

Deadline:	25 <sup>th</sup> MARCH 2010		
Application Number:	S/2010/0053		
Site Address:	WHITEPARISH VILLAGE STORE LTD THE STREET WHITEPARISH SALISBURY SP5 2SG		
Proposal:	DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A NEW SHOP AND POST OFFICE PREMISES WITH TWO FLATS OVER AND TERRACE OF THREE STARTER HOMES AT THE REAR; OFF STREET PARKING		
Applicant/ Agent:	SHERLOCK BOSWELL ARCHITECTURE		
Parish:	WHITEPARISHALDER/WHITE		
Grid Reference:	424544.6 123620.6		
Type of Application:	FULL		
Conservation Area:	WHITEPARISH	LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

**Application Number S/2010/0053**

**Proposed Development** Demolition of existing building and construction of a new shop and post office premises with two flats over and terrace of three starter homes at the rear; off street parking

Officer Report

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

The considerable public interest in the application. In the interests of local democracy I feel that the complex and contentious issues raised by this application need to be aired and debated in public

**1. Purpose of Report**

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

**2. Main Issues**

The main issues to consider are :

1. Impact on existing local facility
2. Principle of demolition
3. Impact upon the Conservation Area
4. Impact upon amenities of neighbours
5. Highways
6. Archaeology
7. Protected Species
8. Other matters

### 3. Site Description

Whiteparish Village Stores and Post Office are housed in a nineteenth century brick building located centrally within the village. The building is located within the Housing Policy Boundary and the Whiteparish Conservation Area. The site which extends some 45 metres to the rear of the building is within a Special Landscape Area.

### 4. Planning History

S/1999/0318	Extend sorting hall to gain new kitchen area with pitched roof over	A	27/04/99
S/2003/2530	Kitchen/dining room extension	A	9/01/04
S/2007/1369	Change of use of area from residential to A1 (shop) & single storey side extension	INV	30/08/07
S/2007/1866	Change of use of area from residential to A1 (shop) & single storey side extension	AC	08/11/07
2010/98/CAC	Demolition of existing building and construction of a new shop and post office premises with two flats over and terrace of three starter homes at the rear; off street parking		not yet determined

### 5. The Proposal

It is proposed to demolish the existing shop and post office building and construct a new shop and post office premises with two flats over. At the rear of the building, it is proposed to erect a terrace of three starter homes with off street parking. The applicant has stated that it is proposed to erect the dwellings to finance the re-building of the shop.

### 6. Planning Policy

The following saved policies are considered relevant to this proposal

G1 and G2	General criteria for development
G5	Water services
D2	Design criteria
H16	Housing policy boundary
C6	Special Landscape Area
C12	Protected species
CN21 and CN22	Archaeology
CN8, CN9, CN10,	Conservation Area
CN11 and CN12	Policies

PPS1	Delivery sustainable development
PPS3	Housing
PPS4	Planning for prosperous economies
PPS5	Planning and the historic environment
PPS7	Sustainable development in rural communities
PPS9	Planning and biodiversity

## 7. Consultations

### ***District Ecologist***

The application is supported by a Phase 1 Ecological Survey which identified a risk of bats being present in the existing shop building and recommends that further Phase 2 surveys should take place to establish the status of the roosts and to confirm the number of bats and species present. Normally this would be required prior to the determination of the application. However, if the planning permission were granted on the basis that the development commenced with the development of the three properties at the rear of the shop, then the Phase 2 Surveys of the shop could be carried out during the summer months as this would not result in any disturbance to the bats, if they are present on the site. Any mitigation could then be provided before any work commenced on the demolition of the shop. However, in view of the need to comply with the habitats regulations, it is recommended that the further surveys are undertaken before the determination of the application

### ***Parish council***

Support on the grounds of maintaining the sustainability of the community in Whiteparish

### ***Highways***

On the basis of the proposed visibility improvements at the site access, together with the improved shop access for pedestrians, no objection and following receipt of an amended Drawing No. 101 Rev E, confirm highway acceptance of the parking arrangements shown thereon.

### ***Conservation***

Object The existing building is apparently of early 20<sup>th</sup> century date, is attractive and provides a distinct marker of the eastern end of the High St, and the presumption should be against approval of demolition; simply because redevelopment is economically more attractive to the developer than repair and re-use of a historic building,

Replacement building does not enhance the Conservation Area, concern regarding design of new dwellings at rear of site and their location which is at odds with the general layout of dwellings in Whiteparish

### ***Environmental Health***

No objections

### ***Wessex Water***

Not in a Wessex sewered area. Foul drainage is indicated as being to septic tank and there is a water supply in the area.

### ***Southern Water***

None received

## **Archaeology**

As the site is close to the historic centre of the village, it is likely to contain evidence for medieval settlement and its associated activities. Therefore an archaeological field evaluation was required prior to the determination of the application and subsequently a small trench excavation was undertaken. Upon receipt of the report the County Archaeologist confirmed that the excavation has been properly done and reflects accurately what was present on site. The earliest features and remains that were present were of post-medieval date, with some residual medieval material within them. There has clearly been activity within the site in the post-medieval period, which has then been sealed by later levelling. Although the evaluation was not able to fully characterise the features, they are clearly not of high significance. Therefore it is considered that the evaluation was sufficient investigation to determine that it is unlikely that significant remains will be impacted upon by the development

## **Wiltshire Fire and Rescue Services**

Comments relating to need for satisfactory access for fire engines, adequate water supplies, necessary and appropriate fire safety measures and encouragement for the provision of domestic sprinklers.

## **8. Publicity**

The application was advertised by site notice/press notice /neighbour notification with an expiry date of 4 March 2010

In September and October 2009, prior to the submission of the application in January 2010, 37 individually signed copies of a duplicated letter of support were received. This duplicated letter stated that

Four years ago, a group took over the shop on behalf of the village. The villagers of Whiteparish intend to own the redeveloped shop

- The shop is a focal point of the village
- The shop is vital for pensioners who do not have independent transport
- The Post Office has expanded its services and is no longer under threat of closure
- About 10 local jobs are provided

Since the application was submitted a further four copies of this letter were received by the Local Planning Authority

A duplicated letter of support of the proposal from the Whiteparish Village Store was accompanied by a further 349 copies of the dating from September/October/November 2009.

Summary of key points raised in that letter were

- There is overwhelming support for the proposal
- Whilst there are aspects which will enable a refusal, there are elements of Local Plan – sustainability, community issues etc which support it
- The existing building is sited dangerously
- The building is in a poor condition and does not comply with disability health and safety

Two letters of **support** has been received

Summary of key points raised were:-

- Support a community asset that is integral to the future needs and cohesion of village life.

- Redevelopment of the shop will encourage sustainable living and reduction in transport
- The various current planning constraints that might appear to be against this proposal should be seen as being over-ruled by the overwhelming community aspect of the application.
- Reservations regarding statements by owner of the track regarding access. As a previous owner of land behind the Church View houses which had access only by way of the disputed track I had access for all purposes over the track. The current Village Stores and Post Office have always had access to the rear for their own use and for the use of the post office vehicles.
- PPS1 allows Planning Authorities to deviate from the Development Plan if other considerations indicate the benefits of giving consent to a specific Planning Application.
- PPS7 encourages Planning Authorities to give their full support to proposals that will improve and enhance the quality and sustainability of rural communities. Planning Authorities have a duty to support the retention of local facilities..
- Planning Authorities have a duty to raise the quality of life and the environment in rural areas and the funding of the proposal is in part dependant upon the low cost dwellings for which there is a need.

Three letters of **objection** have been received.

Whilst not objecting to the redevelopment of the shop; the letters object to the three dwellings on the following grounds:-

- Highway safety concerns
- Increased use of right of way with poor visibility on to A27
- Increased use of access at congested point onto A27, at junction with Common Road
- Right of way between shop and Church View is owned by no1 Church View
- Owner of right of way disputes the ability of the owners of the shop to give a right of access to the land at the rear
- Development would be outside the boundary of the village
- Overdevelopment of the site
- Backland development
- Inappropriate development in a Conservation Area
- Concerns regarding financial viability of scheme
- Loss of privacy to rear garden in Church View

## **9. Planning Considerations.**

### ***9.1 Impact on existing local facility***

Salisbury District Local Plan policy PS3 applies to this case as Whiteparish Village Stores and Post Office can clearly be considered to be central to the economic and social life of the village and national and local guidance would therefore support the retention of the shop and post office within the village. Whilst no evidence has been put forward regarding the current viability of the business, it is apparently a thriving concern as a committee of villagers organise the running of the shop. In 2007 permission was granted for an extension to the shop, but this was not proceeded with as following consultation and research within the village, the current proposal to demolish and rebuild the shop, partially funded by the erection of three dwellings at the rear and the creation of two flats over the shop, was considered a better long term option.

National guidance as expressed in PPS4 and Local Plan policy G1(ii) seeks to promote the vitality and viability of communities, and the retention of a shop within a village can be seen as contributing towards this principle, particularly as this is the sole shop within the village. National

guidance and Local Plan policies support the retention of village facilities. PPS1 encourages the creation of sustainable communities and in this context enhancing the economic vitality and viability of the village shop is also a principle objective of the Local Plan. Both PPS4 and PPS7 support proposals that will improve and enhance the quality and sustainability of rural communities and it could be argued that supporting the expansion of the retail space, as well as a providing a more practical and functional layout would encourage the continuity of the community facility provided by the village stores.

The redevelopment scheme appears to be well supported by local people. The shop and post office appear to be run independently. The shop itself is run by a limited company, Whiteparish Village Store Ltd. which has two directors. The supporting documentation states that plans have been drawn up to turn Whiteparish Village Store Ltd. into a community business, and the supporting letter signed by over 400 people refers to the residents of Whiteparish intending to own the redeveloped shop.

The scheme to replace the current shop as outlined in the planning application indicates that the development of three new dwellings at the rear, as well as the flats above the shop, are required to finance the demolition and rebuilding of the shop. No details of the finances of the current shop or the proposed redevelopment have been provided and officers have concerns that neither the viability of the existing or the proposed village shop have been demonstrated. Especially as there appear to be no firm plans for a temporary replacement whilst the shop is being demolished and rebuilt.

The scheme as outlined is for the erection of three houses in the rear of the shop to fund the demolition and rebuilding of the shop. In the current financial climate, there are officer concerns that there is no guarantee that the new housing will be sufficient to fund this redevelopment. This officer concern is not helped by the absence of any information regarding the financial relationship between the shop, the flats over the shop and the three dwellings at the rear. As the application is for both three new dwellings and the redevelopment of the shop, in the worst case scenario the three houses could be erected and occupied, the current shop demolished, no temporary shop provided and then due to insufficient funds no replacement shop erected.

Salisbury District Local Plan policy PS3 applies to this case and Whiteparish Village Stores and Post office can clearly be considered to be central to the economic and social life of the village and national and local guidance would therefore support the retention of the shop and post office within the village. Whilst no evidence has been put forward regarding the current viability of the business, it is apparently a thriving concern as a committee of villagers organise the running of the shop. In 2007 permission was granted for an extension to the shop, but this was not proceeded with as following consultation and research within the village, the current proposal to demolish and rebuild the shop, partially funded by the erection of three dwellings at the rear and the creation of two flats over the shop, was considered a better long term option. National guidance as expressed in PPS4 and Local Plan policy G1(ii) seek to promote the vitality and viability of communities, and the retention of a shop within a village can be seen as contributing towards this principle, particularly as this is the sole shop within the village. National guidance and Local Plan policies support the retention of village facilities. PPS1 encourages the creation of sustainable communities and in this context enhancing the economic vitality and viability of the village shop is also a principle objective of the Local Plan. Both PPS4 and PPS7 support proposals that will improve and enhance the quality and sustainability of rural communities and it could be argued that supporting the expansion of the retail space, as well as a more practical and functional layout would encourage the continuity of the community facility provided by the village stores.

The scheme appears to be well supported by local people and though there are officer concerns that the scheme will result in a temporary loss of a shop, whilst it is redeveloped and there is no guarantee that the development at the rear will be sufficient to fund the redevelopment, there appears to be good will and local support for the proposal. The shop and post office appear to be run separately and the retail element is run by a limited company Whiteparish Village Store Ltd. with two directors. Plans have been drawn up to turn this into a community business, and the supporting letter signed by over 400 people refers to the residents of Whiteparish intending to own the redeveloped shop.

However, the details of the proposed plan to replace the current shop indicate that the development of the three new properties as well as the flats above the shop are required to finance the redevelopment of the shop. No details of the finances of the proposal have been provided and it is a concern that the continued viability of the village shop is not demonstrated, particularly as there appear to be no firm plans for the replacement of the facility whilst the shop is being redeveloped. Additionally there are concerns that without a clear business plan with a financial appraisal of the existing shop and with no evidence regarding the financial relationship between the continued vitality of the business and the erection of the three dwellings at the rear, that the three houses could be erected, the current shop demolished and no replacement erected.

### **9.2 Principle of housing**

The site of the proposed terrace of dwellings would be just within the Whiteparish Housing Policy Boundary though the gardens would be within the designated open countryside. Therefore, in principle, the development of the site for housing is acceptable, subject to its impact on the surrounding environs.

### **9.3 Principle of demolition**

The Conservation Officer considers that the current building makes a positive contribution to the Conservation Area as it has qualities of age, style materials which reflect the local characteristics. He also considers that it relates well to the adjacent Listed Public House (Kings Arms) and when considered as part of the local group of buildings it also serves as a reminder of the gradual development of the settlement. Policy CN9 states that In Conservation Areas, the demolition of buildings is only permitted where the existing structure is:

- (i) wholly beyond repair; or
- (ii) of a character inappropriate to the Conservation Area; or that
- (iii) there are overriding highway, or other safety reasons; or
- (iv) where planning permission has been granted for the development of the site.

#### **(I) Wholly beyond repair**

Whilst the applicant has stated that the current buildings are in a poor condition, approaching the end of their economic life and the retail areas are too small to be economically viable, but there is no financial appraisal of the options available and so it has not been clearly demonstrated that the building is wholly beyond repair, and therefore the Conservation Officer considers that in accordance with PPS5, the presumption should be against demolition.

#### **(II) Of a character inappropriate to the Conservation Area**

When considering the existing buildings' contribution to the Conservation Area, it is judged to be typical of the Whiteparish village vernacular with brick elevations and a steep clay tiled roof. The main retail building has clearly been added to in the past and in itself is undistinguished and of little architectural value, but the character of the building is not inappropriate to the Conservation Area. However, it could be argued that as the existing building is undistinguished and of no

architectural merit and the replacement will provide enhanced facilities for the village, that the demolition of the undistinguished building could be acceptable.

***(III) There are overriding highway, or other safety reasons***

Whilst the current building has been operating for a long period as a shop, the access to it is located very close to the highway and it could be argued that a replacement building designed for modern retailing which as well as enhancing the sustainability of the community would provide other advantages, such as improved access to the building, improved visibility and with the creation of a pavement; safer access to the building would have advantages for the local community .

***(IV) Where planning permission has been granted for the development of the site***

Justification for this proposal rests on the social and economic importance of the existing Village Stores and Post Office and a planning application for the reconstruction of the shop and the erection of three dwellings is currently under consideration.

***9.4. Impact on the character of the Conservation Area***

The shop is very close to the historic core of the village whose essential character is its close knit linear development facing the road, the present Salisbury to Romsey Road (A27). This settlement pattern is an essential feature of the Conservation Area and is enhanced by the open countryside immediately alongside which contrasts with the compact linear development

The Conservation policies of the Salisbury District Local Plan seek to ensure that development would preserve or enhance the character of the Conservation Area. The removal of features that detract from the quality of the area will be sought and views into and out of the area must be safeguarded. The demolition of buildings will be permitted where the building is of a character inappropriate to the Conservation Area or where planning permission has been granted for the site.

The agent states that the replacement shop building has been designed to be sympathetic to the immediate surroundings, without being a pastiche of the village vernacular. The proposed building would be constructed of brick with traditional detailing and he asserts that the shop front has been designed with a traditional feel. However the Conservation Officer does not consider that the proposed replacement building enhances the Conservation Area. In that officer's view, the replacement building is not distinguished, the shopfront window is too dominant and wide and the building is likely to have a detrimental impact upon the adjacent Kings Arms and overall the design of the building which it is proposed to erect in the place of the existing building would detrimental to the character and appearance of the Whiteparish Conservation Area.

In addition to the proposal to replace the shop it is proposed to erect a small terrace of three houses behind the shop. It is stated that these houses would be starter homes and that they would finance the shop's demolition and reconstruction. In respect of the design of the new houses to the rear of the shop, the general layout is unusual in Whiteparish in that the buildings are in a backland position with a parking area separating them from the rear of the shop. The submitted plans indicate that the proposed two-bedroomed dwellings would demonstrate a simplicity of design with curved arches over the ground floor windows and traditional quoin detailing, but with an unusual double roof form giving a depth of approximately 10.5 metres. Whilst there has been some undistinguished infill development in this part of Whiteparish, it is considered that because their location this small terrace would be at odds with the general layout of dwellings in this part of Whiteparish where nearly all dwellings closely front the street. The proposed small terrace of dwellings would therefore be unrelated to the historic form of the village



and so totally out of keeping with the character of the locality and as such would neither respect nor enhance the character and appearance of the area.

### **9.5 Impact upon amenities of neighbours**

The proposed three houses would be located on slightly higher ground and to the rear of the dwellings which face on to The Street. Concerns have been expressed that dwellings in this backland position will overlook the rear gardens and rear windows of 1, 2 and 3 Church View Cottages and that there will be a loss of privacy due to this overlooking. Though there will be a separation distance of some 30metres between these dwellings, it is considered that as it is the rear and more private elevations which will be overlooked, there will be a perception that there has been a loss of amenities by these dwellings. However, the views will be oblique and whilst this will be a change to the current situation, this is considered not so unreasonable as to be a reason for refusal.

Additionally there are concerns that the first floor flats over the shop will also overlook the side elevation of no.3 Church View. However, whilst these windows will serve the flats' living rooms, the overlooking will be at an oblique angle over the rear garden of this property and whilst this will be a change to the current situation, this is considered not so unreasonable in a residentially developed area where there is indivisibility between rear gardens as to be a reason for refusal

### **9.6 Highway safety**

#### **9.6.1 Shop and post office**

The site is located in the centre of the village close to the junction of Common Road and the A27 Romsey Road. A bus stop is close by and cars park alongside the highway. The existing shop fronts directly on to the A27 with no pavement and the land to the rear of the shop is accessed via a right of way which is not owned by the applicants. Whilst concerns have been raised regarding the safety of pedestrians accessing the shop, the redeveloped shop is to be set back from the highway to provide a 2metre wide footpath in front. In the opinion of the Highway Authority, this will improve the shop access for pedestrians and the set back to provide a pavement, will also provide a sufficient improvement in visibility from the vehicular access for this aspect of the application to be acceptable in highway safety terms. No off-street parking is to be provided for the shop and all deliveries will continue to be from The Street.

#### **9.6.2 Dwellings to rear**

As regards the proposed residential development, the submitted plans show that it was proposed to create only six car parking spaces to provide off-street parking for the flats over the shop and the three houses. Although the new dwellings would be located in the centre of the village and the proposed dwelling units were very small, the Highway Authority considered that this number of spaces was inadequate. In their view the minimum provision should be 1.5spaces for a two-bedroomed dwelling and 1 space per one-bedroomed unit making a total requirement of 7spaces. On this basis, the applicants have slightly re-organised the space at the rear, and provided the required seven car parking spaces. The Highway Authority has therefore withdrawn its objection to this aspect of the proposal.

#### **9.6.3 Access track**

The owner of the access disputes that the land to the rear of the Whiteparish shop has any separate right of way over the access track, and objects to the development, particularly the erection of the three dwellings at the rear of the shop, on these grounds. However, a former owner of land in the vicinity states that the Village Stores always had access to the land at its rear over the right of way.

However whilst this is a matter which can be resolved elsewhere, if the site has no legal means of access then any planning permission which is granted can not be implemented.

### **9.7 Archaeology**

The site is close to the historic centre of the village, which dates to the 10<sup>th</sup> century, and the site is very close to the church. As such, whilst that part of the site under the shop is likely to have been degraded by the building works associated with the building, the site to the rear was considered likely to contain significant remains or evidence of the medieval settlement of Whiteparish. As such the site was likely to be of considerable archaeological interest and an archaeological evaluation was required prior to the determination of the application. National guidance (PPS5) supported the County Archaeologist in requiring an archaeological field evaluation prior to the determination of the application. Whilst, the applicant suggested a watching brief condition, the County Archaeologist advised that this would not allow for mitigation by design to occur should significant remains be encountered.

Subsequently a small trench excavation was undertaken by a qualified professional. Upon receipt of the report on the trench excavation, the County Archaeologist confirmed that the excavation has been properly done. The findings were that the earliest features and remains that were present were of post-medieval date, with some residual medieval material within them. There had clearly been activity within the site in the post-medieval period, however, this was not considered to be of high significance. Therefore the County Archaeologist considered that the evaluation was sufficient investigation to determine that it is unlikely that significant remains will be impacted upon by the development.

### **9.8 Protected Species**

The application is supported by a Phase 1 Ecological Survey which identified a risk of bats being present in the existing shop building. The report demonstrated that there were many potential locations in the buildings where species such as pipistrelles could gain access behind the roof tiles and recommends that further Phase 2 surveys should take place to establish the status of the roosts and to confirm the number of bats and species present. If the emergence surveys demonstrate that bats are found to be roosting within the building, a Natural England license will be required. The license application will require a detailed assessment of the status of the bats at the site and a detailed mitigation strategy which would be aimed at maintaining the conservation status of the bats at the site. In considering the proposal the LPA has a duty to consider the three tests specified in the Habitats Regulations 1994 (as amended), that Natural England will apply when considering a license application. These tests are firstly that

The purpose of the development should be to preserve public health and safety or other imperative reasons of overriding public interest including those of a social and economic nature.

If the purpose is met, the following two tests must be applied:

1. There is no satisfactory alternative AND
2. The action authorized will not be detrimental to the maintenance of the species concerned at a favorable conservation status in their natural range.

In this case, it could be considered that the redevelopment of the shop is of over-riding public interest in that it ensures the retention of an important amenity/facility for the economic and social well being of the village. Whilst no detail has been provided, it is asserted that the building is in a poor condition and that the retail space is too small and badly laid out for the shop to be economically viable and that if this is the case, then there is no satisfactory alternative (as

required by the tests) to the demolition of the existing shop. Ideally the applicant should undertake emergence surveys before the application is determined so that the nature and location of bat mitigation can be identified. However, if the planning permission were granted on the basis that the development commenced with the development of the three properties at the rear of the shop, then the Phase 2 Surveys of the shop could be carried out during the summer months as the Ecosa ecology report identifies that this would not result in any disturbance to the bats, if they are present on the site.

The County Ecologist also suggests that if the application is approved that conditions could also be used to ensure the risks to bats were very low. These would be required to ensure that:

- a). at least 2 emergence and 1 dawn surveys are undertaken between 1<sup>st</sup> May and the end of August before ANY work is started on the shop.
- b). the roof spaces remains unused so that they are available for incorporating bat mitigation as determined by the above surveys.
- c). a bat mitigation scheme is provided before ANY work begins on site.

However, in view of the need to comply with the habitats regulations, it is recommended that the further surveys that the ecological survey identified are required before the determination of the application

## **9.9 Other matters**

### **9.9.1 Drainage**

Notwithstanding that no comments have been received from Southern Water, the proposed development is within a foul sewer area and the applicant is proposing to dispose of foul water to a septic tank. National advice given in Circular 3/99 is that the first presumption should be for new development to connect to the public sewer. Only where this is not feasible or practicable should a sewage treatment plant be provided. In this case, where the foul sewer appears to cross the site, it has not been demonstrated that a connection to the foul sewer is neither feasible nor practicable.

### **9.9.2 Public Open Space – Policy R2**

A contribution towards public open space will be required in pursuance of Policy R2 for the terrace of three dwellings at the rear.

## **10 Conclusion**

The existing shop building is appropriate to the Conservation Area and the proposed replacement is undistinguished and does not enhance the Conservation Area. Furthermore the proposed terrace of three dwellings at the rear of the shop would be unrelated to the historic form of the village and as such would be totally out of keeping with the character of the locality, neither respecting nor enhancing the character and appearance of the Conservation Area. Therefore in the absence of a fully specified assessment that the building is wholly beyond repair, the applicant has not clearly demonstrated to the satisfaction of the Local Planning Authority that the proposed demolition of the building would comply with the guidance and aims of PPS5 and Local Plan policy CN9

Also in the absence of any summer emergence surveys, the Local Planning Authority has to assume that pipistrelle bats are present in the existing building and no evidence has been provided of the provision of any appropriate mitigation in the new development or any alternative provision for the roosts of the bats during the construction period contrary to national and local

guidance.

In the absence of any information to demonstrate that it is not feasible or practicable to connect to the foul sewer which appears to cross the site, the applicant has not clearly demonstrated to the satisfaction of the Local Planning Authority that the proposed means of foul drainage would comply with the guidance of Circular 3/99 and Local Plan policy G5

## **Recommendation**

It is recommended that planning permission is REFUSED for the following reasons

The existing shop building makes a positive contribution to the Conservation Area as it has qualities of age, style and materials which reflect the local characteristics and as well as relating well to the adjacent Listed Public House (Kings Arms) it acts as a focal point for this part of the village. The design and visual appearance of the proposed replacement shop is undistinguished and does not enhance the Conservation Area, contrary to Salisbury District Local Plan saved policies CN8 and CN11. Furthermore the proposed terrace of three dwellings would be unrelated to the historic form of the village and as such would be totally out of keeping with the character of the locality, neither respecting nor enhancing the character and appearance of the Conservation Area. Hence the overall scheme fails to preserve or enhance the character of the wider Conservation Area contrary to Salisbury District Local Plan saved policies CN8 and CN11. Consequently in the absence of evidence that the building is wholly beyond repair, the scheme as proposed is not considered to be of sufficient quality to warrant the demolition of the existing shop and the proposal is considered to be contrary to the guidance and aims of PPS5 and Local Plan policy CN9

2 In the absence of a suitable survey by a competent authority, the applicant has not demonstrated to the satisfaction of the Local Planning Authority that the proposed works would not harm a protected species, contrary to the guidance and aims of PPS9 and Salisbury District Local Plan saved policy C12.

3 In the absence of information to demonstrate that a connection to the foul sewer is neither feasible nor practicable, the applicant has not demonstrated to the satisfaction of the Local Planning Authority that the proposed development can not discharge to the public sewer contrary to the national guidance of circular 3/99 and aims of Salisbury District Local Plan saved policy G5

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

## **Informative**

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

Appendices:

None

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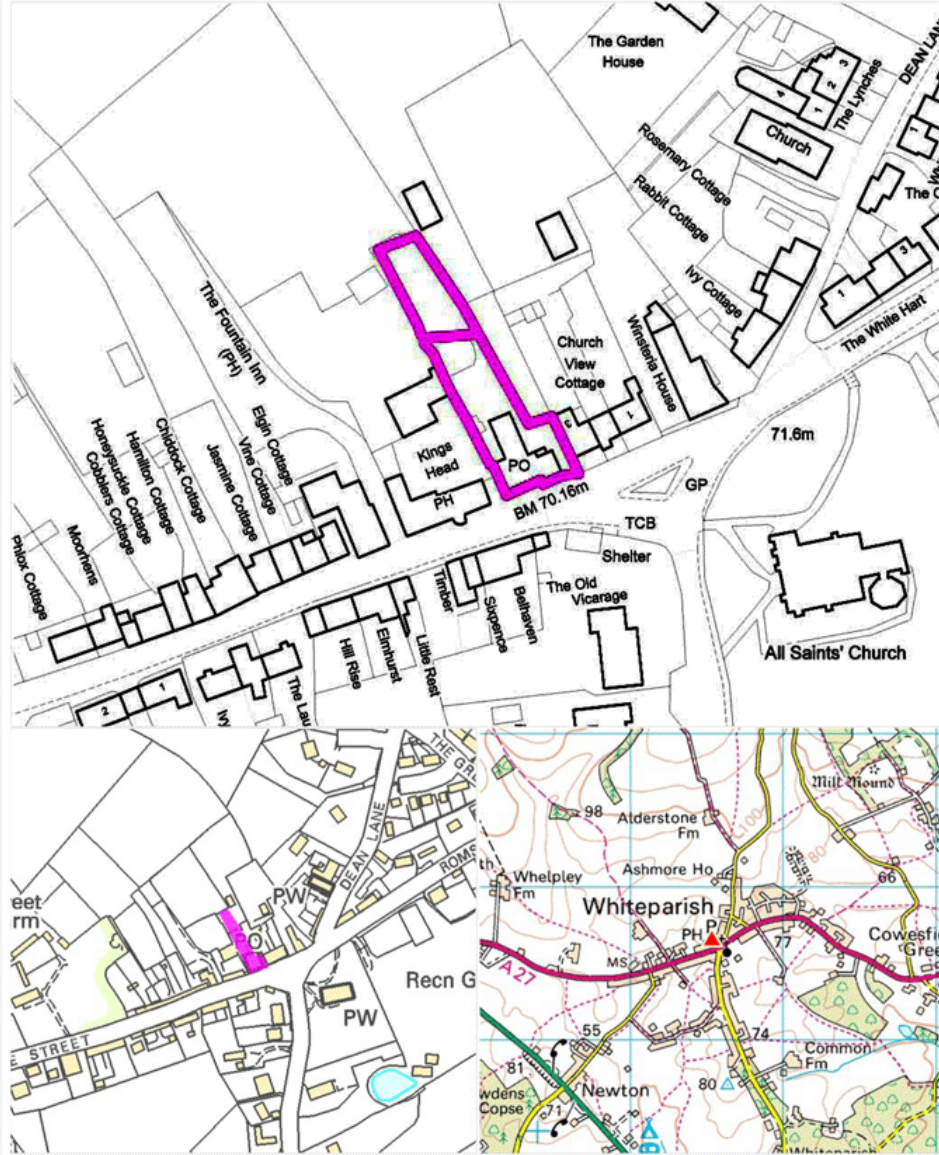
Background Documents Used in the Preparation of this Report:	Drawing ref.no. 0712/103 Drawing ref.no. 0712/01 rev A Drawing ref.no. 0712/02 rev A Drawing ref.no. 0712/03 rev C Drawing ref.no. 0712/101 rev E Archaeological evaluation Ref no. ACW275/2/0 dated May 2010-06-08
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DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A NEW SHOP AND POST OFFICE PREMISES WITH TWO FLATS OVER AND

Site Visit:

S/2010/53



**Wiltshire Council**  
Where everybody matters

### WHITEPARISH VILLAGE STORE

SCALENTS DATE: 14/06/2010 09:16:27  
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