

Minute Supplement 1

Meeting: Southern Area Planning Committee
Place: The Guildhall, Market Place, Salisbury, Wiltshire, SP1 1JH
Date: Thursday 1 May 2014
Time: 6.00 pm

The Minutes for the above meeting was published on 08/05/14.

Please direct any enquiries on this Agenda to David Parkes, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718220 or email david.parkes@wiltshire.gov.uk

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53 **14/00549/FUL - Kings Arms, High Street, Downton, Salisbury, SP5 3PG**
(Pages 3 - 16)

DATE OF PUBLICATION: 08/05/2014

**SOUTHERN AREA PLANNING COMMITTEE 01ST MAY 2014
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Agenda Item 7a

**Plan List Item 1 14/00549/FUL – Change of Use of existing public house to 2 x three bed dwellings, demolition of part of existing building and erection of single and two storey rear extensions and two garages
At Kings Arms, 9 High Street, Downton, Salisbury. SP5 3PG**

The following correspondence has been received since the writing of the Committee Report:

Third party representations

Three further representations from third parties were received (since the publication of the Committee report). One was in support of the application, of the other two - one was objecting to the proposal, the other was a copy of correspondence between a third party and an organization called 'Pub is the Hub'.

All three letters are produced in full as an appendix to this schedule. – Appendix 1

Consultee responses

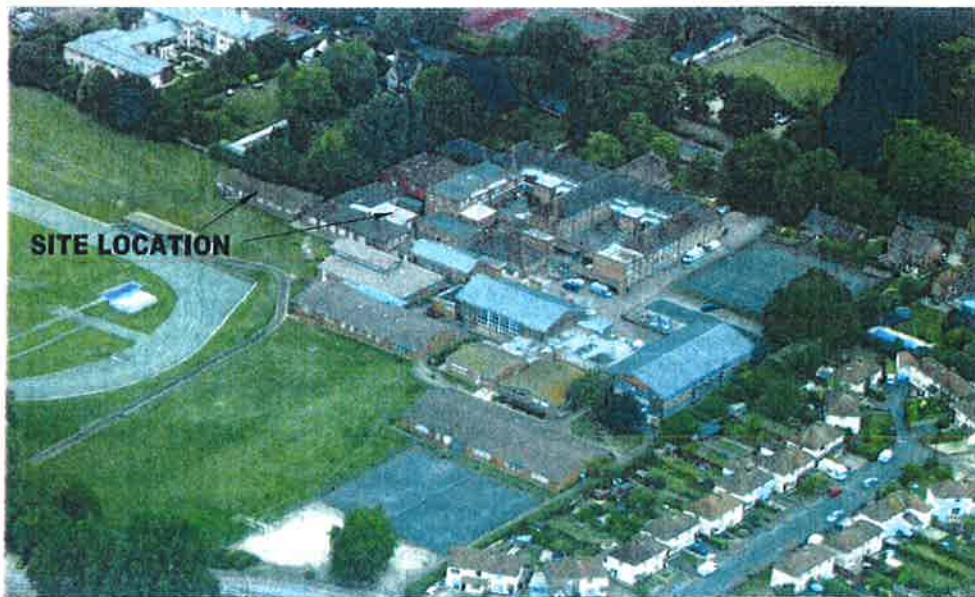
No further consultation responses were received.

- The temporary building constructed in 1993, based on a recent building Inspection Report (January 2012, Goadsby) is 'Getting to an age where financial cost will soon be significant and it may be most cost effective to replace buildings'. This currently houses Food Technology and Graphics. This report identified the following:
 - The Food Technology room lacks sufficient ventilation and is a health risk. No ventilation is fitted therefore causing a build-up of moisture and excessive heat generated from classes. We have had numerous incidences of pupils fainting due to excessive heat.
 - The roof covering has broken down and does not allow surface water free access to the gutters.
 - The core composite panels below internal ground floor level are impact damaged and ill-fitting in various locations. Ill-fitting expansion fillets between core composite panels resulting in fillets allow surface water to penetrate behind panels
 - There is delaminating to partition leading edges.
 - Floor is sagging between the floor joists in entrance and classrooms and sagging of vapour control barrier and insulation evident between joists. Sagging is evident in ceilings.
 - Heating is inefficient.
 - Ceiling height is too low at 2.3m, below recommended guidelines.
 - This will release an area which already has permanent planning permission.
- 3. Need for refurbishment and rationalisation of technology**
- We need to refurbish and rationalise to accommodate the changing needs of curriculum (technology).
 - This curriculum area is currently housed in two buildings. The original 1958 houses resistant materials and a 1993 temporary building.
 - The demand for technology based subjects has dropped and with rationalisation and refurbishment and an extension we now can accommodate the curriculum needs into one building.
- 4. Creation of additional teaching space**
- We plan to replace the temporary build with a permanent two storey structure and to dedicate this area for art based subjects and PSHE / SEND. This would raise the profile of the arts and create an art and design area. This would link art and design and create the option for a more textile based Level 2 and level 3 qualifications.
 - At the moment Art is located in the 'old building', which was built in 1927 and is housed upstairs, there is an issue with disabled access to this space, which currently affects a few students. By moving art to the proposed building we would remove this obstacle to learning.
 - The new art rooms could be multi-purpose, being facilitated to open into a larger space which could permit a more flexible use of the space.
 - As a grammar school, we have in recent years, accommodated more students with SEND needs. We lack a withdrawal space and suitable accommodation for TA support. In 2013 the school employed 4 TAs for the first time. We currently have a student in year 7 who is registered blind, three students in the sixth in wheel chairs, the most serious with cerebral palsy. We are also currently working with a student in year 6, helping to integrate her back into mainstream school, with plans for her to start in year 7 in 2014. She suffers from pathological demand avoidance syndrome (PDA), a form of autism. In this student's statement there is the requirement for a withdrawal space, which we currently do not have. Three of these students are in receipt of full time statements.

The Area can remain in operation during construction as part of a phased planned construction.

South Wilts Grammar School - Salisbury

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NAME	
REPORT & PLAN NO.	77203
MO. BLOCK AND RZD.	77203
TRAC. NO. BLOCK	77203
DATE	01/05/14
PREPARED BY	TAYLOR & FRANCIS
CHECKED BY	
APPROVED BY	

PLANNING APPLICATION

South Wilts Grammar School for Girls

A Specialist Science, Maths and Computing College

Stratford Road, Salisbury, Wiltshire, SP1 3JJ

Company Registered Number: 07451741

VAT No: 114 6429 30

Email head@swgs.wilts.sch.uk

Tel 01722 323326 Fax 01722 320703



Headteacher Michele Chilcott BSc Deputy Headteacher Carolyn Stammers BA MA

Thank you for the opportunity to say a few words in favour of this important planning application for South Wilts Grammar School. I am Michele Chilcott the Head of the School.

I have 5 points to make in support of this detailed planning application that deal with the principle of the replacement of temporary schools buildings with permanent ones, the efforts the school has made to seek expert professional opinion and advice, the need and the degree to which the scheme will protect our neighbours' amenity and enhance the school and wider area.

I firstly deal with the principle. The school has been based at this site since 1927 and the application only involves land within the ownership and use of the school. In land use planning terms, I do trust this modest proposal to add a small extension to an existing building and to replace temporary, out of date and non-compliant class rooms at the end of their useful life with permanent state of the art compliant ones, will be acceptable, in principle.

Secondly, there is a clear cut and pressing quantitative and qualitative need for this proposal to be granted planning permission and built. My detailed recent letter to the Council (attached) describes the School's urgent need (and duty) to provide more places and better facilities.

My third point is that we have sought expert design guidance. We have appointed chartered architects to design preliminary and now fully detailed planning drawings. It is a sound plan for the School and given the recommendation for approval, we have started to cautiously think about drawing down the allocated funds and the timetable to deliver this project in 2015. But even more importantly, it has been designed to both preserve and enhance the local area and protect our neighbours' amenity. My aerial photograph shows how the School sits within this part Victorian suburb. The School is some distance from our neighbours. Their homes have long gardens and are screened by mature and attractive tree and hedge belts. Our architects have worked hard to develop this proposal and have amended this to further protect neighbours from potential overlooking or loss of privacy. To date we have not received any serious or substantive objections regarding alleged loss of privacy, increased overlooking or material harm to neighbours' enjoyment of their gardens and homes, by reason of noise, or disturbance or for the matter loss of daylight or sunlight.

For my fourth point, I will hand over to Simon Lock of Favonius architects and he will deal with the detailed design aspects of the proposals. (To cover building heights, materials, loss of the tree, sunlight and daylight etc.)

In conclusion, my fifth and final point is that the **"do nothing option"** of trying to muddle through will be a significant failure to act upon the recent advice of Ofsted about this temporary, decrepit and unfit for purpose building. I therefore urge you to support this modest but important step forwards for South Wilts Grammar School and its students. Thank you.



South Wilts Grammar School for Girls

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Headteacher Michele Chilcott BSc Deputy Headteacher Carolyn Stammers BA MA

Case overview and reasoning behind proposals

South Wilts is rated outstanding by OfSTED and is both a high attaining and high achieving school.

Summary of planned capital project

- Rationalisation and refurbishment of existing Technology Block (1958 build).
- Replace existing temporary technology structure (1993 build) with permanent two storey development.
- Move art into new build creating an Art and Design area (this releases the potential for three classrooms and office accommodation).
- Move PSHE / SEND into new building on the ground floor, to cater for SEND students.

Proposal - Technology, Art, PSHE and SEND provision

We propose to rationalise the area used by Technology, refurbish an existing building and replace a temporary one storey building with a permanent two storey building to accommodate Art and PHSE and SEND provision. As part of this proposal we will create an additional three classrooms which will allow the school to increase its Published Admission Number. The original school building dates back to 1927. There is little room for increasing the footprint of the school; instead the school is looking to being creative with its existing fabric by replacing a one storey temporary building with a two storey permanent building using the same footprint. This will make the best use of space in a constrained site.

The area to be refurbished is 225.5m² and the new build area is 610m². The footprint of 305m remains the same, with 305m added as additional space. The Technology block will remain partially open, during the refurbishment, eliminating the need for any temporary accommodation. The new build and extension to the existing building will enable Art and Technology classes to be taught in close proximity making the department much more efficient.

1. Increase PAN

- As an outstanding school we wish to be able to increase the numbers on roll. We plan to move from a four form entry to a five form entry in years 7-8, raising the PAN from 128 to 150. We also plan to raise the PAN in years 9-11 from 135 to 150. Years 9-11 are already a five form entry. This would in the long term, increase the number on roll to 1150 (currently 1015)
- The average class size currently in years 7&8 is 32 this proposal would reduce this to 30, having a positive impact on teaching and learning and a more efficient use of resources.
- There is evidence to support that the demand for school places will increase. The Salisbury Community Area includes the Salisbury City Council and Hampton Park. (Data source – pupil forecasts Sept 2011 to NOR 2012 – Wiltshire Core Strategy pre submission document February 2012). By 2018 Southern Wiltshire, Wilton and Salisbury will have a shortfall of secondary places. This is projected to be approximately 175 in 2018-19 and the number estimated is between 823 – 1103 places by 2025-26. This potentially equates to 6-8 additional forms of entry. The final numbers are dependent on the final mix of housing developed.
- In 2013 358 students sat the 11+ for entry in 2014. We know from our internal data that 162 have passed the test. With a PAN of 128 this means we cannot accommodate 34 students.
- In order to achieve these changes we will need to create additional teaching spaces. The total site area (Net Capacity Assessment 2008) is 50560m with a pupil net capacity of 978. Projected numbers based on the increasing PAN would be 1,150.

2. Replacement of temporary technology building structure



Appendix 2: email

Dear Mr Hatt,

We have some comments on the amended plans / details, specifically the 'Case Overview' from the school.

- (1) The proposed new two storey building does not use 'the same footprint' as the existing building. The footprint is 50% larger.
- (2) Whilst it is true that the temporary building has full planning permission, the document omits to mention that the permission was subject to a condition that the temporary building should be removed and the land restored to its former condition because permission 'could be justified only on the basis of a special temporary need'.
- (3) I have also telephoned the architect, Mr Lock. I now understand the reason for the design of the NE elevation (facing us) is that the school assumed that we would not want windows on that wall. But that assumption has meant (a) we will be looking at a blank, vertical wall and (b) the building is higher than it needs to be. It is higher than it needs to be because the knock-on effect of the lack of windows at the back is that the ground-floor classrooms 'require a good floor to ceiling height ... to allow light in' (see Design and Access Statement final paragraph page 2) and there needs to be a clerestory to allow light in at the second floor. If permission is given for a two storey building, we would far prefer that it had opaque windows on the NE elevation such as have been successfully used for the music school. This would allow the building to be lower and would break up the 'mass effect' of the current design. Both these things would make a big difference to us.

Opaque windows would also provide a better solution for the school as they would let in diffused north light, which is important for artists, see:

<http://www.finearttips.com/2010/01/why-how-to-turn-your-window-into-instant-north-light/>

Obviously we do not want to direct personal criticism at anyone in the school. But the National Planning Guidance states very clearly that we should have been asked for our views on this whilst the plans were at a formative stage. In the event that planning permission is refused, we would hope to have that conversation in the future.

Because of the shortness of time, I am copying in the school.

Yours sincerely,

Richard & Vanessa Davison

Agenda Item 7b

**Plan List Item 2 14/01021/FUL – Alterations and extension of existing technology block. new two storey classroom block to replace single storey temporary class rooms
At South Wilts Grammar School, Stratford Road, Salisbury
SP1 3JJ**

The following correspondence has been received since the writing of the Committee Report:

Third party representations

1 email commenting on the amended plans has been received. The main points raised are;

- *The size proposal does not use the same footprint, it is 50% larger*
- *The existing temporary building does have planning permission although a condition is attached that the temporary building should be removed and the land restored to its former condition because permission could be justified only on the basis of a special temporary need*
- *If permission is given for a two storey building, we would far prefer that it had opaque windows on the NE elevation such as have been successfully used for the music school. This would allow the building to be lower and would break up the 'mass effect' of the current design. Both these things would make a big difference to us. – Appendix 2*

1 email of support has been received. The main points raised are;

- *The principle being acceptable*
- *There is a pressing need for the proposal*
- *The design preserves and enhance the local area and protect neighbouring amenity*

A case overview along with plans including an aerial photo of the school complex and immediately surrounding area has been submitted. A site section showing the existing and proposed building, boundary treatments and the adjoining neighbouring property - Appendix 3

proposed application. Seven letters pro closure and over Fifty against, plus a huge number in support on social media, this in itself must show the balance of support for the Kings Arms. It is also noted that over the last two Cuckoo Fairs that the pub was open, there was no trouble at all, but however the police were called to both the Bull and the White Horse on both occasions, something the pro closure group seems to have forgotten, again enforcing the fact that the Kings Arms is a community Pub.

Great emphasis has been placed by the pro change group, that these proposals will save this building for future generations, but the reality is that the fabric will either be covered with modern materials or only viewed by a small, elite group of people. As it stands the beauty of the building is available for everyone to enjoy and should remain that way. Not enough information has been supplied by the applicant on the drawings, as to the extent of damage to be caused to the structure, and what materials and aspects will be left visible.

If this application is allowed to go through it sets a precedent for any future owner of a public house to just shut the doors for twelve months and then say it is not viable, would this be allowed in Salisbury's flagship pubs like the New Inn, I think not. If this is allowed to happen then it contradicts every value that villages across the country were founded on.

There is also the potential of turning a portion of this building into a community store, and along with the disabled toilets which could be made available to the general public [of which the village is short on] at this end of the village and the additional carparking that will be retained, of which is a benefit to people visiting the church, this seems to be more than viable
.a) as a business, and more importantly.
b) a community meeting place.

If you allow this Pub to be closed the village loses a valuable asset forever, if however you look at the facts, and deny change of use, the owner has a viable business to either run and prove her claim as to viability, or sell to someone that actually wants to run it as a Pub.

Yours in anticipation that sense will prevail

Paul Charity

On behalf of the many residents of Downton that want to keep the Kings Arms and the village **alive.**

The Pubco have sold three pubs in a five mile radius in quick succession, and none of these were down to viability, more the case that the Pubco need to realise capital to reduce debts. If all three were not viable, surely you would shut one at a time to assess the impact on the others. The truth is that the Kings Arms was one of the busiest pubs for wet sales outside of Salisbury and the coast.

The key elements of this policy seem to have been ignored in the fact that just keeping the doors shut for 12 months, seems to qualify the building not being viable. The fact is that the building was only on the market as freehold for a very short time [approx 2 months], not the 6 months recommended. The previous Landlord is prepared to make a statement, that up to the point he left, his business was completely viable and profitable and the only reason he left was to run a bigger hotel that he was offered.

A serious offer was about to be made, for the purchase and continuation of the premises as a public house, but the Pubco were not interested in this building remaining a pub. I also feel that the current owner has made no attempt to prove viability of the business, as required above, but instead has chosen to keep the doors shut and let the building decline, even though profitable before her purchase. She has made no attempt to run as a business, even though buying at a business price, and in fact sought advice on change of use from the council prior to purchasing, further enforcing the fact that there was never any intention to run as a business.

There was at the time of sale, and are at present, individuals and groups that are prepared to invest in this business, along with tenants prepared to sign a long lease to run as a destination public house.

Far from being the lost cause that is being portrayed, the Kings Arms in fact meets all of the criteria set out in the policy to continue to be a viable business.

HRH Prince Charles has asked John Longden of the British Beer and Pub Association to look at this case, as he has been working closely with "The Pub is the Hub Campaign".

As the village is set to increase in size by 10% in the next few years, this enforces further the need to keep this building as was intended. The closure of this pub will also remove employment from the village, again something that is lacking at the moment.

You have to ask why Enterprise Inns would sell at a lower price if the building was incapable of supporting itself as a freehold, the answer is that they know this is a viable business free from their ties and do not want potential competition for their other two pubs in the village.

There has also been great emphasis on the fact that there are still three other pubs in the village, unfortunately these have all got different styles and different clientele, two of these are food orientated and the third is not everyone's preferred choice. There are numerous residents that now have to drive to neighbouring villages, to drink and socialise in a pub that is community driven.

The village has joined forces from all walks of life from Lt Colonels to archeologists, Recipients of OBE's, Lawyers, builders and families etc alike. This reinforces the fact that the Kings Arms is and should always be a meeting place for all walks of life, and in being so enriches the very community that it serves. Closing this unique building would only speed up the decline of the community, and be responsible for splitting the community instead of cementing it.

There have been several letters pro closure, but all of these are from residents in the immediate vicinity and have an ulterior motive, in that their own properties would increase in value if this application was upheld, this includes the statements from the Downton Society, who again live locally to the building. It seems strange also that given the amount of properties that were consulted on this application, only a small percentage are in favour, surely if this was the den of inequity that some people have tried to portray, then the entire High Street would have lobbied for closure. In reality the only directly attached property is in favour of keeping this public house open. This need to keep this building as a pub, is further enforced by the ratio of objections to the

Reference :- Kings Arms Downton 14/000621/FUL

At the Parish Council there was only one person [elected by the community] that actually had the nerve to stand up for the community, the rest had already made a preformed decision based on family, friendships, and biased advice. They have also prepared a statement at the Parish Council Meeting, to put forward to the Planning Committee again without consulting the village.

They did not then, and have not since listened to the voice of the community, who they were elected by, and instead have imposed their views, above the views of the many. Some members even boasting in the pub that this is a done deal.

A viability study [commissioned by the applicant] was a governing factor in making their decision, but not one of them looked at it objectively, and this was not in the public domain so should not have been used in forming their decision, and should have instead referred to the 'Core Policy 21' and i refer to the following to demonstrate this.

“Proposals involving the loss of a community service or facility will not be permitted unless it can be demonstrated that the site/ building is no longer viable for an alternative community use.

Preference will be given to retaining the existing use in the first instance, then for an alternative community use. Where this is not possible, a mixed use, which still retains a substantial portion of the community facility/service, will be favoured. Redevelopment for non-community service/ facility use will only be permitted as a last resort and where all other options have been exhausted.

In order for such proposals to be permitted, a comprehensive marketing plan will need to be undertaken and the details submitted with any planning application. Only where it can be convincingly demonstrated that all preferable options have been exhausted will a change of use to a non -community use be considered.

This marketing plan will, at very minimum:

- Be undertaken for at least 6 months.***
- Be as open and as flexible as possible with respect of alternative community use.***
- Establish appropriate prices for the sale or lease of the site or building, which reflect the current or new community use, condition of the premises and the location of the site.***
- Demonstrate the marketing has taken into account the hierarchy of preferred uses stated above.***
- Clearly record all the marketing undertaken and details of respondents, in a manner capable of verification if requested.***
- Provide details of any advertisements including date of publication and periods of advertisement***
- Offer the lease of the site without restrictive rent review and tenancy conditions, or other restrictions which would prejudice the reuse as a community facility***
- Demonstrate contact with previously interested parties, whose interest may have been discouraged by onerous conditions previously set out.”***

In policy terms (SWCS Core Policy 21) in order for such a proposal to be acceptable a comprehensive marketing plan must first be undertaken and the details submitted with the planning application. The applicant must convincingly demonstrate that all preferable options have been exhausted before a change of use to a non-community use can be considered.



pub is the hub

Mr P Charity
King's Arms Downton Supporters
2 Moot Close
Downton
Salisbury
Wiltshire
SP5 3JT

29th April 2014

Dear Mr Charity

The King's Arms, Downton

Thank you for your recent letter concerning the potential closure of one of your village's pubs, which has been referred to me by His Royal Highness, The Prince of Wales.

We will look into the background and see if we can comment further.

Yours sincerely

John Longden OBE
Chief Executive
Pub is the Hub

Pub is The Hub
Regional Agricultural Society
Great Yorkshire Showground
Railway Road, Harrogate, HG2 8NZ
Tel: 01423 546165

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ADDITIONAL CORRESPONDENCE
SOUTHERN AREA PLANNING COMMITTEE 01st MAY 2014

Mark and Philippa Merrill
142 The Borough
Downton
Salisbury
Wiltshire SP5 3AT

28 APR 2014

25 April 2014

Warren Simmonds
Development Services South
Wiltshire Council
Bourne Hill
Salisbury SP1 3UZ

Dear Mr Simmonds

Planning Application 14/00549/FUL – Kings Arms, High Street Downton

We write to support the above application.

It is an important and prominent site in the village. It is very visible on a corner in the centre of the old part of the village and at the end of Church Hatch which leads up to the church.

It is clear from recent history (of at least the last six years with frequent changes in the leaseholder) that it has not been possible for anyone to make a success of its operation as a pub/restaurant. In particular it is clear from the way the garden and outside areas have been allowed to deteriorate over the last six years that the business was not producing enough income to meet its outgoings. Although there may have been an established clientele this was clearly insufficient to ensure that it became a thriving business able to attract further customers.

Although the loss of an historic *public building* is regrettable we believe it is preferable to ensure that the building is preserved and kept in a good condition by a change of use. We believe that any sensible requirements about preserving the outward appearance of the building could be achieved by appropriate planning conditions.

Yours faithfully

Mark Merrill

Philippa Merrill

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