

Schedule Of Planning Applications For Consideration

In The following Order:

- Part 1) Applications Recommended For Refusal
- Part 2) Applications Recommended for Approval
- Part 3) Applications for the Observations of the Area Committee

With respect to the under mentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

| | |
|-------|--------------------------------------|
| AHEV | - Area of High Ecological Value |
| AONB | - Area of Outstanding Natural Beauty |
| CA | - Conservation Area |
| CLA | - County Land Agent |
| EHO | - Environmental Health Officer |
| HDS | - Head of Development Services |
| HPB | - Housing Policy Boundary |
| HRA | - Housing Restraint Area |
| LPA | - Local Planning Authority |
| LB | - Listed Building |
| NFHA | - New Forest Heritage Area |
| NPLP | - Northern Parishes Local Plan |
| PC | - Parish Council |
| PPG | - Planning Policy Guidance |
| SDLP | - Salisbury District Local Plan |
| SEPLP | - South Eastern Parishes Local Plan |
| SLA | - Special Landscape Area |
| SRA | - Special Restraint Area |
| SWSP | - South Wiltshire Structure Plan |
| TPO | - Tree Preservation Order |

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
CITY AREA 30th OCTOBER 2008

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

| | | |
|--------------------------------------|-----------------------|--|
| Item Site Visit Pages | Application No | Parish/Ward Officer Recommendation Ward Councillors |
|--------------------------------------|-----------------------|--|

| | | |
|-------|---|--------------------------|
| 1 | S/2008/0877 | ST MARTIN & MILFORD |
| 4pm | Mrs J Wallace | APPROVE SUBJECT TO S106 |
| 3-9 | TOLLGATE INN 2 TOLLGATE ROAD SALISBURY SP1 2HZ CONVERSION OF EXISTING PUBLIC HOUSE TO FOUR DWELLINGS | Councillor Tomes |
| 2 | S/2008/0878 | ST MARTIN & MILFORD |
| 4pm | Mrs J Wallace | APPROVED WITH CONDITIONS |
| 10-13 | TOLLGATE INN 2 TOLLGATE ROAD SALISBURY SP1 2HZ CONVERSION OF EXISTING PUBLIC HOUSE TO FOUR DWELLINGS | Councillor Tomes |

Part 2

Applications recommended for Approval

1

| | | | |
|---------------------|---|-----------------|--------------|
| Application Number: | S/2008/0877 | | |
| Applicant/ Agent: | DYER & SEY LTD | | |
| Location: | TOLLGATE INN 2 TOLLGATE ROAD SALISBURY SP1 2HZ | | |
| Proposal: | CONVERSION OF EXISTING PUBLIC HOUSE TO FOUR DWELLINGS | | |
| Parish/ Ward | ST MARTIN & MIL | | |
| Conservation Area: | SALISBURY | LB Grade: | II |
| Date Valid: | 12 May 2008 | Expiry Date | 7 July 2008 |
| Case Officer: | Mrs J Wallace | Contact Number: | 01722 434687 |

REASON FOR REPORT TO MEMBERS

Councillor Tomes has requested that this item be determined by Committee due to: the controversial nature of the application and the level of public interest shown in the application.

SITE AND ITS SURROUNDINGS

The site is located on the eastern side of the city, adjacent to the dual carriageway Churchill Way (the A36). It is a corner site between St Martin's Church Street and Tollgate Road, which historically was at the eastern end of St Ann Street, before the Churchill Way was cut through that street. The buildings are prominent in the street scene and easily visible from the A36.

The public house is Listed Grade II and consists of three main elements.

The range facing St Martins Church Street and Churchill way is late 16th century/early 17th century, with walls replaced by brick in the early 18th century.

A parallel range was added behind in the mid1850's.

The 19th century cob and brick coach house/stable was either added at the same time or if it already existed; it was at this time joined up with the new building to the rear of the property.

The buildings occupy almost the whole of the site, with a small forecourt adjacent to Tollgate Road in front of the stable block

The area around the public house is predominantly residential, though with a mix of other uses in the vicinity. The residential properties are a combination of older and more modern dwellings in a mixture of styles. The former car park for the public house was recently converted to residential use and the new dwellings have now been constructed.

PLANNING HISTORY

| | | |
|---------|---|--------------------|
| 03/702 | DEVELOP LAND WITH 4 NEW HOUSES AND GARAGE AND NEW ACCESS | WD |
| 03/1320 | DEVELOP LAND WITH 4 NEW HOUSES AND GARAGES AND ALTERATION TO ACCESS | REF APPEAL ALLOWED |
| 04/2709 | ERECTION OF TERRACE OF FOUR 2-BED DWELLINGS FRONTING TOLLGATE ROAD/ ON TOLLGATE INN PUBLIC HOUSE CAR-PARK; CONSTRUCTION OF ACCESS ROAD AND PROVISION OF 6 PARKING SPACES TO REAR. | AC |
| 05/1884 | ERECT 4 HOUSES WITH 6 CAR PARK SPACES | AC |
| 07/0425 | ERECT 4 HOUSES WITH 6 CAR PARK SPACES | REF APPEAL ALLOWED |
| 07/2100 | CONVERSION OF EXISTING PUBLIC HOUSE TO 5 NO RESIDENTIAL DWELLINGS | WD |

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THE PROPOSAL

Originally submitted for 5 dwellings, this is a full application for the conversion of the public house into four residential units and the creation of 4 off street parking places. The proposal involves external alterations to the existing building involving some new openings as well as internal alterations to divide the buildings into flats.

CONSULTATIONS

WCC Highways: No response to this application, but response to previous scheme for 5 flats was as follows:-

The level of parking and the layout of the parking area is satisfactory. The forecourt area, where the parking is proposed is located at a position along Tollgate Road where visibility in both directions is available for any emerging vehicle and traffic speeds are reduced due to the bends in both directions. Also, nearby parking exists which is of a similar layout, with vehicles able to reverse onto the carriageway.

Informative to applicant: the existing footway must be reconstructed to the specification of the Highway Authority across the full width of the vehicle parking bays, for which the approval of the Highway Authority is required.

Written confirmation regarding acceptability of amended scheme for 4 dwellings awaited.

Wessex Water: The development is located within a foul sewer area and there is a water main in the area, connection can be agreed at the detailed design stage

According to the records, there may be a foul sewer crossing the site which by virtue of its age could be deemed to be a public sewer under The Public Health Acts 1936. Public Sewerage apparatus is covered by statutory easement and no new works will normally be permitted within a minimum 3.0 metres on either side of its apparatus for the purpose of maintenance and repair.

The developer has proposed to dispose of surface water to main sewer. As there are no existing public separate surface water sewers in the vicinity of the site it is advised alternative methods for the satisfactory disposal of surface water from the site be agreed e.g. soakaways. Surface water should not be discharged to the foul sewer. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

Environmental Services:

Same response was given to this application as to previous application:-

A noise survey must be conducted and the following condition placed on any consent. Renovation/construction work shall not begin until a scheme for protecting the proposed residential units from traffic noise from the A36 Churchill Way East which is directly opposite the west/north west sides of the Tollgate Inn has been submitted to and approved by the Local Planning Authority. All works which form part of the scheme shall be completed before any part of the conversion of the Tollgate Inn to residential units is occupied. A noise survey must be conducted for the purposes of this condition.

English Heritage: This is a grade II listed building. There was a previous application for the conversion of this property which was withdrawn. We note that this application has addressed some of the concerns we raised when commenting on previous application. In particular retention of the historic staircase, however the extent of subdivision remains intensive. More information has been provided regarding the details of structural works and general upgrading. The extent of repairs would need to be checked on site. The proposal now includes addition of insulation above the existing roof structure; such proposals often require alteration to the eaves detail due to increasing the depth of the

roof covering. The Council should request further details to show how this will be achieved, so that they can judge the impact on the special architectural interest of the listed building

Recommendation:

We would urge you to address the above issues and recommend that this application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice

Archaeology: The application is unlikely to have an impact on archaeological remains and have no comments.

Environment Agency: No comment.

Wiltshire Fire and Rescue Services:

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

REPRESENTATIONS

| | |
|------------------------|------------------------|
| Advertisement | Yes - expired 12/06/08 |
| Site Notice displayed | Yes - expired 12/06/08 |
| Departure | No |
| Neighbour notification | Yes - expired 4/06/08 |
| Third party response | 1 e-mail of support |

4 letters of objection which refer to the following planning issues:-

Owners did not want it to continue as a pub. It was marketed, but when it achieved the asking price, the offer was ignored.

Pub was deliberately 'run down'. Sign said 'We open when we feel like it'

Pub was shut as soon as application was made Steel shutters were put up.

Car park was sold off and money not invested in the pub.

No objection in principle but flats should have 2 parking spaces each as parking in this area is inadequate.

Inadequate parking 4 spaces for 5 flats

No amenity space for the flats

Conversion to 1 house would be supported

The Salisbury and South Wiltshire Branch of The Campaign for Real Ale (CAMRA) objects very strongly to the proposed loss of a valued local amenity. Our objections will be limited to the loss of a public house. The application proposes that the present public house is converted to housing. As such this application falls directly under Policy PS3 in the adopted Salisbury District Local Plan. This states that the change of use of premises within settlements that are currently used or have been used for retailing as a public house or to provide a community facility central to the economic and/or social life of the settlement will only be permitted where the applicant can prove that the current or previous use is no longer viable.

I cannot see in the application documentation a specific viability assessment. I trust that the applicants have carried out this assessment as even quite recently the pub was full midweek in spite of other similar facilities in the vicinity.

The simple fact is, this the site is much more valuable to the applicants if developed as proposed than if allowed to continue profitably in its designed use as a public house. The building has been falling into a state of disrepair for some time had the owners used the money released by the recent development of the car park area as housing to bring this listed building back to a good state of repair it could have remained profitable as a community focused public house

POLICY CONTEXT

Saved policies G1, G2, D2, CN3, CN4, CN5, CN8, CN21, CN23, H8, R2, E16, TR11, TR14 and PS3 of Replacement Adopted Salisbury District Local Plan
PPS1, PPS3 and PPG15

MAIN ISSUES

1. Principle of Development/loss of public house
2. Impact on Listed Building/ Impact on Conservation Area
3. Impact on neighbours' amenities
4. Highways
5. Public Open Space

PLANNING CONSIDERATIONS

1. Principle of Development/loss of public house

Salisbury District Local Plan policy PS3 only applies to the smaller settlements in the district and not to the city of Salisbury. This was confirmed by the inspector in the case of the change of use of the Butt of Ale Inn (S/2003/1394). This decision also effectively ruled out using policy E16 (changes of use away from employment) as a consideration in such a case. Policy G1(ii) seeks to promote the vitality and viability of communities, and the retention of public houses can be seen as contributing towards this principle. However this is counterbalanced by Local Plan policy G1(i) and (iv), as well as national guidance as expressed by PPS3 and PPS1, which relate to sustainability of locations and achieving effective use of land in urban sites, and this application would appear to contribute to these principles.

In this case, the Tollgate Inn public house is sited on the edge of the city centre and within a short distance of alternative facilities. For example there other public houses such as The Railway Inn 320metres to the south and Winchester Gate 400metres to the north. Therefore, the loss of this particular public house will not result in unsustainable travel patterns, as residents of the area will be able to walk to other public houses in the locality.

2. Impact on Listed Building and Conservation Area

The proposed conversion of the building involves the creation of a single dwelling within the former stable block and the conversion of the public house itself into three dwelling units. The public house building will be renovated, the windows and doors refurbished and the plain clay tile roofs removed and subsequently replaced over improved insulation. As regards the former stable block, the metal garage door is to be replaced by a timber infill panel, a new front door inserted on the northern elevation and three conservation style roof lights placed into the roof to serve the proposed bedrooms.

In comparison with the scheme put forward in 2007, the plans provided are significantly improved and both a historic appraisal of the building as well as a structural appraisal of the roof have been provided. In view of the advice from English Heritage and the concern expressed regarding the extent of the sub-division of the building resulting from the proposed conversion to five residential units on the historic fabric, amendments to the scheme were sought. Detailed plans have now been provided which reduce the number of proposed residential units from five to four and additional details, including a schedule of proposed works to the fabric received, which have addressed the issues raised by English Heritage and overcome the objections of the Conservation Officer. Both the proposed external and internal alterations proposed are considered to preserve the historic integrity of the Listed Building.

The site is prominent in the townscape and streetscape and therefore whilst the principle of the proposal may be in accordance with the Local Plan policies, any proposed external changes to the building should not be detrimental to the surroundings. As the external changes are very limited, consisting primarily of the change of use of the pub's forecourt to off-street parking the development is considered to have only a very limited impact and no deleterious effect on the character of the Conservation Area.

3. Impact on amenities

The proposed conversion will not affect the amenities of the adjacent dwellings as it is merely for the conversion of an existing building, and does not introduce additional windows except into the roof of the former stable block. The roof light on the southern (rear) elevation is to be high level with a cill level of 1.8m above FFL, and on the street elevation, the number of rooflights has been reduced from three to two. In general terms therefore the current degree of overshadowing and overlooking will not be altered and the interrelationship between the existing dwellings and the proposed four residential units within the converted building is considered to be acceptable in this urban setting.

The amended plans have also addressed the concerns regarding the amenities of the future occupiers of the residential units. Though the proposed arrangement of the rooms for the units within the building is not simple, the units now relate much more closely to the building and though unit 3 is particularly complicated, the arrangement of rooms is considered acceptable.

4. Highways

The forecourt area, where the parking is proposed is located at a position along Tollgate Road where visibility in both directions is available for any emerging vehicle. Also traffic speeds are reduced in the vicinity of the site to the bends in both directions. There are also similar arrangements of parking nearby, with vehicles reversing onto the carriageway. In comparison with the former public house use the situation will be somewhat improved.

The amended plans also show that covered cycle storage is to be provided on the eastern side of the site. Written confirmation is awaited that WCC Highways raise no objections to the revised proposals; subject of course to the previous condition that the existing footway shall be reconstructed to the specification of the Highway Authority across the full width of the vehicle parking bays.

5. Provision of Recreation Facilities

In accordance with Policy R2 of the Adopted Replacement Salisbury District Local Plan the provision of recreation facilities must be considered for all proposals for new residential development. The applicants have not as yet indicated their willingness to comply with this policy.

Conclusion

The principle of the conversion of Public House to a residential use is in accordance with the Adopted Salisbury District Local Plan policies and there are other public houses within the vicinity of the site.

The proposal as amended retains important historic fabric and is not considered to have an adverse impact on the special interest of the listed building and thus the proposed conversion overcomes the previous concerns regarding the impact of the development upon the listed building

The proposed residential use would not adversely affect residential amenity and the development would have no more impact on highway safety than the public house use.

RECOMMEND FOR APPROVAL

For the following reasons:

The principle of the conversion of Public House to a residential use is in accordance with the Adopted Salisbury District Local Plan policies and there are other public houses within the vicinity of the site.

The proposal as amended retains important historic fabric and is not considered to have an adverse impact on the special interest of the listed building and thus the proposed conversion overcomes the previous concerns regarding the impact of the development upon the listed building

Residential amenity and highway safety would remain unaffected.

And subject to:

a)The applicant and any other relevant parties undertake, under Section 106 of the principal act to pay a commuted sum towards open space then this authority is minded to grant planning permission to the above application subject to the following conditions:

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. (A07B)

Reason 1: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

2. This development shall be in accordance with the following drawings received on the 9 October 2008;

26085-PL30 Revision D
26085-PL34 Revision D
26085-PL35 Revision D
26085-PL36 Revision D
26085-PL37 Revision D
26085-PL40 Revision B
26085-PL42

Unless otherwise agreed in writing by the Local Planning Authority.

Reason 2: For the avoidance of doubt.

3. No development shall take place until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason 3: To secure a harmonious form of development.

4. Notwithstanding the provisions of Class[es] A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling(s) nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. (V15A)

Reason 4: To enable the Local Planning Authority to retain control over the development in the interests of amenity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no further windows/dormer windows/rooflights [other than those expressly authorised by this permission] shall be constructed in the dwelling hereby approved.

Reason 5: To ensure adequate standards of privacy for the neighbouring dwelling(s) through the avoidance of overlooking from windows or rooflights.

6. No development shall take place until details of a scheme for the reconstruction of the footway across the full width of the parking bays has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out prior to the occupation of the dwellings..

Reason 6: In the interests of highway safety

7. During 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 Fridays and 0900 to 1300 on Saturdays. There shall be no activities/working on Sundays, Bank and Public Holidays. This restriction shall not apply to the internal fitting out of the buildings.

Reason 7: To avoid the risk of disturbance to neighbouring dwellings/the amenities of the locality during unsocial hours.

8. No development shall take place until a scheme for the provision of water efficiency measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the agreed details prior to the first occupation of the dwelling.

Reason 8: 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.

9 No development shall take place until a scheme of sound attenuation which specifies the provision to be made for the control of noise emanating from the adjacent A36, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented prior to the first occupation of any of the dwellings hereby approved and thereafter shall be retained.

Reason 9: In the interests of the amenities of the future occupants of the dwellings

INFORMATIVE 1: POLICY

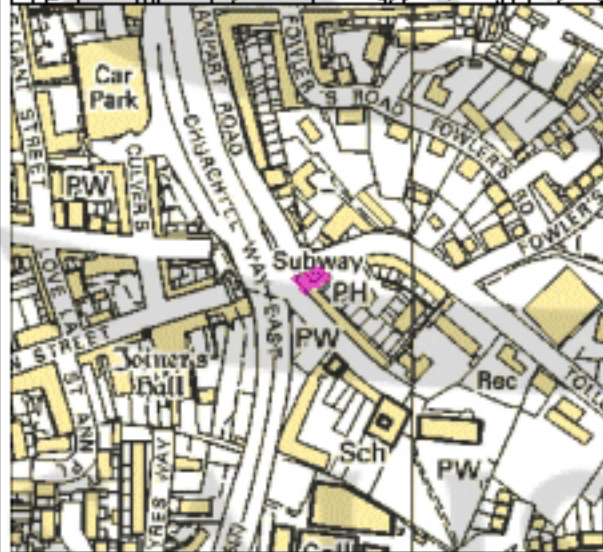
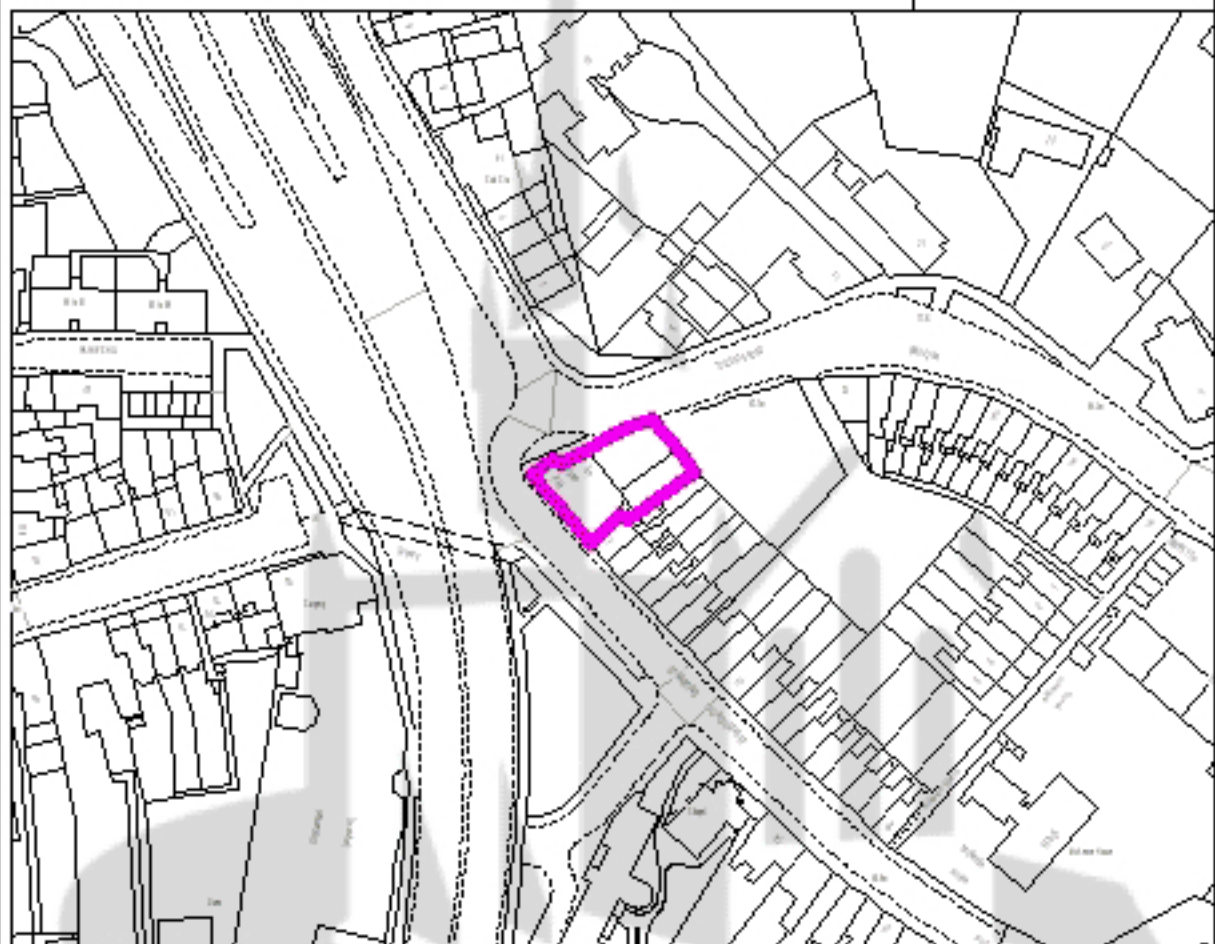
And in accordance with the following saved policies of the Adopted Salisbury District Local Plan:

| Saved Policy | Purpose of Adopted Salisbury District Local Plan |
|--------------|---|
| G1 | Aims of the Local Plan |
| G2 | General Criteria for Development |
| D2 | Design of Infill Development |
| CN3 | Character and setting of a listed building |
| CN4 | Change of use of a Listed Building |
| CN5, | Development within curtilage of a listed building |
| CN8 | Development within Conservation Area |
| CN21 | Site of Archaeological importance |
| CN23 | Archaeological implications of proposal |
| PS3 | Change of Use of Community Facilities |
| E16 | Loss of employment. |
| R2 | Public Open Space |
| TR11 | Off street parking |
| H8 | Housing Policy Boundary |

b) If the applicant does not comply with (a) above the application is delegated to the Head of Development Services to refuse the proposal on non-compliance with Policies G9 and R2.

Site Visit: **October 30th at 16:00**

S/2008/877



SCALE: NTS
 DATE: 20/10/2008 14:49:30
 DEPARTMENT: Planning

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| | | | |
|---------------------|---|-----------------|--------------|
| Application Number: | S/2008/0878 | | |
| Applicant/ Agent: | DYER & SEY LTD | | |
| Location: | TOLLGATE INN TOLLGATE ROAD SALISBURY SP1 2HZ | | |
| Proposal: | CONVERSION OF EXISTING PUBLIC HOUSE TO FOUR DWELLINGS | | |
| Parish/ Ward | ST MARTIN & MIL | | |
| Conservation Area: | SALISBURY | LB Grade: | II |
| Date Valid: | 12 May 2008 | Expiry Date | 7 July 2008 |
| Case Officer: | Mrs J Wallace | Contact Number: | 01722 434687 |

REASON FOR REPORT TO MEMBERS

Councillor Tomes has requested that this item be determined by Committee due to: the controversial nature of the application and the level of public interest shown in the application.

SITE AND ITS SURROUNDINGS

The site is located on the eastern side of the city, adjacent to the dual carriageway Churchill Way (the A36). It is a corner site between St Martin's Church Street and Tollgate Road, which historically was at the eastern end of St Ann Street, before the Churchill Way was cut through that street. The buildings are prominent in the street scene and easily visible from the A36.

The public house is Listed Grade II and consists of three main elements.

The range facing St Martins Church Street and Churchill way is late 16th century/early 17th century, with walls replaced by brick in the early 18th century.

A parallel range was added behind in the mid1850's.

The 19th century cob and brick coach house/stable was either added at the same time or if it already existed; it was at this time joined up with the new building to the rear of the property.

The buildings occupy almost the whole of the site, with a small forecourt adjacent to Tollgate Road in front of the stable block

The area around the public house is predominantly residential, though with a mix of other uses in the vicinity. The residential properties are a combination of older and more modern dwellings in a mixture of styles. The former car park for the public house was recently converted to residential use and the new dwellings have now been constructed.

PLANNING HISTORY

| | | |
|-----------|---|--------------------|
| 03/702 | DEVELOP LAND WITH 4 NEW HOUSES AND GARAGE AND NEW ACCESS | WD |
| 03/1320 | DEVELOP LAND WITH 4 NEW HOUSES AND GARAGES AND ALTERATION TO ACCESS | REF APPEAL ALLOWED |
| 04/2709 | ERECTION OF TERRACE OF FOUR 2-BED DWELLINGS FRONTING TOLLGATE ROAD/ ON TOLLGATE INN PUBLIC HOUSE CAR-PARK; CONSTRUCTION OF ACCESS ROAD AND PROVISION OF 6 PARKING SPACES TO REAR. | AC |
| 05/1884 | ERECT 4 HOUSES WITH 6 CAR PARK SPACES | AC |
| 07/0425 | ERECT 4 HOUSES WITH 6 CAR PARK SPACES | REF APPEAL ALLOWED |
| 07/2100 | CONVERSION OF EXISTING PUBLIC HOUSE TO 5 NO RESIDENTIAL DWELLINGS | WD |
| 07/2101LB | CONVERSION OF EXISTING PUBLIC HOUSE TO 5 NO RESIDENTIAL DWELLINGS INCLUDING INTERNAL & EXTERNAL ALTERATIONS | WD |
| 08/877 | CONVERSION OF EXISTING PUBLIC HOUSE TO 5 NO RESIDENTIAL DWELLINGS | Not yet determined |

THE PROPOSAL

This is a Listed Building application for the works, mainly internal, required to facilitate the conversion of the public house for residential use. The main building is proposed to be renovated, the windows and doors refurbished and the plain clay tile roofs removed and subsequently replaced over improved insulation. As regards the former stable block, external doors are proposed to be replaced, a new opening inserted in the internal wall and three conservation style roof lights inserted

CONSULTATIONS

English Heritage: This is a grade II listed building. There was a previous application for the conversion of this property which was withdrawn. We note that this application has addressed some of the concerns we raised when commenting on previous application. In particular retention of the historic staircase however the extent of subdivision remains intensive. More information has been provided regarding the details of structural works and general upgrading. The extent of repairs would need to be checked on site. The proposal now includes addition of insulation above the existing roof structure such proposals often require alteration to the eaves detail due to increasing the depth of the roof covering. The Council should request further details to show how this will be achieved so that they can judge the impact on the special architectural interest of the listed building.

Recommendation:

We would urge you to address the above issues and recommend that this application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

REPRESENTATIONS

| | |
|------------------------|--|
| Advertisement | Yes - expired 12/06/08 |
| Site Notice displayed | Yes - expired 12/06/08 |
| Departure | No |
| Neighbour notification | Yes - expired 4/06/08 |
| Third party response | 1 letter of objection which refers to the following planning issues:- No objection in principle; but 5 units and only 4 parking spaces are to be provided. They should have 2 parking spaces each 'off road' as parking in Rampart/Tollgate/St Martins is inadequate. |

Also letter from:

The Salisbury and South Wiltshire Branch of The Campaign for Real Ale (CAMRA) objects very strongly to the proposed loss of a valued local amenity. The application proposes that the present public house is converted to housing. As such this application falls directly under Policy PS3 in the adopted Salisbury District Local Plan. This states that the change of use of premises within settlements that are currently used or have been used for retailing as a public house or to provide a community facility central to the economic and or social life of the settlement will only be permitted where the applicant can prove that the current or previous use is no longer I cannot see in the application documentation a viability assessment. I trust that the applicants have carried out this assessment as even quite recently the pub was full midweek in spite of other similar facilities in the vicinity. The simple fact is, this the site is much more valuable to the applicants if developed as proposed than if allowed to continue profitably in its designed use as a public house. The building has been falling into a state of disrepair for some time had the owners used the money released by the recent development of the car park area as housing to bring this listed building back to a good state of repair it could have remained profitable as a community focused public house

POLICY CONTEXT

CN3, CN4, CN5, CN8 of Salisbury District Local Plan
PPG15

MAIN ISSUES

Impact on Listed Building/ Conservation Area

PLANNING CONSIDERATIONS

Impact on Listed Building and Conservation Area

The proposed conversion of the building involves the creation of a single dwelling within the former stable
City Area Committee 30/10/2008

block and the conversion of the public house itself into three dwelling units. The public house building will be renovated, the windows and doors refurbished and the plain clay tile roofs removed and subsequently replaced over improved insulation. As regards the former stable block, the metal garage door is to be replaced by a timber infill panel, a new front door inserted on the northern elevation and three conservation style roof lights placed into the roof to serve the proposed bedrooms.

In comparison with the scheme put forward in 2007, the plans provided are significantly improved and both a historic appraisal of the building as well as a structural appraisal of the roof have been provided. In view of the advice from English Heritage and the concern expressed regarding the extent of the sub-division of the building resulting from the proposed conversion to five residential units on the historic fabric, amendments to the scheme were sought. Detailed plans have now been provided which reduce the number of proposed residential units from five to four and additional details, including a schedule of proposed works to the fabric received, which have addressed the issues raised by English Heritage and overcome the objections of the Conservation Officer. Both the proposed external and internal alterations proposed are considered to preserve the historic integrity of the Listed Building.

The site is prominent in the townscape and streetscape and therefore whilst the principle of the proposal may be in accordance with the Local Plan policies, the proposed external changes to the building should not be detrimental to the surroundings. As the external changes are very limited, consisting primarily of the change of use of the pub's forecourt to off-street parking the development is considered to have only a very limited impact and no deleterious effect on the character of the Conservation Area.

CONCLUSION

The proposal as amended retains important historic fabric and is not considered to have an adverse impact on the special interest of the listed building and thus the proposed conversion overcomes the previous concerns regarding the impact of the development upon the listed building.

If approved, as this building is listed graded 2*, this decision must be endorsed by GOSW.

RECOMMEND FOR APPROVAL

For the following reasons:

The Tollgate Inn is an important listed building within the Salisbury Conservation Area. The Conservation Officer considers that the amended plans overcome the previous concerns and the proposal will not have an adverse impact on the listed building.

And subject to the following conditions:

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission. (Z01B)

Reason 1 to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004. .0006 AMENDED

2. This development shall be in accordance with the following drawings received on the 9 October 2008

26085-PL30 Revision D
26085-PL34 Revision D
26085-PL35 Revision D
26085-PL36 Revision D
26085-PL37 Revision D
26085-PL40 Revision B
26085-PL42

Unless otherwise agreed in writing by the Local Planning Authority.

Reason 2: For the avoidance of doubt.

3. The development shall be constructed in accordance with the details set out in the e-mail dated 1 October and the attached schedule of works from architecture dpnd Ltd unless otherwise agreed in writing by the Local Planning Authority.

Reason 3 in the interests of preserving the character and appearance of the listed building.

4. No development shall take place until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason 4: To secure a harmonious form of development.

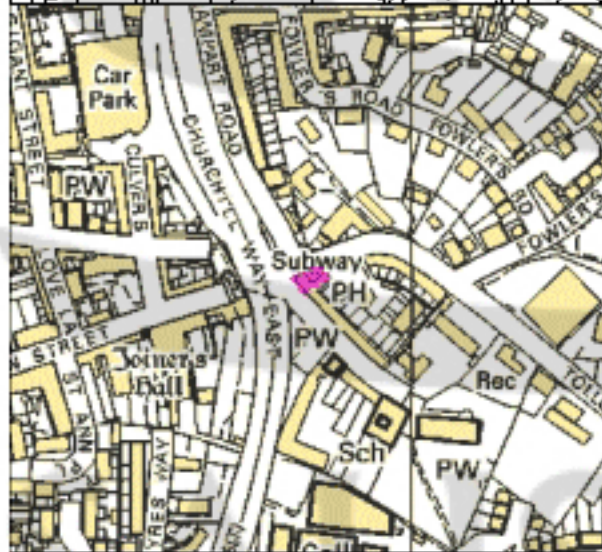
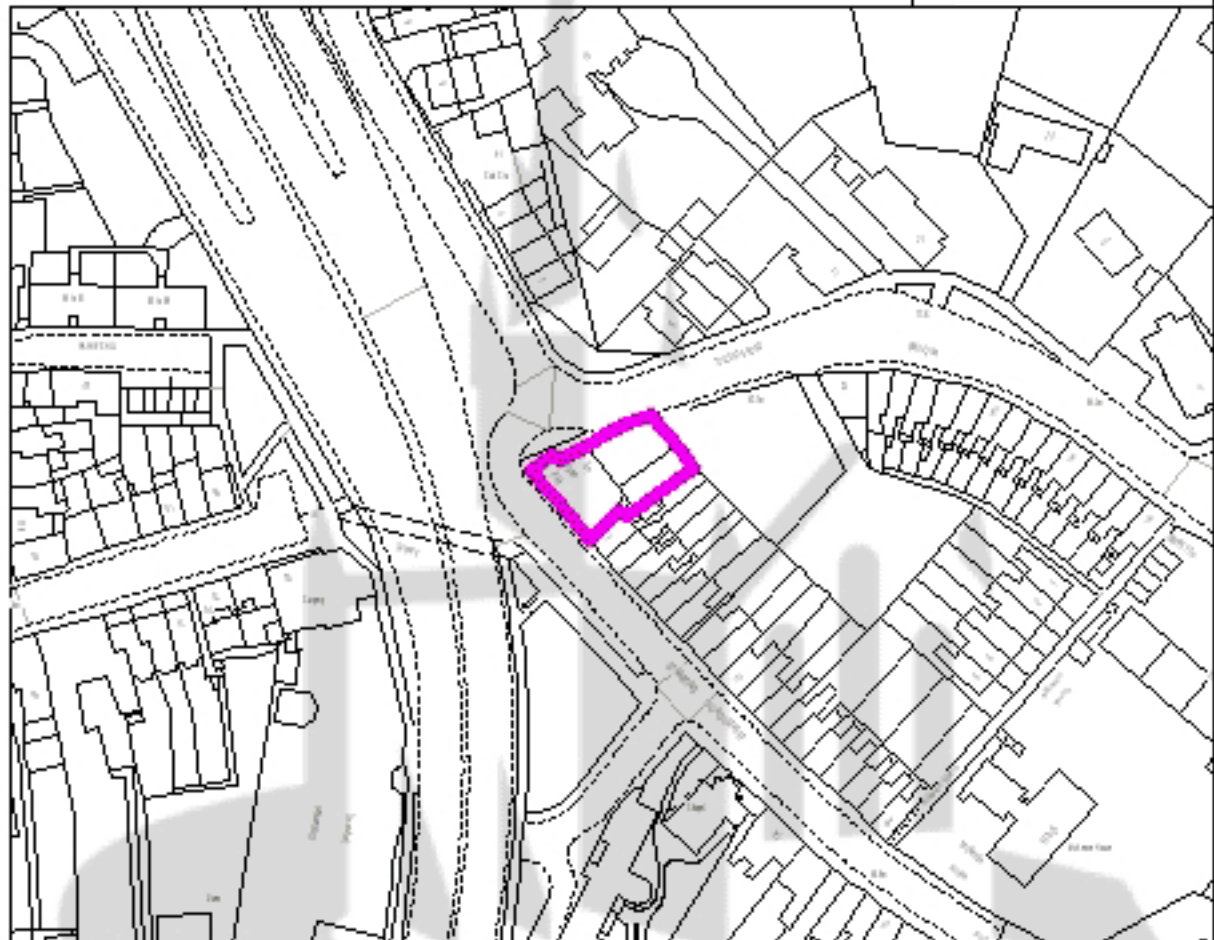
INFORMATIVE 1: POLICY

And in accordance with the following saved policies of the Adopted Salisbury District Local Plan:

| Saved Policy | Purpose of Salisbury District Local Plan |
|--------------|---|
| CN3 | Character and setting of a listed building |
| CN4 | Change of use of a Listed Building |
| CN5 | Development within curtilage of a Listed Building |
| CN8 | Development within Conservation Area |
| PPG15 | |

Site Visit: **October 30th at 16:00**

S/2007/878



SCALE: NTS
 DATE: 20/10/2008 14:49:30
 DEPARTMENT: Planning

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