

<p style="text-align: center;">NORTHERN AREA COMMITTEE – 29/04/2004 SCHEDULE OF ADDITIONAL CORRESPONDENCE</p>
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Planslist
Item No.

1. **S/2004/0480 – DEVELOPMENT OF 16 RESIDENTIAL DWELLINGS COMPRISING 14 NEW BUILDINGS AND CONVERSION OF 2 BUILDINGS WITHIN THE GROUNDS INTO DWELLINGS AND CONSTRUCTION OF NEW ACCESS IN AT BYFORD, PORTONBYFORD, PORTON, SALISBURY, SP4 0LF**

WCC Archaeologist - “I have been contacted by a resident of Porton who has indicated that the original, medieval church at Porton was located on the north eastern part of the Byford site. This certainly ties in with the 1840s tithe map. The presence of a medieval chapel with possible burials would require excavation. Is it too late to ask for an evaluation on this site?”

WCC Highways - See **Appendix 1**

Protected Species Assessment – Confirming need for further reptile survey

2. **S/2004/0485 - ONE REPLACEMENT DWELLING DEMOLITION OF GARAGE BUILDINGS AND CONSTRUCTION OF 1 HOUSE AND ALTERATION TO EXISTING ACCESS AT PARKHOUSE GARAGE, PARKHOUSE ROUNDABOUT, CHOLDERTON, SALISBURY, SP4 0EG**

Agent - Revised drawings revising levels and indicating extent of floodplain, however, received too late to re-consult Environment Agency.

S.D.C Forward Planning Department - See **Appendix 2**

WCC Highways - Object on the basis that the existing garage is in a relatively remote location, and my previous ground for refusal is considered relevant for this small scale development for two dwellings, one of which will be a replacement for the existing dwelling.

I therefore recommend that this application be refused on highway grounds for the following reason:

The proposal, located remote from the services and employment opportunities is contrary to the key aims of PPG13 which seeks to reduce the growth in the length and number of motorised journeys.

5. **S/2004/0381 - EXISTING HOUSE - CHANGE OF USE FROM B & B TO HOUSE IN MULTIPLE OCCUPATION AT 1 SOUTH MILL ROAD, AMESBURY, SALISBURY, SP4 7HR**

Report of Principal Planning Officer (Enforcement):

Members have requested the background to an enforcement issue relating to this site.

In April 2002, a complaint was received that the premises were being used as a hostel for the homeless and that a condition on planning permission S/01/2255 restricting the occupancy to no more than 6 rooms was being breached as 8 rooms were let.

Whether a material change in the use of the premises had in fact occurred was not clear-cut and legal advice was sought. It was finally concluded that, as a matter of fact and degree, the site was in use for mixed purposes as a bed and breakfast and house in multiple occupation and that such use was in breach of planning control.

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Throughout the period of the investigation, the Council continued to receive representations from third parties regarding noise, disturbance and anti-social behaviour arising from the unauthorised use of the premises as a bed and breakfast and house in multiple occupation.

In July 2003, a report was made to the Head of Development Services concerning the matter. The HDS resolved under delegated powers that negotiated compliance should be sought to ensure that use of the premises complied with the permitted B&B use and the number of rooms used was reduced to six in accordance with the condition. In the event that negotiations failed, a report would be made to NAC regarding enforcement action.

Negotiations followed with the owners concerning reversion to the permitted B&B use and introduction of more on-site management to resolve objections by third parties concerning noise and disturbance and anti-social behaviour by occupiers.

In September 2003, it was established that the number of rooms let had been reduced to 6 and the condition was therefore being complied with.

The Owners then agreed to put in place a series of management measures, to ensure a greater on site management, to reduce problems experienced by neighbours. It was agreed that such measures should be given a trial run prior to any further action. Third parties were kept advised of progress so they could monitor the effectiveness of the management measures. The trial period was extended until November 2003 as one of the affected residents was on holiday during part of the period.

In late November 2003 however it was established that the premises were empty and that any use in breach of planning control had therefore ceased.

Since 2003 to date, it is understood that the property has remained empty. No further third party representations have been received since that date.

**6. S/2004/0517 - BUILD IN UNDER 1ST FLOOR BEDROOM TO FORM FAMILY ROOM.
CONSTRUCT 2 DORMERS TO REPLACE EX-VELUX WINDOWS AT 15 CHURCH ROAD,
IDMISTON, SALISBURY, SP4 0AZ**

Parish Council - Confirmation from the Parish Council that they no longer wish to maintain an objection to this application. (Reason for report to Committee)

**7. S/2002/1650 - SOUTHERN SECTION OF THE AMESBURY LINK ROAD BETWEEN
UNDERWOOD DRIVE AND STOCK BOTTOM AND ASSOCIATED MEANS OF DRAINAGE AT
LAND SOUTH OF BOSCOMBE ROAD, AMESBURY, SALISBURY, SP4 7LP**

Planning Consultants - Memo from Planning Consultants acting for QinetiQ – See **Appendix 3**

WCC Highways - As discussed, following the Bell Cornwell Partnership's representations and particularly their memo of 20th April to you, I do not consider it appropriate for the residential development to cater for as yet unknown National obligations of the base. Whilst the highway authority would be involved in wider discussions with the base to ensure adequate and safe servicing, the link off the Link Road is considered adequate to accommodate current needs.

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As yet the extent of highway to be dedicated is not known and we can only take what is offered under the relevant Agreements, but this would include the roads, visibility splays etc to ensure safety and fit for purpose. It would not necessarily include any additional land to allow for future widening, that would be a matter for the developer. We would be prepared to take any such land into the highway and, indeed do so where for instance a single carriageway is constructed by a developer and we take sufficient land for a future second carriageway – Chippenham Western By-pass springs top mind

I trust this clarifies our position.

Resident E-Mail - E-Mail from resident questioning (1) Whether the provisions of S/2002/1075 apply equally to the detailed new application, and (2) The assessment of mitigation and measures. Also confirming that the town and local council remain divided on the desirability of this road.

Resident E-Mail - E-Mail from resident regarding the quality / capacity of parts of Porton Road to serve as a link road and questioning the Local Authorities legal position. – See **Appendix 4**.

Appendices (4)

FORWARD PLANNING CONSULTATION RESPONSE



To: Oliver Marigold
Ref: S/2004/485
Proposal: 1 replacement and one additional dwelling
Location: Parkhouse Garage
Comments by : Sarah Hughes
Date: Wednesday, 07 April 2004

Site Background

The site is currently used as a petrol filling station, a car repair workshop and there is also a dwelling. There was an outline application for residential development submitted in 2002, but it was withdrawn in February 2003.

Relevant Policies

PPG 13 (Transport)
Wiltshire Structure Plan (2001): DP 1
Adopted Salisbury District Local Plan June 2003 – GI, G2, E16 E19, H22, H30 and R2

Comments

Housing

The application site is outside the Cholderton Housing Policy Boundary (policy H16). HPBs are intended to restrict residential development within existing settlement boundaries. The proposal is for a replacement and a new dwelling.

The Local Plan accepts the principle for a replacement dwelling in the countryside in Policy H30 subject to the following criteria

- (i) the proposed replacement dwelling is not significantly larger and has no greater impact than the existing dwelling;*
- (ii) the design of the new dwelling is of a high standard and is appropriate to the rural surroundings;*
- (iii) the siting of the replacement dwelling is closely related to that of the existing;*
- (iv) current parking and access standards can be met; and*
- (v) the existing dwelling has not been abandoned.*

From the information submitted, the proposal falls foul of criterion (i), with the proposed dwelling being significantly larger than the original bungalow.

Residential development outside of the HPB may be acceptable in principle under policy H22 if it is previously developed urban land in a main settlement of the district. Cholderton is not considered by the Local Plan to be a main settlement and the application site whilst brownfield, is rural rather than urban.

Development under policy H22 has three criteria that must be satisfied:

- point 1 is satisfied as the site is not identified for any other development in the Local Plan
- point 2 requires that the development would be well related to the existing pattern of development, which it is not: the application site is both physically and functionally separated from the settlement – being some 1.3 km from the main part of the village.

- point 3 requires the site to be accessible by public transport. An hourly bus service runs past the site, but the scheduled stop is at the Crown, which is in the village itself.

Therefore, not only is policy H22 not applicable here, its criteria are not met at this location anyway. Consequently, residential development here would set an undesirable precedent for housing outside of the Cholderton HPB contrary to policy H16.

Employment

Policy E16 is designed to protect employment land resource in the district. The applicant would have to demonstrate that this existing employment site was no longer viable for an employment use before being permitted to redevelop into residential land.

However, if there were over-riding environmental benefits from removing the employment use, then non-employment uses could be more favourably considered. The information that the applicant has submitted does not adequately address this issue. Therefore without any environmental benefits being promoted, alternative lower-impact employment uses should be sought for the employment part of the site bearing in mind that residential development would not be acceptable here in principle, subject to meeting the criteria in policy E19 which is permissive to redevelopment of employment sites in the countryside providing that the development will be within the existing site boundary.

General Principles for Development

This application would constitute development in an unsustainable location where residents would have no realistic alternative to using private cars, even to access the local facilities in the village.

Local Plan policies G1 and G2 support the principle of sustainable development, including the principal objective of reducing the need to travel and promoting alternatives to private car use. These principles are promoted under policy DPI of the Structure Plan and in PPG 13 (Transport).

Public Open Space Provision

Residential development of this site would require contributions to open space provision under policy R2. The current sum for a 4 bed dwelling is £1891. If officers are minded to approve the application, there would only be a net increase of 1 dwelling for the purposes of R2

Conclusions

The application for the removal of the employment element and replacing it with a dwelling **cannot be supported** in policy terms by reason of:

- the site is physically separated from the HPB (H16), policy H22 not applicable in this location, and development here would create fragmentation of the village (PPG 7)
- loss of an employment site and potential for local employment (E16),
- an unsustainable location (G1, DPI, PPG 13),

Appropriate redevelopment of part of this site could however achieve a significant environmental improvement. A form of low-impact employment use, perhaps offices and storage, would be more acceptable, subject to policy E19

However, the principle of a replacement dwelling on the site may be acceptable in this location, subject to the scheme complying with the criteria in policy H30.