roof to reflect the materials of the existing cottages. The design is symmetrical with a central front door, two storey entrance bay and central brick chimney stack. Two light wooden casement windows are proposed. The replacement dwelling is considered to be appropriate to and will preserve the overall varied character and appearance of the conservation area in this location by reason of the existing properties in the immediate locality which vary from the existing two storey rendered cottages, the large two ½ storey rendered Parsonage Mead opposite the site, two storey traditional brick and flint dwellings (Church Farm Cottage and Manor Farm Cottage), more modern developments including the two detached dwellings behind Church Farm Cottage (approved under planning application reference S/1988/1495) and the large courtyard development of Earls Manor Court (approved under planning application reference S/1990/1416), which is a particularly dominant building within Tanners Lane.

The timber clad outbuilding is proposed in the front garden set at right angles to the replacement dwelling with garage and car port on the ground floor and an office within the roof space.

Parsonage Mead opposite the site is a Grade II listed building. The property is set back in the plot with a boundary wall and mature hedge behind, to the south boundary screening the proposed development site. Parsonage Mead also has a number of outbuildings within the front garden including a pitched slate roofed and red brick outbuilding of a similar scale to the proposed outbuilding. It is not considered that the development proposals will impact upon the setting of the listed building.

Whilst the appearance and character of the buildings on the site will change from that of two farm labourer cottages to a single dwelling; taking into account the condition of the existing cottages and permitted development rights that would allow conversion into a single dwelling and alterations (subject to the criteria within the General Permitted Development Order); subject to conditions (including agreeing the building materials); it is not considered that the proposals will have significant impacts on the conservation area, landscape or setting of the listed building.

Bearing in mind policy H30 requiring replacement dwellings to be of a similar size to the existing, and the location of the site within a conservation and special landscape area, withdrawal of permitted development rights in relation to extensions to the dwelling and outbuilding is considered justified.

Residential amenity

Policy G2 requires that development should avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings to the detriment of existing occupiers. The site is

surrounded by open field and the nearest neighbours are some distance away. It is considered that the proposal would not adversely affect nearby properties, and would comply with Local Plan policy G2.

It is considered reasonable to condition that the office in the proposed outbuilding should be used only for private and domestic purposes incidental to the enjoyment of the associated single residential dwelling to safeguard against the use of the office as an unrelated business which would have the potential for associated increase in traffic and activity on the site.

In light of the distance of the site from nearby residential dwellings, it is not considered necessary to condition the timing of demolition/construction works (as recommended by the environmental health officer) and the controlling of burning of waste should be dealt with under Environmental Protection Legislation.

Flooding

The site falls partially within Flood Zone 3 and 2 and is adjacent to areas that are thought to be at risk of surface water flooding.

The Environment Agency have acknowledged that the proposed scheme demonstrates a net reduction in flood risk via the removal of one of the two existing independent dwellings on the site and have raised no objections to the application subject to conditions and informatives.

They have advised that the access to the site is via Tanners Lane, which is partially within flood zones 3 and 2 and impacted by surface water flooding and whilst any flooding of the Lane immediately in front (north) and east of the site is likely to be shallow, with little or no velocity, the principle of safe access and egress from the site via this route is a matter for the Emergency Planning Officer to consider in consultation with the local Fire & Rescue service.

The council's public protection department has been consulted and has raised no objections to the application and the Fire & Rescue service has not commented on flooding. The scheme will also result in a net reduction in flood risk.

Protected species

The proposal involves demolition of an existing building and no protected species survey has been provided. However, the building is still in use and is not listed as a building type as high risk under the Wiltshire Council Ecologist Checklist. Certain species are protected under Part 1 of the Wildlife and Countryside Act 1981 and others are protected under the Habitats Regulations. Some are protected under their own legislation. The protected species legislation applies independently of planning permission and the developer has legal obligations towards any protected species that may be present. An informative can be added to any consent advising the applicant.

Highways considerations

Policy G2 of the local plan requires development proposals to provide a satisfactory means of access and turning space within the site, an appropriate level of parking and to also avoid placing an undue burden on the existing local road network.

The highways department have raised no objections to the scheme subject to conditioning that the first 5m of the access road should be properly surfaced.

Archaeology

The Council's archaeologist has advised that the site is within the area of the former medieval settlement; but as the proposed dwelling will be built largely on the site of the existing dwellings; it is unlikely that there will be undisturbed archaeological remains.

River system

The development lies to the east of the River Avon System SSSI and the River Avon SAC.

The nature conservation importance of the river system arises from the range and diversity of riparian habitats and associated species. The SAC qualifying features include one habitat (the watercourse characterised by floating *Ranunculus* (water crowfoot) and *Callitriche* (starwort) vegetation) and five species (brook and sea lamprey, bullhead, salmon and Desmoulin's whorl snail). All are dependent upon the maintenance of high water quality and sympathetic habitat management.

The proposals will not directly affect the river and the development site is separated from the river by the field surrounding the site. As such it is not considered that the scheme would lead to contamination of land or water resources. The environment agency has recommended an informative relating to pollution prevention which could be added to an approval.

RECOMMENDATION: Approve

APPROVED WITH CONDITIONS

It is considered that subject to conditions the proposal would not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the character and appearance of the conservation area, the setting of the listed building opposite, the landscape, residential amenity, highway safety, archaeology, or flooding. The development is in accordance with the relevant policies of the Salisbury District Local Plan (which are also 'saved' policies in the adopted South Wiltshire Core Strategy), namely:

- G1 (Sustainable development)
- G2 (General)
- D2 (Design)
- C2 (Development in the countryside)
- C6 (Special Landscape Area)
- C11 (Areas of High Ecological Value)
- C12 (Protected species)
- CN5 (Setting of listed buildings)
- CN8 (Development in conservation areas)
- CN9 (Demolition of buildings in conservation areas)
- CN11 (Views into and out of conservation areas)
- CN21 (Archaeology)
- H30 (Replacement dwellings)

(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 approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural resources.

Policy: G1 (Sustainable development)

(3) No development shall commence on site until details and samples of the materials and finishes 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: G1 (Sustainable development)

G2 (General)

D2 (Design)

CN5 (Setting of listed buildings)

CN8 (Development in conservation areas)

CN11 (Views into and out of conservation areas)

C2 (Development in the countryside)

C6 (Development in special landscape areas)

H30 (Replacement dwellings)

(4) The finished floor levels of the completed development should be set no lower than 300mm above adjacent ground levels.

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

Policy: PPS25 (Development and Flood Risk)

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

Reason: In the interests of highway safety.

Policy: G2 (General)

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

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

Policy: G1 (Sustainable development)

G2 (General)

D2 (Design)

CN5 (Setting of listed buildings)

CN8 (Development in conservation areas)

CN11 (Views into and out of conservation areas)

C6 (Development in special landscape areas)

C2 (Development in the countryside)

H30 (Replacement dwellings)

(7) The garage/office building hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated single residential dwelling.

Reason: In order that the Local Planning Authority may retain planning control over the use of the premises.

Policy: G1 (Sustainable development)
G2 (General)
C2 (Development in the countryside)
CN8 (Development in conservation areas)
CN11 (Views into and out of conservation areas)
C6 (Development in special landscape areas)

(8) This development shall be in accordance with the following drawings:
Drawing No. Hwe/p/04 Garage & Office
Drawing No. Hwe/p/02 Plans as proposed
Reason: For the avoidance of doubt and in the interests of proper planning

INFORMATIVE:- Wessex Water

New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from www.wessexwater.co.uk/developerservices
Further information can be obtained from Wessex Water's New Connections Team 01225 526222 for water supply and 01225 526 333 for waste water.

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul water system. On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and Wessex Water normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer is available from www.wessexwater.co.uk. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact the sewer protection team on 01225 526 333 at an early stage if a section 105a sewer may be affected.

INFORMATIVE:- Environment Agency

Flood Risk

Further clarification can be obtained from Gary Cleaver (Environment Agency Development & Flood Risk Engineer) 01258 483 434.

Water Efficiency

It is important that water efficiency measures are incorporated into the scheme. This conserves water and allows cost savings for future occupants.

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. Manufacturer's specifications should not be submitted. 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>

Pollution Prevention During Construction

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 of plant and machinery, oils/chemicals and materials; 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 should refer to the Environment Agency's Pollution Prevention Guidelines, which can be found at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Sustainable Construction

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

The Code for Sustainable Homes should be complied with, achieving the highest level possible. For details on compliance with the Code the applicant is advised to visit:

<http://www.communities.gov.uk/publications/planningandbuilding/codesustainabilitystandards>

INFORMATIVE: Wiltshire Fire & Rescue

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

INFORMATIVE:- Protected Species

Certain species are protected under Part 1 of the Wildlife and Countryside Act 1981 and others are protected under the Habitats Regulations. Some are protected under their own legislation. The protected species legislation applies independently of planning permission and the developer has legal obligations towards any protected species that may be present. Planning permission for development does not provide a defence against prosecution under protected species legislation.

All species of bats and their roosts are legally protected. Bats may use trees with suitable holes, crevices or cavities for roosting at any time of the year but they are usually difficult to detect. If you think tree works may affect a bat roost, you should seek advice from a bat expert who will be able to advise you on how to avoid harming bats. If bats are discovered during tree works, you should stop work immediately and consult Natural England at their Devizes office 01380 725 344.

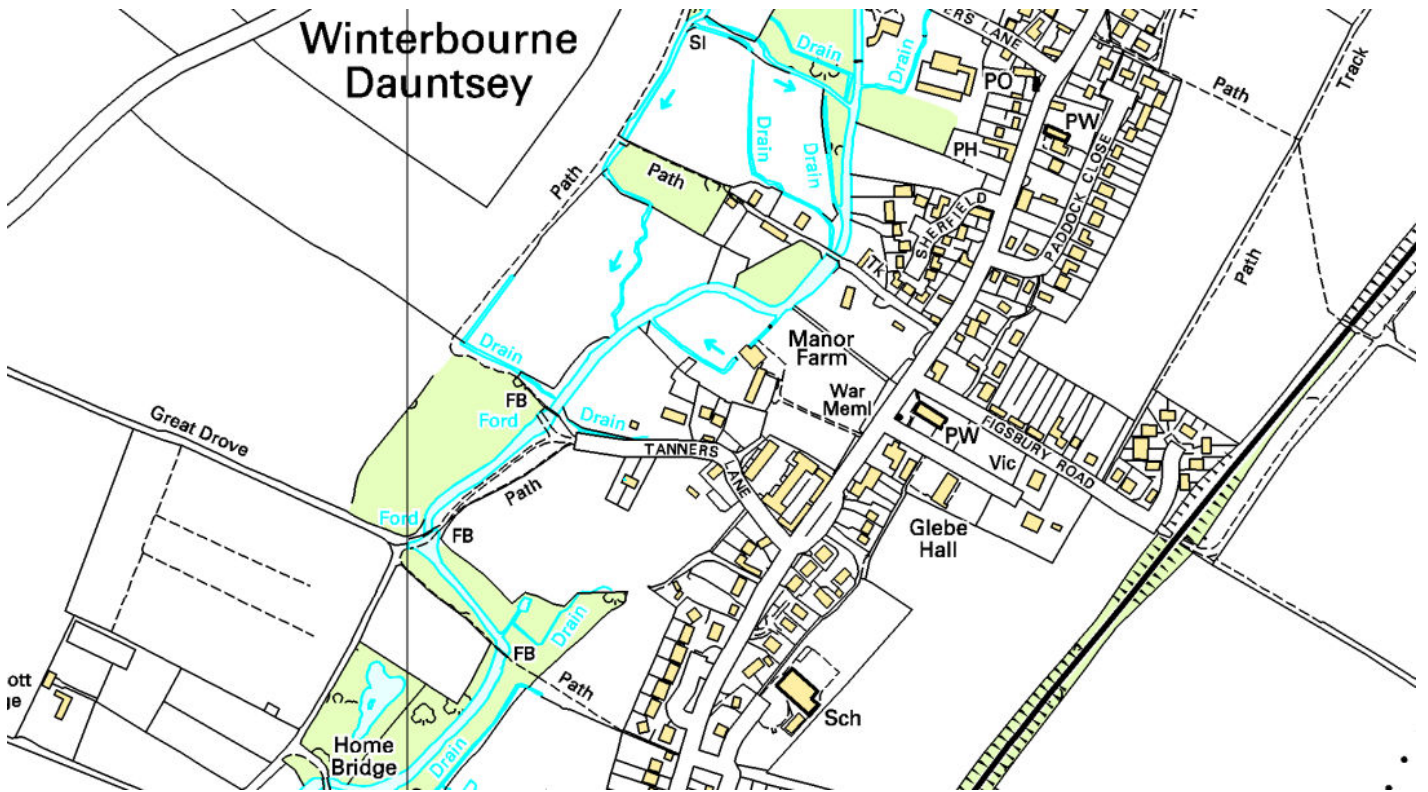
All birds are legally protected and their nests and eggs are protected during the breeding season. For most species this is between 1st March and 31st August but it may occur outside this period. If there is a likelihood breeding birds are present, you must delay works until young birds have left the nest or the nest has been abandoned.

INFORMATIVE:- Condition 3 Materials

Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the planning office where they are to be found.

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Meadow View Cottages. SP4 6HE



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