

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 17 October 2013
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718504 or email kieran.elliott@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 Richard Clewer	Cllr John Noeken
Cllr Brian Dalton	Cllr Ian Tomes
Cllr Christopher Devine (Vice-Chairman)	Cllr Fred Westmoreland (Chairman)
Cllr Jose Green	Cllr Ian West
Cllr George Jeans	

Substitutes:

Cllr Terry Chivers	Cllr Helena McKeown
Cllr Ernie Clark	Cllr Leo Randall
Cllr Tony Deane	Cllr John Smale
Cllr Dennis Drewett	Cllr John Walsh
Cllr Peter Edge	Cllr Bridget Wayman
Cllr Russell Hawker	Cllr Graham Wright

AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

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

To approve and sign as a correct record the minutes of the meeting held on 26 September 2013.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

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

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the

officer named on the front of this agenda **no later than 5pm on Thursday 10 October 2013**. 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 17 - 18*)

To receive details of completed and pending appeals.

7 **Planning Applications** (*Pages 19 - 20*)

To consider and determine planning applications in the attached schedule.

7a **13/02724/FUL: Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW** (*Pages 21 - 28*)

7b **13/00246/FUL: Crouchston Farm, The Cross, Bishopstone, Salisbury, Wiltshire, SP5 4BW** (*Pages 29 - 38*)

7c **13/01391/FUL: Ridgeside, The Ridge Woodfalls, Salisbury, Wiltshire, SP5 2LD** (*Pages 39 - 50*)

7d **13/03203/VAR: Brickyard Corner House, Donhead St. Andrew, Shaftesbury, SP7 9ER** (*Pages 51 - 58*)

7e **13/03027/FUL: 18c Firs Road, Firsdown, Salisbury, Wiltshire, SP5 1SQ** (*Pages 59 - 66*)

7f **13/01417/FUL: Gilston, Mount Pleasant, Stoford, Salisbury, Wiltshire, SP2 0PP** (*Pages 67 - 72*)

8 **Urgent Items**

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

Part II

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

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SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 SEPTEMBER 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

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

91 Apologies for Absence

There were no apologies received.

92 Minutes

The minutes of the meeting held on 05 September 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

93 Declarations of Interest

There were no declarations.

94 Chairman's Announcements

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

95 Public Participation and Councillors' Questions

It was agreed a site visit would be held for application 13/00246/FUL - Crouchston Farm The Cross Bishopstone Salisbury Wiltshire SP5 4BW - should the item come before the Committee.

96 Planning Appeals

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

It was also agreed that the Committee would endorse a letter, to be delivered by the Chairman to the Cabinet, on the delays and expected completion of the council's Gypsy and Traveller Development Plan Document, the lack of which it was felt had exposed the council to negative decisions from Planning Inspectors during appeals.

97 **Planning Applications**

A late list of observations was circulated as attached to these minutes.

98 **S/2012/1778: Old Sarum, Salisbury, SP4 6BB**

Public Participation

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in objection to the application.

The Planning Officer introduced the item, explaining that following the Committee meeting on 05 September 2013 where the application had been refused, the applicants had lodged an appeal the next morning prior to receiving the formal notice of the decision, appealing against the non-determination of the application because of the delays in bringing the item forward for determination.

It was stated that officers therefore sought the Committee's approval of the refusal reasons as listed in the report and agreed at the last meeting, to form the basis of any appeal challenge by the Council.

Members then had the opportunity to ask questions of the officer. It was confirmed the Committee could amend or add additional reasons for refusal if they felt that would be appropriate.

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

The Local Member, Councillor Ian McLennan, reiterated his objection to the application.

A debate followed where the Committee confirmed their previous decision to refuse the application, and discussed potential amendments, including the land supply for housing, burial contributions and other issues.

After discussion, it was,

Resolved:

To approve the grounds for challenging the applicant's appeal as follows:

1) It is acknowledged that the application site is located within the allocated housing site defined by saved policy H2D of the Salisbury District Local Plan and within the approved site associated with outline application S/2005/0211. However, whilst the policy and adopted development brief alludes to additional dwellings being permitted after

2011, the Council is of the opinion that any additional dwellings were envisaged to come forward following a formal consultation and allocation as part of a future Local Plan adoption process. As no such land has been allocated at the Old Sarum site as part of the now adopted South Wiltshire Core Strategy, or is intended as part of the draft Wiltshire Core Strategy, and given that there is a 5 year land supply, it is considered that the proposal is contrary to the Development Plan, in particular policy H2D and the associated development brief, which stipulated a limit of 630 dwellings prior to 2011; policy CP6 of the adopted South Wiltshire Core Strategy, which does not allocated further land in this area, and similarly, draft policy CP1 & CP2 of the Wiltshire Core Strategy. The proposal would therefore also be contrary to the guidance contained with the National Planning Policy Framework, which indicates that housing provision should be considered on the basis of the adopted up to date local planning policies.

2) Notwithstanding the above, the scheme would only provide for 25 percent affordable housing, and would not provide any on site public open space or provide any access to additional planned open space within the allocated Longhedge development located immediately adjacent to the site. As a result, and in the absence of a suitable Section 106 Agreement, the proposal would not accord with either the 33 percent affordable housing provision stipulated by the 2007 Section 106 Agreement related to the outline planning permission S/2005/211, or with the 40 percent affordable housing provision stipulated by adopted policy CP3 of the South Wiltshire Core Strategy. The proposal would therefore also be contrary to the provisions of saved policy R2 which also forms part of the South Wiltshire Core Strategy, in that the proposal fails to provide sufficient public open space on site or a suitable financial contribution towards the provision of such space.

3) The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- Additional affordable housing
- Additional contributions towards the planned community centre
- Additional contributions towards the existing educational facilities
- Additional public art contributions
- Contributions towards the Wessex Stone Curlew project
- Additional contributions towards public open space and equipment
- Additional contributions towards sustainable transport infrastructure including bus and cycle vouchers
- Waste and recycling facilities
- A financial contribution towards Wiltshire Fire and Rescue services

- **A financial contribution towards the provision of cemetery facilities**

However, the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy, and saved policies G2 (ii), D8 & R2 and R4 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.

99 **S/2012/1829: Local Centre, Old Sarum, Salisbury, SP4 6BY**

Public Participation

Mr John Bryant spoke in objection to the application.

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in support of the application.

The Planning Officer introduced the item, explaining that following the Committee meeting on 05 September 2013 where the application had been delegated to the Area Development Manager to approve subject to conditions and the completion of a s.106 legal agreement, the applicants had lodged an appeal the next morning prior to receiving the formal notice of the decision, appealing against the non-determination of the application because of the delays in bringing the item forward for determination.

Attention was drawn to the additional information as attached to these minutes, which detailed the applicant's grounds for appeal, relating to the restriction on the opening hours of the shop, restrictions on the land offered to the school for educational purposes and a dispute over the s.106 contributions.

It was stated that officers therefore sought the Committee's approval for the proposed resolution to form the basis of any appeal challenge by the Council.

Members of the Committee then had the opportunity to ask questions of the officer. It was confirmed in response to queries that Members could amend their resolution from the Committee meeting on 05 September 2013 if they felt certain aspects should be reconsidered. It was also clarified that the Council's Education Department intended to utilise the land offered by the developers for educational use at the local school, meaning that even if a clause was retained stating the land should be used for open space if not used for that purpose, or that it should be returned to the applicant in that circumstance, there was little prospect of that clause being utilised.

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

The Local Member, Councillor Ian McLennan, reiterated his support for the application on the terms as agreed by the Committee at its previous meeting.

A debate followed where which issues required provision to mitigate the impacts of the development, to be included in any appeal challenge by the Council, was raised, along with the appropriateness of the restriction on opening and delivery hours for the proposed shop.

At the conclusion of debate, it was,

Resolved:

To approve the grounds for challenging the applicant's appeal as follows:

- 1) The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:**
 - **Additional Educational facilities/contributions including secure use of the blue land as part of the adjacent school, or otherwise as public open space**
 - **Provision of suitable additional waste and recycling provision/contributions**
 - **Provision of additional open play space financial contributions**
 - **Financial contribution towards stone curlew project**
 - **Additional Public open space facilities/contributions**
 - **Additional public art financial contributions**
 - **Additional transportation financial contributions/sustainable transport initiatives**
 - **Additional Financial Contribution towards planned community centre**
 - **Secure affordable housing provision, including 4 additional affordable housing units**
 - **Marketing of shop and provision/timing of shops/surgery**
 - **The provision of an adopted path across the site and unfettered pedestrian and cycle access to and from Partridge Way**
 - **A financial contribution towards Wiltshire Fire and Rescue services**
 - **A financial contribution towards the provision of cemetery facilities**

However, the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy, and saved policies G2 (ii), D8 & R2 and R4 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.”

2) Members resolved to approve the application, and sought to reach a balance between the requirements of the commercial operation and the protection of residential amenity. Members therefore resolved to expand Condition 13 to widen the delivery times. However, the local centre would be located within close proximity to existing dwellings, and directly beneath proposed residential apartments. As a result, Members resolved

to expand the opening time to 7am, but sought to restrict the closing time to 10pm seven days a week. It is therefore considered that the proposed closing time of 11pm would result in a use which may cause harm in terms of general noise and disturbance to adjacent residential amenity, contrary to saved policy G2 of the Salisbury District Local Plan.

100 **13/00438/FUL: Swaffham House, Youngs Paddock, Winterslow, Salisbury, SP5 1RS**

Public Participation

Mr Emad Moussa, applicant, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. It was confirmed no highways concerns had been raised by officers, and that the proposed wall would run directly alongside the pavement, except for a small section which would run behind the street sign and lamp post.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was clarified that permitted development only allowed a wall to be built of up to 1m adjacent to a highway, and that the proposed wall was 2m in height, a reduction of 0.8m from a previously refused application. Details were also sought on the exact path of the proposed wall.

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

The Local Member, Councillor Chris Devine, then spoke in objection to the application.

A debate followed where the impact of the proposed wall on the character of the area was assessed, and the presence of similarly heighted walls and fences in the area was noted.

After discussion, it was,

Resolved:

That permission be GRANTED, for the following reasons:

The proposed new wall, by reason of its reduced height over that previously proposed under refused planning application S/2013/0063, would not present a visually dominant and unduly overbearing structure, and would accord with the existing character of the surrounding area where significant boundary structures are frequently located immediately at the highway edge, and would thereby integrate satisfactorily in relation to other properties and the overall landscape framework.

The proposed development is thereby considered accordant with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), D3 (Design) & H16 (Housing Policy) of the saved policies of the adopted local plan (constituting saved policies listed

in Appendix C, of the adopted South Wiltshire Core Strategy), and the aims and objectives of the NPPF (in particular chapter 7). The proposed development would not be discordant with the guidance contained within the Winterslow Village Design Statement.

Subject to the following conditions:

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

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

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

Drawing number 5677/1/3 dated Sept 2012 and deposited with the local planning authority on 02.05.13.

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

Informative To Applicant

The Highways officer has commented that whilst (in his opinion) the principle of the erection of the proposed retaining wall is acceptable, the applicant should be informed of the following:

The proposed development requires the re-siting of an existing street nameplate. In this connection the applicant should be advised to contact the Council's Area Highway Office at Wilton Tel. 01722 744440 before the commencement of any development hereby permitted.

101 **Urgent Items**

The Committee commented upon the additional information and discussed supporting the view of the Highways officers in appendix 1 regarding a connecting link between Old Sarum and the Longhedge strategic site.

Resolved:

To receive a report from the Highways team on the matter at a future date.

(Duration of meeting: 6.00 - 7.20 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

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

<p style="text-align: center;">SOUTHERN AREA PLANNING COMMITTEE 26th SEPTEMBER 2013 SCHEDULE OF ADDITIONAL CORRESPONDENCE</p>

Agenda Item 7a

Plan List Item 1 S/2012/1829 – Reserved matters application for 3 retail units, a doctors surgery and 30 apartments including parking, landscaping and recycling centre (following approval of outline application S/2005/0211)

At Local Centre, Old Sarum, Salisbury, SP4 6BY

WC Highways – Wishes to secure a link with the Longhedge site (attached). Members are asked to consider the comments and request of the highways officer, and to confirm whether they wish officers to raise the matter of the provision of a link between the Old Sarum site and the Longhedge site at the forthcoming appeal. Officers will discuss further at the meeting.
(See Appendix 1)

Appellant – Clarification of reasons for launching non determination appeal (See attached). Members will note that the applicants have appealed on three grounds:

1. The members resolution to limit the opening times of the shop to 10pm
2. The members resolution to restrict the use of the intended educational land to open space, if not needed for educational purposes
3. That the S106 contributions are unclear and need to be debated at the same time as the other similar contributions at the forthcoming appeal **(See Appendix 2)**

Third Party – Raising concerns about intended 10pm closure (attached)

Officer comments: **(See Appendix 3)**

Officers originally recommended the following condition, (requested by the Council's EHO

“12. The retail units shall not be open to the public except between the hours of 07:30 and 23:00 Monday to Friday, 08:00 and 23:00 on Saturdays and 09:00 and 22:00 on Sundays.”

However, Members resolved to approve the scheme, they requested that condition 12 be adjusted to the following (as per the minutes).

“12. The retail units shall not be open to the public except between the hours of 7am and 10pm all week

REASON: To ensure that the impact of the development on surrounding Amenity is balanced against the needs of the commercial operation”

However, as the applicants have now appealed, a reason for refusal will need to put forward to the Planning Inspectorate due to the applicants non acceptance of members resolution. Officers have therefore suggested the reason for refusal (2) below

However, before confirming a reason for refusal on this point, Officer requests that Members consider the third party request to retain an 11pm closing time. Members should also note that the Council's Environmental Health officer originally suggested an 2300 finish.

2. Members resolved to alter the Heads of Terms of the S106 Agreement so that they indicated:

“i) Additional Educational facilities/contributions including secure use of the blue land as part of the adjacent school, or otherwise as public open space

The applicants have indicated that if the land identified in blue of the submitted plan were not required for educational purposes, they wished to retain the right to retain ownership of this land so that the land could in future be considered for additional development. Hence, they are not willing to accept a clause in the S106 which means that the applicant relinquishes control of this land in perpetuity. They also believe the land to be unsuitable for public open space.

However, officers have contacted the Council's Education Department, and it has indicated that it would need the offered land for educational use as part of the existing school. Given that the existing school is already oversubscribed, there is a high likelihood that the land will be utilised as part of a future expansion of the school. Consequently, even if a clause were to be retained in the S106 which insisted that the land to be used for public open space or passed back to the applicant, there seems little current prospect of this clause being utilised.

3. Due to the appellants appeal, a S106 agreement has yet to be forthcoming and the appellants have indicated that they wish to discuss this matter at the appeal Inquiry along with all other S106 matters. This means that a refusal reason similar to that imposed on all other areas 9a/9b, 10, 11 & 12 needs to be added.

Subject to members views on the above and the reasons below, officers therefore seek Members authorisation to challenge the appeal regards the Local Centre on the following matters.

01 The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- **Additional affordable housing**
- **Additional contributions towards the planned community centre**
- **Additional contributions towards the existing educational facilities**
- **Additional public art contributions**
- **Contributions towards the Wessex Stone Curlew project**
- **Additional contributions towards public open space and equipment**
- **Additional contributions towards sustainable transport infrastructure including bus and cycle vouchers**
- **Waste and recycling facilities**

However, the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy, and saved policies G2 (ii), D8 & R2 and R4 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.”

02 Members resolved to approve the application, and sought to reach a balance between the requirements of the commercial operation and the protection of residential amenity. Members therefore resolved to expand Condition 13 to widen the delivery times. However, the local centre would be located within close proximity to existing dwellings, and directly beneath proposed residential apartments. As a result, Members resolved to expand the opening time of Condition 12, to 7am, but sought to restrict the closing time to 10pm. It is therefore considered that the proposed closing time of 11pm would result in the use would be likely to cause harm in terms of general noise and disturbance to adjacent residential amenity, contrary to saved policy G2 of the Salisbury District Local Plan.

Appeal ref APP/Y3940/A/13/2200882

Areas 10, 11 and 12 Old Sarum

WC Highway
Link to Longhedge

Connectivity Old Sarum to Longhedge Strategic Site

The highway authority seeks a direct connection to serve the interests of the communities of the Old Sarum and Longhedge developments in accessing then facilities that both sites offer, or will offer. A direct link between the sites is sought to facilitate movements only by sustainable transport modes. No direct car link is proposed.

At the time the outline planning permission was submitted and granted for the Old Sarum outline application S/2005/0211 it was envisaged to be the northern limit of development in Salisbury. No connecting link was therefore sought.

Subsequently the council has identified a strategic mixed use site at Longhedge. A planning application 13/00673/OUT has been submitted for determination. The highway authority is seeking a link between Longhedge and Old Sarum in connection with that development.

The applications for Areas 10, 11 and 12 are full applications, not reserved matters applications. The highway authority has, in consultation, sought the link, which is in the interests of sustainable transport for the Old Sarum site, given the known development potential on the Longhedge site.

Consultants for Persimmon Homes have submitted a sketch drawing for the provision of a link within their controlled land, the principle of which is acceptable to the highway authority.

The highway authority would be satisfied if a constructed link be provided in connection with the Old Sarum proposed development to its northern boundary. A connection from the north would be sought on the Longhedge development controlled land to complete the link. In the event of problems with uncontrolled land the highway authority would consider intervening to complete the link.

At this stage buses loop through the Old Sarum site. No firm proposals exist for bus provision within the Longhedge site, but preliminary arrangements will be for a loop through the Longhedge site; this will be reviewed as and when the ability to provide a full link is established.

13/9/13

Appendix 2

Hughes, Richard

From: Rob Riding [Rob.Riding@pegasuspg.co.uk]
Sent: 17 September 2013 09:18
To: appeals@pins.gsi.gov.uk
Cc: Hughes, Richard; Glenn Godwin
Subject: APP/Y3940/A/13/2204979 - Local Centre, Old Sarum

Dear Sir/Madam,

With reference to the above appeal lodged on 6th September 2013, it has been brought to our attention that the grounds of appeal were not drawn through to the appeal forms submitted online. I apologise for any confusion but please see below the Appellants grounds of appeal:

The appeal is lodged against the Local Planning Authority's failure to determine the application within the statutory period.

Members of the South Area Planning Committee resolved to approve the reserved matters at the meeting on 5th September 2013, but changed recommended conditions and obligations which introduced restrictions that are unacceptable to the Appellant.

The restriction of opening hours to 22.00 hours instead of the 23.00 hours recommended is not acceptable to the Appellant.

The requirement for the school "reserve land" to be used as public open space if the school expansion is not considered appropriate in this location and an unnecessary restriction on the potential residential use of the land established by the previous approved "local centre scheme"

In addition, the S106 heads of terms are unclear and would benefit from negotiation and agreement with the other applications at Old Sarum subject of the appeal.

In view of the Committee's decision it is anticipated that all other matters can be agreed with the Local Planning Authority.

I trust this is of assistance.

Regards,

Rob Riding

Senior Planner

Pegasus Group

Planning | Environmental | Retail | Urban Design | Renewables | Landscape Design | Graphic Design | Consultation | Sustainability

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Richard Hughes Esq
Team Leader
Department of Neighbourhood and Planning
Wiltshire Council
POBOX 2281
Salisbury SP2 2HX

Dear Mr Hughes,

Re: Planning Approval for Local Centre - Old Sarum, Salisbury

Further to your emails both to myself and my client Jeremy Fox at London Orbital with regard to the above I was pleased to see that there was now approval to grant consent for the local centre development as proposed to be constructed by Persimmon for my client.

I have reverted to our prospective tenants for the convenience store, namely Southern Co-operative to see if they will now accept the proposed adjusted trading and delivery hours.

Confidentially for your information, they are the only major operator who were prepared to consider this location with the other retailers commenting that the total number of houses at Old Sarum made the location marginal for a store of this size. Southern Co-op are pleased that the morning hours for trade will now run from 7.00 am all week but are somewhat surprised that the closing time has been adjusted to 10.00 pm from the environmental health officer's original recommendation that this should be 11.00 pm. This will cause Co-op difficulty since the last hour of trade is very lucrative as customers generally make good use of this facility. The current feeling is that the loss of this last hour might tip the balance towards the store becoming very marginal in trading terms. They inform me that it will be essential to make a further application for alteration of the times before they are prepared to sign off on the lease.

I note mention is made of the member for Laverstock stating that the local shop there shuts at 10.00 and that they seem happy with the arrangement. I assume this is the One Stop unit on Church Lane, a scheme where in fact, I let the unit to that company when it was constructed some years ago. One Stop are a slightly different operator in the convenience sector and do not necessarily need to trade for the same number of hours as their parent, Tesco Express and the other major operators, J S Local and Morrison's, which together with Co-op trade for longer periods and in some cases 24 hours a day.

Turning now to the question of delivery hours, I am again pleased to see that the comments in relation to early deliveries of milk and news etc has been acknowledged and in any event these will normally take place from Transit size vehicles which should cause minimum noise disruption. The hours for deliveries are therefore acceptable although they have asked me

2 MELBOURNE HOUSE
13 WELLINGTON TERRACE
CLEVEDON
BS21 7PS

TEL: 07702 293850

to point out that as the logistics for Southern Co-op and indeed all Co-op's are dealt with by CWS's national distribution centres they do not have control over specific times for deliveries during the day. Instead a vehicle will have been loaded at the central distribution depot with a list of stores in the area where deliveries will be made. Drivers are not allowed to make mobile phone calls whilst driving for safety reasons and therefore cannot time a delivery to an exact time. This will depend on traffic conditions and quantity of drop offs on any run. They inform me that they can request that deliveries do not take place during the hours when school children are leaving but there is no way of policing this as it is completely outside Southern Co-op's control. So again as a specific condition it is not practical. Drivers are sensible and will make allowances when manoeuvring to ensure all pedestrians are safe not just children.

So in summary for Co-op to sign off on their lease it will be essential for the hours to be 0700 to 2300 each day although I may just be able to persuade them to accept 2200 on a Sunday and the rather unusual condition prohibiting delivery at school times is simply not practical and needs to be removed. I am informed by Southern that these amendments are essential and the alternative is that we will be without an operator for this store with little prospect of one being found to give the residents the good facilities that are needed and to save them from making car journeys into Salisbury for the top up shopping.

Is there any possibility that these amendments can be incorporated in the consent or will a further application be necessary and to be discussed at Committee?

Should you have any questions please do not hesitate to come back to me or my client direct.

Yours sincerely,

R W PAGE BSc FRICS

Wiltshire Council

Southern Area Planning Committee

17 October 2013

APPEALS

Appeal Decisions

Application Number	Site	Appeal Type	Application Delegated/ Committee	Appeal Decision	Overturn	Costs

New Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee		Overturn	Costs Applied for?
E/2012/1543/OUT	Ludgershall Garden Centre	WR	Non-determination		No	No
13/00451/FUL	Whaddon Farm, Old Southampton Road, Whaddon	WR	Delegated		NO	NO

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

07 October 2013

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Wiltshire Council

Southern Area Planning Committee

17 October 2013

Index of Applications on 17 October 2013

1

Application No: 13/02724/FUL
Site Location: Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW
Development: Creation of new access and farm track
Recommendation: Approve with Conditions

2 Site Visit 1600

Application No: 13/00246/FUL
Site Location: Crouchston Farm, The Cross, Bishopstone, Salisbury, Wiltshire, SP5 4BW
Development: The proposals aim to recreate and manage flood plains habitats which involve de-silting and re-connecting of the feeder ditch from the river Ebble. This in turn will be connected to a series of shallow scrapes and small area of permanent water via a new narrow channel which will return to the river Ebble via an existing drop board sluice arrangement. The rear access drive to the farm will also be resurfaced in bitmac
Recommendation: Approve with Conditions

3

Application No: 13/01391/FUL
Site Location: Ridgeside, The Ridge Woodfalls, Salisbury, Wiltshire, SP5 2LD
Development: Erection of two bungalows, new garage, new vehicular access and driveway, and works to existing dwelling
Recommendation: Approve with Conditions

4

Application No: 13/03203/VAR
Site Location: Brickyard Corner House, Donhead St. Andrew, Shaftesbury, SP7 9ER
Development: Variation of Condition No. 10 of Planning Permission S/2013/0427 (pursuant to S/2012/0223 for 'Demolition of existing house, garage and workshop building, construction of new house and garage complete with site services and new vehicular access from Scotts Hill) to change the design of the house to allow for the creation of two additional bedrooms and a bathroom, the installation of 3 no. dormer windows; and, to change the design of the garage through the installation of 2 no. Skylights
Recommendation: Refuse with Reasons

5

Application No: 13/03027/FUL
Site Location: 18c Firs Road, Firsdown, Salisbury, Wiltshire, SP5 1SQ
Development: Proposed raising of roof and creation of rooms in the roof space with 2 dormer windows on the front elevation and 1 dormer on rear elevation
Recommendation: Approve with Conditions

6

Application No: 13/01417/FUL
Site Location: Gilston, Mount Pleasant, Stoford, Salisbury, Wiltshire, SP2 0PP
Development: Raise roof to include room in roofspace and addition of 2 roof lights
Recommendation: Approve with Conditions

Report to the Southern Area Planning Committee

Date of Meeting	17 th October 2013		
Application Number	13/02724/FUL		
Site Address	Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW		
Proposal	Creation of new access and farm track		
Applicant	Guy Rasch		
Town/Parish Council	Woodford		
Electoral Division	Bourne and Woodford Valley	Unitary Member	Cllr Mike Hewitt
Grid Ref	411977	136021	
Type of application	Full		
Case Officer	Charlie Bruce-White		

Reason for the application being considered by Members

Cllr Mike Hewitt has called in the application due to local concern relating to matters of highways safety.

1. Purpose of report

To consider the above application and the 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. Principle of development;
2. Justification;
3. Character & appearance of the area;
4. Highways safety.

3. Site Description

The site relates to a parcel of land at Middle Woodford, which is used in connection with the rearing of pheasants, situated directly off the main (C-class) road that runs through the Woodford Valley. Behind the site, to the north-west, exists agricultural land used in connection with grazing. The site is currently accessed via a length of track which runs through the agricultural land to an existing access onto a road known as Church Bottom. The site is outside of the Housing Policy Boundary.

4. Relevant Planning History

13/0294	Creation of new access and farm track	REFUSED	06.06.13
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5. Proposal

It is proposed to create a new vehicular access onto the road directly off the site, and to form a new length of track to link up with the existing section.

The application represents a resubmission of an application previously refused by the Southern Area Planning Committee for the following reasons:

The development proposes a new vehicular access to serve an existing pheasant rearing shed and associated yard. The access would be sited on the outside of a bend where views of emerging vehicles would be partially obscured to users of the highway, and the applicant has not satisfactorily demonstrated that surface water could be adequately dealt with so as to prevent its discharge onto the highway. Furthermore, it is not considered that the proposed access is essential or necessary development within the countryside, on the basis that the site has historically been accessed by alternative means which is still available for use by the applicant. Consequently the proposed access would be detrimental to highways safety and would not comprise essential development within the countryside, contrary to Local Plan policies G2(i) and C20 (as saved within the South Wiltshire Core Strategy).

The current application is identical to the previous one, but supported by additional information including a Transport Statement.

6. Planning Policy

Local Plan: policies G1, G2, C2, C6, C20

Central government planning policy: NPPF

7. Consultations

Parish Council

Object due to potential for water run-off onto the road; access is on a blind bend and would be a hazard to highways safety; and it is not necessary as alternative access exists. The PC do not consider that the Transport Statement demonstrates that the development would be safe, and query the validity of the traffic survey.

Highways Officer

No objection subject to conditions to secure visibility splays and details of surface water drainage to prevent discharge onto the highway.

8. Publicity

The application was advertised by site notice and neighbour consultation.

21 letters of objection were received, raising the following concerns:

- Potential hazard to highways safety as access is on a blind/dangerous corner;
- Not necessary as the site can make use of its current/historic access onto Church Bottom.
- The existing access has always been shared with residential properties, and the recent construction of the new (replacement) dwelling does therefore not change this situation and provide a justification for the proposal.

- The site is on a higher level to the road and is close to the spring line and water table, and therefore the creation of an access at this point could result in excess water and mud being discharged onto the highway;
- The traffic survey carried out by the applicant is flawed for a number of reasons and important data such as the number of vehicles exceeding the speed limit has not been presented;
- Proposed drainage channels and soakaways to deal with the surface water are likely to be ineffective due to ground conditions;
- Possible precursor to further development.

9. Planning Considerations

9.1 Principle of development

Local Plan policy C20 states that development which is essential to meet the needs of agriculture, forestry and horticulture will be permitted in the countryside provided that it can be demonstrated that;

- (i) the development would be inappropriate in an urban area;
- (ii) the proposed development is directly related to a nearby holding or group of holdings;
- (iii) measures are included to prevent the pollution, over-abstraction and degradation of water courses and groundwater sources.

9.2 Justification

The applicant details that the new access is necessary to serve the pheasant rearing operation on the site. Whilst the applicant acknowledges that there is an existing, alternative means of access to the site via Wishford Road, it is stated that this access is shared with residential property, resulting in potential conflict, and would involve crossing third party land. In addition, it is stated that the proposed access would be more suitable, providing a purpose built access to modern standards.

On the other hand, a number of local residents and the Parish Council consider the proposal unnecessary, as the existing access has adequately served the site for many years with no apparent problem. Furthermore, it is cited that the access has always been shared with residential property, and that there have been no previous records of road accidents due to its use.

Officers note that the proposed access would provide a far more efficient and less onerous route to the pheasant shed than the existing arrangement. In this respect the proposed access is considered to be reasonable and acceptable in principle, subject to meeting other essential planning criteria such as not detrimentally affecting the character and appearance of the countryside, and being acceptable in highway safety terms.

9.3 Character & appearance of the area

The proposed access would be formed within an existing earth bank off the highway, and would project through an existing roadside hedge, albeit at a point where the hedge is comparatively thin. It would be a relatively modest access, typical of many field accesses found within the area and wider countryside, and would not require significant engineering works or significant removal of the hedge for the purposes of creating visibility splays,

since the road at the access point would be naturally splayed in either direction. There would be a need, however, to trim back the hedge to the south of the access to ensure adequate visibility in this direction, although this would be relatively limited and new hedge planting could be undertaken behind the existing hedge to reinforce it where necessary, in order to maintain the hedge-lined character of the road. New hedge planting would also be undertaken to either side of the access, protruding back into the site. As a result it is not considered that the proposal would have an unacceptable visual impact within the countryside.

9.4 Highways safety

The Highways Officer has visited the site and undertaken pre-application discussions with the applicant to ensure its optimum position. The access meets the required visibility standards, as set out within national guidance, for the type of road and speed of traffic expected on it, where the speed limit is restricted to 30 mph.

In considering the previous objections raised by the Parish Council and third parties the Highways Officer commented as follows:

The proposed access is on the outside of the bend which gives good visibility in each direction. I am satisfied that the required visibility can be achieved with some alterations to the hedge, which is under the control of the applicant. I accept that the bend is fairly blind for users of the road. This is caused by the wall to Woodford Mill on the inside of the bend. As the access is on the outside of the bend there will be good visibility of and from the access. Visibility standards are set out in Manual for Streets. If there is a problem of traffic ignoring the speed limit this is a matter for the police to address.

The application includes a cut off drain at the edge of the carriageway discharging to a soakaway. However, if the water table is as high as claimed by the objectors the soakaway will not work and water will be discharged on to the highway. I have checked with our area maintenance team and there are existing problems with water discharge in the area. In view of this I consider that the applicant should be required to demonstrate that the soakaway will be adequate to handle the expected discharge. This will involved undertaking permeability tests in a trial pit and an engineering design for the soakaway.

Notwithstanding this view, the previous application for the access was refused by the Southern Area Planning Committee on highway safety grounds. Consequently, in support of the resubmitted proposal, the applicant has submitted a Transport Statement based upon results from a traffic speed/count survey and search of police accident records. Key findings were that the measured mean speed of vehicles approaching the proposed site access was approximately 28mph, and that no accidents involving injuries have been recorded within the vicinity of the site.

A number of local residents and the Parish Council have queried the validity of the applicant's survey, due to the time of year it was undertaken (school holidays), the position of the recording instrument, and the presence of nearby roadworks for the duration of part of the survey. However, the Highways Officer comments as follows:

The Transport Statement and subsequent letter are accepted. Visibility distances are set by the speed limit for a road unless measured speeds are significantly lower than the limit. The 85th %ile speed measured is about what I would expect for a 30mph speed limit on a road of this nature and the proposed visibility splays do not need to

be amended. There is nothing in the submitted documents which changes my original view on this application.

In conclusion, no highway objection is raised subject to conditions requiring the formation/maintenance of the required visibility splays and further details of the proposed drainage measures, the latter of which will require agreement prior to any works commencing. Notwithstanding any agreed drainage scheme, it is an offence to discharge water onto the highway, and the local highway authority can take action to resolve such offences if this occurs.

10. Conclusion

The proposed access is considered to be justified development in the countryside that would not have an unacceptable impact upon the rural character of the area and, subject to conditions, would be acceptable in highway safety terms.

11. Recommendation

Planning Permission be GRANTED subject to the following conditions:

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

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

- 2) The development shall only be undertaken in accordance with the following approved plans:

Plan Ref....1090.P18.A3 Rev. B...	Dated....02.08.13....
Plan Ref....1090.P19.A3 Rev. B...	Dated....02.08.13....
Plan Ref....1090.P20.A3...	Dated....02.08.13....

REASON:For the avoidance of doubt.

- 3) The access hereby approved shall not be brought into use until a visibility splay has been provided between the edge of the carriageway and a line extending from a point 2.0 metres back from the edge of the carriageway, measured along the centre line of the access, to a point 1.0m into the carriageway from the nearside edge 43 metres to the south (right) from the centre of the access. Such splay shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

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

REASON:To ensure that the development can be adequately drained and that no water is discharged from the site on to the highway.

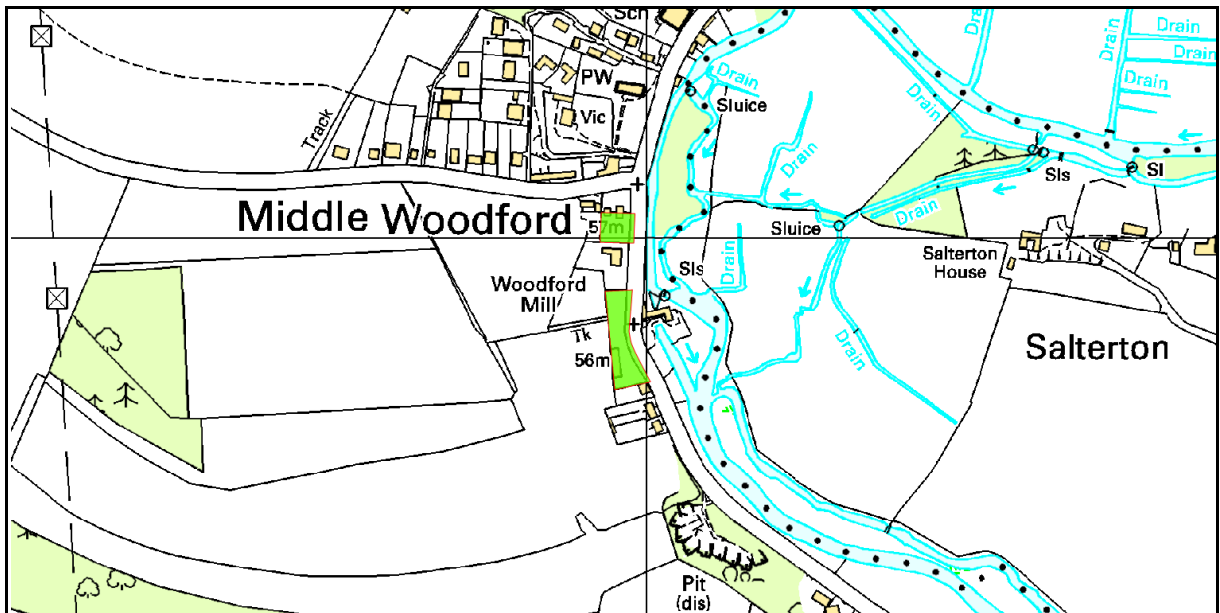
- 5) No development shall commence on site until plans (to be based upon a topographical survey) have been submitted to, and agreed in writing by, the local planning authority detailing the extent of alterations to the hedge to the south of the access in order to meet the required visibility splay as set out in condition 3. The plans should include proposals, including planting specifications, for the relocation/reinforcement of the hedge further back from the highway where appropriate. Any new hedge planting agreed shall be carried out in the first planting season following the first use of the access or the completion of the development whichever is the sooner. Any hedge 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: The required visibility splay to the south of the access will require the roadside hedge to be trimmed back, and appropriate new planting should take place where this is necessary in order to ensure that the hedge-lined appearance of the road is maintained, in the interests of the rural character of the area.

INFORMATIVE:- Condition 4 (Surface water drainage)

It is understood that there are existing problems with water discharge in the area, and that the water table is likely to be relatively high in the area of the site. The applicant will therefore need to demonstrate that any soakaway will be adequate to handle the expected discharge. This will involve undertaking permeability tests in a trial pit and an appropriate engineering design for the soakaway.

13/02724/FUL - Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW



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Report to the Southern Area Planning Committee

Date of Meeting	17 October 2013		
Application Number	13/00246/FUL		
Site Address	Croucheston Farm, The Cross, Bishopstone, Salisbury, Wiltshire. SP5 4BW		
Proposal	The proposals aim to recreate and manage flood plains habitats which involve de-silting and re-connecting of the feeder ditch from the river Ebble. This in turn will be connected to a series of shallow scrapes and small area of permanent water via a new narrow channel which will return to the river Ebble via an existing drop board sluice arrangement. The rear access drive to the farm will also be resurfaced in bitmac		
Applicant	Lady Nadine Cobham		
Town/Parish Council	Bishopstone		
Electoral Division	Fovant and Chalke Valley	Unitary Member	Cllr Jose Green
Grid Ref	406876 125524		
Type of application	Full Planning		
Case Officer	Ben Hatt		

Reason for the application being considered by Members

The application has been called to committee by Councillor Jose Green over the issues of

- Scale of development
- Relationship to adjoining properties
- Environmental impact

1. Purpose of report

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

2. Report Summary

- Planning considerations
- Impact on surrounding area including the river system
- Highways
- Ecology
- Archaeology

3. Site Description

The wetlands are located within Croucheston Farm within the rural settlement of Bishopstone. To the north of the Wetlands is the river Ebble, and neighbouring residential properties. To the south west of the Wetlands is the existing farm complex.

4. Planning History

S/2008/0940 2 STOREY REAR EXTENSION

S/2010/1216 DEMOLITION OF SINGLE STOREY WING AND ERECTION OF
REPLACEMENT WING AND INTERNAL ALTERATIONS

S/2004/2134 TO FORM PRIVATE RIGHT OF WAY

IN/2012/22497 Proposed reinstatement of floodplain with introduction of small ponds and
reedbeds.

5. The Proposal

The proposals aim to recreate and manage flood plains habitats which involve desilting and re connecting of the feeder ditch from the river Ebble. This in turn will be connected to a series of shallow scrapes and small area of permanent water via a new narrow channel which will return to the river Ebble via an existing drop board sluice arrangement. The rear access drive to the farm will also be resurfaced in bitmac

6. Planning Policy

G1, G2, C1, C2, C4, C5, C12, C13, C14, C17, C18

CP22

NPFF

7. Consultations

Environment Agency

No objections subject to conditions

Wiltshire Council Ecology

No objections subject to conditions

Wiltshire Council Highways

No objection

Wiltshire Council Archaeology

No objections subject to conditions

Wiltshire Council Conservation

No objections

AONB Group

Questions viability of the scheme

Parish Council

No objections have been received in principle and the improvements to the wetlands have been welcomed. Concerns have been raised over significant impacts negative impacts on the main River Ebbles and its environment, and on the interests of other riparian landowners in the village. Concerns have also been raised over the extraction limit of 20 cubic metres and how it would be measured or enforced. The comments go on to state that the application cannot be approved with the level of information supplied insufficient. The scheme and its impact have not been addressed.

Following amended plans and additional information an additional response was received. Concerns are again raised over the level of information and the questions that remain unanswered. The issue regarding the water levels serving the wetlands and if they are achievable is raised as no information showing it can be achieved has been submitted. The Parish Council also remain unconvinced that the use proposed is different from the agricultural grazing it is currently used as. An objection over the re surfacing of the adjoining track is also raised.

13 letters of representation raising concerns over an increase in traffic along High Road and Harvest Lane including an increase in Tractors vans and lorries, and impact on the river system and wetlands as a result of the amount of water required to ensure the scheme is successful. A representation received questions the conclusion that the scheme is viable.

1 letter of support. Stating application has been well prepared and has taken into account the surrounding area. The drainage system will reduced standing water and aid its return to the river.

8. Publicity

Site notice posted 15/5/13
Site visit conducted 15/5/13

9. Planning Considerations

The application consists of 6 proposals with the proposed timber decking removed from the application, which make up an overall scheme. The first proposal is the creation of a series of wetland scrapes and larger areas of open water linked by reconnecting the existing channel to the River Ebbles via a drop board sluice system. The second proposal is the desilting of the side channel from the main river to the site. The third proposal is the removal of the topsoil off site. The planting of marginal and submerged aquatic species including reed beds, native tree and shrub planting within specific areas, and the surfacing of an existing gravel track with tarmac make up the final 3 proposals of the scheme. The following paragraphs will assess the scheme in more detail.

9.1 Impact on surrounding area including river system

The proposed works which seek to create a series of wetland scrapes which are connected to the River Ebbles will require a constant water flow in order to serve the surrounding wetland and associated ecology. Objections from the Parish Council and a number of local residents have been received regarding the viability of the scheme and its impact on the adjoining river system. Whilst no objections have been received from the

Environment Agency it has been questioned that the features being created may not be supported and sustained by the current water flow including permissible water extraction (up to 20 cubic metres a day) and that additional water may be required which would result in the need for an abstraction licence that is unlikely to be granted. In addition to this it is stated that any additional water extraction would require sluice management outside of the control of the applicants.

Additional information submitted from the applicants has stated that the scheme is viable within its own right and notwithstanding a number of objections received including one objection based around engineering calculations. It is accepted that the proposed ponds will be connected by a deep ditch which will flow intermittently throughout the year. This will alleviate the issues of ponding and fish being stranded in the summer. Therefore It is considered that whilst there is The Environment Agency has recommended a number of conditions which will ensure that the proposal does not have a detrimental impact on the existing habitat and wetland features.

9.2 Highways

A number of concerns have been raised regarding the tarmac access drive. The proposal would see the existing access track be tarmaced. This will allow improved access to the rear of the farm complex. Concerns have been raised over an increased traffic flow through Harvest Lane and whether the bridges in the locality can support the farm vehicles. The re surfacing of an existing access will allow a improved service to the rear of the complex for vehicles using the site. It is considered that the resurfacing will not result in a significant increase in traffic using the site. In addition to this the type of vehicles using the access to the farm will remain the same as no change of use is proposed as part of the application. Furthermore no objections have been received from Highways.

9.3 Ecology

Details including a phase 1 habitat survey have been submitted as part of the application. It is considered that the proposals make the most of the existing ecological interest and subject to conditions no objection has been raised from the County Ecologist.

9.4 Archaeology

An archaeological Desk-Based Assessment has been submitted. Within this assessment it is accepted that the proposal could have an impact on the existing archaeology on the site. The assessment states that due to the waterlogged nature of the site preservation of any archaeological remains are likely to be good with the re establishment of a managed wetland environment may aid the long term preservation of any waterlogged deposits. Whilst a recommendation for further investigations has been made from the county archaeologist no objections have been raised it is considered that any additional investigations can be dealt with through condition.

10. Conclusion

The proposed wetland management scheme will result in a link with the adjoining river system and will require a management scheme to ensure there is no detrimental impact on the existing wetland or adjoining river system.

The proposed scheme would cause no damage to the surrounding area or ecology and whilst questions have been raised over the viability of the scheme it is considered that on balance it is acceptable with the benefits outweighing any potential negative impacts.

Recommendation

Planning Permission be GRANTED subject to the following conditions:

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

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

2. There shall be no depositing of material within the floodplain or other raising of ground levels.

REASON To ensure the integrity of the floodplain.

3. A further vegetation and (protected) species survey, carried out in spring/summer, to inform the design and method statement to minimise ecological impact and maximise ecological gain. It is not possible in winter to detect many ecological features or interests, and any further recommendations from such surveys incorporated should be incorporated into works. Although it is stated that an ecological clerk of works will be employed, it is not enough to rely on mitigation at the time of work - avoidance should be demonstrated in preference. A benefit of this for example, is that any valuable wetland vegetation could be kept wet throughout construction and replaced in a wet location (which will also aid later planting).

REASON: In the interest of the natural environment

4. It is known locally that Himalayan balsam is present upstream of the road bridge (2010 local records), and the wet winter in 2012/13 may have resulted in downstream deposition. Therefore an invasive non-native species survey, and subsequent avoidance/appropriate control action to avoid spread, should take place before construction, as well as consideration in soil movement and the long term habitat management plan.

REASON: In the interest of the natural environment

5. We would like to see a selection of cross-sections allowing for: shallow, gently inclining edges, graded to marshy areas that are suitable for a wide range of invertebrates and vegetation; a range of depths to provide a varied profile and refuge; irregular pond margins to increase "edge" length and orientation.

REASON: In the interest of the natural environment

6. We would also like to see the planting plans. Only native wetland plants should be used. In addition, planting is not always required and we would encourage a certain amount of natural colonisation to allow the local seed bank to regenerate. (We have not visited the site and are unaware if planting has been carried out to date. Even if so, we still advise native only, due to the dispersion potential of wetlands).

REASON: In the interest of the natural environment

7. We would also like to see at least 50% of the shrub planting situated on the southern edge of the channel course to provide summer shading and water cooling to the wetland area.

REASON: In the interest of the natural environment

8. We ask for any dead wood to be left on site.

REASON: In the interest of the natural environment

9. The buffer between the decking posts and the pond edge must be increased from 1m to at least 3m to allow a continuous corridor of wetland vegetation without shading/disturbance.

REASON: In the interest of the natural environment

10. We would also like to have the opportunity to comment on the long term habitat management plan and any grazing/fencing proposals. A low density grazing regime, without watercourse fencing, is preferred.

REASON: In the interest of the natural environment

11. It's possible that the decking would disturb wetland wildlife, given it is approximately 50% of the size of the individual reed-bed plots. It would be preferable if the decking could be reduced in size, as well as the buffer increased (as discussed above).

REASON: In the interest of the natural environment

12. Whilst the creation of additional wetland habitat is welcomed it should not be carried out at the expense of the existing aquatic system, therefore the development should utilise the existing water it receives from the River Ebbles. If the plans proceed as submitted then we would like to see anticipated environmental impacts (biodiversity and fisheries) on the loss of flow from the "deprived reach".

REASON: In the interest of the natural environment

13. The inlet and outlet boards must be designed to enable fish to migrate over them when water conditions allow. This can be achieved by cutting a V notch into the top board (a minimum of 10cms deep with 45° sides) and rounding the board's edges that will have water flowing over them.

REASON: In the interest of the natural environment

14. Prior to the commencement of development an Ecological Management Plan shall be submitted to and agreed in writing with the LPA. The Plan should cover:

1. Existing situation

Phase 1 habitat map (based on summer survey)

Locations of native and non native tree planting in the floodplain

(based on site survey)

2. Proposed scheme

Location of ponds (demonstrating where adjustments are needed to avoid areas of existing ecological interest being affected by new ponds)

Revised planting schedule (to demonstrate that areas of existing marshy grassland will be avoided by planting, and that all planting in the flood plain will be of native species)

Sources of native stock for tree and aquatic planting

3. Management of site

Water bodies

Grassland

REASON: In the interests of onsite ecology

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

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

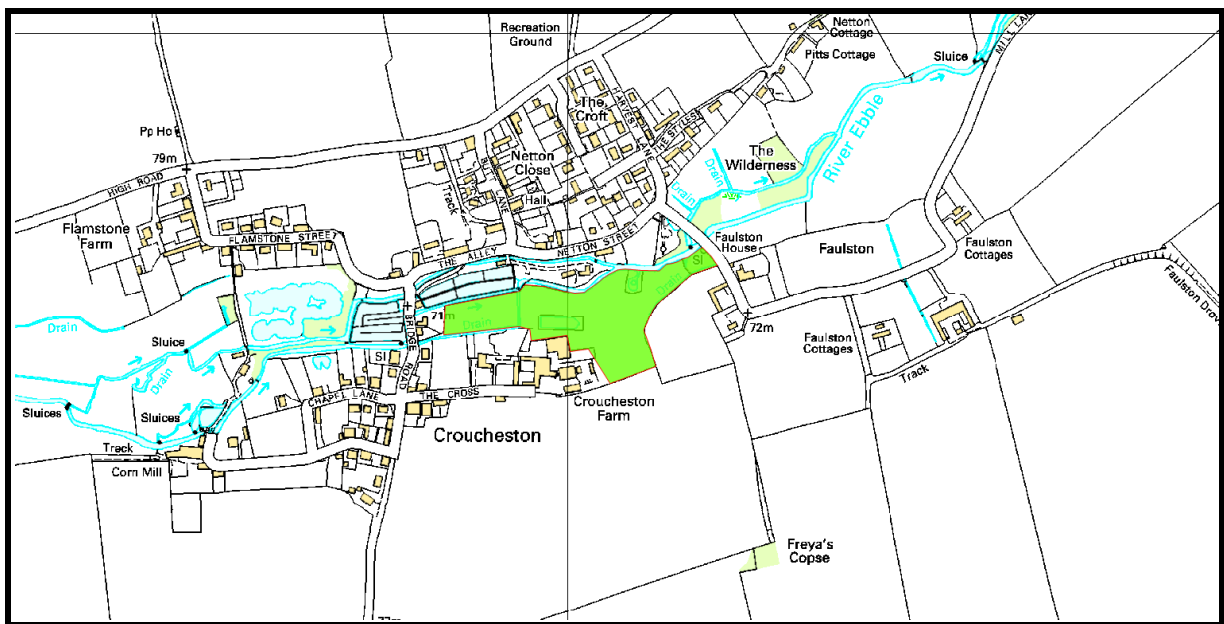
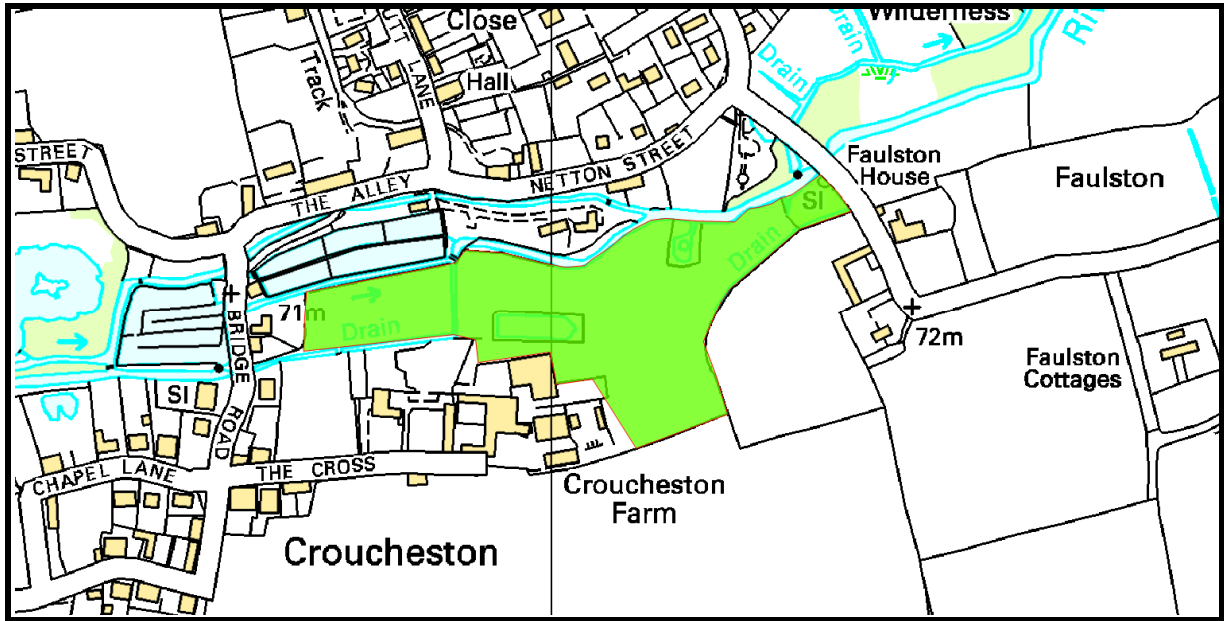
b) The approved programme of archaeological work has been carried out in accordance with the approved details.

The work should be conducted by a professional archaeological contractor in accordance with a Written Scheme of Investigation agreed by this office. There will be a financial implication for the applicant.

REASON:

To enable the recording of any matters of archaeological interest.

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Report To The Southern Area Planning Committee

Date of Meeting	17 October 2013		
Application Number	13/01391/FUL		
Site Address	Ridgeside, The Ridge Woodfalls, Salisbury, Wiltshire, SP5 2LD		
Proposal	Erection of two bungalows, new garage, new vehicular access and driveway, and works to existing dwelling		
Applicant	Willton Homes Limited		
Town/Parish Council	Woodfalls		
Electoral Division	Redlynch and Landford	Unitary Member	Cllr Leo Randall
Grid Ref	419962 120950		
Type of application	Full		
Case Officer	Amanda Iles		

Reason for the application being considered by Members

Cllr Leo Randall considers that this matter needs to be considered by Committee, due to the significant local interest and due to the concerns of the Parish Council.

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED subject a suitably S106 legal agreement, and subject to suitable conditions**

2. Report Summary

- Design and impact on wider area
- Impact on residential amenity
- Impact on existing and proposed highway systems and parking and turning
- Ecology and impact on National Park
- S106 matters

Parish Council have raised concerns and objections

11 letters raising issues

3. Site Description

Ridgeside is located on The Ridge in Woodfalls which links the New Forest and the village of Downton. It is an early 20th century double fronted brick property with later extensions and a large rear garden which includes land to the rear of the adjacent property, Sunmount. The garden is largely laid to lawn with the land falling from east to west.

The site is located within the Housing Policy Boundary of Woodfalls and the Special Landscape Area, and close to the New Forest National Park. The site is currently served by a vehicular access off the adjacent main road B3080.

4. Proposal

It is proposed to build two single storey bungalows in part of the rear garden area, including the creation of a new access driveway along side the existing dwelling and utilising the existing vehicular access. Works would also be undertaken to the existing dwelling to make way for the planned access driveway. The existing dwelling would be retained with a smaller proportion of garden area. Garage buildings would be provided for the existing and proposed dwellings.

5. Planning History

S/2012/1613 – Demolition existing garage and associated alterations to the existing dwelling. Erect 3 dwellings and garages to rear of existing dwelling. Refused for the following reasons:

(1) The proposed development would be located on, and involve the severance of, an existing garden area, serving a large dwelling in an area characterised by properties set within large gardens. The proposed dwellings would be located within close proximity to other existing dwellings and would result in the creation of a vehicular access between two existing dwellings. Therefore, based on the information provided, it is considered that due to a combination of the orientation, overall design, and juxtaposition of the proposed dwellings in relation to surrounding existing properties, the proposal would have a detrimental impact on the level of residential amenity enjoyed by occupiers of both the planned properties and the existing surrounding properties (The Ridge, Sunmount, 11 Vicarage Park, Magpies and The Manse), due to the inter-relationships, overlooking loss of privacy, reduced amenity area and increased noise and disturbance that will result. As such the proposal is judged to be contrary to Salisbury District Local Plan policies G2, D2, H16 and C6 as 'saved' within the Adopted South Wiltshire Core Strategy and the NPPF, particularly paragraphs 17, 53 & 56.

(2) Insufficient information has been demonstrated that the proposal will not be detrimental to protected species contrary to Salisbury District Local Plan policy C12, as saved within Appendix C of the Adopted South Wiltshire Core Strategy and guidance contained within the NPPF specifically paragraphs 109, 113, 117 & 118.

(3) The proposed residential development is considered to be contrary to Salisbury District Local Plan Policy R2 as saved within Appendix C of the Adopted South Wiltshire Core Strategy and Core Policy 3 of the Adopted South Wiltshire Core Strategy as appropriate provision towards public recreational open space and affordable housing has not been made.

6. Relevant Planning Policy

National Planning Policy Framework, (NPPF) particularly paragraphs 17, 53, 56, 109, 113, 117 & 118

South Wiltshire Core Strategy

Core policies 1, 3, 15, 18, 19 & 22

Salisbury District Local Plan Saved Policies – G1 G2 D2 R2 TR11 H16 C6 C12
Adopted Supplementary Planning Guidance “Creating Places”

Draft Wiltshire Core Policies CP 24, 25, 41, 43, 50, 52, 57 and 61

7. Third party responses

Redlynch Parish Council

Object to the proposal - recommend Refusal, for the following reasons:

- The size, mass, scale and density of the development still represents inappropriate backland development and would set a precedent in this part of Woodfalls
- The proposed development is not in keeping with the neighbouring properties and in our view would adversely impact on the well-being of the occupants of “Sunmount”.
- The proposed development may have an impact on the National Park due to its proximity.
- The NPPF does not appear to support the use of residential gardens for windfall sites.
- The proposed access to the site and highway safety are still issues for the Parish Council which are contrary to the Highways Authority recommendations, members still felt that the design of the entrance would be difficult for vehicles to negotiate and made worse by the additional parking space in front of Ridgeside. This is likely to lead to more vehicle parking on The Ridge giving rise to vehicle/pedestrians conflicts and impede the natural flow of traffic.
- New Permitted Development Rights would increase the habitable floorspace without reference to the Local Authority. Therefore if the Planning Authority is mindful to approve this application - strongly recommend that Permitted Development Rights be removed.

Third party – 11 letters raising concerns:

- Housing will have adverse impact on neighbour amenity
- Detrimental to highway safety with access onto busy road
- Create noise and disturbance to adjacent garden areas
- Garden grabbing
- Scale and massing out of keeping
- Increased light pollution
- Allows space for additional dwelling on site
- PD rights need to be withdrawn
- Resultant plot for Ridgeside would be out of keeping
- Potential for future loft conversion and overlooking/loss of privacy
- Lack of a protected species survey
- Access will cause congestion including trade vans

- No contribution towards open space or affordable housing
- Where will waste bins be stored and collected?

8. Consultee responses

Wiltshire Council Environmental Health

No objections subject to conditions

Wiltshire Fire and Rescue

Generic comments

Wiltshire Council Housing

The affordable housing contribution should be in line with the policy requirement and secured via a S106 agreement.

Wiltshire Council Highways

No objections.

Wiltshire Council Ecology

Further to additional surveys, no objections. New Forest financial contribution not yet applicable to this application.

Wessex Water

General water/drainage issues. Public sewer crossing the site

9. Planning Considerations

9.1 Principle

The application site is located within the Housing Policy Boundary, where in principle, housing development is acceptable in principle.

9.2 Design and impact on wider area

The previous scheme would have resulted in 3, two storey dwellings across the site, which would have been visible from the surrounding dwellings and surrounding road system. Partly as a result, the previous scheme was refused.

The existing rear garden of the existing property is large, and is located in a fairly secluded location, set back off the street scene, and partially screened by adjacent buildings and other planting.

The creation of the new access driveway would result in the removal of the garage associated with the existing property, and as a result, the rear garden area would inevitably become more visible from the street scene. However, the planned bungalows would be of a relatively modest height, and would be located in the southern portion of the garden, adjacent to, and partially screened from the street scene by the adjacent residential property "Sunmount". Therefore, from the main road to the east, it is unlikely that the new dwellings would be readily visible, or play much part in the visual character of the area.

The site is more visible from the west, as the site and surrounding land is located on higher ground compared to land and properties to the west of the site, where there is a significant change in levels down to Morgans Vale Road. In officers opinion, the planned bungalows are likely to be partially visible from some locations along Morgans Vale Road, given the elevated nature of the site.

However, whilst this would represent a change from the current open garden which exists, the character of this area has clearly developed over time, with numerous in-fill development clearly having taken place over the years, giving the area a rather fragmented character, (although this is most true of the Morgans Vale Road area, rather than the housing adjacent the Ridge). The area is however clearly characterised by a varied building form, with no particular architectural character or building line readily apparent.

In officers opinion, it would therefore be difficult to defend a reason for refusal based on the impact of the development on the character of the area.

9.3 Impact on residential amenities

A number of strong objections have been received, related to the impact of the proposal on adjacent dwellings and amenity. The previous reasons for refusal was based partly on this issue, as the previously proposed 3 dwellings would have been readily visible from surrounding garden areas, and would have significantly impacted on the level of privacy and enjoyment experienced by occupiers of those adjacent properties.

The revised scheme has attempted to address the previous reasons for refusal by proposing two single storey bungalows as opposed to 3, two storey dwellings. The previous scheme removed most of the existing garden area to the existing house, leaving a much reduced amenity space for occupiers. The dwellings as designed previously were arranged in a horse-shoe shaped layout, and given their height, were readily visible from surrounding houses and garden areas, and had a number of windows which would have overlooked adjacent garden areas.

This revised scheme therefore represents a significant change to the previous scheme, with the two bungalows being located in the southern part of the existing garden area. The properties would take up roughly half the existing garden area, leaving the existing dwelling with a significant, albeit reduced, elongated garden space. The bungalows have been sited as far away from the western boundary with "Magpies" as appears possible, and similarly, there is now no housing development planned in the garden area adjacent to either "The Old Pond House" to the north west, or "The Manse" to the north, although the parking and turning facilities would remain in the centre of the site together with the two planned garage buildings. The amount of built form adjacent these dwellings would therefore be significantly less than the previous scheme.

It is therefore considered that the main impacts of the revised development will be on No. 11 Vicarage Park to the immediate south of the site, "Woodlynch", and "Sunmount", located to the immediate east of the site.

It is clear that the bungalows would be visible from adjacent garden areas of these properties, as both existing dwellings are located near the boundary of the site and are two storey, so have a view over the application site. However, whilst being visible, the bungalows would be of restricted height, some 6 m to the ridge, with no first floor windows, and therefore it is unlikely that the bungalows would result (as currently designed) in any loss of privacy/overlooking issues. Similarly, it is unlikely that the proposals would cause any overshadowing or dominance issues with adjacent properties. As a result, it is likely that the most significant change will be the introduction of general noise and disturbance, particularly to Sunmount, which would have the planned access driveway located adjacent to its existing boundary.

However, given the reduction to two dwellings, and that the driveway would be only approximately one car wide, and given that two dwellings are proposed, the volume and speed of traffic would be likely to be quite limited, and hence have a relatively limited impact. Similarly, the number of vehicular manoeuvres and hence general noise and disturbance, is also likely to be quite limited. It may therefore be difficult to justify refusal of the scheme on the grounds of harm caused by noise and disturbance created by the dwellings.

A number of objections referred to the future ability of the dwellings to expand, using Permitted development rights, which allow development of dwellings without the need for further planning permission. However, such rights can be “withdrawn” by the LPA, and officers have suggested two such conditions, which would restrict the ability of future occupiers to enlarge their properties or to create first floor windows or accommodation.

9.4 Highways, Parking & turning

A number of third parties have raised concerns regards the impact of additional dwellings on highway safety.

The main B3080 road is very busy, and traffic speeds are very high, although officially limited. The existing access arrangements include a wide tarmac apron between the site access and the main road, and therefore this allows for above average visibility when exiting onto the main road, and will also allow vehicles turning into the access to leave the highway, whilst another car exits onto the main road. The narrow nature of the planned access driveway would also help reduce traffic speeds of vehicles exiting onto the highway and coming off it.

The highways concerns have been explored with the Council’s Highways officer as part of this current application and the previous application for 3 dwellings. He remains of the opinion that the access, parking and turning arrangements are satisfactory, and offers no objection to the current scheme. Members should note that the previous scheme did not contain a reason for refusal on highway safety grounds.

Consequently, whilst the third party concerns are understood and the speed of the road traffic is acknowledged, officers advise that a refusal of this scheme on highway safety terms would be difficult to justify.

9.5 Ecology and impact on National Park

The area around the site is biodiverse, and there is a pond on the site believed to contain newts. A number of the third party concerns relate to the lack of an ecology survey. However, following the submission of a survey related to protected species, the Council's ecologist does not object to the scheme. The Council ecologist has also advised that at the current time, a contribution towards the ecological impact of the development on the Forest is not required at this time. She therefore raises no objections to the proposal.

Consequently, whilst the third party concerns are understood, officers advise that a refusal of this scheme on highway safety terms would be difficult to justify.

9.6 S106 matters

A number of the third party concerns relate to the lack of a financial contribution or community benefit.

The residential development proposed requires the provision of a financial contribution towards public open space in accordance with policy R2, and a financial contribution towards affordable housing provision in accordance with policy CP3 of the South Wiltshire Core Strategy.

Contribution towards Open Space Provision

The scheme relates to the creation of new residential development and in order to comply with the requirements of policy R2 of the local plan (saved within the South Wiltshire Core Strategy), applicants are required to enter into a unilateral undertaking and provide a commuted financial payment for full or reserved matters applications. Although it is stated in the Planning, Design and Access statement that the applicant would be willing to pay this, it is necessary to include a reason for refusal relating to policy R2 in the event of an appeal against the decision. Local Plan policy R2 makes clear that all new proposals for residential development must contribute towards recreational open space facilities. This is because the increase in the number of people living within the area puts greater pressure on the existing recreational facilities and generates greater demand for new facilities.

The Council's Open Space Study, published in 2007 (which is not only a current document but also forms part of the evidence base for the proposed South Wiltshire Core Strategy), sets out the requirement of government planning guidance and investigates whether the current level of open space provision is sufficient in terms of quality, quantity and accessibility to meet the needs of residents now, and in the future. The study recommends that the Council develops a strategy for the provision of new open space, sport and recreation as required, ensuring contributions are maximised in areas which are known to have a quantitative shortfall and where housing growth is expected.

Contribution towards Affordable Housing

Under Core Policy 3 of the South Wiltshire Core Strategy an affordable housing contribution is required for all new residential development in order to help address the need for affordable housing in Salisbury and Wiltshire as a whole. Despite what is said in the Design and Access statement the applicants have indicated that they would be willing to pay this, but it is necessary to add a reason for refusal regarding the matter in the event of an appeal against the decision.

10 Conclusion

The proposal is significantly different from the previous scheme refused by the Council. The two proposed bungalows would be of a more modest scale, and of more limited height. They would also be located in the south east corner of the garden, thus reducing significantly the impact of the development on some of the adjacent dwellings in terms of overlooking, overshadowing and loss of privacy. Whilst there would be some impacts on surrounding dwellings due to the introduction of the two dwellings including parking and turning areas, it is considered that the impact would not be significant enough to warrant refusal of the application, given the residential character of the area. The third party concerns regards the proposed access arrangements are noted. However, the Council's Highways officer has raised no objection to the proposal, and consequently, it is considered that it would be difficult to substantiate a reason for refusal based on highway safety. There are no ecology concerns related to this application.

As a result, and subject to a suitable S106 agreement and conditions to mitigate the impacts of the development, the proposal is considered acceptable, and complies with the aims of policies CP3 of the adopted South Wiltshire Structure Plan, and saved policies G2, D2, & R2 of the Salisbury District Local Plan, as well as complying with the guidance provided in the NPPF in relation to the provision of housing.

RECOMMENDATION: THAT THE MATTER BE DELEGATED TO THE DIRECTOR OF DEVELOPMENT SERVICES TO GRANT PERMISSION, SUBJECT TO ALL PARTIES ENTERING INTO A REVISED S106 LEGAL AGREEMENT WHICH:

- a) Provides a financial contribution towards affordable housing
- b) Provides a financial contribution towards public open space

Then Planning Permission be GRANTED, subject to the following conditions:

1. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission

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

2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in

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

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

3. 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 those Orders with or without modification), no development within Part 1, Classes A-E (extensions and outbuildings) shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

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

4. The dwellings shall be single storey only, with no windows or other rooflights inserted in the roof, and no habitable rooms created in the first floor roofspace.

REASON: In order to protect residential amenity in terms of loss of privacy.

5. The development shall be carried out in accordance with the following approved plans:

Proposed block plan – drawing no ST452-20c
Proposed site layout – drawing no. ST452 -16c
Arboricultural plan - drawing no 2864/UPDATED
Floor plans and works to existing dwelling – drawing no. ST452-17a
Proposed Elevations and sections – drawing no. ST452-19a & ST452 -18
Abbas Ecology survey and recommendations July 2013 as amended in August 2013 to include crested newts mitigation

REASON: For the avoidance of doubt

6. No dwellings shall be occupied until all car parking and associated turning and access arrangements shown on the approved plans has been provided and made available for use.

REASON: In order that sufficient parking is available for occupiers of the dwellings and visitors

7. No construction deliveries, demolition, or other building activity shall take place on Sundays or public holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 and 13:00 on Saturdays.

REASON: In order to reduce the impact of construction works on surrounding residential amenity

8. Before development commences, full details of the treatment and protection of the boundary with "Sunmount" (adjacent the proposed access driveway) during construction works and once the scheme is built out, have been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to reduce the impact of the development on adjacent residential amenity

Informative

Wessex water has indicated that its records show a public sewer crossing the site. It is recommended that the applicant/developer contacts Wessex Water Sewer protection team for advice.

13/01391/FUL - Ridgeside, The Ridge Woodfalls, Salisbury, Wiltshire, SP5 2LD



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Report to the Southern Area Planning Committee

Date of Meeting	17 October 2013		
Application Number	13/03203/VAR		
Site Address	Brickyard Corner House, Donhead St. Andrew, Shaftesbury, SP7 9ER		
Proposal	Variation of Condition No. 10 of Planning Permission S/2013/0427 (pursuant to S/2012/0223 for 'Demolition of existing house, garage and workshop building, construction of new house and garage complete with site services and new vehicular access from Scotts Hill) to change the design of the house to allow for the creation of two additional bedrooms and a bathroom, the installation of 3 no. dormer windows; and, to change the design of the garage through the installation of 2 no. skylights		
Applicant	Mr B Tolmie-Thomson		
Town/Parish Council	Donhead St Andrew		
Electoral Division	Tisbury	Unitary Member	Cllr Tony Deane
Grid Ref	391915 125455		
Type of application	Var		
Case Officer	Matthew Legge		

Reason for the application being considered by Members

Cllr Tony Deane has asked that this application be called to Committee for the following reasons:

- 1) The Parish Council supports the application (localism)
- 2) The location and size of the house means that the appearance of these smaller dormer windows will have insignificant effect on the surroundings.

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 to consider are:

- Principle of application
- Design, Scale and Siting
- Landscape setting and AONB
- Ecology
- Highways
- Neighbour Amenity

3. Site Description

The application site is located within the policy defined countryside and is located within an exposed and elevated location within the AONB.

4. Recent Planning History

S/1990/0134: Extension to form garage, utility and shower and construction of vehicular access. AC

S/2012/0223: Demolition of existing house, garage and workshop building, construction of new house and garage complete with site services and new vehicle access from new road. AC

S/2013/0427: Vary Condition 14 of approved application S/2012/0223 (demolition of existing house, garage and workshop building, construction of new house and garage complete with site services and new vehicle access from new road) to change the location the design of the garage. AC

13/01173/VAR: Variation of Condition 10 of approved application S/2013/0427 (pursuant to S/2012/0223 demolition of existing house, garage and workshop building, construction of new house and garage complete with site services and new vehicular access from New Road) to change the design of the house to include addition of second floor within existing roof void, insertion of 3 dormer windows to east and west elevations, new rooflights, bay window to north elevation, door and sidelights to south elevation, window to east elevation, new entrance, new portico and enlarged window to west elevation. REF

13/02454/VAR: Variation of Condition No.10 of Planning Permission S/2013/0427 (pursuant to S/2012/0223 for 'Demolition of existing house, garage and workshop building, construction of new house and garage complete with site services and new vehicular access from Scotts Hill) to change the design of the house to include bay window to north elevation, door and sidelights to south elevation, window to east elevation, new entrance, new porch canopy and enlarged window to west elevation. AC

5. The Proposal

To change the design of the house to allow for the creation of two additional bedrooms and a bathroom, the installation of 3 no. dormer windows; and, to change the design of the garage through the installation of 2 no. skylights.

6. Planning Policy

Adopted Salisbury District Local Plan; G2, D2, C2, C4, C5, C11 and C12 as saved within Appendix C of the adopted South Wiltshire Core Strategy.

National Planning Policy Framework

South Wiltshire Core Strategy: CP3 (Affordable Housing)

Donhead St Andrew Village Design Statement (Un-adopted Informal Planning Guidance)

7. Consultations

Parish Council

Support subject to conditions

Wiltshire Council Conservation

Concern expressed about new dormers and roof lights

Wiltshire Council Ecology

Objection to dormers in garage

Wiltshire Council Highways

No objection

Wiltshire Council Housing

No requirement for affordable housing

AONB

Concern expressed

8. Publicity

6 letters of objection have been received:

- Concern over new vehicular access onto New Road.
- Concern that the new dormers, bay window and entrance porch will provide further prominence to the dwelling.
- Inappropriate increase in scale of development with increased visibility to neighbouring dwellings.
- Concern over dormers in garage

9. Planning Considerations

This application has been submitted following the recent approval of S/2012/0223 and S/2013/0427. The Local Planning Authority (LPA) has always expressed some concern about the size and prominence of the replacements dwelling and as such during the course of the 2012 application the LPA successfully negotiated a reduction in the height and massing of the replacement dwelling. During the 2012 application the LPA acted in a reasonable manner and accepted two sets of amended plans which were both consulted upon resulting in the application exceeding the LPA's determination target date. The LPA has consistently sought to reduce the prominence of this building which by virtue of its exposed and elevated location will be openly visible within the special landscape setting of the AONB. The LPA took an on balance view towards the original application and approved the replacement dwelling.

Subsequently a 2013 application sought to relocate the location of the approved garage and as a result the LPA to the opportunity to approve the additional planting of about 8 or so trees within the approved amended application.

This application has now been submitted following the refusal of application 13/01173/VAR which sought in part the installation to the now requested three dormer windows. Whilst the Parish Council comment that the dormers are now smaller than those

recently refused, Officers considered that the three dormer windows within this application are visually the same size as the dormers which this LPA have already refused within application 13/01173/VAR. Thus there does not appear to be any change to the size or location of these three dormer windows.

This current application continues to seek for the further enlargement of the internal floor space of the building and seeks to create a dwelling which will now have 6 bedrooms together with 4 en-suites and an additional family bathroom. This application will effectively add an additional floor (within the roof) within the approved replacement dwelling. The new floor will require three additional dormers, two new sky lights.

Whilst the Parish Council (PC) have not in this instance objected to the application they have expressed a number of concerns but not concerning the massing of the dwelling. The PC has requested that the dormers in the garage be removed and that the dormers in the house are fitted with some form of automatic blind to minimise light pollution. However, the LPA is unable to enforce a condition to require the continued installation of automatic blinds but the PC (with this knowledge) appear to still wish to support the application subject to the garage being tied to the main dwelling.

Notwithstanding the Parish Council's comments a Wiltshire Council Conservation Officer has maintained the previously submitted comments: *"These proposed changes are at odds with our previous efforts which have been to rein in the rather ambitious plans of the owner/agent in view of the potential significant change in character to the vicinity when the current building is replaced and the new constructed"* This application has also received six letters of objection from neighbouring dwellings which have equally expressed concern about the further increase to the prominence of the approved dwelling. Some of the letters of objection also comment on the originally proposed dormers within the garage roof which have subsequently now been removed from this application.

Officers consider that the three new dormers within the roof will contribute towards adding undesirable prominence to the already large and grand replacement dwelling. Officers consider that any further increase to the massing of the dwelling tips the scale of what has previously been considered to have been acceptable. The additional dormer roof windows are considered to provide an unacceptable increase to an already large and grand replacement dwelling. Such an increase in the prominence of the dwelling is considered to begin to unduly detract from the character of the wider AONB. The AONB group has also added support to such a view by commenting that *"The AONB has looked at the submitted material and at the original approved plans and would agree with your Conservation Officer that these are very ambitious plans that would significantly change the character of the area"*

The National Planning Policy Framework states (Paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in the AONBs which have the highest status of protection in relation to landscape and scenic beauty. The LPA have already accepted that the replacement dwelling will be prominently located but is unwilling to support continued accretions to the already grand dwelling which are perceived to result in undue dominance within the surrounding landscape setting. This application in its current form is considered to be unacceptable.

10. Conclusion

There is no material change to this application's proposed dormer windows (within the main dwelling) when compared to those which have already recently been refused within 13/01173/VAR. The views of the LPA are therefore maintained in that, it is considered that this application will contribute towards adding undesirable prominence to the already large and grand replacement dwelling to the detriment of the character of the AONB.

RECOMMENDATION

To REFUSE planning permission for the following reason:

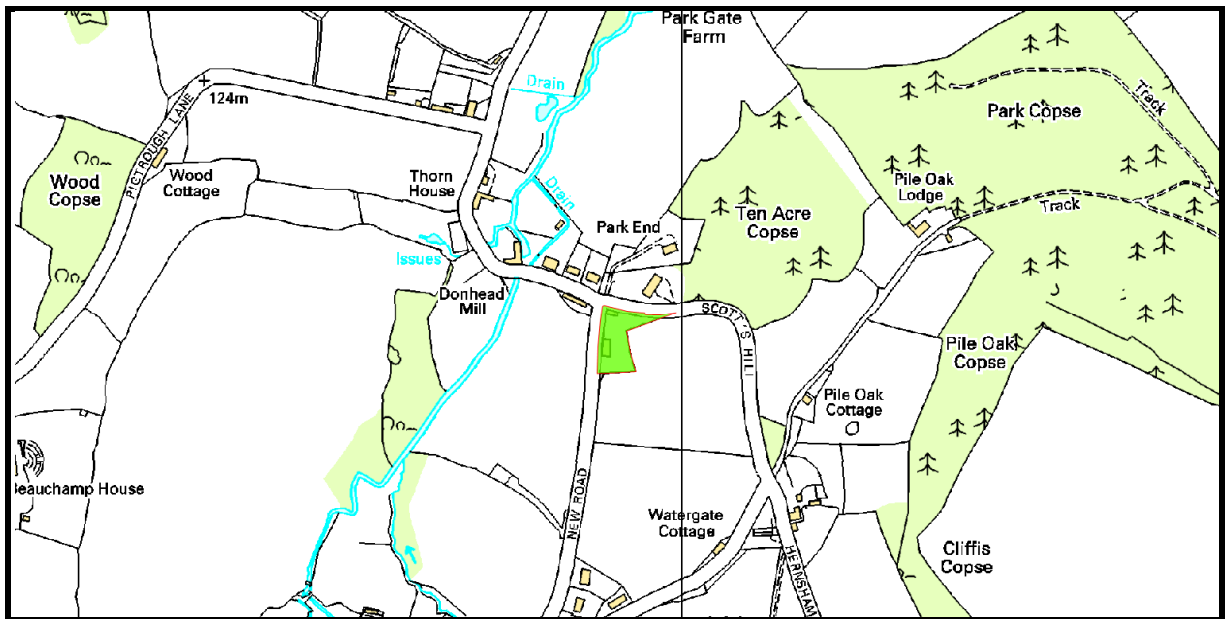
The introduction of a habitable third storey into this replacement house and the related insertion of dormer windows would result in a development which is significantly larger and far greater in impact and prominence than the existing two storey house and the previously approved two storey replacement house. As a consequence of these changes to the size/design and impact the replacement house would detract from the visual amenities of the landscape, neither preserving nor enhancing its status as an Area of Outstanding Natural Beauty. This is contrary to Policies H30, C4 and C5 of the Salisbury District Local Plan (which are 'saved' policies set out in the South Wiltshire Core Strategy) together with paragraph 109 of the National Planning Policy Framework.

Informative

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

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13/03203/VAR - Brickyard Corner House, Donhead St. Andrew, Shaftesbury, SP7 9ER



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Report to the Southern Area Planning Committee

Date of Meeting	17 October 2013		
Application Number	13/03027/FUL		
Site Address	18c Firs Road, Firsdwn, Salisbury, Wiltshire. SP5 1SQ		
Proposal	Proposed raising of roof and creation of rooms in the roof space with 2 dormer windows on the front elevation and 1 dormer on rear elevation		
Applicant	Mr Cornforth		
Town/Parish Council	Firsdwn		
Electoral Division	Winterslow	Unitary Member	Cllr Chris Devine
Grid Ref	421396	133373	
Type of application	Full Planning		
Case Officer	Warren Simmonds		

Reason for the application being considered by Members

Cllr Chris Devine has called the application to be considered by the Southern Area Committee on grounds of concern in respect of:

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

1. Purpose of Report

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

2. Report Summary

The application relates to number 18c Firs Road, being a detached bungalow within the settlement of Firsdwn.

The application proposes the raising of the roof over the existing bungalow to create accommodation at first floor level and includes an increase in ridge height across the whole building, the addition of a first floor 'blind' dormer on the rear (west) roof slope and two new dormer windows within the front (east) elevation. Also proposed is an enlarged open-sided porch on the front of the building.

3. Site Description

The application relates to number 18c Firs Road, being a detached bungalow within the settlement of Firsdwn.

The property is accessed via a private track from Firs Road running between numbers 16 and 18 Firs Road and has an area of gravel hardstanding at the front and a modest garden curtilage to the south and east sides.

4. Planning History

74/530	O/L 3 bungalows with garages	A	17.09.74
84/524	O/L 2 bungalows	R	30.06.83
87/1553	O/L 2 dwellings	R	26.11.87
88/626	O/L one dwelling	R	19.5.88
89/159	Three bungalows & garages	R	16.03.89
		App Dis	0.11.89
89/2099	Two bungalows & garages & alteration to access at land at rear of 18 Firs Road	AC	04.04.90
91/1838	Construction of a 4 bed. bungalow and access at plot no. 1	AC	12.02.92
91/1839	Construction of a 4 bed. bungalow and access at plot no. 2	AC	12.02.92
02/52	Erection of a new bungalow. at 18 Firs Road.	R	04.03.02
		App Dis	04.10.02
02/2294	one dwelling	R	20.01.03
03/527	one dwelling	R	15.05.03
		App Dis	17.11.04
03/2361	Two storey extension and conservatory at rear of property	R	22.12.03
04/348	New Bungalow at rear of 18 Firs Road	R	13.04.04
04/1004	New Bungalow at 18 Firs Road	R	05.07.04
04/2264	New bungalow + access with parking	W/D	
04/2462	New bungalow with access and parking.	AC	16.12.04
08/0490	creation of new access to provide individual access to no 18	WD	30/04/08
08/1059	new separate access to serve dwelling	AC	31/07/08
13/00538/FUL	Proposed raising of roof and creation of rooms in the roof space with two dormer windows on the front elevation	REF	12.07.13

5. The Proposal

The application proposes the raising of the roof over the existing bungalow to create accommodation at first floor level and includes an increase in ridge height across the whole building, the addition of a first floor 'blind' dormer on the rear (west) roof slope, and two new dormer windows within the front (east) elevation. Also proposed is an enlarged open-sided porch on the front of the building.

6. Planning Policy

- adopted (saved) local plan policy G2 (General Criteria for Development)
- adopted (saved) local plan policy D3 (Design)
- adopted (saved) local plan policy H16 (Housing Policy)
- NPPF

7. Consultations

Wiltshire Council Highways

Require an additional plan to demonstrate that sufficient off street parking can be provided within the site

Firsdown Parish Council

Object on grounds of overdevelopment, detrimental impact on neighbours, concern over access of emergency vehicles, concern of increase in traffic noise

8. Publicity

The application was advertised by site notice and neighbour notification letters
Expiry date 30.09.13

Six third party representations were received objecting to the proposed development on grounds including excessive scale, design out of keeping, increased noise and disturbance, and undue overlooking of neighbouring properties.

9. Planning Considerations

The application relates to number 18c Firs Road, being a detached bungalow within the settlement of Firsdown.

The property is accessed via a private track from Firs Road running between numbers 16 and 18 Firs Road and has an area of gravel hard standing at the front and a modest garden curtilage to the south and east sides.

The application proposes the raising of the roof over the existing bungalow to create accommodation at first floor level and includes an increase in ridge height across the whole building, the addition of a first floor 'blind' dormer on the rear (west) roof slope, and two new dormer windows within the front (east) elevation. Also proposed is an enlarged open-sided porch on the front of the building.

The proposal involves the creation of a new (enlarged) pitched roof over the existing building, maintaining approximately the same eaves height but increasing the ridge height by approximately 1.3 metres.

Within the front (east) facing roof plane it is proposed to insert two pitched roof dormer windows and a rooflight window (each serving a first floor bedroom).

Within the rear (west) facing roof plane it is proposed to insert a 'blind' dormer addition with two flush-fitting rooflight windows within the shallow roof slope over. No other new windows or other openings are proposed above ground floor ceiling height within the rear elevation.

Within the proposed south facing gable end elevation of the building there are no new window or door openings proposed.

Within the proposed north facing gable end elevation a new casement window serving a first floor bedroom is proposed.

The proposed development would result in a two storey dwellinghouse with five bedrooms, at first floor level the development would provide four bedrooms and a bathroom. The ground floor accommodation would comprise of a lounge, kitchen, hall, WC, study, store and a further bedroom.

The rear elevation of the existing bungalow is approximately 5 metres from the boundary fence with the rear garden of number 18 Firs Road (which consists of an approx. 1.8m close boarded fence).

The proposed development, by reason of its modest increase in ridge height and lack of windows or other openings above ground floor ceiling level within the more sensitive rear elevation (taking into consideration its close proximity to the boundary with the private rear garden of number 18 Firs Road), would not represent an over-dominant form of development, and would not result in the undue overlooking the rear garden of number 18 Firs Road to the detriment of the amenity of neighbouring occupiers.

A number of neighbouring properties to the application site are two storey dwellings or single storey with accommodation at first floor level within the roof (with dormer windows and rooflight windows), in this respect the proposal to create accommodation within an enlarged roof space with dormer and rooflight windows is not considered out of keeping with the character of the surrounding area.

In these respects the proposed development is considered compatible with the scale, design and character of the existing bungalow and would integrate satisfactorily in relation to other properties and the overall landscape framework.

Subject to a Condition preventing the insertion of any additional windows or other openings within the property (other than those detailed in the submitted plans), it is considered the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers.

The Highways officer has requested an additional plan to show that sufficient parking provision can be achieved within the site. A plan has been requested from the applicant and will be passed to the Highways officer for further comment.

Subject to no Highway objection being raised in respect of the requested additional parking provision plan, the proposed development is considered accordant with policies D3, H16 and G2 of the Salisbury District Local Plan (constituting saved policies within the adopted South Wiltshire Core Strategy), and the aims and objectives of the NPPF.

10. Conclusion

The proposed development is considered compatible with the scale, design and character of the existing bungalow and would integrate satisfactorily in relation to other properties and the overall landscape framework.

Subject to a Condition preventing the insertion of any additional windows or other openings within the property (other than those detailed in the submitted plans), it is considered the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers.

The Highways officer has requested an additional plan to show that sufficient parking provision can be achieved within the site. A plan has been requested from the applicant and will be passed to the Highways officer for further comment.

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RECOMMENDATION

Planning Permission be GRANTED subject to the following conditions:

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

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

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

Drawing number 13016/1 dated 09.05.13 as deposited with the local planning authority on 12.08.13, and

Drawing number 13016/2 dated 09.05.13 as deposited with the local planning authority on 12.08.13, and

Drawing number 13016/3 dated 09.05.13 as deposited with the local planning authority on 21.08.13.

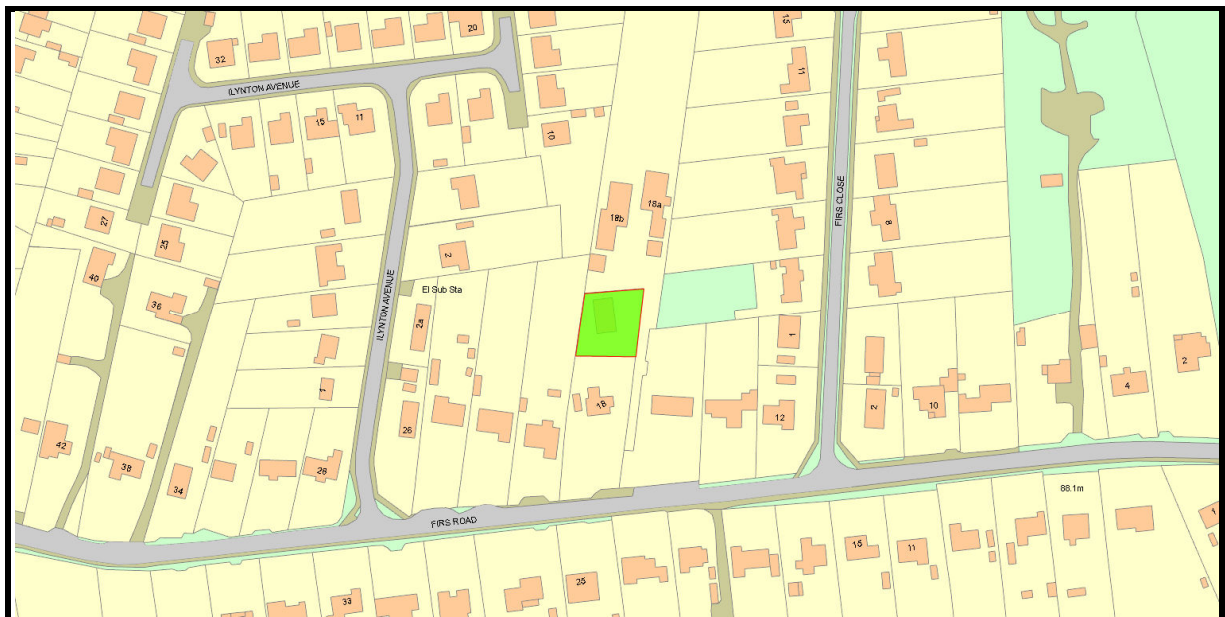
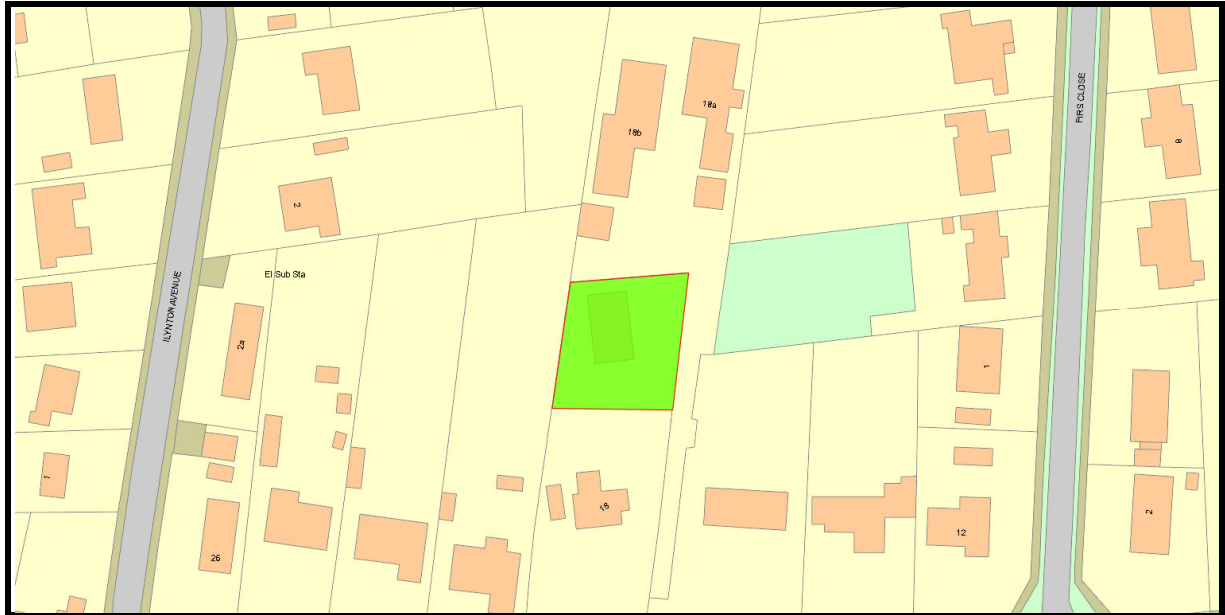
REASON: For the avoidance of doubt and in the interests of proper planning.

3. 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), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted above ground floor ceiling level) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

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13/03027/FUL - 18c Firs Road, Firsdown, Salisbury, Wiltshire, SP5 1SQ



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Report to the Southern Area Planning Committee

Date of Meeting	17 October 2013		
Application Number	13/01417/FUL		
Site Address	Gilston, Mount Pleasant, Stoford, Salisbury, Wiltshire, SP2 0PP		
Proposal	Raise roof to include room in roofspace and addition of 2 roof lights		
Applicant	Mrs Gibson		
Town/Parish Council	South Newton		
Electoral Division	Wilton and Lower Wylve Valley	Unitary Member	Cllr Peter Edge
Grid Ref	408495	135792	
Type of application	Full Planning		
Case Officer	Andrew Bidwell		

Reason for the application being considered by Members

The applicant is a senior officer of the council.

1. Purpose of Report

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

2. Report Summary

The main issues to consider for this application are as follows:

1. Principle of development
2. The impact of the proposal upon the character and appearance of the dwelling and the character of the immediate area
3. The impact of the proposal upon the residential amenity of the occupiers of nearby properties

3. Site Description

This application relates to a detached rendered bungalow, under a traditional pitched tiled roof, which is located off Mount Pleasant in Stoford. The proposal site is positioned in the central section of the Mount Pleasant development falling within the Stoford Housing Policy Boundary. The site is also within a special landscape area and an area of archaeological significance.

4. Planning History

- S/1989/0648 Rear extension for bedroom, toilet and utility room.
Approved with conditions 12/05/89
- S/2005/1370 Remove existing roof raise pitch and create gable ends containing 2 bedrooms and a new bathroom and associated works.
Withdrawn 31/08/2005
- S/2005/1766 Partly remove existing roof raise pitch & create gable ends containing 2no bedrooms a new bathroom & associated works.
Refused 27/10/2005
- S/2005/2555 Remove existing roof raise pitch and create 2 new bedrooms and new bathroom and associated works.
Approved with conditions 03/02/2006
- S/2012/1381 Alterations to ground floor, first-floor rear extensions with rear-facing balcony, garage conversion and alterations.
Approved with conditions 26/11/2012

5. The Proposal

Planning permission is sought to raise the rear roof to include a room in the roof space and the addition of a rear facing full height window and 2 roof lights.

6. Planning Policy

Salisbury District Local Plan saved policies (which are policies contained within appendix C of the adopted South Wiltshire Core Strategy):

- G2: General criteria for development
- D3: Extensions
- H16: Housing Policy Boundaries

National Planning policy framework (NPPF)

7. Consultations

Highways: No objections

8. Publicity

Stoford Parish Council: No comments received to date

Third parties: No letters of support or objection to the application have been received by Wiltshire Council.

9. Planning Considerations

9.1 The principle of development

Saved policy H16 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) permits small scale development and redevelopment within Housing Policy Boundaries.

The proposal falls within the Stoford Housing Policy Boundary where the principle of development is accepted. The proposal is therefore considered to be in accordance with saved policy H16.

9.2 The impact of the proposal upon the character and appearance of the dwelling and the character of the immediate area

Saved policy D3 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) permits extensions to existing properties or the development of ancillary buildings within their curtilages subject to the works being compatible with the existing property and the proposal being carefully integrated into the street scene and the landscape framework.

It is proposed to construct the minimal elements of external walls of the proposal out of brick which would match, as closely as possible in terms of type and colour, the materials which have been used to construct the external walls of the existing dwelling.

Roof tiles which would match the tiles of the existing roof are proposed for the construction of the new roof elements of the proposal.

Likewise it is proposed to construct the new windows facing the rear garden and the roof lights out of Upvc which would match as closely as possible the existing windows in the property. The consistency in materials would result in a harmonious development where the extension would blend in satisfactorily with the existing building and area.

9.3 The impact of the proposal upon the residential amenity of the occupiers of nearby properties

Part (vi) of saved policy G2 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy) states that new development will be considered against the avoidance of unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers.

The proposed windows would overlook the existing rear garden area belonging to the property and as the proposal will not alter the position of the property, which is set back from the properties either side, and as the property is some 20 metres from the rear boundary with neighbours, no demonstrably harmful overlooking of neighbouring properties will result. It is therefore considered that the residential amenity of the occupiers of the nearest properties would not be adversely affected by this proposal.

However it is noted that a widow at first floor level exists in the southern side elevation of the nearest neighbour property, St Mary's. Whilst this window will be relatively close to the proposed window, any views into it from the proposed window will be oblique and limited at best. It is therefore considered that the interrelationship and position of this existing window and the proposed, is unlikely to result in any notable harm.

Due to the size of the elements of the proposal, in terms of their height, width and depth, and the sufficient separation distance between the proposal and the nearest properties it is considered that there would not be an unduly harmful increase in any overshadowing or overbearing effect which would be to the detriment of the existing occupiers of the nearest properties.

The proposal is therefore considered to be in accordance with Part (vi) of saved policy G2 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy).

10. Conclusion

The Council is required to give a summary of the reasons for this decision and its conditions, and a summary of the development plan policies and proposals relevant to the decision and its conditions. These are set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the South Wiltshire Core Strategy, namely Policies, D3 and H16 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy) (amongst others).

RECOMMENDATION

Planning Permission be GRANTED subject to the following conditions:

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

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

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

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

- 3 The development hereby approved shall be carried out in complete accordance with the following list of plans and specifications:

Plan ref No: 13056 / 3 : Elevations, dated 06/06/13, received 01/07/13

Plan ref No: 13056 / 1: GF Plan, dated 29/05/13, received 01/07/13

Plan ref No: 13056 / 2: FF Plan, Section Roof plan, dated 29/05/13, received 01/07/13

Plan: Site Location and Block plan, received 01/07/13

REASON: For the avoidance of doubt

13/01417/FUL - Gilston, Mount Pleasant, Stoford, Salisbury, Wiltshire, SP2 0PP



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