

Deadline	10/12/09		
Application Number:	S/2009/1539		
Site Address:	78 ST. MARKS AVENUE SALISBURY SP1 3DW		
Proposal:	RETENTION OF EXISTING HOUSE AND ERECTION OF 4 ADDITIONAL HOUSES TOGETHER WITH A NEW PRIVATE DRIVE AND ALTERATIONS TO ACCESS		
Applicant/ Agent:	MR ROBERT DAVIS		
Parish:	SALISBURY CITY COUNCIL ST MARKS/BISHP		
Grid Reference:	414998 131179		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

Reason for the application being considered by Committee.

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

- Scale of development

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions and the applicant entering into an Agreement in respect of the provision of public open space (policy R2).

2. Main Issues

The main issues to consider are :

1. Policy context
2. Design and impact on street scene/Character of the area.
3. Impact on amenities
4. Impact on highway safety and existing parking problems
5. Impact on trees on the site
6. Protected species
7. Public Open Space, Policy R2

3. Site and surroundings

The dwelling known as no.78 Marks Avenue is sited immediately adjacent to the northern boundary of the site and its vehicular access is sited immediately adjacent to the southern boundary of the site. St Marks Avenue is subject to a 30mph speed limit, is a bus route and has limited waiting (2hrs) on-street parking in the vicinity of the site.

The site is well treed and is currently occupied by garaging, outbuildings, a swimming pool,

ornamental and vegetable gardens and a small orchard. The site is approximately a metre below St Marks Avenue and slopes steeply away from the road towards the cemetery which forms the eastern boundary of the site. Whilst the site slopes slightly down from north to south, the fall across the depth of the site from west to east is approximately 13 metres.

To the south of the site are large detached houses in large grounds. On the opposite side of St Marks Avenue, on rising ground above the site, the dwellings are also comparatively large and detached with their principle elevations facing the street. On the lower side of the site, to the south of the cemetery is a four storey block of flats in a backland position; whilst to the immediate north of the site is part of a modern estate of small semi-detached houses on small plots.

4. Planning History

81/0601	ERECTION OF A SINGLE DWELLING AND GARAGES AND CONSTRUCTION OF NEW VEHICULAR ACCESS AT PART OF GARDEN	AC 03/06/81
88/0207	INCREASE HEIGHT OF SECTION OF REAR BOUNDARY WALL.	AC 09/03/88
90/0391	PROPOSED EXTENSION , DOUBLE GARAGE AND SUN ROOM.	AC 09/05/90
00/1897	EXTENSION AND ALTERATIONS	APFP 30/11/00
02/0075	VARIATION OF PERMISSION S/2000/1897 FOR CONSTRUCTION OF DISABLED ACCESS.	APFP 18/02/02
07/2546	BALCONY TO REAR	APFP 14/02/08

5. The Proposal

The proposal is to retain the existing dwelling no.78 St Marks Avenue and in the garden, erect four dwellings. (one five bedroomed house and three 3-bedroomed houses; all with a study). The one five bedroomed house will be sited to face St Marks Avenue and will retain, for its sole use, the existing vehicular access off St Marks Avenue. The three 3-bedroomed dwellings which would be located at the rear of the site will be accessed via a new private drive to the immediate south of no 78 St Marks Avenue and this new drive will also serve the existing dwelling, (no.78). A new turning area will be provided in the centre of the site and parking is to be provided for all the dwellings in two, shared two-storey split level garages.

6. Planning Policy

The following policies are considered relevant to this proposal.

G1 and G2	General aims and criteria for development
G5	Protection of water supplies
H8	Housing Policy Boundary
D2	Design criteria
TR14	Provision of cycle parking
R2	Provision of public open space

Also relevant are:-

SDC Supplementary Planning Guidance	Achieving Sustainable Development
PPS3	Housing

7. Consultations

City Council

None received

Highways

No objections subject to a condition that the first 5 metres of the new drive has a consolidated surface and that the gradient of this section of the drive does not exceed 1 in 15.

As the new access will affect a residents parking scheme in St Marks Avenue, the relevant traffic regulation order will require to be revoked and remade at the applicants expense

Environmental Health

No objections subject to conditions regarding control of noise and pollution during construction works and control of hours of work.

Wessex Water

Located in a sewered area with foul and surface water sewers. Point of connection can be agreed at the detailed stage. There are also water mains within the vicinity and a point of connection can be agreed at the detailed stage.

Wiltshire Fire and Rescue Services

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

Design Forum

The forum felt that the proposal would result in too many buildings and too much hard surfacing on the site, and that this would not be in keeping with the character of the area (large detached dwellings with generous gardens). Although there are smaller houses at the lower level to the

north east, it was considered that the site is read more in context with St Mark's Avenue.

It was felt that the gardens, particularly to no.78 and the new house on St Mark's Avenue would be too small for the size of the houses, and that the access routes, turning and garaging would dominate the site. Furthermore, the fundamental design and orientation of no.78 (with its south-facing conservatory and views) would be compromised by the driveway and new dwelling in such close proximity.

The forum suggested that it could support the principle of one new dwelling alongside no.78 on St Mark's Avenue, or three dwellings at the bottom of the garden of no.78, but not both.

It also considered that, for practical reasons, each dwelling should have a garage within its own curtilage.

8. Publicity

The application was advertised by site notice/neighbour notification with an expiry date of 19 November 2009

10 letters of objection have been received.

Summary of key points raised

Concerns regarding highway safety

St Marks Avenue is being used as a short cut and despite speed restrictions vehicles travel at excessive speed.

Vehicles exiting the site will have a restricted view because of parked cars.

Proximity to 4 schools gives rise to safety concerns re the new access

Increased traffic. Minimum of 9 extra cars

Shared drives are unsatisfactory – lead to friction between neighbours

New access will remove most of on-street parking in this locality

Will restrict amount of 2hour parking available.

Sloping drive (1 in 8) will cause problems in severe weather.

Sloping access will be difficult for emergency vehicles.

Where will the wheelie bins go?

Concerns regarding character of the area

Out of keeping with the area

Four extra houses will increase noise in a very quiet area

Detrimental impact on St Marks Avenue

Increase in density out of keeping with locality

Overdevelopment of the site

Accept room for one extra house, adjacent to no.78.

Three houses at the bottom of the slope out of keeping with character of the area

Amenity issues

Loss of daylight and privacy, overlooking of lower properties

Disturbance to neighbours due to lights from vehicles coming up the slope

Linkway was designed not to overlook no.78 St Marks Avenue but the three dwellings to rear of the site will result in loss of daylight to house on Linkway. Amelioration would be if apex of new house was no more than 1metre above boundary wall.

Window in garage in 76A will overlook bathroom, could it be obscure glazed or omitted?

Boundary hedge should be replaced with a wall
Floor levels and ridge heights should be adhered to.
No provision for surface water.
Will sewage be pumped up to St Marks Road or go through the cemetery
Inconvenience to local residents whilst houses are being built due to builders vehicles etc

9. Planning Considerations

9.1 Policy context

The scheme would create four new dwellings in the garden of no.78. Whilst this raises the density of development in the locality, it would still be low compared to the development to the immediate east. The site is within the Salisbury Housing Policy Boundary where small scale redevelopment is in principle acceptable, providing the proposal is in accordance with the other criteria for the Local Plan and is keeping with the character of the locality. National guidance as expressed in PPS3 also seeks to encourage the efficient use of residential land within sustainable settlements and hence encourages a density of development of at least 30 dwellings per hectare. This site is close to the town centre, schools and other facilities and has good access to public transport. It is not subject to any other designation which might restrict development. However, whilst, there is no in principle objection to backland or tandem development. In the Adopted Local Plan, the Local Plan does suggest that such development is only acceptable where; there are no amenity objections, such as overlooking, noise and disturbance and where the vehicular access is suitable.

9.2 Design and impact on street scene/character of the area.

Currently this part of St Marks Avenue has a traditional residential character. The area is well treed and the road generously sized. As no.78 has a frontage approximately twice that of its neighbours, in terms of character of the area, the sub-division of the site's frontage will result in two dwellings on plots, which will appear from the street, to be very similar in size to others in the locality. Whilst the depth of the plot of no.78 would be less than its immediate neighbours to the north, that of the proposed dwelling on St Marks Avenue (no.74) would be similar in size and both plots would be larger than that of no.68 St Marks Avenue. The width of proposed new central access between the two dwellings is proposed to be 4.8m. Whilst this is wider than the access drives in the locality, it is not unusually wide and thus it is considered that even with the creation of a new access, the addition of a new dwelling on the frontage of the site; would not have a detrimental effect on the visual appearance of this part of St Marks Avenue.

The proposed dwelling on St Marks Avenue is a substantial five bedroomed dwelling with a steeply sloping roof and a large front gable. It is proposed that the building be of brick under a clay tiled roof and the fenestration and detailing are traditional. There are curved brickwork details over the ground floor windows and doors and the front gable is to be tile-hung. The design of the proposed dwelling on St Marks Avenue (no. 74) is considered appropriate to the area.

In terms of the remainder of the site, which due to its sloping nature is virtually invisible from St Marks Avenue; the character of the surrounding area is slightly different and relates much more to the Bishopstone development and the area around the London Road. To the east of the site there is much higher density of development, mainly semi-detached pairs of dwellings on small plots to the north and 4-storey block of flats to the south. Also, it has to be borne in mind that there is tandem development to the immediate south of the site, off St Marks Avenue. In terms

of the much higher density of development which predominates to the rear of the site, the addition of three 3-bedroomed dwellings are considered to be in keeping with the general character of the area and are judged to be acceptable.

9.3 Impact on amenities

9.3.1 Impact on existing surrounding occupiers

The proposed dwelling on St Marks Avenue (no74) has been designed so that there is only one first floor window facing towards the existing no.78 and that is an en-suite window which can be conditioned to be both obscure glazed and top-opening. Design Forum noted that the design and orientation of no.78 (with its south-facing conservatory and views) would be compromised by the driveway and new dwelling in such close proximity. However, in view of the size of the dwelling and its elevated position, and whilst the occupiers will be aware of the new dwelling, in this case, it is not judged that the amenities of the occupiers would be so compromised as to be a sufficient reason for refusal .

As regards no 68, there are no proposed windows on the southern elevation. Whilst the rear windows will overlook gardens and towards no72, it is considered that in view of the steep slope of the land and the positioning of no. 72, that whilst the occupiers will be aware of the new dwelling, in a residential area there is always some inter-visibility between dwellings. However,, as in this case, the angle of view will be oblique, this change is this change is not judged to be so detrimental as to be a sufficient reason for refusal

In relation to the dwellings on the opposite side of St Mark's Avenue, these dwellings are sited higher than both no78 and the proposed no.74 and whilst the erection of a new house on St Marks Avenue will change the current situation, it is considered that in an existing residentially developed areas, the introduction of a new dwelling in this location, will not detrimentally effect the amenities of the current occupiers.

Therefore, as a consequence of the above, and on balance, it is considered that the privacy enjoyed by adjacent dwellings would not be so significantly affected as to warrant refusal of the application on these grounds.

9.3.2 Impact on future occupiers of proposed dwellings

The scheme uses the slope of the land and has been designed so that there is very limited possibility of inter-visibility and overlooking between the dwellings to the front and rear of the site. A unique feature of the scheme is the creation of two 2-storey garages which will be sited adjacent to a turning area to serve all five properties and which act as an additional interruption to the views across the site.

The Council's Environmental Health Officer has raised no objections to the proposal, subject to conditions which would limit the hours of work in the interests of the amenities of the neighbours. Also it would appear from the submitted plans that the four dwellings will have large rooms and substantial amenity/garden space and whilst in relation to 76A and 76B this space would be overshadowed by the large sycamore on the adjacent cemetery, it is considered that this is not untypical of other residential development elsewhere in the city.

Whilst the Design Forum considered that, for practical reasons, each dwelling should have a garage within its own curtilage rather than share the split-level garaging, shared garaging is a common answer to the parking of vehicles and in this case the split-level garaging is a design

solution to the particular features of this site.

Consequently, it is considered that the proposal would result in acceptable living accommodation for the future occupiers of the dwellings on the site and the existing no.78.

9.4 Impact on highway safety and existing parking problems

Much concern has been expressed regarding the speed of traffic in this area, the difficulties that vehicles would have in accessing the site and the impact of the loss of the on-street parking area would have on highway safety.. In overall terms, clearly the introduction of a further four dwellings will increase the number of vehicles using the site, but within the city, it is not considered that this would be so significant in relation to the number of vehicles using the road as to warrant refusal on these grounds.

Objections have been received from neighbours regarding the problems likely to arise because the access drive to the three dwellings at the rear will be steep, however, the Highway Authority, whilst insisting on a gradient of 1 in 15 for the first 5metres of the drive, has not supported refusal of this application on these grounds.

This scheme proposes two split level garages and a central turning area and whilst this is an unusual arrangement it is in response to the character of the site and the Highway Authority has no objection to as vehicles using the site will be able to enter and leave in a forward gear.

Consequently, it is considered that the erection of an additional four dwellings on this site would be unlikely to have any more impact on highway safety than the current use of the land. Given the Highway Authority's comments, it would also be difficult to support a refusal of the scheme on highway grounds.

9.5 Impact on trees on the site

The site is well treed and there are a number of trees on the frontage of the site which give character to the area. However, whilst the development would result in the removal of approximately twelve of the trees from the site, the majority are small fruit trees and the Arboricultural Impact Appraisal suggests that all are either in a poor condition, or so small as to not warrant retention. Adjacent to the eastern boundary of the site are the trees in the cemetery. A large tree will overhang the garden of the proposed dwelling no.76A but as it will be some 14m from the dwelling, it is not considered that this will so affect the amenities of the occupiers as to result in pressure to have the tree removed. are to be removed from the site

9.6 Protected species

A survey by a competent professional has identified no protected species inhabiting the site.

9.7 Public Open Space Policy R2

A contribution for recreational facilities would be required for the new dwelling pursuant to the above policy.

10. Conclusion

The principle of increasing the density of development within existing residential areas is

acceptable.

The construction of four new dwellings on the site, in the manner proposed, would have no adverse impact on the character of the street scene.

The dwelling as proposed would not have such a significant impact on surrounding amenities as to warrant refusal.

There are no highway objections to the proposed new access to the site.

Recommendation :

Subject to applicants entering into a section 106 agreement relating to the payment of a commuted sum towards the provision of public open space in accordance with policy R2, then:

APPROVE for the following reason

The principle of new residential development is acceptable within the Housing Policy Boundary and as the construction of four new dwellings would have no adverse impact on the character of the street scene and there would be no significant detrimental impact on surrounding amenities on balance the proposal is considered to be acceptable in accordance with the Salisbury District Local Plan.

And 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) Other than those approved by this permission, there shall be no other windows inserted in the dwellings hereby permitted.

REASON To ensure adequate privacy for the occupants of neighbouring premises.

POLICY G2 General criteria for development

(3) No development shall commence on site until the trees on the site which are to be retained have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction and the recommendations of the Arboricultural Impact and Method Statement report prepared by Barrell Tree Consultancy dated 29 September 2009. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

REASON: To enable the Local Planning Authority to ensure the protection of trees on the site in the interests of visual amenity.

POLICY G2 General criteria for development

(4) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) hard surfacing materials;
- (g) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

POLICY-G2 General criteria for development:

(5) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge 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 and the protection of existing important landscape features.

POLICY G2 General criteria for development: CN17 Trees protected by Tree Preservation Orders

(6) During demolition and construction works, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following time 0800 to 1800 on Mondays to Saturdays and there shall be no activities/working on Sundays, Bank and Public Holidays.

REASON To avoid the risk of disturbance to neighbouring dwellings/the amenities of the locality during unsocial hours.

POLICY G2 General criteria for development

(7) No development approved by this permission shall commence until a scheme of water efficiency measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON In the interests of sustainable development. Salisbury District Council's Supplementary Planning Guidance on "Achieving Sustainable Development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies.

POLICY G5 Protection of water supplies

(8). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-C and Class E (extensions/enlargements/outbuildings) shall take place on the dwellinghouse hereby permitted or within its curtilage.

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

POLICY G2 and D2 Criteria for development

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

REASON In the interests of highway safety

POLICY G2 Criteria for development

(10) The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 4 5 metres from its junction with the public highway

REASON In the interests of highway safety

POLICY G2 Criteria for development

(11)The proposed new access is directly affected by a residents parking scheme in St Marks Avenue The construction of the new access shall not take place until the relevant traffic regulation order has been revoked and remade to omit the new access width and the remade order implemented and completed

REASON In order to provide a safe access to the development

POLICY G2 Criteria for development

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway

safety.

POLICY G2 Criteria for development

INFORMATIVE 1

DOCUMENT/PLANS SUBMITTED WITH THE APPLICATION

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Drawing reference 2397/7 received on 15 October 2009.

Drawing reference 2397/8 received on 15 October 2009.

Drawing reference 2397/9 received on 15 October 2009.

Drawing reference 2397/10 received on 15 October 2009.

INFORMATIVE 2

HIGHWAYS

The applicant should be advised to contact Paul Shaddock of the Salisbury Transportation Team on 01722 434671, who will design and co ordinate the traffic regulation order work, the cost of which will be borne by the applicant. The cost includes advertising the order changes, staff time, signs and road markings.

INFORMATIVE 3

ENVIRONMENTAL HEALTH

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

In periods of dry weather, dust control measures should be employed including wheel washing and damping down. Any stockpiles of materials which are likely to give rise to windblown dust, shall be sheeted, wetted or so located as to minimise any potential nuisance.

Where the site is adjacent to residential or business premises, bonfires should be avoided, and all waste materials should be removed from site and suitably disposed of. At no time should any material that is likely to produce dark/black smoke be burnt (e.g. Plastics, rubber, treated wood, bitumen etc)

Radio noise should not be audible at the boundary of the nearest neighbouring property.

Any temporary oil storage tanks should be safely and securely sited so as to prevent pollution in the events of spills or leakage. It is also strongly recommended that any oil storage tank should be surrounded by an impervious oil/watertight bund having a capacity of at least 110% of the tank.

Neighbouring residential premises should be advised of any unavoidable late night or early morning working which may cause disturbance. Any such works should be notified to the Environmental Services Department on (01722) 434333 prior to commencement.)

Appendices:	NONE.
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Background Documents Used in the Preparation of this Report:	Drawing reference 2397/7 received on 15 October 2009. Drawing reference 2397/8 received on 15 October 2009. Drawing reference 2397/9 received on 15 October 2009. Drawing reference 2397/10 received on 15 October 2009.
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Deadline	19/08/09		
Application Number:	S/2009/0900		
Site Address:	HAZELDENE GILES LANE LANDFORD SALISBURY SP5 2BG		
Proposal:	ERECTION OF 2 X HOLIDAY CABINS		
Applicant/ Agent:	MR MICHAEL HAYWARD NEW FOREST LAVENDER		
Parish:	LANDFORDREDL/LANDFORD		
Grid Reference:	427257.3 119890.3		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

Reason for the application being considered by Committee

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

- Environmental/highway impact

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Main Issues

The main issues to consider are :

- Compliance with policy
- Impact on the Special Landscape Area/NFHA/New Forest National Park
- Highways

3. Site Description

The agricultural holding is approximately 7ha in area and is set back from the main road, behind trees and hedges and whilst the farm buildings which are largely set together along with the existing dwelling may be intermittently visible from the A36, the views are at some distance.

The proposed two chalets are to be located alongside the existing agricultural buildings, close to the existing dwelling and on the edge of the site; alongside which there is a public footpath.

4. Planning History

78/1312 O/A agricultural dwelling for market gardening. R Appeal Withdrawn

79/595	O/A erection of dwelling and garage in connection with horticulture.	R
80/354	O/L erection of an agricultural dwelling.	Withdrawn
80/950	Erection of glass houses and O/L for one agricultural dwelling.	AC
80/1490	Approval of matters reserved. Agricultural dwelling house.	A
00/434	Erection of horticultural work/store building	R
01/1564	Horticultural workshop/storage building	A
02/2533	PN – Pole barn for use as a tractor store and bulk compost.	NOBJ
PN/06/0012	Agricultural workshop/store	Prior approval not required;
PN/07/0016	Polytunnel	Prior approval not required
PN/08/0010	Greenhouse, shelter and polytunnel in connection with lavender production	NOBJ

5. The Proposal.

It is proposed to erect two timber cabins for holiday letting in support of the existing agricultural enterprise. The holding has in recent years been largely converted from market gardening to the growing of lavender and the two chalets are intended to be closely linked and support this business.

6. Planning Policy

G1 and G2	Aims, objectives and criteria for development
C2 and C6	Development in the countryside
C20	Development to meet the needs of agriculture etc
C21	Farm diversification
H23	Applicability of Housing Policy Boundaries
HA16	Holiday accommodation in the New Forest Heritage Area
HA13	Tourist attractions in the New Forest Heritage Area
T7 and T9	Holiday accommodation
SDC	Salisbury and Stonehenge Tourism Strategy
PPS7	Sustainable development in rural areas
PPG13	Transport

7. Consultations

New Forest National Park

Not yet received

Environment Agency

Proposal is to use non-mains drainage. This is only acceptable if connection to the main sewer is not feasible. If non-mains drainage is the only option, a Consent to Discharge will be required.

Parish Council:

Object: The Council is concerned by several aspects of this application.

Not all existing buildings are shown on the plan:

The cafe building was granted planning permission because it was required as a “drying room” No application to widen the access from Giles Lane can be remembered – the general consensus is that it used to be a single gate.

The “Visitor” side of the enterprise already attracts a very large number of visitors (and hence cars) down Giles Lane. As far as the Council is aware no planning consent has been granted for this “Visitor centre”.

The cafe was originally assumed to be an adjunct to the lavender growing/processing business and as such it was assumed by the Parish Council that it did not need planning consent. The current application appears to be a diversification of what seems to be a rapidly developing retail/visitor centre, rather than of the lavender farm itself. The proposal is not for a conversion of redundant farm buildings but for the new development of two residential units (who occupies them seems somewhat academic, as it might in any case be difficult to monitor, but the suggestion is that it could be for eleven months in the year) in an area where additional permanent residential units are not permitted. The chalets and associated car-parking would be clearly visible from the footpath, certainly until any screening had grown.

It seems to the Parish Council that this would be an opportune moment to consider the planning implications of all the current activities which have evolved on this site as well as the proposed chalets. The Supporting Statement certainly suggests that the visitor element could be significant in the long term, even though the various elements may develop in stages. The Parish Council considers it inappropriate to grant consent for the chalets when the over-arching scheme itself does not have planning consent.

Highways

Refuse as the proposal is remote from services and will encourage motorised journeys

Wiltshire Fire and Rescue Services

Comments relating to need for satisfactory access for fire engines and adequate water supplies.

Environmental Health

No objection but consider that the Applicant's proposal to enter into a S106 Agreement should be accepted and occupation should be limited to holiday use only

Southern Water

No response received

Wessex Water

Not in the area served by Wessex Water

Tourism Officer

Support. The Tourism strategy has identified a shortage of self-catering bed spaces. Would support offer of Applicant to enter into a S106 Agreement to limit occupation to holiday use. The encouragement for visitors to walk, cycle, fish and buy locally is encouraging, though the estimates of employment are considered optimistic

8. Publicity

The application was advertised by site notice/neighbour notification with an expiry date of 23 July 2009

No letters of support/objection have been received.

9. Planning Considerations

9.1 History

The small holding has gradually evolved from primarily market gardening to primarily the growing of lavender. Since 2000, various buildings in association with the business have been permitted/erected following the Prior Notification procedure. They include a tractor store, workshop and drying area shelter.

9.2 Compliance with policy

The site is located within the New Forest Heritage Area where the development of tourist attractions and the expansion of holiday chalet accommodation is not permitted. The supporting text of the Local Plan explains that the reason for this stance is because of the increasing pressures on the New Forest from visitors.

Government guidelines as expressed in PPS 7 suggests that tourism and leisure activities are vital to many rural economies and helps support the prosperity of country towns and villages. PPS7 recommends supporting sustainable rural tourism and leisure developments that benefit rural businesses and which utilise and enrich, but do not harm the character of the countryside. PPS7 recognises that even in areas that are statutorily designated for their landscape there will be scope for tourist and leisure developments. The Government's long term strategy for farming is to support increasingly diversification into non agricultural activities as this can be vital to the continuing viability of farm businesses.

The Salisbury and Stonehenge Tourism Strategy prepared by the former Salisbury District Council identified the shortage of self-catering facilities and the need to support the visitor economy in the local area and like PPS7 supports the provision of self catering holiday accommodation in rural areas where this would accord with sustainable development

objectives.

The Salisbury District Local Plan also supports the provision of small scale holiday accommodation where it can be demonstrated that there would be no adverse effect on the quality of the landscape and the proposal would comply with the criteria of the Local Plan policies. In principle therefore, as the site does not have direct access from the trunk road, would be well screened from most vantage points (with new screening proposed adjacent to the existing public footpath), would not affect the amenities of neighbours and no conservation interest would be harmed; the proposal would appear to comply with this aspect of the Local Plan.

Other policies in the Local Plan, support the diversification of employment opportunities and traditional farming activities and in this case, the justification for the provision of holiday accommodation is the support that the proposal will give to the farming activities on the holding. The farm was traditionally an intensive horticultural unit, but the unit has diversified to include the production of containerised and field grown lavender, which is then sold as plants or dried and processed into other products. Additionally as an ancillary activity, educational courses are held, whose purpose is to provide an educational agricultural experience for visitors, this supports and helps sustain the core activity on the holding. This proposal to have two holiday units is also to support the diversification of the farming enterprise. Part of the tourist attraction of the accommodation will be the opportunity to stay on a working farm, to take part in farm activities as well as to use the well defined local network of footpaths/bridleways to explore the local countryside. The Salisbury and Stonehenge tourism strategy has identified a need for further self-catering accommodation in rural areas and it is considered that as the proposal would aid the viability of the holding, that it would be in accordance with the aims of government policy which are to support the rural economy.

However, it is considered that because these are the reasons for the provision of this additional residential accommodation in the open countryside, and because there are clear policy objections to the provision of permanent residential accommodation in the countryside outside of a Housing Policy Boundary; that the proposed accommodation should be clearly identified as being for holiday letting purposes only, with visitors length of stay controlled so that the accommodation is clearly a diversification from the farm activities and is supportive of the holding's agricultural activities.

9.3 Impact on the Special Landscape Area/NFHA/New Forest National Park.

The proposed two chalets will visually form part of the existing farm complex and visually they will have no detrimental impact on the surrounding countryside which is designated as a Special Landscape Area within the New Forest Heritage Area. The provision of further gates and hard surfaced areas are considered acceptable within a farm complex and the provision of additional screening particularly adjacent to the public footpath can be conditioned. Whilst the chalets/cabins would be located close to the existing farm dwelling, it is considered that the creation of the two residential units, even in the revised location, which is slightly closer to the other buildings on the site, is not considered to adversely affect the amenities of the residents of the farmhouse. However, in order to control the impact of the buildings on the open countryside and as the residential accommodation is justified solely as a diversification of the farm enterprise for the encouragement of rural tourism; it is proposed that any consent be conditioned so that any additions or extensions to the buildings would require planning permission.

The area around the holiday lets is to be physically separated from the existing farm buildings,

though visually still part of the farm complex; in order to ensure that the holiday accommodation is used for rural tourism in support the viability of the farm enterprise, because part of the tourist attraction will be the opportunity to stay on a working farm. Notwithstanding the comments of the Parish Council regarding unauthorised 'visitor' activities, this proposal has been considered solely in the context of the agricultural use of the land and the support for farm diversification which is expressed in both national and local policies. Therefore relates only to the proposed holiday cabins and recreational store building within the area outlined in red on the drawing accompanying the application and does not relate to any other building on the site outlined in blue

9.4 Highways

The Highway Authority does not support this proposal as in its view the holiday accommodation would be located in an area which was remote from services and its use would encourage motorised journeys and so would be contrary to the aims of PPG13.

By its very nature, the majority of agricultural enterprises will be at a distance from sustainable settlements and any diversification into non agricultural activities will encourage the use of the private car in locations where there is no public transport available. PPS7 moreover, recommends that Local Planning Authorities support sustainable rural tourism which benefit rural businesses. In this case, the scheme is for visitors to stay on a working farm and participate in activities on the farm as well as use the local footpaths and bridleways. Therefore whilst there may be some small increase in traffic when tourists arrive at the start of their holiday and leave at the end, this is not considered to be so great as to warrant being a reason for refusal.

10. Conclusion

The proposed development is in accordance with local tourism guidance and Government guidance as expressed in PPS7. Overall, as it is considered that this proposal will benefit a rural business and in view of its very small scale is unlikely to have any detrimental impact on the countryside and the surrounding environment, and therefore providing it is conditioned so that the accommodation is solely for use of visitors; the proposal is considered acceptable.

Recommendation

APPROVE subject to conditions

Reasons for approval

The proposed development is in accordance with local tourism guidance, the policies in the Local Plan and Government guidance as expressed in PPS7. Overall, as it is considered that this proposal will benefit a rural business and in view of its very small scale is unlikely to have any detrimental impact on the countryside and the surrounding environment, the proposal is considered acceptable.

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 No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the building[s].

REASON In the interests of the amenity and the environment of the development.

POLICY G2, C2 and C6 general and countryside policies

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

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

POLICY- C2 and C6 protection of the Special Landscape Area

4 Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and the Use Classes (Amendment) Order 2005 (or any Order revoking and re-enacting those Orders, with or without modification), the accommodation/cabins hereby permitted shall be used for holiday accommodation only and for no other purpose.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY C2 and C6 Countryside policies, H23 Housing policy boundaries, C21 Farm diversification

5 No person shall occupy the holiday accommodation hereby permitted for a continuous period of more than 21 days in any calendar year and it shall not be reoccupied by the same person/s within 28 days following the end of that period.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY: C2 and C6 countryside policies, H23 Housing policy boundaries, C21 Farm diversification

6 The owners/ operators of the site shall maintain an up -to -date register of the names of all owners/occupiers of individual cabins on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY C2 and C6 countryside policies, H23 Housing policy boundaries, C21 Farm diversification

7 The holiday accommodation/cabins hereby permitted shall not be occupied as a persons' sole or main place or residence.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY C2 and C6 countryside policies, H23 Housing policy boundaries, C21 Farm diversification.

INFORMATIVE 1

DOCUMENT/PLANS SUBMITTED WITH THE APPLICATION

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Block plan showing site for cabins and store received on 24 June 2009

Location plan and elevations of two cabins and store received on 24 June 2009.

Additional Plan revising location of holiday cabin received on 2 November 2009

Appendices:	NONE.
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Background Documents Used in the Preparation of this Report:	Block plan showing site for cabins and store received on 24 June 2009 Location plan and elevations of two cabins and store received on 24 June 2009. Additional Plan revising location of holiday cabin received on 2 November 2009
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Deadline	10/12/09		
Application Number:	S/2009/1537		
Site Address:	WARE FARM BENN LANE FARLEY SALISBURY SP5 1AF		
Proposal:	ERECTION OF POLYTUNNEL		
Applicant/ Agent:	MRS FRANCCESCA WARE		
Parish:	PITTON & FARLEYWINTERSLOW		
Grid Reference:	422693 129362		
Type of Application:	FULL		
Conservation Area:	FARLEY	LB Grade:	
Case Officer:	Mr W Simmonds	Contact Number:	01722 434553

Reason for the application being considered by Committee

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

- Scale of development
- Visual impact upon the surrounding area

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions

2. Main Issues

The main issues to consider are :

- Impact on the existing character of the conservation area
- The principal of the proposed development
- Impact on the landscape of the surrounding Special Landscape Area
- Impact on the amenity of neighbours
- Scale, design and materials

3. Site Description

The application relates to an area of grassland/paddock of approximately 0.7Ha within the settlement of Farley. The application site is situated towards the eastern side of the settlement, and is within the designated conservation area and wider Special Landscape Area. The land adjoins the designated Housing Restraint Area to the north.

The application site comprises of two main paddocks and has a large barn in the south west corner with associated consolidated access track (from the gated access onto Ben Lane) and

hardstanding area.

The land is bounded by hedgerows and post and rail timber fencing, and is understood to be under equine use.

4. Planning History

S/09/1538	Erection of stables and hay store	Undetermined
S/93/0635	O/L Agricultural dwelling and access	REF 01.07.93
S/92/0783	O/L Agricultural dwelling (cottage style)	REF 02.07.92
S/80/1157	O/L Two storey dwelling with gge & access	REF 05.11.80
S/80/1156	O/L Single storey dwelling with gge & access	WD 06.10.80
S/75/0444	O/L Two storey dwelling (chalet bungalow) with gge & access	REF 30.07.75

5. The Proposal

The application proposes the erection of a single polytunnel. The proposal would locate the structure within the eastern paddock, towards the north eastern boundary.

6. Planning Policy

The following policies are considered relevant to this proposal:

- G1 & G2 (General Principles for Development)
- CN8 & CN11 (Conservation Areas)
- C2 (The Rural Environment)
- C6 (Landscape Conservation)

7. Consultations

Conservation Officer

No objections to the proposal

Environment Agency

No objection

Pitton & Farley parish council

Object to the proposal on grounds of its use being unspecified, adverse impact on the Special landscape Area, and concerns in respect of the potential future commercial use of the structure/site.

8. Publicity

The application was advertised by site notice, press notice and neighbour notification letters

Expiry date 19.11.09

No third party letters have been received.

9. Planning Considerations

9.1 The principle of the proposed development

The application site is used (and appears to have been historically used) for the keeping of horses, and is therefore not currently in agricultural use. The use of the proposed polytunnel to produce plants and vegetables for the applicants personal consumption/use is considered akin to an allotment use, that being a use which is widely accepted as being agricultural use (a view supported by case law and various decisions by planning Inspectors).

Whilst it is therefore clear that the provision of a polytunnel on the land for the purposes described would introduce an element of mixed use onto the site, the level of mixed (agricultural) use proposed is not considered capable/sufficient to trigger a change of use of the land from the accepted main equine use.

The proposal therefore, whilst introducing a small element of agricultural use onto the site, is considered acceptable in principle, subject to its accordance with Development Plan policies in respect of landscape impact, impact on the conservation area and impact on neighbour amenity.

9.2 Impact on conservation area and Special Landscape Area

The proposed building would consist of a single polytunnel of approximate dimensions 14m long x 7m wide x 3m high with double doors at the southern end. The construction of the polytunnel would consist of polythene membrane over a steel hooped framework over a 150mm hardcore base.

The polytunnel would be located within the eastern paddock, towards the north eastern boundary of the site.

The applicant has confirmed that site levels surrounding the building are to remain unaltered.

The applicant has indicated that the use of the polytunnel would be to grow plants and vegetables for her own use.

The proposal is considered to constitute a utilitarian agricultural-type structure that would not be inappropriate in the context the surrounding area in terms of its scale, design and materials.

The parish council has expressed concern in respect of the potential for alternative commercial uses of the polytunnel. These concerns could be mitigated by a planning Condition to control the use of the structure (i.e. preventing any commercial, industrial or business use).

The conservation officer has assessed the proposal and has no objections.

By reason of its agricultural appearance and its location in an area that is relatively well-

screened by existing hedgerows to the south and west, and natural screening along the adjacent boundary to the immediate north, the proposed polytunnel structure is not considered likely to have an adverse impact on the surrounding conservation area, or the landscape of the Special Landscape Area.

9.3 Impact on the amenity of neighbours

The nearest residential neighbours to the site are Farley Farm Cottage to the north, North Gable to the west and Silverbirch Cottage to the south west.

The proposed polytunnel would be located approximately 35 metres from the closest dwelling at Farley Farm Cottage. Taking into consideration the distance and relationship between the site of the proposed polytunnel and the nearest neighbouring properties, it is considered the proposed development would not unduly disturb, interfere, conflict with or overlook adjoining dwellings or uses to the detriment of existing occupiers.

10. Conclusion

The proposed development accords with the provisions of the Development Plan, and in particular policies G1 & G2 (General Criteria), CN8 & CN11 (Conservation Areas), C2 (The Rural Environment) & C6 (Landscape Conservation) of the saved policies of the adopted local plan, insofar as the proposed polytunnel is considered appropriate in terms of its scale, design and materials, would not unduly affect the amenity of neighbours, and would not adversely affect the existing character of the conservation area or the landscape of the surrounding Special landscape Area.

Recommendation

That the application be APPROVED for the following reason:

The proposed development accords with the provisions of the Development Plan, and in particular policies G1 & G2 (General Criteria), CN8 & CN11 (Conservation Areas), C2 (The Rural Environment) & C6 (Landscape Conservation) of the saved policies of the adopted local plan, insofar as the proposed polytunnel is considered appropriate in terms of its scale, design and materials, would not unduly affect the amenity of neighbours, and would not adversely affect the existing character of the conservation area or the landscape of the surrounding Special landscape Area.

And 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 not be used for any industrial, business or other commercial use/purpose.

REASON: To allow the local planning authority to retain control over the use of the site in the

interests of the appearance of the site and the amenities of the area.

POLICY- G1 & G2 (General Criteria), C2 (The Rural Environment), C8 (Conservation Areas) & C6 (Landscape Conservation)

Appendices:	None
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Background Documents Used in the Preparation of this Report:	Development Plan policies as detailed at 6 (above) Pitton and Farley Parish Plan 2007
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