

AGENDA

Meeting: Southern Area Planning Committee

Place: Marlborough Room, The Red Lion Hotel, 4 Milford Street, Salisbury,
SP1 2AN

Date: Thursday 20 June 2024

Time: 3.00 pm

Please direct any enquiries on this Agenda to Lisa Alexander of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01722 434560 or email lisa.alexander@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 Andrew Oliver (Chairman)

Cllr Sven Hocking (Vice-Chairman)

Cllr Richard Budden

Cllr Sam Charleston

Cllr Brian Dalton

Cllr George Jeans

Cllr Charles McGrath

Cllr Nabil Najjar

Cllr Bridget Wayman

Cllr Rich Rogers

Cllr Ricky Rogers

Substitutes:

Cllr Trevor Carbin

Cllr Ernie Clark

Cllr Kevin Daley

Cllr Ian McLennan

Cllr Graham Wright

Cllr Robert Yuill

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

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AGENDA

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting and to note the following membership changes:

- Councillor Ian McLennan to come off the Committee as a full member and to become a substitute.
- Councillor Ricky Rogers to become a full Member of the Committee.

2 **Minutes of the Previous Meeting** (*Pages 7 - 30*)

To approve and sign as a correct record the minutes of the meeting held on 16 May 2024.

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**

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 **no later than 10 minutes before the start of the meeting**. If it is on the day of the meeting registration should be done in person.

The rules on public participation in respect of planning applications are linked to in the Council's Planning Code of Good Practice. 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.

Members of the public and others will have had the opportunity to make representations on planning applications and other items on the agenda, and to contact and lobby their local elected member and any other members of the planning committee, prior to the meeting.

Those circulating such information prior to the meeting, written or photographic, are advised to also provide a copy to the case officer for the application or item, in order to officially log the material as a representation, which will be verbally summarised at the meeting by the relevant officer, not included within any officer slide presentation if one is made. Circulation of new information which has not been verified by planning officers or case officers is also not permitted during the meetings.

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 13 June 2024, in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Monday 17 June 2024. 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 and Updates** (*Pages 31 - 32*)

To receive details of completed and pending appeals and other updates as appropriate.

Planning Applications

To consider and determine the following planning applications.

7 **Application Number: PL/2023/08067- High View and Bonakers Farm, Idmiston Road, Porton, Salisbury, SP4 0LD** (*Pages 33 - 60*)

Demolition of existing dwelling and annexe and construction of 4 dwellings.

8 **Application Number: PL/2024/02910 - The Gables, Dean Lane, Whiteparish, Salisbury, SP5 2RJ** (*Pages 61 - 76*)

Variation of condition 1 of planning consent PL/2022/07632 to allow for design changes to porch and the erection of gates and fencing.

9 **Urgent Items**

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

Part II

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

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Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 MAY 2024 AT THE PUMP ROOM - THE OLD FIRE STATION ENTERPRISE CENTRE, 2 SALT LANE, SALISBURY, SP1 1DU.

Present:

Cllr Andrew Oliver (Chairman), Cllr Sven Hocking (Vice-Chairman),
Cllr Richard Budden, Cllr Sam Charleston, Cllr Brian Dalton, Cllr George Jeans,
Cllr Nabil Najjar, Cllr Bridget Wayman and Cllr Rich Rogers

Also Present:

Cllr Paul Sample

16 **Apologies**

Apologies were received from:

Cllr Ian McLennan
Cllr Charles McGrath

17 **Minutes of the Previous Meeting**

The minutes of the meeting held on 14 March 2024 were presented.

Resolved:

To approve as a correct record and sign the minutes.

18 **Declarations of Interest**

There were no declarations of interest.

19 **Chairman's Announcements**

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

20 **Public Participation**

The committee noted the rules on public participation.

21 **Planning Appeals and Updates**

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

It was;

Resolved:

To note the Update Report

22 **Application Number: PL/2024/00694, Rear of Newhaven, Larkhill Road, Durrington**

Public Participation

Mr Steven Morley spoke in objection to the application

Mr Jonathan Hook spoke in support of the application

The Planning Officer, Hayley Clark, introduced a report which recommended that the application for Change of use of land and building adjoining Newhaven, Larkhill Road, Durrington from a vehicle repair workshop to a mixed use of a vehicle repair workshop and for the storage and distribution of logs be approved.

Key details were stated to include the principle of development including planning history, design and scale, impact to the amenity of the area, parking/highway safety.

The Officer noted that it was a retrospective application, as logs were already being stored on site.

There were no technical questions of the officer by members.

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

The Unitary Division member was not in attendance to make a statement to the Committee.

Cllr Sven Hocking then moved a motion of Approval, in line with Officer recommendation. This was seconded by Cllr Rich Rogers.

A debate followed where the issue of creeping industrialisation, the current permissions for use of the site, the mixture of residential and industrial in the area and the reason why the application was retrospective, in that the owners had already started storing and processing logs on the site prior to a change of use.

It was clarified that the site currently has permission for use as a vehicular garage.

The Committee discussed the conditions at length, specifically those which would restrict the hours of operation, the amount of lorry deliveries and external lighting.

There was no objection from Highways due to the restriction on deliveries.

It was confirmed that log processing has stopped on site and that only storage and distribution of the logs was now taking place. The Committee requested that if approved, Condition 8 be amended to clarify that no log processing was to take place on the site.

The original mover of the motion, Cllr Sven Hocking agreed to the amended condition 8. This was seconded by Cllr Rich Rogers.

At the close of debate, the Committee voted on the motion of Approval in line with Officer recommendation, subject to additional wording to Condition 8 to state there would be no log processing on site.

It was;

Resolved

That planning permission for application PL/2024/00694 be Granted as per the officer recommendation, 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:

**Location plan received 23/01/2024
Design and access statement received 31/01/2024
Plan showing area of log storage received 07/05/2024**

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

3. Notwithstanding the approved plans the log storage and distribution use hereby permitted shall only take place between the hours of 9am and 5pm from Mondays to Fridays and shall not take place at any time on Saturdays, Sundays and Bank or Public Holidays. The motor vehicle repair use shall only take place between the hours of 9am and 5pm from Mondays to Fridays and 8am to 1pm on a Saturday and shall not take place at any time on Sundays and Bank or Public Holidays.

REASON: To ensure the retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area

4. Notwithstanding the approved plans, the use as log storage and delivery shall be limited to a single delivery of new logs to the site per

calendar month from a vehicle not exceeding 3.5 tons gross loaded weight. The delivery and despatch of goods to and from the site shall be limited to the hours of 9am and 5pm on Mondays to Fridays only.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

5. The crates of logs to be stored within the outside yard area hereby permitted shall be stacked no more than two crates high (a maximum of 2.40metres above ground level) and shall not be stored within 5 metres of the eastern boundary of the site as shown on the submitted plan received 07/05/2024.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

6. There shall be no burning undertaken on site at any time other than in the wood burner installed inside of the workshop.

REASON: In the interests of the amenity of the area.

7. External lighting shall only be in operation within the application site as defined by the red line shown on the submitted location plan during the agreed hours of use set out in condition 3 of this consent.

REASON: In the interests of the amenity of the area.

8. The mixed use hereby permitted shall for Class B2 use for Motor repairs only and Class B8 use class for log storage and distribution only, and for no other uses within Use Class B2 and Class B8, as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended 2020). There shall be no processing or cutting up of logs on site at any time.

REASON: In the interests of the amenity of the area.

23 **Application Number: PL/2023/10726, Salisbury East Goods Yard, (former Eastern Sidings), Adjacent to Royal Mail Delivery Office off Fisherton Street, Salisbury, SP2 7QP**

Public Participation

No registered speakers.

The Senior Planning Officer, Joe Richardson, introduced a report which recommended that the application for Provision of car parking facility close to station to support redevelopment of forecourt to front of Salisbury Railway Station, providing a temporary car park facility for maximum of three years for

use by passengers, with creation of 89 no. parking spaces for passenger use and 8 no. spaces marked out for Royal Mail use be approved.

Attention was drawn to the access to the site via Fisherton Street, with vehicles exiting on to Spire View and back round on to Fisherton Street.

The application was for a 3-year period to facilitate the station forecourt works in conjunction with highways and southwest railway.

Key details include the principle of development including planning history, design and scale; Impact to the amenity of the area, ecological Impact including the River Avon SAC and New Forest SPA; parking/highway safety; drainage/land contamination;

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the Master Plan for the station works, in relation to whether a 3 year temporary permission was enough time for the redevelopment of the station forecourt to be completed.

The Officer also set out the planning history of the site, confirming that there was no planning permission on the site at present.

It was noted that there were no objections from the Landscaping Officer and that if approved, after the 3-year period expired the applicant would be required to reinstate the land to a brown site, with a scheme to be provided to the council for reinstatement.

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

The unitary division member, Councillor Paul Sample then spoke in objection to the application, noting areas of concern which had been raised by local residents to the site.

The main issues noted included the impact on residents due to the clearing of the site of established flora and fauna, and the wildlife living within. It was stated that until recently the growth had acted as a buffer from the site and from what would subsequently occur if planning permission was approved.

If the application was approved, the Division Member asked whether amendments could be made to require the applicant to reinstate the removed planting and fence to the north of the site.

Cllr Sven Hocking moved the motion of approval in line with officer recommendation with an amendment to the conditions which would increase the implementation of larger more substantial planting and the re-installation of the fence to the northern boundary of the site.

The Officer clarified that the site was a derelict brown field site which had previously left to become overgrown, there had not been any associated

planting on the site. The application also included the reinstatement of a fence to the northern boundary.

The motion was seconded by Councillor Nabil Najjar.

A debate followed where the committee discussed planting timeframes and seasons, and the implementation of fencing at the start of the development.

The Officer confirmed that an amendment to condition 17 could be made to require the erection of the fencing on the northern boundary to the same time as the commencement of works.

Cllr Sven Hocking, as the original mover of the motion and Cllr Nabil Najjar agreed to the amendment to the conditions as set out by the Officer.

The Committee then voted on the motion of approval in line with Officer recommendation, subject to amended conditions 11 and 17 as discussed.

Resolved

That application PL/2023/10726 Salisbury East Goods Yard, (former Eastern Sidings), Adjacent to Royal Mail Delivery Office off Fisherton Street, Salisbury, SP2 7QP, be Granted subject to the following conditions:

Conditions: (17)

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:

**DWG No: SAL-AHR-S1-00-DR-A-08100 Rev C Site Location Plan Date Received 03.01.24
DWG No: SAL-AHR-S1-00-DR-A-90600 Rev B Proposed Line Marking and Signage Plan Date Received 07.12.23**

DWG No: 157905/2010 Rev A Retaining Wall Details Date Received 07.12.23

DWG No: 157905/2011 Rev A Section A-A Drainage Trench Plan Date Received 07.12.23

DWG No: 4923/SAL/ELEC1 Proposed Lighting Plan Date Received 07.12.23

DWG No: SAL-AHR-S1-00-DR-A-90900 Rev B Proposed Sections, A-A, B-B and C-C Date Received 07.12.23

DWG No: SAL-AHR-S1-00-DR-A-09700- Rev C Proposed Demolition and Setting Out Plan Date Received 03.01.24

DWG No: SAL-AHR-S1-00-DR-A-20000 Rev G Proposed Site Layout Plan Date Received 03.01.24

DWG No: SAL-AHR-S1-00-DR-A-09800 Rev D Proposed HGV Swept Path Analysis Plan Date Received 03.01.24

DWG No: 157905/2001 Rev C Proposed Pavement Layout Plan Date Received 03.01.24

DWG No: 157905/2006 Rev B Proposed Site Levels Plan Date Received 03.01.24

DWG No: SAL-AHR-S1-00-DR-A-09200 Rev C Proposed Fencing Layout and Boundary Plan Date Received 03.01.24

DWG No: 157905/2004 Rev D Proposed Drainage Layout Plan Date Received 03.01.24

Ecology Consultation Response undertaken by AHR dated April 2024 Date Received 29.04.24 DWG No: SAL-AHR-S1-00-DR-A-20040 Proposed Landscaping Plan Date Received 29.04.24 DWG No: 574273 LL R4 Proposed Lighting Layout Plan Date Received 29.04.24

REASON: For the avoidance of doubt, in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity.

3 The use of the land for the car park hereby permitted and all associated infrastructure and paraphernalia shall cease/be removed from the land in its entirety within three years of the car park first coming into use/operation. Within 6 months of the car parking first coming into use, a restoration scheme to include a scheme of works for the re-landscaping of the land following cessation of the use shall be submitted to the Local Planning Authority. All restoration works shall be carried out in accordance with the approved scheme and to the agreed timings.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of the use for which permission can only be justified on the basis of a special temporary need.

4 No part of the proposed entrance and exit height barriers shall be erected above or on the public highway.

REASON: To prevent unauthorised structures within the public highway.

5 Prior to the development hereby permitted being first brought into use the pedestrian refuge detailed in the Transport Statement at Appendix C shall have been provided.

REASON: In the interests of highway safety.

6 At all times while the development hereby permitted is operational the entrance off Fisherton Street shall be clearly signed as ENTRANCE ONLY and the exit to Spire view shall be clearly signed as EXIT ONLY.

REASON: In the interests of safe and convenient operation of the car park.

7 The car parking spaces within the car park shall be demarcated and the relevant directional road marking arrows and road markings as detailed on DWG No: SAL/AHR/S1/00/DR/A/20000/G shall be provided before the proposed development hereby permitted is first brought into use.

REASON: In the interests of safe and convenient operation of the car park.

8 The access to the car park from Fisherton Street and the exit from the car park to Spire View shall both be laid out as detailed on DWG No:

SAL/AHR/S1/00/DR/A/20000/G before the proposed development hereby permitted is first brought into use.

REASON: In the interests of highway safety.

9 Before the first use of the lighting scheme hereby approved, the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E3 or better in the ILP document "Guidance Notes for the Reduction of Obtrusive Light - Guidance Note 01:20. A report by a suitably qualified member of the ILP confirming this shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be permanently retained in accordance with the details submitted.

REASON: In the interests of residential amenity and to minimise light pollution.

10 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity.

11 Prior to the start of construction and notwithstanding the approved scheme of landscaping, a Wildlife Protection and Enhancement Scheme will be submitted to and approved in writing by the local planning authority. The detail shall include; Composition, size and number of the native planting mixes for the proposed planting including additional trees, provided along the northern boundary of the site;

Schedule of works demonstrating that planting will be no later than the first planting season post completion of works;

Details of the protection measures to be implemented for the new planting and;

Management measures to be implemented to ensure retention of the planting, to include replacement where necessary.

REASON: To ensure the management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme. Any species of planting submitted will be expected to achieve a suitable scale sufficient to provide a visual softening of the site in the short to medium term.

12 Prior to development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components: 1. A site investigation scheme, based on the Environmental Appraisal to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. 2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for

longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

13 Prior to the development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

14 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

15 Notwithstanding the submitted Drainage Strategy and SuDs Audit (dated November 2023), no development shall commence on site until a drainage and surface water drainage scheme for the site (based on sustainable drainage principles SuDS) has been submitted to and approved in writing by the Local Planning Authority. It shall include:

- A construction management plan, which shall include details of, and measures to retain, the existing vegetation across the site together with drainage arrangement during construction phase;
- Confirmation of groundwater levels providing floatation calculations or liner details, if required, to demonstrate that the interface buried attenuation and groundwater can be safely managed;
- A plan of the site showing overland exceedance routes for flows in excess of the 1 in 100 year (40%) rainfall event that manage the risks to people and property. The surface water scheme shall be implemented before first use of the development hereby permitted and be constructed in accordance with the approved details.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design

and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained in perpetuity.

16 No development shall take place until ground investigations, including soakaway testing in accordance with BRE 365 have been carried out on site incorporating the drainage design and a report of these investigations has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved detail.

REASON: To prevent the increased risk of flooding.

17 All boundary fencing as shown on approved plan: DWG No: SAL-AHR-S1-00-DR-A-09200 Rev C shall be erected prior to the site first being brought into use. All other soft landscaping comprised in the approved details of the landscaping scheme shall be carried out in the first planting and seeding season prior to the site first being brought into use or follow the completion of the development whichever is the sooner; All shrubs, trees and any other planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development.

Informatives: (2)

1. BREEDING BIRDS IN THE NESTING SEASON

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

2. REPTILES

There is a residual risk that reptiles could occur on the application site. These species are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation during the winter and remove all waste arising from such clearance. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the Council Landscape and Design Team (ecologyconsultations@wiltshire.gov.uk).

Application Number: 20/00337/FUL - Land to the east of Odstock Road and to the south of Rowbarrow, Salisbury

RPublic Participation

There were none.

The Planning Team Leader, Richard Hughes, introduced a report which recommended approval of the revised application for the erection of 86 dwellings together with garages, car barns, and refuse/cycle stores. Lay out gardens and erect means of enclosure. Creation of new vehicular access to Odstock Road. Lay out internal roads, including drives and pavements and provision of associated public open space, play areas and landscape planting.

The Officer gave an update on changes that had occurred following the resolution to grant approval of the scheme in April 2022. This included the publication of the revised NPPF in December 2023, and changes to the Council's nutrient neutrality scheme.

It was noted that the recommendation of officers remained of approval of the scheme, subject to a suitable S106 agreement and conditions.

Attention was drawn to two letters of representation received since the publication of the agenda, relating to swift bricks and biodiversity net gain.

The Officer confirmed that the applicant had agreed to an amendment to the application to include one swift brick per property, which was beyond what was required.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the biodiversity net gain matter, which was then explained further.

The Officer noted that a legal agreement was in the final stages and discussions were underway with Ecology regarding the payment amount.

The initial understanding was that a Council scheme would cover the phosphate mitigation for the development. However, the mitigation scheme had now changed, and developers would need to provide towards that mitigation.

Condition 9 relating to Bee homes, bat roosting, hedgehog homes was discussed in relation to whether there would be a fair distribution across all types of properties on the development site, or whether they would be applied solely to the social housing properties.

The Officer confirmed that condition 9 could be amended to state that they were evenly distributed across the site with no distinction.

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

The unitary division member, councillor Sven Hocking then spoke in support of the application, noting the application was for 86 dwellings not 95. During previous consideration, the number of houses had been reduced and the layout amended to move dwellings away from the treeline.

Councillor Sven Hocking then moved the motion of approval in line with Officer recommendation, subject to an amendment to Condition 9 relating to an even distribution across the site.

This was seconded by Councillor Nabil Najjar

The Committee then discussed the application, some of the key points raised included the management of the open space land and whether this could be taken on by Salisbury City Council or a management company.

The Committee recognised that the application had previously been approved, noting that due to two technical matters the application had been brought back for consideration, and as such it was felt to be unnecessary to add in a range of new conditions, which had not been applied previously.

At close of discussion, the Committee voted on the motion of Approval in line with Officer recommendation, with an emended Condition 9.

It was;

Resolved

That planning permission for application 20/00337/FUL - Land to the east of Odstock Road and to the south of Rowbarrow, Salisbury, be Granted, subject to a S106 related to the following matters, and the planning conditions listed below, with final permission to be granted by the Head of Development Management once all requirements are in place:

**i) NATURAL ENGLAND AGREEING THE POSITIVE OUTCOME TO A HABITATS REGULATIONS ASSESSMENT (HRA) BY THE COUNCIL, and
ii) A SUITABLE S106 LEGAL AGREEMENT BEING ENTERED INTO WITH REGARDS THE PROVISION OF THE FOLLOWING MITIGATION:**

- **Provision of 40 percent affordable housing on site (including mix, adaptable standards, and minimum size standard)**
- **Provision and maintenance of public open space, play space (including connecting paths across the open space), together with off site contribution for MUGA**
- **Financial contribution to enhancement of existing footpath system BRIT 8 from the site boundary to the A338 road**
- **Ensure that proposed linking pathways to the surrounding area are provided up to the site boundary with unfettered public access and a scheme for their provision**
- **Financial Contribution to and Provision of waste and recycling facilities**

- Financial Contribution to educational facilities
- Provision of offsite traffic works and sustainable transport contributions and a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.
- Provision of financial contribution to a public art scheme
- Provision of Biodiversity enhancement contributions namely:
 - A financial contribution of £240,000 towards a Council Biodiversity Net Gain project at Roundbarrow Farm in order to deliver a total of 8 habitat units at a cost of £30,000 per unit.
 - Retention and management of the open space as Suitable Alternative Natural Greenspace (as shown on a plan) in perpetuity or for as long as the development site remains in residential use.
 - A financial contribution of £8000 towards compliance of SANG provision in accordance with requirements of the Council's Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1, 25 March 2022) to provide a compliance visit in each of the first five years after the open space is laid out, a compliance visit once every five years thereafter until 30 years after the open space is laid out and inclusion of the SANG in a contract for visitor surveys in years 5 and 10 after the open space is laid out
- Financial contribution (TBC) or alternative scheme as agreed by the Council towards a Phosphorous Mitigation scheme to mitigate the nutrient impact of the proposal on the River Avon Special Area of Conservation.

And subject to the following conditions:

Three Year commencement

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 Approved plans

2. The development shall be carried out in accordance with the following amended plans and details:

- P1597.01 Rev ZA Planning Layout
- P1597.02 Rev Q Materials Layout
- P1597.03 Rev P Building Heights Layout
- P1597.04 Rev S Tenure Layout
- Page 68 P1597.05 Rev P Parking Layout
- P1597.06 Rev P Refuse Layout
- P1597.07 Rev P Enclosures Layout
- P1597.08 Rev C Location Plan
- P1597.SS.11 Streetscenes
- P1597.SS.12 Streetscenes
- P1597.SEC.01 Rev B Site Sections
- P1597.2.01 Rev A Type 2 - (Baker), Floor & Roof Plans

P1597.2.02 Rev A Type 2 - (Baker), Elevations - Brick
P1597.3A.01 Type 3A - (Ploughwright), Floor & Roof Plans
P1597.3A.02 Type 3A - (Ploughwright), Elevations - Brick
P1597.3A.06 Type 3A - (Ploughwright) Floor and roof plans
P1597.3A.07 Rev A Type 3A - (Ploughwright) Elevations - Brick
P1597.BLKA.01 Rev A Block A, Ground & First Floor Plans
P1597.BLKA.02 Rev A Block A, Second Floor & Roof Plans
P1597.BLKA.03 Rev C Block A, Front & Side Elevations
P1597.BLKA.04 Rev C Block A, Rear & Side Elevations
P1597.BO.01 Type BO - (Bowyer), Floor & Roof Plans
P1597.BO.05 Rev B Type BO - (Bowyer), Floor & Roof Plans
P1597.CO.01 Type CO - (Cooper), Floor & Roof Plans
P1597.CO.02 Type CO - (Cooper), Elevations - Brick
P1597.CO.07 Type CO - (Cooper), Floor and roof plan
P1597.CO.08 Rev A Type CO - (Cooper), Elevations - Brick
P1597.MA.01 Type MA - (Mason), Floor & Roof Plans
P1597.MA.02 Type MA - (Mason), Elevations - Brick
P1597.MA.03 Type MA - (Mason), Elevations - Tile Hung
P1597.MA.04 Type MA - (Mason), Elevations - Tile Hung
P1597.SC.01 Rev B Type SC - (Scrivener), Floor & Roof Plans
P1597.SC.02 Rev B Type SC - (Scrivener), Elevations - Brick
P1597.SC.02 Rev A Type SC - (Scrivener), Elevations - Brick
P1597.TA.01 Rev A Type TA - (Tailor), Floor & Roof Plans
P1597.TA.02 Rev A Type TA - (Tailor), Elevations - Brick
P1597.TH.01 Type TH - (Thespian), Floor & Roof Plans
P1597.TH.02 Type TH - (Thespian), Elevations - Brick
P1597.TH.03 Type TH - (Thespian), Elevations - Tile Hung
P1597.TH.05 Rev A Type TH - (Thespian), Elevations - Tile Hung
P1597.WO.01 Rev A Type WO (Woodcarver) Elevations - Tile Hung
P1597.GAR.01 Rev A Twin Garage - Gable Side, Plans & Elevations
P1597.GAR.04 Single Garage - Plans & Elevations
P1597.BIN.01 - Bin Store - Plans & Elevations
P1597.CYC.01 Rev A - Cycle Store - Plans & Elevations
P1597.3.05 Type 3 - (Tillman), Floor & Roof Plans
P1597.3.06 Type 3 - (Tillman), Elevations - Brick
P1597.CH.01 Type CH Rev A - (Chandler), Floor & Roof Plans
P1597.CH.02 Type CH Rev A - (Chandler), Elevations - Brick
P1597.CO.05 Type CO - (Cooper), Floor & Roof Plans
P1597.CO.06 Type CO - (Cooper), Elevations - Brick
P1597.GAR.05 Carbarn - Plans & Elevations
P1597.GAR.06 Garage - Plans & Elevations

Archaeology

Updated Heritage report and Written Scheme of Archaeological Investigation March 2022

Drainage

Site Appraisal report Rev D March 2019 (Flooding and surface water)
Amending Drainage Technical Note and the following:

- Drawings 501-505: The updated drainage strategy layout showing the proposed site levels and retaining wall locations and heights
- Drawing 554-556: Showing cross sections of the soakaways
- Drawings 508-512: Showing the catchment area layout for the drainage strategy
- The Management and Maintenance strategy report
- Appendix E - the hydraulic calculations for each SuDS component on site.

Landscaping

Updated Tree Survey Plan (BELL22723-03D) and Arboricultural Impact Assessment & Method Statement (BELL22723aia_amsD)

Revised Detailed Landscape Drawings and Landscape Masterplan

BELL22723 10D;

BELL22723 11D;

BELL22723 11D (sheet 1)

BELL22723 11D (sheet 2)

BELL22723 11D (sheet 3)

BELL22723 11D (sheet 4)

BELL22723 11D (sheet 5)

BELL22723 11D (sheet 6)

Soft Landscaping Management & Maintenance Plan ref BELL22723 by ACD dated 4th July 2023 Rev C

Updated LVA to reflect plan amends (parts 1-6)

Revised LEMP March 2022

Transport and Access

Drawing 043.0017.001 rev E Proposed Site Access Visibility Splay (Paul Basham Associates)

Transport Assessment Addendum and revised plans 043.0017/TAA/4 March 2022 (Paul Basham Associates)

Travel Plan 043.0017/TP/3 December 2019 (Paul Basham Associates)

Transport Assessment Part 1 & 2 043.0017/TA/3 December 2019 (Paul Basham Associates)

Ecology report

Up-Dated Ecological Appraisal & Phase 2 Surveys March 2022 (LC Ecological Services)

Ecological Construction Method Statement 31.03.2022 (LC Ecological Services)

Landscape and Ecological Management Plan 31.03.2022 (LC Ecological Services)

Appraisal and Phase 2 Survey Document October 2018 Updated May and December 2019

(Lyndsay Carrington Ecological Services)

White Helleborine Survey May 2020 (Lyndsay Carrington Ecological Services)

Waste and sustainable design

Waste Audit and CEMP 2019 (Savills)
Sustainability Statement 13th January 2020 (Southern Energy
Consultants)
REASON: For the avoidance of doubt

Materials

3. Before the relevant dwellings are occupied, details of the materials to be used for the external walls and roofing of the buildings, and hardsurfaces, including paths across the Page 70 open space areas, shall be submitted to and agreed in writing by the Local Planning Authority.

The Development shall be carried out in accordance with the agreed details.

REASON: In the interests of the visual appearance and amenity of the development and area

Water efficiency

4. The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage). Within 3 months of each phase being completed and the housing being brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the mitigation strategy for nutrient neutrality in the River Avon SAC catchment.

Lighting

5. All lighting provided on site during the construction phase, and with regards the development phase and street lighting, shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals and will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 1 lux. Footpaths across open space will remain unlit for the lifetime of the development.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

Biodiversity Net Gain landscaping

6. The development will be delivered in accordance with the approved Biodiversity Metric and will achieve no fewer than 8 habitat units and no fewer than 10.17 hedgerow units within the planning permission boundary.

**REASON: to comply with CP50 in delivering a net gain for biodiversity.
Protection during construction**

7. Before any construction or other works commence, the following habitats will be securely fenced off/protected before works commence, and vehicles, compounds, stockpiles and any construction related activities will be excluded from those protection areas throughout the construction period:

- All retained semi-improved grassland (i.e. grassland within area shown as Wildflower Meadow on the approved Landscape Masterplan.
- Beech tree belt along the south west boundary of the application site and the existing tree belt along the north boundary of the site with Ancient Way, including canopy and root zones as per the approved Tree Protection Plan and Method Statement
- Works should avoid/protect the scheduled ancient monument and archaeological deposits.

**REASON: Insufficient information provided with the application to comply with policy CP50 and the sensitive archaeology on the site and adjacent.
Ecological Clerk of Works**

8. Before construction works commences, a qualified Ecological Clerk of Works will be appointed by the applicant/developer who will attend site regularly (at least once a month) throughout the construction phase of development, documenting each visit, the advice issued as a result of the visit and the effectiveness of all ecological mitigation measures.

These documents will be made available to the Council as Local Planning Authority on written request.

The Ecological Clerk of Works will:

- Undertake checks for bats, birds, herptiles, hedgehogs and dormice no more than 48 hours before vegetation is removed / felled and ensure wildlife is appropriately protected
- Ensure habitat protection fencing remains effective throughout the construction period
- Ensure retained semi-improved grassland is managed twice annually with cuttings removed off site throughout the construction period in accordance with the approved revised Soft Landscape Management and Maintenance Plan.
- Anticipate, prevent and respond to pollution that risks entering surface or ground water.

REASON: To ensure compliance with ecological protection and mitigation measures.

Provision of Bat roosts etc

9. Before development commences, details of the location and design of integral bat roosting features, swift bricks, bee homes and hedgehog access holes in garden fencing will be submitted for Local Planning Authority approval. At least 20% of all approved dwellings/apartments will have at least one of these features, and notwithstanding, there shall be at least 1 swift brick per dwelling. The development will be completed in accordance with the approved details, and prior to any of dwellings/apartments affected being first occupied.

REASON: To contribute to offsetting the loss of wildlife as a result of the development.

Parking and turning areas

10. Before the relevant apartment/dwelling is occupied, the garaging/parking/cycle parking and associated turning areas associated with that apartment/dwelling shall be constructed and provided on site, and shall be maintained in perpetuity thereafter for the purpose.

REASON: In order to ensure that suitable parking and turning areas are provided on site Vehicular access works

11. Prior to first occupation of any dwelling hereby permitted the vehicular access onto Odstock Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 90 metres to the north, and 90 metres to the south.

Reason: In the interests of highway safety.

12. Prior to first occupation of any dwelling the ghost island right turning lane outlined on approved highways/access drawing (as per the amended Transport Assessment March 2022) on Odstock Road including a pedestrian refuge, any required street lighting and highway drainage alterations to accommodate the right turning lane, resurfacing of the entire width of Odstock Road over the length of the right turning lane scheme, shall all have been constructed and made permanently available for use in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of providing safe and convenient access to the development.

Construction Transport Management Plan

13. Prior to commencement of the development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include details of construction vehicle routeing, construction staff vehicle parking areas within the site, local

road cleaning, and measures to prevent excessive mud and dust being deposited on the public highway. The site construction shall be carried out in accordance with the approved plan.

Reason: In the interests of highway safety and road user convenience.

Electric Vehicle Infrastructure

14.No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the Local Planning Authority prior to implementation and thereafter be permanently retained.

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

Contaminated Land

15.No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) - A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) - If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) - If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation

to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

Reason: Core policy 56, To reduce the risks associated with land contamination

Acoustic report

16. Prior to commencement of development an acoustic report shall be submitted to the LPA for approval in writing prior to implementation. The report shall demonstrate that the internal and external amenity standards of BS8233:2014 Guidance on sound insulation and noise reduction for buildings (or any subsequent version) and WHO Guidelines for Community Noise (1999) can be achieved within the development. The report must include full details of any scheme of mitigation required to achieve this which if approved must be implemented in full and maintained in that way in perpetuity.

REASON: In the interest of amenity Protection of amenity during construction

17. Notwithstanding the submitted CEMP December 2019, no construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interest of amenity 18. Notwithstanding the submitted CEMP December 2019, prior to commencement of the development a revised Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority. The revised Plan shall include additional/revised details of:

- Working hours – to match that stipulated by this consent
- No idling of engines of lorries whilst waiting outside the site
- Details of any on site generators and their locations
- An external lighting plan and positions on site
- Details of piling – must be continuous flight auger piling wherever possible
- Show how the works will avoid/protect the scheduled ancient monument and the archaeological deposits
- Show how the works protected the tree belts along the south and northern
- boundaries of the site and the sensitive ecology

The site construction shall be carried out in accordance with the approved Plan.

Reason: In the interests of amenity

Archaeology

19. The development shall be carried out in accordance with the Written Scheme of Investigation for archaeological strip, map, and sample excavation and monitoring, by Savills dated March 2022. Within one calendar year of the commencement of development on site, (or an alternative time table agreed in writing with the Local Planning Authority), a landscaping maintenance and management plan showing how the sensitive archaeology on and adjacent to the site would remain protected and unaffected in perpetuity, including the ancient trackway marked by an avenue of trees on the approved plans, shall be submitted to and approved by the Local Planning Authority. The management plan shall include management and maintenance responsibilities and 'no dig' areas for the open green space.

REASON: To record and advance understanding of any heritage assets to be lost and to make this evidence publicly accessible, and to protect those heritage assets that remain. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded.

Drainage

20. Notwithstanding the drainage details submitted as part of this application, no development shall commence which would involve or relate to drainage provision until a scheme showing the following:

- a) the results of infiltration test; and
- b) confirmation that all finished floor levels are shown to be above the maximum predicted 100 year flood level, and
- c) confirmation that each relevant household will be informed of its responsibility for the maintenance and protection of any sustainable urban drainage systems within its curtilage.

has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme/details.

REASON: In the interests of achieving sustainable drainage

INFORMATIVE

Archaeology

As the applicant/developer is aware, the site contains sensitive archaeology. Consequently, appropriate care needs to be taken when developing this site.

The programme of archaeological work should comprise the following elements:

- i) Prior to the commencement of development, the detailed archaeological investigation of areas of archaeological interest identified by the

exploratory archaeological investigation and that will be impacted by the proposed development. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded. The programme of archaeological fieldwork may also include archaeological monitoring during development and landscaping works.

- ii) A programme of assessment, analysis, reporting, and publication that is commensurate with the significance of the archaeological results. The condition will not normally be fully discharged until this element of the programme of archaeological work has been satisfactorily completed.

Appropriate measures should also be put in place to ensure that the 'area of archaeological interest' that is to be preserved in situ and that part of the Scheduled Monument that lies within the red line boundary are not subject to any construction activities, such as temporary soil bunds, temporary compounds or access routes, or similar, during the course of the development. The measures should comprise part of the Construction Environment Management Plan.

Acoustic report

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 (or any subsequent version) and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 (table 4) of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB L_{Amax} between the hours of 23:00 and 07:00.

25 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 4.25 pm)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail lisa.alexander@wiltshire.gov.uk

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk

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**Wiltshire Council
Southern Area Planning Committee
20th June 2024**

There are no Planning Appeals Received between 03/05/2024 and 07/06/2024

Planning Appeals Decided between 03/05/2024 and 07/06/2024

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
PL/2022/08912	Plymouth, Stock Lane, Landford, Salisbury, SP5 2EW	Landford	The buildings are part of a group situated behind the existing farmhouse and served by an existing access drive alongside the farmhouse. One dwelling would be detached and the other four would be two pairs of semi-detached dwellings. All would provide two bedrooms and have one parking space each, although there is space on the site for unallocated additional parking.	DEL	Written Reps	Refuse	Dismissed	22/05/2024	None

PL/2023/00745	Stonehenge Park, Whatcombe Brow, Orcheston , SP3 4SH	Orcheston	Certificate of lawfulness for use of land as part of a holiday touring park for the purposes of recreational use by guests of the holiday park throughout the year and seasonal grass pitches for tents, campervans and touring caravans during the months of April to September each year	DEL	Inquiry	Refuse	Allowed	02/04/2024	Appellant applied for Costs - REFUSED
PL/2023/00794	Land Adjacent to Knapp Farmhouse, High Lane, Broad Chalke	Broad Chalke	Change of use of a parcel of land to residential use, the erection of a detached 3-bedroom dwelling, a detached carport, creation of a new access onto High Lane, hard and soft landscaping and associated works (resubmission of PL/2022/08054)	DEL	Written Reps	Refuse	Dismissed	11/03/2024	None
PL/2023/01274	15 Bugdens Close, Amesbury, Salisbury, SP4 7WG	Amesbury	Retrospective fence - within the border of property, to the side/rear of the house.	DEL	Written Reps	Refuse	Dismissed	05/04/2024	None
PL/2023/01827	The Stables, New Manor Farm, Pitton Road, West Winterslow, SP5 1SE	Winterslow	Conversion of existing building into a 2 bedroom residential dwelling. The building is sited close to the road side and has adequate parking and amenity area for the dwelling.	DEL	Written Reps	Refuse	Allowed with Conditions	07/03/2024	None
PL/2023/04958	The Flat, 81 Wilton Road, Salisbury, Wilts, SP2 7ER	Salisbury	Retrospective conversion of existing basement to 1 bedroom flat	DEL	Written Reps	Refuse	Dismissed	20/03/2024	None

REPORT FOR SOUTHERN AREA PLANNING COMMITTEE

Item No:

Date of Meeting	20 th June 2024
Application Number	PL/2023/08067
Type of application	Full planning permission
Site Address	High View and Bonakers Farm, Idmiston Road, Porton, Salisbury, SP4 0LD
Proposal	Demolition of existing dwelling and annexe and construction of 4 dwellings
Recommendation	Approve, subject to s106 agreement
Applicant	Mr James Armstrong
Town/Parish Council	Idmiston CP
Electoral Division	Winterslow & Upper Bourne Valley ED
Case Officer	Julie Mitchell

Reason for the application being considered by Committee

At the request of the elected member Cllr Rich Rogers for the reasons of:

- Scale of development
- Environmental/highway impact.
- The proposal potentially seeks to change the use of the land from agricultural to residential.
- It is unclear which of the new dwellings will hold the agricultural tie.
- Significant development has already taken place in and around Porton, such that within the draft local plan, there is residual requirement for residential property out until 2038.
- The transport infrastructure in and around Porton is inadequate, particularly as a consequence of works traffic to Porton Campus and school traffic with the local primary school.

1.Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved subject to a legal agreement to secure the proposed mitigation for phosphates.

2. Report Summary

The main issues to consider are:

- Principle of development
- Landscape/visual impacts
- Residential amenity
- Highways
- Archaeology
- Ecology/River Avon SAC catchment

3. Site Description

The application site comprises a substantial plot which currently accommodates an existing dwelling, annexe and detached double garage, with an existing vehicular access to the south west of the site from Idmiston Road. The dwelling is subject to an occupancy condition for an agricultural worker. It is understood that the garage has been recently demolished subsequent to the officer's site visit. The extent of the site and associated farmland to the north and east of the site is shown in the location plan extract below. There is a further area of land in the same ownership to the west of the site, on the opposite side of Idmiston Road. The front boundary of the site adjacent to Idmiston Road is formed by established trees.



Location Plan

The application site is located in the village of Porton, which is defined as a Large Village by the Wiltshire Core Strategy and has a defined settlement boundary to identify the limits of 'the existing built area'. The full extent of the application site is included with the defined settlement boundary. Residential development lies on the opposite side of Idmiston Road, which adjoins the western boundary of the site. A memorial hall is located to the south of the site, separated from the boundary by an unmade access track leading to farm buildings to the east of the site. Farmland lies to the north and east of the property. There are residential properties which form part of the settlement further to the north.

4. Planning History

PL/2023/03232 - Relocation of existing agricultural dwelling & construction of 3 new dwellings
- Refused

S/2006/8008 - Change of use of agricultural barn used for storage of farm machinery, hay and straw to include a maximum of half the area storage and baling of farm waste plastic before transportation for recycling - Approved

S/2003/0354 - Agricultural building open sided barn for the storage of farm machinery, straw and hay (replacement building) - Approved

S/1987/1716 - Extension to be used as granny annexe and erection of garage - Approved

S/1985/0194 - O/L application - Agricultural Bungalow - Refused

S/1983/1079 - Outline application - Residential bungalow for use by working farmers (owner)
- Refused

73/337 - Erection of bungalow for farm worker - Approved (26.11.73)

"The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971 or in Forestry (including any dependents of such a person residing with him) or a widow or widower of such a person."

5. Proposal

The application is a full application for the demolition of the existing dwelling and annexe and construction of 4 detached, two-storey dwellings, including the formation of a new vehicular access from the existing access lane and closure of the existing vehicular access to the dwelling.

6. Local Planning Policy

National Context:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide

Habitats Regulations 2017

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015:

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

Core Policy 4: Spatial Strategy for Amesbury Community Area

Core Policy 41: Sustainable Construction & Low Carbon Energy
Core Policy 48: Supporting rural life
Core Policy 50: Biodiversity and geodiversity
Core Policy 51: Landscape
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 60: Sustainable Transport
Core Policy 61: Transport and New Development
Core Policy 64: Demand Management
Core Policy 67: Flood Risk
Core Policy 69: Protection of the River Avon SAC

Wiltshire Housing Site Allocations Plan (February 2020) (WHSAP)
Housing Land Supply Statement Published April 2022

Salisbury District Local Plan (2003):
Saved policy C6 – Special Landscape Area

Idmiston Parish Council Neighbourhood Plan 2015-2026

Wiltshire Local Transport Plan 2011-2026:
Car Parking Strategy (Policy PS6 - Residential parking standards)
Cycling Strategy

Waste Core Strategy 2006-2026

7. Summary of Consultation Responses

Idmiston Parish Council - *no reason to change its view, and continues to object to the proposed development of this site. Councillors noted that there was no indication which dwelling was to have the agricultural tie applied to it, and that it was now proposed to have four dwellings on the site, with the potential for agricultural vehicles to be stored in a domestic setting, and increased discharging to the existing soakaway. Concerns were also raised about the potential overdevelopment of the site, with large and overbearing dwellings, and the possible requirement for the change of use for what is currently agricultural land.*

Comments on previous application:

The IPC Planning Committee strongly objects to this application, with many concerns raised, but particularly in connection with the agricultural tie, the intensification of use on an already dangerous access onto Idmiston Road, and the fact that Idmiston parish has already overdelivered on the housing numbers required in its current Neighbourhood Plan. It was also noted that this site, although within the Housing Policy Boundary, is not a preferred site in the Idmiston NP.

The Planning Committee has requested its Wiltshire Councillor Rich Rogers to call this application in for determination by Wiltshire Council's Southern Planning Committee if the

Planning Officer is minded to approve, on the basis of public interest and concerns about the agricultural tie.

WC Highways Officer - *I refer to the above proposal for the demolition of the existing bungalow containing two dwellings known as High View and the construction of four new dwellings, resulting in an overall increase of two dwellings. The new dwellings will be served by an existing junction onto Idmiston Road which currently serves High View and Bonakers Farm. A new access into the site is proposed off the private track further to the east away from the junction, and the existing access off the track will be closed off.*

The junction falls within the 30mph speed limit and, to accord with the guidance in Manual for Streets, visibility splays of 2.4m by 43m in both directions to the nearside carriageway edge at a height of 600mm are necessary. Following an assessment of the junction it appears that the visibility to the left (south) past the adjacent Memorial Hall is acceptable. The required visibility to the right (north) also appears to be achievable albeit with the cutting back of some vegetation on the verge (which has correctly been annotated as within WC ownership). A drawing has been submitted with the application which demonstrates the achievable visibility splays, although the full extent of the splay is not shown. I am satisfied that the required visibility can then be conditioned accordingly. Improvements are proposed to the access track, the first 20 metres approximately will be reconstructed and resurfaced with a row of granite setts marking the change to a gravel surface beyond. The tarmac surface will be drained with the addition of two gullies which will connect to a new soakaway. The applicant will be required to apply for a S184 licence to undertake the work to the highway at the junction end of the track. The hedge on the southern boundary of the track should be cut back to maximise the full available width to ensure that two vehicles can pass for at least the first 10 metres. The applicant must ensure there is sufficient visibility for and of vehicles exiting the site onto the private track.

In terms of the location of the site and the local highway network, I wish to repeat previous comments as follows. I note the concerns raised with regard to the suitability of Idmiston Road to serve the development; however, I do not share the concerns as the width of Idmiston Road is considered to be perfectly adequate to accommodate opposing travelling vehicles. It is acknowledged that a length of Idmiston Road becomes heavily parked on during school drop-off and pick-up times. This is an existing situation which will not be significantly exacerbated by the proposed construction of four dwellings (two additional dwellings). There is an existing footway which links the site to St Nicholas Primary School approximately 300 metres to the north which is considered to be a reasonable walking distance. There are facilities in Porton village centre including a convenience store around 440 metres to the south west on Winterslow Road which can be reached on foot via dedicated footways. There are bus stops on Idmiston Road and Winterslow Road.

The internal layout is considered acceptable in terms of parking and turning spaces.

I recommend that no highway objection is raised subject to the following conditions should permission be granted:-

No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4metres back from the edge

of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the north and 43 metres to the south from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway. REASON: In the interests of highway safety.

The development hereby permitted shall not be first brought into use until at least the first 10m of the access track, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel) as shown on drawing ref: PR.05. The access shall be maintained as such thereafter. REASON: In the interests of highway safety

No development shall commence on site (including any works of demolition), until a Construction Management Statement, together with a site plan, which shall include the following:

- 1. the parking of vehicles of site operatives and visitors;*
- 2. loading and unloading of plant and materials;*
- 3. storage of plant and materials used in constructing the development;*
- 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;*
- 5. wheel washing facilities;*
- 6. measures to control the emission of dust and dirt during construction;*
- 7. a scheme for recycling/disposing of waste resulting from demolition and construction works;*
- 8. measures for the protection of the natural environment. and*
- 9. hours of construction, including deliveries (whilst being mindful of the proximity of the local Primary School).*

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority. REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

Informative

The application involves the resurfacing of the existing vehicle access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

WC PROW Officer - No comments received.

Previous comments noted:

Bridleway IDMI2 crosses the farm access road that will be utilised for construction access to the replacement agricultural dwelling. I have no objection to the proposal but request that the applicant contacts the Countryside Access Officer (rightsofway@wiltshire.gov.uk) prior to construction of this part of the development to discuss any safety measures required to protect bridleway users from the increased traffic that will be generated.

WC Archaeology - *Please note that my comments relate solely to the buried archaeological heritage and not to the historic built environment, which is a matter for your Conservation Officer.*

This proposal is similar to a recent, refused application (PL/2023/03232) for the same property. The current proposal provides for four new dwellings within the plot of High View, whereas the previous application provided for three. However, the archaeological implications of the current proposal are the same as for the previous application and so I can re-iterate my previous advice as follows.

The site of these proposed new dwellings lies on the outskirts of the historic village of Porton that has its origins in the medieval period. The site appears to lie outside of the presumed extent of the medieval settlement but lies close to the line of The Portway, the Roman road running from Calleva Atrebatum (Silchester) to Sorviodunum (Old Sarum). The projected line of the Roman road is shown on historic mapping as running just to the south-east of High View. However, exploratory archaeological investigation in 2016 (Wessex Archaeology, 2016) in the field immediately to the south of High View and to the west of Idmiston Memorial Parish Hall failed to locate the Roman road. The excavators concluded that the route of the Roman road probably lies a little to the north-west, i.e. within the plot containing High View.

The property of High View therefore has an archaeological interest. The proposed development comprises the construction of four new dwellings within the property of High View, largely off the footprint of the existing buildings, which are proposed for demolition. On this basis, it is recommended that the proposal is subject to a programme of archaeological work should this application be permitted. It is likely that a number of trenches would be appropriate to establish the presence or absence of the Roman road and any other related deposits that may survive and that will be harmed by the proposed development. This programme of archaeological work can be secured by a suitably worded condition and the following is recommended:

No development, other than demolition to ground level, shall commence within the red line boundary shown on Location Plan HvW_2303, Sheet No. PR.01, dated 29 September 2023, until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work, including the assessment, analysis, reporting, publication and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and*
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.*

REASON: To record and advance understanding of the significance of the heritage assets to be lost in a manner proportionate to their importance and to make this evidence and any archive generated publicly accessible'.

This is in accordance with Paragraph 205 of the NPPF which states that 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.

WC Ecology: *I have reviewed the submitted documents against OS maps, aerial photographs of the site and surrounding area, together with GIS layers of statutory and non-statutory designated sites and existing records of protected species.*

The application site does not lie within or immediately adjacent to any statutory or non-statutory designated sites for conservation, or any notably sensitive areas for protected species.

River Avon (Hampshire) SAC Catchment:

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Appropriate Assessment must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

The submitted phosphorous nutrient calculation (Nutrient Calculator pre 2030 and Nutrient Calculator post 2030, both submitted 8th May 2030) is accepted. Adherence to

- the off-site mitigation strategy (attached to email from J Arms to Julie Mitchell, 08 February 2024, titled Copy of Nutrient Calculator River Avon SAC V 02 2 (1), and*
- Nutrient Mitigation Management Plan, Bonakers Farm, Idmiston Road, Porton, Wiltshire SP4 0LD), and*
- Mitigation Site Plan (HvW_2303, Sheet no PR.11 Drawn by DL, JL), submitted 8th May 2024*

demonstrates the development will achieve nutrient neutrality. The strategy has been endorsed by Natural England (NE).

As required by the Habitats Regulations an Appropriate Assessment has been completed by the LPA with a favourable conclusion. The AA has been sent to Natural England (28/05/2024), who have a statutory 21 day consultation period. The application must not be determined until they have agreed with the LPAs conclusion.

A suitably worded legal agreement will be required to confirm the following:

- The location and identification of the two mitigation land parcels*
- Delivery of mitigation proposals prior to commencement of construction*
- The Council is reimbursed to undertake monitoring and management work in perpetuity via a Nutrient Management Land Monitoring Fee*

Protected Species:

Bats

The existing bungalow is of a relatively modern construction type, with negligible potential roosting opportunities. From the site photographs it is apparent that the building could support small numbers or individual crevice-dwelling bats only, not those species that need to fly into the building and hang up. It is therefore most unlikely that the building could support Annex II bat species. Given this information, and since there has already been a delay to this application through the necessity to address the phosphates issue, I will not insist that bat surveys of the building are undertaken prior to any permission being given this application. However, the applicant should have regard to the informative added to this response.

Other Protected Habitats and Species:

No ecological survey report was submitted in support of the application. We do not consider that the site comprises any sensitive ecological features other than the possibility of bats as mentioned above. In order that the precautionary principle is employed and best practice initiated, I request that a simple Construction Ecological Management Plan is secured by condition, in order to protect existing biodiversity within the site.

I am therefore happy to support the application subject to conditions.

- 1. Compliance with agreed plans and drawings*
- 2. Construction Environment Management Plan (CEMP)*
- 3. Water Efficiency in River Avon and River Test Catchments*
- 4. Mitigation Land Management Plan*

Informative - Bats

8. Publicity

The application was publicised by site notice and neighbour notification letters. A number of third party representations have been received which are summarised as follows:

Objection

- Unaware that the site is not vacant and is currently being used for domestic purposes.
- I live opposite the bungalow and haven't seen anybody or noticed cars coming & going.
- The track will need to be kept clear for access & safety.
- Will the occupants of the 4 houses be arranging regular upkeep as provided by the previous occupant?
- Vehicles needing to drive up the track must give way to any vehicle emerging.
- At times Idmiston Road is busy, with regular use of the parish hall car park, school drop off and Porton Down traffic - this is hazardous.
- The entrance is on the brow of a hill and some drivers exceed the speed limit.
- Outside lighting should be in keeping with a rural area and kept to a minimum.
- The potential effects of artificial light at night on wildlife is often overlooked.
- There is a street lamp on Idmiston Road opposite the site.
- There is a row of very tall trees immediately adjacent to the site on Idmiston Road.
- The trees appear to be in a poor state and will be a problem in the near future.
- There is a tree on the proposed development site.

- Not clear how sewage will be disposed of, have Wessex Water provided pre planning advice?
- The plan shoehorns too much into too small an area, the result will be unattractive & overbearing.
- Overdevelopment.
- Misalignment with agricultural ties.
- None of the new houses are designated as having an agricultural tie/not clear which property is to be agriculturally tied.
- Applying for repurpose is objectionable.
- 4 houses is overcrowded.
- Risk of agricultural contamination of communal housing areas from farm vehicles.
- 3 houses was considered slightly excessive, 4 houses is excessive and overdevelopment
- Does not address the requirement for housing within the Parish of Idmiston where demand is for affordable housing for first time buyers, those on a low income or wishing to downsize.
- The housing identified are for 1 x 2 bedroom house plus 3 x 4+ bedroom houses, the latter three houses will be beyond the means of those within the Parish.
- Idmiston Parish Council will not require multi-house developments and can meet proposed house building targets up to 2038 as defined in the Neighbourhood Plan - the implication is that approvals will be given to infills only.
- Will set a precedent.
- I would have no objection to the demolition of the existing housing and rebuilding with the equivalent housing within the existing building footprint.
- No disagreement that the existing dwelling may require demolition rather than renovation and restoration however this is clearly a financially driven venture.
- Were the owner genuinely keen to fit the requirements of the local area then they would simply replace the current bungalow with only one property.
- The failure to identify which property will maintain the agricultural tie is means to its removal and paving the way for future development on other parts of the land.
- Plenty of bungalows in Porton have been renovated to a high standard without demolishing them and building additional properties on the same site.
- The garage associated with High View has been demolished and bricks and rubble moved up to the area of the agricultural buildings before any permission has been given.
- Storage containers have been placed in the adjoining field without permission.

Support

- Additional 2 homes in the village on the site of an old bungalow.
- I assume everyone is aware of the need for more houses?
- Four quality, well-built, and considered homes for people to build a life in.
- Small developments are surely the best way to sympathetically increase the housing stock in a rural setting.
- It is preferable to the soul crushing red-brick estates popping up all over the place.
- What is the purpose of an over cautious attitude to these kinds of developments?

- To keep the status quo of an objectively unattractive and most certainly inefficient 1970s bungalow?
- We should be careful not to attempt to put barriers in the way of sensible progress.
- This is a modest and reasonable proposal which will contribute positively to the village.

9.Planning Considerations and Assessment

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development:

Core Policy 1 of the Wiltshire Core Strategy (WCS) sets out the 'Settlement Strategy' for the county and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages; only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development. Core Policy 2 of the WCS sets out the 'Delivery Strategy' and identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. Core Policy 4 of the WCS sets out the 'Spatial Strategy' for the Amesbury Community Area and confirms that development in this area should be in accordance with the Settlement Strategy set out in Core Policy 1 and that growth over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2. At the settlements identified as villages, a limited level of development will be supported in order to help retain the vitality of these communities.

Core Policy 48 of the WCS provides an exception to the policy criteria of Core Policies 1, 2 and 4, and states that for dwellings required to meet the employment needs of rural areas, "Outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.

Porton is defined as a Large Village by the WCS and has a defined settlement boundary to identify the limits of 'the existing built area'. The current application site comprises only the site of the existing bungalow and annexe which lies within the settlement boundary. The location plan showing the extent of the site and proximity to other built form within the settlement is shown below:

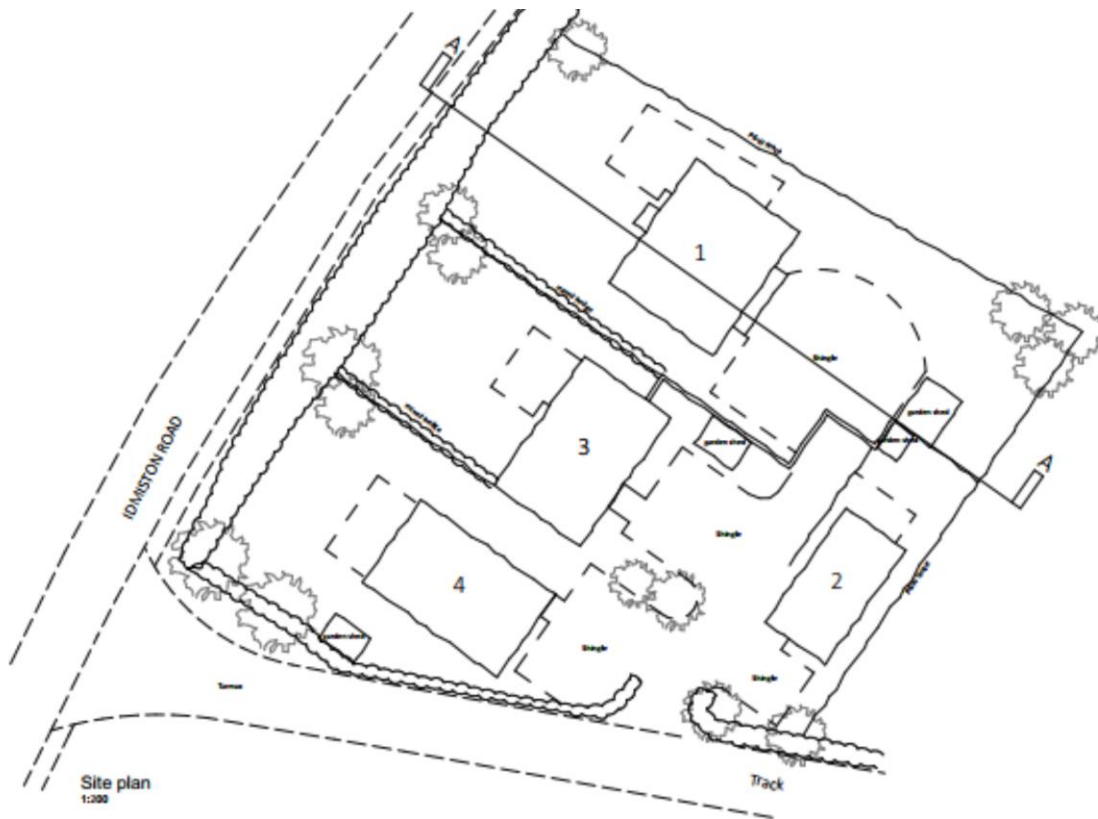


The mapping extract below shows the extent of the settlement boundary which envelops the existing agricultural worker's dwelling and its annexe, High View:



The proposal is now to demolish the existing agricultural workers dwelling and annexe and construct 4 new dwellings on the site of the existing bungalow/annexe. The proposal for the construction of a new agricultural workers dwelling further to the east, adjacent to the range of farm buildings associated with Bonakers Farm (also identified as Bonacres Farm) is now omitted.

The site plan below shows how it is intended to redevelop the site:



The site is also located within the designated area covered by the Idmiston Parish Council Neighbourhood Plan 2015-2026 (NP), which was adopted following referendum in April 2017. NP Policy 17 sets out the Development Criteria for new housing within the neighbourhood plan area and states that “Any developments in villages will need to meet all of the following criteria:

- Be well related to the existing village envelope
- Be of modest scale and not generally exceed ten dwellings, in order to protect the rural nature of the village
- Reflect the character and variety of the existing pattern of development in the village
- Follow the lines of the contours on sloping sites to ensure a better fit with the existing land form.

NP Policy 19 also sets out that “The Neighbourhood Plan will facilitate the delivery of approximately 32 homes across the Plan period. The delivery of new homes will be monitored, in the event that the development of new homes through existing commitments or proposals will not achieve the figure of approximately 32 dwellings, consideration will then be given for the development of the sites shown in Figure 1 of the plan. Subject to other policies in this Plan new residential development proposals will be supported to achieve the housing requirement where they deliver infill development or at the large village of Porton small scale development of no more than 11 homes within and immediately adjacent to the settlement boundary of Porton, as established in the Core Strategy. Residential development elsewhere in the Plan area will be resisted.”

The NPPF is a material consideration in the determination of the application and at paragraph 79 states that:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.” Paragraph 80 sets out circumstances for the provision of housing the countryside which includes where “there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside”.

The existing dwelling was constructed following permission granted in 1973 subject to an agricultural occupancy condition, the annexe was added later following permission granted in 1987. The dwelling has therefore served the agricultural holding in its current location for almost 50 years. The agricultural occupancy condition allows for an agricultural worker and their dependents to continue to reside in the dwelling whilst employed in agriculture and through their retirement. The current application follows the refusal of a previous application for the demolition of the existing agriculturally tied dwelling and associated annexe and construction of three dwellings, together with the construction of a new agricultural workers dwelling on a separate parcel of land which was located outside of the defined settlement boundary. The previous application was refused on the grounds that there was no justification for the construction of a new agricultural workers' dwelling in the countryside, nor for the relocation of the existing dwelling, which would be required to satisfy Core Policy 48 of the Wiltshire Core Strategy as an exception to Core Policies 1 and 2.

Whereas the site and proposal previously comprised of two distinct parts which was partly within the settlement boundary and partly in open countryside and proposed 3 dwellings on the site of the existing dwelling and 1 new agricultural workers' dwelling on farmland, the current application proposes the demolition of an agricultural workers' dwelling and is shown to comprise 4 detached open market dwellings and does not nominate a property to be subject to an agricultural tie as a replacement of the existing dwelling. The application site has been included within the defined settlement boundary for the large village of Porton, adopted as part of the Wiltshire Core Strategy in 2015 and subject to review in the Wiltshire Housing Sites Allocations Plan 2022. As such, the demolition of the existing occupancy restricted buildings and construction of new open market dwellings can be supported in principle on the basis that it is within the settlement boundary within the adopted Core Strategy. Whilst objections cite that the housing requirement of the Neighbourhood Plan has been met, Policy 19 indicates development of not more than 11 homes within (or immediately adjacent to) the development boundary will be supported. The proposed redevelopment is therefore compliant with the development plan.

However, given the content of the previous application included the construction of a new agricultural workers' dwelling there is a clear intention that there will be an ongoing requirement for agricultural workers' accommodation despite the demolition of the existing dwelling. In the determination of the previous application, the applicant stated the following:

- 1) The holding currently provides 2 agricultural workers dwellings, therefore it is reasonable to conclude the ongoing use of the farm will continue to require a similar albeit reduced provision due to the reduced acreage

- 2) The relocated agricultural workers dwelling will not result in the loss of any productive farmland.
- 3) The release of the land within the development boundary will provide the capital that is required to bring the holding up to the necessary standards. .

Whilst the justification provided was not sufficient evidence of the future need and basis for relocation necessary in order to support a new dwelling in the countryside where the existing dwelling provides for that need, the LPA has also not been provided with any marketing of the existing agricultural worker's dwelling which would normally form a part of an application to remove an agricultural occupancy condition to enable an assessment to conclude that there is no ongoing need for agricultural workers' accommodation. In the absence of robust evidence for either scenario, the LPA has concerns that the loss of the agricultural workers' dwelling will lead to a further application for a new dwelling in the countryside if permission is granted for the demolition of the existing dwelling and redevelopment that does not make provision for retention of one of the proposed dwellings to replace the existing agricultural workers' accommodation. It has therefore been agreed with the applicant that the dwelling numbered 2 on the proposed site plan would be retained for agricultural workers' accommodation. This can be secured by condition and is necessary to retain the provision for agricultural workers in the absence of evidence that there is no ongoing need for the existing dwelling.

Landscape/Visual Impacts:

Core Policy 57 requires a high standard of design in all new developments, by

- i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced
- ii. the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development;
- iii. responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting
- iv. being sympathetic to and conserving historic buildings and historic landscapes
- v. the maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41 (Sustainable Construction and Low Carbon Energy)
- vi. making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area

The site is within a defined as a Special Landscape Area under saved Policy C6 of the Salisbury District Local Plan and continues to form part of the development plan and lies at the edge of a large village settlement, wholly within the defined boundary but with undeveloped fields surrounding on two sides. The context for the site is therefore rural.

The site plan included in the previous section shows how the site of the existing dwelling is proposed to be developed with 4 houses. The proposed dwellings would be detached, two-storey dwellings. Plots 1, 3 and 4 each comprise 4 bedrooms. The following plan extracts show the elevations and floor plans of Plots 1, 3 and 4:



Plot 2 is a smaller property which comprises 2 bedrooms. The elevations and floor plans are shown in the plan extracts below:



The design of the dwellings has a mix of materials and roof designs. Plot 1 (entitled 'The Farmhouse') is a more traditional brick built dwelling with hipped clay-tile roof, Plot 3 (entitled 'The Granary') maintains the same form but is constructed in timber with a hipped slate roof, Plot 4 (entitled 'New Barn House') has a more contemporary sign with walls and pitched roof constructed in charred timber with predominantly glazed end elevations and Plot 2 (entitled 'The Small Barn') is timber boarded with a pitched slate roof. The layout is residential in character rather than that of a traditional farmstead, however the variation in design seeks to draw on rural building styles which is considered appropriate for the edge of village location.

The visual impact of the proposed new dwellings would be more significant by reason of the increased number of dwellings and increased height, coupled with the fact that the land is at a higher level on the eastern side of Idmiston Road. It is noted that the only adjacent building is the single storey Memorial Hall and dwellings immediately opposite are single storey and are sited on lower ground, with two storey dwellings presented on the western side of Idmiston Road further south and on the eastern side further towards the centre of the village. The proposed two-storey dwellings would inevitably be more visually prominent than the existing bungalow/annexe when viewed from the open countryside through which there is a public right of way across land which lies between the 4 new houses and the existing farm building. However, it is not proposed to remove the trees which line the boundary of the site with the highway and the proposed dwellings would not appear out of character given the residential character of the plot and its setting in the village settlement. The existing buildings are of no architectural or historic merit and consequently the demolition of these buildings raises no concerns.

Saved Policy C6 states that "within the Special Landscape Area, proposals for development in the countryside will be considered having particular regard to the high quality of the landscape. Where proposals which would not have an adverse effect on the quality of the landscape are acceptable, they will be subject to the following criteria;

- (i) the siting and scale of development to be sympathetic with the landscape; and
- (ii) high standards of landscaping and design, using materials which are appropriate to the locality and reflect the character of the area."

The proposed development would be more visible and prominent from the landscape surrounding landscape, however the site is defined in policy terms as being within a rural settlement rather than in the countryside. Given the 'in principle' acceptability of residential development within the defined settlement boundary and that the 4 new dwellings would visually form part of the village settlement on land which is previously developed with a dwelling, annexe and garage, it is not argued that the siting of the development is unsympathetic to the landscape in this context. Whilst the visual impact of a single storey development would be less significant than the two storey dwellings proposed, the scale and design of the development is not considered to be uncharacteristic in the context of the locality where there is a range of single and two-storey buildings. It is considered that an adverse effect on the quality of the landscape would not form a sustainable reason for refusal in this instance and conditions in respect of landscaping and materials would be appropriate.

Residential Amenity:

Core Policy 57 also seek a high quality design in respect of existing and future amenity, *vii. having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)*. There are no immediately adjacent residential properties to the site, the closest properties are on the opposite side of Idmiston Road (west of the site) and there is sufficient separation and limited inter-visibility due to distance and topography of the site. Open countryside borders the north and east boundaries of the site and the access track to the farm borders the south boundary of the site, with the Memorial Hall

located immediately south of the access lane. Therefore it is not considered that the development would have any material effect on the amenities of neighbouring properties.

Within the site, the dwellings have been sited and designed to achieve adequate separation distances and avoid window to window overlooking. The frontage of plot 3 faces the NW elevation of plot 2 where window openings are limited to a kitchen, utility and wc at ground floor and therefore does not cause concern regarding privacy. Plots 1, 3 and 4 are served by generous rear gardens and Plot 2 has a smaller garden but which is proportionate to the smaller dwelling. Each has a garden shed and its own parking. It is considered overall that whilst there are local concerns that the proposal is overdevelopment, the layout indicates that an appropriate standard of amenity can be achieved for future occupiers within the development itself.

Highways Safety:

The proposed dwellings will be served by an existing vehicular access onto Idmiston Road which currently serves the dwelling, High View, and its annexe and Bonakers Farm. A new access into the site is proposed off the private track further to the east away from the junction, and the existing access off the track will be closed off. The highways officer notes an overall increase of two dwellings, however as the annexe is linked to High View, there is an overall increase of 3 dwellings.

The highways officer notes that the existing junction falls within the 30mph speed limit and, to accord with the guidance in Manual for Streets, visibility splays of 2.4m by 43m in both directions to the nearside carriageway edge at a height of 600mm are necessary. Following an assessment of the junction it appears that the visibility to the left (south) past the adjacent Memorial Hall is acceptable. The required visibility to the right (north) also appears to be achievable albeit with the cutting back of some vegetation on the verge (which has correctly been annotated as within WC ownership). A drawing has been submitted with the application which demonstrates the achievable visibility splays, although the full extent of the splay is not shown. The highways officer is satisfied that the required visibility can then be conditioned accordingly.

Improvements are proposed to the access track, the first 20 metres approximately will be reconstructed and resurfaced with a row of granite setts marking the change to a gravel surface beyond. The tarmac surface will be drained with the addition of two gullies which will connect to a new soakaway. The applicant will be required to apply for a S184 licence to undertake the work to the highway at the junction end of the track, this falls outside the scope of the planning considerations. The hedge on the southern boundary of the track should be cut back to maximise the full available width to ensure that two vehicles can pass for at least the first 10 metres. The applicant must ensure there is sufficient visibility for and of vehicles exiting the site onto the private track. The internal layout is considered acceptable in terms of parking and turning spaces.

In terms of the location of the site and the local highway network, which is raised as a concern by third parties, previous comments are reiterated. The concerns raised with regard to the suitability of Idmiston Road to serve the development are noted; however, the highways officer does not share the concerns as the width of Idmiston Road is considered to be perfectly adequate to accommodate opposing travelling vehicles. It is acknowledged that a length of

Idmiston Road becomes heavily parked on during school drop-off and pick-up times. This is an existing situation which will not be significantly exacerbated by the proposed construction of four dwellings. There is an existing footway which links the site to St Nicholas Primary School approximately 300 metres to the north which is considered to be a reasonable walking distance. There are facilities in Porton village centre including a convenience store around 440 metres to the south west on Winterslow Road which can be reached on foot via dedicated footways. There are bus stops on Idmiston Road and Winterslow Road.

The Highways Officer considers that there would be no highway objections subject to conditions.

The Public Rights of Way Officer has not commented on the current application but it is noted that no objections were raised to the previous application subject to safety measures being agreed prior to any construction on the proposed agricultural workers dwelling. This application has omitted the site of the agricultural workers' dwelling included in the previous submission and therefore there is no requirement for an informative or condition in respect of the public right of way.

Archaeology:

The site of the proposed dwellings lies on the outskirts of the historic village of Porton that has its origins in the medieval period. The site appears to lie outside of the presumed extent of the medieval settlement but lies close to the line of The Portway, the Roman road running from Calleva Atrebatum (Silchester) to Sorviodunum (Old Sarum). The projected line of the Roman road is shown on historic mapping as running just to the south-east of High View. However, exploratory archaeological investigation in 2016 (Wessex Archaeology, 2016) in the field immediately to the south of High View and to the west of Idmiston Memorial Parish Hall failed to locate the Roman road. The excavators concluded that the route of the Roman road probably lies a little to the north-west, i.e. within the plot containing High View. The property of High View therefore has an archaeological interest. The proposed development comprises the construction of four new dwellings which are largely off the footprint of the existing buildings which are proposed for demolition. On this basis, the Council's Archaeologist recommends that the proposal is subject to a programme of archaeological work and suggests that it is likely that a number of trenches would be appropriate to establish the presence or absence of the Roman road and any other related deposits that may survive and that will be harmed by the proposed development. The Council's archaeologist is satisfied that this programme of archaeological work can be secured by a suitably worded condition to ensure that archaeological interests are investigated and recorded.

Ecology:

The application site does not lie within or immediately adjacent to any statutory or non-statutory designated sites for conservation, or any notably sensitive areas for protected species.

River Avon (Hampshire) SAC Catchment:

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Appropriate Assessment must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

The proposal is for 4 new dwellings on the site of the existing dwelling, a net increase of 3 dwellings. The submitted phosphorous nutrient calculation (Nutrient Calculator pre 2030 and Nutrient Calculator post 2030, both submitted 8th May 2030) is accepted. To offset the additional loading, the applicant proposes to mitigate the phosphate burden by providing an area on agricultural land within their ownership to the north east of the site for mitigation, as shown in the plan extract below.



Mitigation Land

The Council's ecologist has advised that adherence to the following would demonstrate that the development will achieve nutrient neutrality:

- The off-site mitigation strategy (attached to email from J Arms to Julie Mitchell, 08 February 2024, titled Copy of Nutrient Calculator River Avon SAC V 02 2 (1),
- Nutrient Mitigation Management Plan, Bonakers Farm, Idmiston Road, Porton, Wiltshire SP4 0LD), and
- Mitigation Site Plan (HvW_2303, Sheet no PR.11 Drawn by DL, JL), submitted 8th May 2024

The strategy has been endorsed by Natural England (NE). As required by the Habitats Regulations an Appropriate Assessment has been completed by the LPA with a favourable conclusion. The AA has been sent to Natural England (28/05/2024), who have a statutory 21 day consultation period. The application must not be determined until they have agreed with the LPAs conclusion. A suitably worded legal agreement will be required to confirm the following:

- The location and identification of the two mitigation land parcels
- Delivery of mitigation proposals prior to commencement of construction
- The Council is reimbursed to undertake monitoring and management work in perpetuity via a Nutrient Management Land Monitoring Fee

The applicant has agreed to the terms of the legal agreement. Subject to Natural England endorsing the LPA's Appropriate Assessment and the applicant providing a Unilateral

Undertaking of the above, it can be concluded that the development will not lead to adverse impacts alone and in combination with other plans and projects on the River Avon SAC. Therefore, a recommendation of approval, subject to a s106 legal agreement and receipt of agreement from Natural England AA, is made.

Protected Species

The existing bungalow is of a relatively modern construction type, with negligible potential roosting opportunities. From the site photographs it is apparent that the building could support small numbers or individual crevice-dwelling bats only, not those species that need to fly into the building and hang up. It is therefore most unlikely that the building could support Annex II bat species. Given this information, and since there has already been a delay to this application through the necessity to address the phosphates issue, the ecologist has not required bat surveys of the building are undertaken prior to any permission being given this application or conditions for a survey to be undertaken. However, as no ecological survey report was submitted in support of the application, whilst the ecologist does not consider that the site comprises any sensitive ecological features other than the possibility of bats, in order that the precautionary principle is employed and best practice initiated, it is suggested that a simple Construction Ecological Management Plan is secured by condition, in order to protect existing biodiversity within the site. An informative is suggested to be added to highlight the low risk of bats being present in the building.

Drainage and Flood Risk:

The application form states that foul drainage is to connect to the mains sewer and that surface water is indicated to be connected to soakaways. The site is located in Flood Zone 1 and is not identified as being with an area at high risk of flooding from other sources, ground water or surface water. Other than the condition recommended by the highways officer to prevent surface water run-off from the access onto the highway, no further conditions are considered to be warranted.

S106 contributions:

The proposal falls below the threshold for contributions to be sought. However, the aforementioned nutrient neutrality mitigation and land will need to be secured via S106.

10. Conclusion (Planning Balance):

The site lies within the settlement boundary for the large village of Porton and therefore the principle of redevelopment for residential dwellings is in compliance with the policies of the Wiltshire Core Strategy Core Policies, Idmiston Parish Council Neighbourhood Plan 2015-2026 and NPPF 2023. The previous submission indicates that there is an intention for ongoing agricultural activities for which agricultural worker's accommodation would be required, therefore to prevent the loss of the existing agricultural workers' dwelling and subsequent application for a new dwelling following the demolition of the existing dwelling a condition is imposed to require that one of the dwellings (Plot 2) is subject to the agricultural occupancy condition. Bespoke mitigation is proposed to offset the additional overnight accommodation within the catchment of the Hampshire River Avon SAC and is considered adequate to achieve nutrient neutrality subject to the applicant entering a legal agreement to secure the mitigation and endorsement of the favourable Appropriate Assessment by Natural England. The layout

and design of the proposed development is considered to be acceptable in the context of the character and appearance of the site and locality and the amenities of existing and future occupiers and the means of access is considered acceptable by the highways officer subject to conditions including a pre-commencement condition to secure a Construction Management Plan (CMP). The Council's Archaeologist has also identified a requirement for pre-commencement condition in order to record archaeological remains. Pre-commencement conditions are also required by the Council's ecology to secure a Construction Environmental Management Plan (CEMP) and Mitigation Land Management Plan.

The concerns of the parish council and objectors are noted, however the development is acceptable in principle having regard to development plan and national policy guidance and there are no material considerations which would constitute sustainable reasons for refusal or weigh strongly against the policy support for residential development within the settlement boundary of a large village.

RECOMMENDATION: SUBJECT TO NATURAL ENGLAND ENDORSING THE LPA'S APPROPRIATE ASSESSMENT, AND THE APPLICANT ENTERING INTO A S106 LEGAL AGREEMENT TO SECURE THE MITIGATION NECESSARY TO ACHIEVE NUTRIENT NEUTRALITY, then APPROVE, subject to the following conditions:

Conditions: (12)

- 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 and documents:

Location Plan PR.01 B dated 29/05/2024
Proposed Block Plan PR.03 dated 19/09/2023
Proposed Site Plan PR.04 A dated 29/09/2023
Track details PR.05 A dated 29/09/2023
Proposed Plans and Elevations (Plot 1) PR.06 dated 19/09/2023
Proposed Plans and Elevations (Plot 2) PR.07 dated 19/09/2023
Proposed Plans and Elevations (Plot 3) PR.08 dated 19/09/2023
Proposed Plans and Elevations (Plot 4) PR.09 dated 19/09/2023

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

- 3 The occupation of the dwelling identified as Plot 2 on the approved site plan shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site comprises an existing agricultural workers' dwelling for which it has not been demonstrated that there is no ongoing need for agricultural workers

accommodation and which, if demolished, would be likely to result in a new dwelling in the countryside to meet that need.

- 4 The development will be carried out in strict accordance with the following documents:

- Nutrient Mitigation Management Plan, Bonakers Farm, Idmiston Road, Porton, Wiltshire SP4 0LD), and
- Mitigation Site Plan (HvW_2303, Sheet no PR.11 Drawn by DL, JL), submitted 8th May 2024

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

- 5 Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b. Precautionary working method statements for protected/priority species, such as nesting birds and reptiles, which may be present on site.
- c. A precautionary method of working for the demolition of the existing building, with particular reference to bats.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

- 6 Prior to the start of construction a Nutrient Mitigation Management Scheme for both areas of mitigation land (pre 2030 and post 2030) will be submitted to the council for approval. The scheme will include:

- i. full details of the permanent cessation from Commencement of Development of the use of the Nutrient Mitigation Land for any agricultural, horticultural or the keeping/grazing of horses or other animals purposes or any other use,
- ii. details of planting to be carried out on the Nutrient Mitigation Land including a planting scheme to comprise native and deciduous species;
- iii. confirmation that the planting density meets a minimum level of 20% canopy cover at maturity;
- iv. works schedule for activities with specific timing requirements in order to ensure mitigation is delivered prior to first Occupation of the Development
- v details of future management, maintenance programme and monitoring (including a timetable of works) of the Nutrient Mitigation Land approved by the Council (with any amendments to the same being approved by the Council in writing).
- vi. details of key personnel and responsibilities and contact details

7 No development, other than demolition to ground level, shall commence within the red line boundary shown on Location Plan HvW_2303, Sheet No. PR.01, dated 29 September 2023, until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work, including the assessment, analysis, reporting, publication and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and

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

REASON: To record and advance understanding of the significance of the heritage assets to be lost in a manner proportionate to their importance and to make this evidence and any archive generated publicly accessible'.

8 No development shall commence on site (including any works of demolition), until a Construction Management Statement, together with a site plan, which shall include the following:

1. the parking of vehicles of site operatives and visitors;
2. loading and unloading of plant and materials;
3. storage of plant and materials used in constructing the development;
4. the erection and maintenance of security hoarding including decorative display and facilities for public viewing, where appropriate;
5. wheel washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. a scheme for recycling/disposing of waste resulting from demolition and construction works;
8. measures for the protection of the natural environment. and
9. hours of construction, including deliveries (whilst being mindful of the proximity of the local Primary School).

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

9 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the north and 43 metres to the south from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

10 No development above slab level shall commence on site until details of the materials to be used on the development 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.

- 11 The development hereby permitted shall not be first brought into use until at least the first 10m of the access track, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel) as shown on drawing ref: PR.05. The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

- 12 The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

Informatives

The application involves the resurfacing of the existing vehicle access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	20 th June 2024
Application Number	PL/2024/02910
Site Address	The Gables, Dean Road, Whiteparish, Wiltshire, SP5 2RJ
Proposal	Variation of condition 1 of planning consent PL/2022/07632 to allow for design changes to porch and the erection of gates and fencing
Applicant	Mrs L Clewer
Town/Parish Council	Whiteparish
Electoral Division	Whiteparish– (Richard Britton)
Grid Ref	51.012425,-1.649538
Type of application	Full Planning
Case Officer	Joe Richardson

Reason for the application being considered by Committee

The scheme of delegation confirms that due to the relationship of the applicant to the Council, any objection received to this proposal requires the application to be determined by the relevant area planning committee board rather than under delegated powers to officers.

For the purposes of this application, the applicant is the mother of the leader of the Council, Cllr Richard Clewer and the relevant area planning committee board is the Southern Area Planning Committee.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved for the reason(s) set out below.

2. Report Summary

The issues in this case are:

- Principle of development, policy and planning history;
- Land ownership matters;
- Design, scale, heritage/conservation matters and impact to the amenity of the area;
- Parking/Highways Impact;
- Other matters

The application has received an objection from Whiteparish Parish Council to the proposed development. The details of the objections received from the Whiteparish Parish Council and the Council's Highways Officer are set out in Section 7 (Summary of consultation responses) of this report

Following the comments received from Whiteparish Parish Council and the Council's Highways Officer, additional information and plans have been provided by the agent to address the concerns raised around land ownership and gate functionality. A re-consultation of this additional information and plans to all interested parties has taken place.

3. Site Description

The site, an existing cottage is located within the village of Whiteparish, set back from the public highway. The dwellinghouse benefits from planning permission PL/2022/07632 for the rebuilding of the partially collapsed cottage. This permission has been implemented. The dwelling prior to its partial collapse was considered to be historic in nature, not listed and identified as a property that makes a positive contribution to the Whiteparish Conservation Area of which it is located within. The location of the dwellinghouse is within the New Forest SPA, River Test Catchment Area and the Mottisfont Bat SAC.

4. Planning History

19/00581/OUT - Proposed new traditional dormer style family dwelling located at "The Gables" (Outline application relating to access, appearance and scale) WTD 14.03.19

PL/2021/09435 - Subdivision of the plot and construction of a detached bungalow with associated parking, access and landscaping WTD 17.12.21

PL/2021/11905 - 2 storey front extension, construction of a detached garage, single storey extension and conservatory and internal alterations A.C 05.05.22

PL/2022/03685 - Partial discharge of condition 5 of PL/2021/11905 (Garage material details only) APP 14.07.22

PL/2022/04488 - Discharge of condition 5 of PL/2021/11905 APP 26.07.22

PL/2022/05038 - Variation of condition 2 of PL/2021/11905 - to allow a reposition and revision to the design of the detached garage and regrade the land to the front of the cottage WTD on officer advice 20.09.22

PL/2022/07632 - Partial demolition, rebuild, extensions and internal alterations to the existing house and construction of a detached garage (part retrospective) A.C 03.02.23

5. The Proposal

The proposal seeks planning permission for the variation of condition 1 (plans) of planning consent PL/2022/07632 to allow for design changes to the porch and; the erection of fencing and gates.

6. Local Planning Policy

S72 of the Planning (Conservation and Listed Buildings) Act 1990

National Planning Policy Framework
Section 2 Achieving Sustainable Development
Section 12 Achieving Well Designed Places

Section 15 Conserving and enhancing the natural environment
Section 16 Conserving and enhancing the historic environment

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 23 Southern Wiltshire Community Area
Core Policy 50 Biodiversity and Geodiversity
Core Policy 51 Landscaping
Core Policy 57 Ensuring high quality design and place shaping
Core Policy 58 Ensuring the conservation of the historic environment
Core Policy 61 Transport and New Development

Supplementary Planning Documents

Creating Places SPD
Wiltshire Design Guide 2024

Emerging Local Plan

7. Summary of consultation responses

Whiteparish Parish Council – Objection with comments stating:

Whiteparish Parish Council object to this application for the following reasons:

- 1. There is insufficient information to understand how the gates will open inwards due to the incline.*
- 2. It is mindful of the highways observation that it will encroach on to the public highway.*
- 3. We have been informed by a member of the public that works have already commenced.*

UPDATE:

Objection - *In addition to the Parish Council's objection of 25.04.24 the Parish Council would also like permitted development rights to be removed on this property for the prevention of over development.*

WC Highways – Objection with comments received stating:

I note the proposed new fence and gateway for the existing access. I have concerns that at least part of the new fenestration is encroaching upon the public highway. I have attached a copy of the highway record in this location. If additional detail/different scale is required, further copies of the highway record can be obtained from Highwayrecords@wiltshire.gov.uk As such, I invite the applicant to submit a revised plan showing the proposals overlaid with the highway record and the proposed fenestration altered as necessary to ensure no encroachment takes place. If amendments were not forthcoming, I would recommend that this application is refused for the following reason; The proposed development of a fence is located within the public highway and will not be accepted by the Highway Authority. The fence, if erected, would therefore constitute an unlawful obstruction in the public highway and for this reason planning permission is refused.

UPDATE:

No objection with comments received stating:

I note the revised plans received, including a revised block plan showing the extent of the existing public highway. The application red line boundary has thus been adjusted so that it does not include the section of retaining wall that is located within the existing highway. As such, in the context of this application, this overcomes the highway objection previously raised. I therefore recommend that no Highway objection is raised. NOTE: Whilst this application no longer considers the retaining wall located within the highway, the Local Highway Authority is in contact with the applicant directly in regard to a way forward with the structure, in accordance with the requirements of The Highways Act 1980.

8. Publicity

The application has been advertised by way of letters to near neighbours and a site notice but has not generated any representations from members of the public.

The publicity of this application has generated an objection from Whiteparish Parish Council and the Highways Officer. Following the submission of additional information and plans, a re-consultation to all interested parties has been undertaken to address the concerns raised. The objection from the Council's Highways Officer has been withdrawn but the objection from Whiteparish Parish Council to this proposal is maintained.

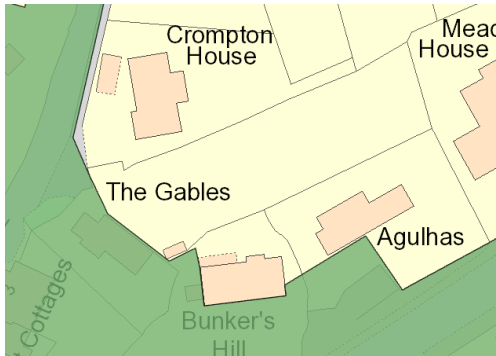
9. Planning Considerations

9.1 Principle of development, policy and planning history

The principle of development has been established through the recent extensive planning history of the site through consents PL/2021/11905 and PL/2022/07632. It is evident that planning consent PL/2022/07632 has been implemented and the re-constructed dwellinghouse approved by this consent has been erected. The proposal seeks planning permission for the variation of condition 1 (plans) of planning consent PL/2022/07632 to allow for design changes to the porch and; the re-profiling of land to facilitate the erection of fencing and gates.

A Section 73 application allows for variation and/or removal of condition(s). Any new information received in relation to a previous condition can facilitate the removal of the condition requirements on any new decision notice issued as part of a Section 73 application

The site subject to this scheme is located partially within and partially outside the Whiteparish Conservation Area as shown below:



The proposal should aim to conform to the objectives of Core Policy 57 of the Wiltshire Core Strategy (WCS) which aims to achieve a high standard of design in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Core Policy 57 of the WCS requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 135f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Core Policy 58 of the WCS states that development should protect, conserve and where possible enhance the historic environment. Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance, including:

- i.* Nationally significant archaeological remains
- ii.* World Heritage Sites within and adjacent to Wiltshire
- iii.* Buildings and structures of special architectural or historic interest
- iv.* The special character or appearance of conservation areas
- v.* Historic parks and gardens
- vi.* Important landscapes, including registered battlefields and townscapes.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9.2 Land ownership matters

Below is an extract taken of land within the ownership of the Council's Highways Team. The original red line plan provided within this application included a section of this land and as such the Council's Highways Team objected to this proposal. The agent has now submitted an amended red line plan that does not include any land within the ownership of the Council's Highways Team and therefore, the Highways objection to this proposal has been withdrawn. Full details of this will be covered in the Parking/Highway Safety section of this report.



However, before reviewing the proposed fencing and gates, it is necessary to advise on the area of land at the front of the dwellinghouse. It is evident that re-profiling of an area of land at the front of the dwellinghouse has already been completed with the creation of retaining walling. This retaining walling is shown in the photographs below. These photographs were taken by the case officer during site visits connected with the different planning applications on the site. However, it is unclear who actually owns this parcel of land. Officers are aware that on-going discussions between the applicant and Council's Highways Team to ascertain ownership are on-going.



Photo taken 25th Nov 2022



Photo taken 26th April 2024

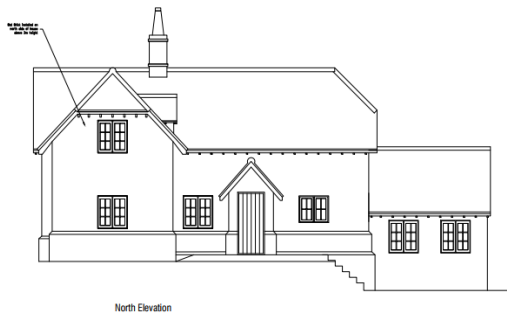
It is important to advise members that this parcel of land does not form part of this planning application. The proposed fencing and gates are to run across the existing driveway entrance of the property and would then join to the existing fencing along the boundary as shown in the submitted proposed block plan below.



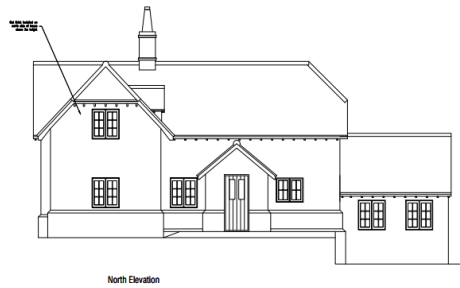
9.3 Design, scale and impact to the amenity of the area including the Conservation Area

The changes to the design of the approved and proposed porch are shown below:

Comparison of the approved elevations under PL/2022/07632 and proposed elevations subject to proposal below:



Approved (above)



Proposed (above)



Approved (above)

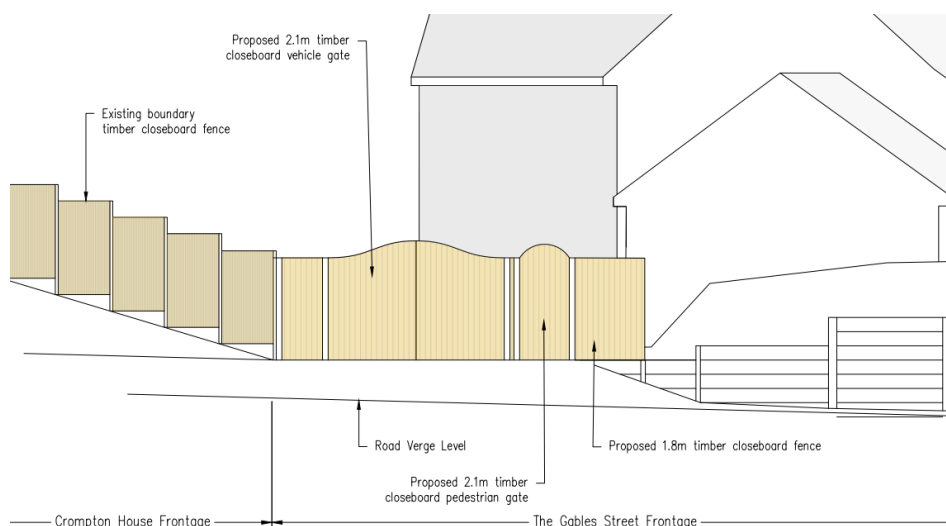


Proposed (above)

As shown, the changes in the design would see a modest extension to the porch providing a larger footprint/area and change in roof angle to facilitate the increase in size. The existing approved porch had a floor area of 1.2 square metres and the proposed increase in porch size would see the floor area increased to 2.7 square metres. The changes proposed that would also include the insertion of a small window into the western elevation of the extended porch are required to increase the user functionality of this part of the dwellinghouse and would not include any element of the historic fabric of the dwellinghouse retained under the previous approval.

Other works proposed include the erection of fencing and gates to serve the access/egress at the front of property. As previously alluded to, the proposed fencing and gates would not be erected on the parcel of land at the front of the property which is the subject of on-going land ownership matters between the applicant and Highways Authority.

The proposed 1.8 metre wooden fencing and 2.1 metre wooden gates (one vehicular, one pedestrian) would be erected across the existing frontage of the dwellinghouse connected to the existing boundary fencing and finishing at corner point of the gable-end elevation of the dwellinghouse. This is shown in the proposed street scene elevation.



In officer opinion, the proposed fencing and gates are of standard appearance and would help enclose the existing dwellinghouse and access/egress. Officers note the concerns received from the Parish Council in regard to how the gates will open inward given the incline/land level changes of the existing driveway. Additional plans have been provided along with additional information to confirm that the electrically operated inward opening vehicle and pedestrian gates proposed would require an adjustment of the driveway levels by no more than 250mm to that of the levels approved under the previous consent. This land level adjustment would enable the gates to swing inward towards the property.

Works to increase the size of the porch would not include any element of the historic fabric of the dwellinghouse retained under the previous approval. Furthermore, in officer opinion, the proposed works that include the increase in size of the porch and the erection of the fencing and gates across the site frontage are acceptable in design, scale and massing. In terms of any impact to the appearance of the Whiteparish Conservation Area by way of the proposed, it is considered there would not be any adverse harm and as such, the scheme accords with the requirements of Core Policies CP57 and CP58 of the WCS.

By way of the nature of the works proposed, it is considered that there would not be any significant detrimental harm on the amenity of any nearby neighbouring properties, known as Crompton House, Bunkers Hill, Agulhas, Nunns Orchard or 3 White Hart Cottages to justify the refusal of this Section 73 planning application to vary the approved plans condition of planning consent PL/2022/07632.

9.4 Highway safety/parking

As already alluded to within this report, and as shown in the consultee response section of this report, the Council's Highways Team objected to this proposal as the original red line plan provided within this application included a section of this land that is believed to be within the ownership of the Highways Authority and not the applicant. An amended red line plan removing the retaining wall constructed by the applicant has been submitted to the Local Planning Authority for consideration.

The Highways Officer has assessed this amended plan showing this section of land/retaining wall being removed from this proposal and has raised no objection to the proposed works. On the basis of the Highways Officer comments, officers consider that the proposed works will not have any adverse impact to highway users or highway safety.

The matter of the retaining wall and ownership of the parcel of land, whether this be within the ownership of the applicant or the Highways Authority is a separate matter to be resolved between the relevant parties.

9.5 Other matters

Officers note the concerns of the Parish Council in respect of works being undertaken prior to any planning permission being granted. Following a site visit to the application site, officers observed the retaining wall being in situ. However, these works do not form part of the planning application and are subject to on-going discussions to be resolved between the applicant and the Highways Authority for the reasoning as already outlined. No other works subject to this planning application have been commenced.

10 Conclusion and Planning Balance

The comments received from the Parish Council are duly noted and have been carefully considered. The planning history of the site is also noted where a precedent and principle of development for the works have been established and is referred to within this report.

Members are advised that this is a Section 73 planning application to vary condition 1 of planning permission PL/2022/07632 to allow for design changes to the size of the porch and; for the erection of fencing and gates across the site frontage. A Section 73 application allows for variation and/or removal of condition(s). Any new information received in relation to a previous condition can facilitate the removal of the condition requirements on any new decision notice issued as part of a Section 73 application.

The issues raised by the parcel of land and retaining walling incorporating land outside the ownership of the applicant have been resolved by the submission of an amended red line plan that has been confirmed to be acceptable by the Highways Officer and are the subject of on-going separate discussions outside the scope of this planning application.

Officers therefore consider that on balance, having regard for the nature of works proposed, the proposal accords with the requirements of Core Policies CP57 and CP58 of the Wiltshire

Core Strategy, guidance with the NPPF and thus, recommends planning permission for the variation of condition 1 of planning consent PL/2022/07632 should be granted for the development proposal.

11 RECOMMENDATION:

Approve with 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:

Site Location Plan Date Received 04.06.24

DWG No: 154 103 Rev E Proposed Block Plan Date Received 26.04.24

DWG No: 154 017 Rev C Proposed Elevations with Ecological Mitigation Date Received 19.04.24

Proposed Garage Elevations and Floor Plan Date Received 20.03.24

DWG No: 154 016 Rev B Proposed Ground Floor and First Floor Plans Date Received 19.04.24

DWG No: 154 018 Rev A Proposed Roof Plan Date Received 26.04.24

DWG No: 1352/05 Proposed Dormer Detail Date Received 26.04.24

DWG No: 154 317 Rev A Retained Dwellinghouse Elevations Date Received 26.04.24

DWG No: 154 104 Rev E Proposed Street View of Fencing and Gates Date Received 26.04.24

DWG No: 154 106 Rev A Proposed Gate Section Date Received 26.04.24

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

- 3 The materials to be used in the extension of the porch hereby permitted shall match in material, colour and texture those used in the existing dwellinghouse.

REASON: In the interests of visual amenity and to preserve and enhance the appearance of the Conservation Area.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no extensions, alterations or further window openings inserted to the roofslopes or first floor elevations to the dwelling other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area.

- 5 Before the development hereby permitted is first brought into use the dormer window in the southern roofslope as shown in approved drawing DWG No: 154 017 Rev C Proposed Elevations with Ecological Mitigation/Enhancement Proposals (serving the ensuite bathroom) shall be glazed with obscure glass only (to level 5 obscurity) and shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 6 No part of the development hereby permitted shall be first occupied until the access, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans.

REASON: In the interests of highway safety.

- 7 Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

- 8 The development shall be carried out in strict accordance with Section 3.6 of the Bat Survey Report by Daniel Ahern Ecology Ltd dated March 2022 and DWG No: 154 017 Rev C Proposed Elevations with Ecological Mitigation. The installation of the bat and bee bricks and bird box as showing on the approved drawing shall be supervised by a professional ecologist and these enhancement measures will continue to be available for their target species for the lifetime of the development.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

INFORMATIVE TO APPLICANT(S):

1. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructur

2. Breeding birds

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

3. Artificial lighting

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night also negatively affects humans' health and has a substantial adverse effect on biodiversity. Therefore, any new external artificial lighting as part of this development should only be for the purposes of security and safe access. Any new lighting should be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

4. Bat roosts

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

5. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

6. Whilst this application no longer considers the retaining wall located within the highway, the applicant is advised to contact the Local Highway Authority to discuss an appropriate resolution to the retaining wall, in accordance with the requirements of The Highways Act 1980.

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